

THE 2013 NEWSPAPER COVERAGE OF THE
OKLAHOMA HORSE SLAUGHTER BILL:
A CONTENT ANALYSIS

By

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Abstract:

The topic of horse slaughter has been a controversial issue across the country. Newspapers play an important role in the issue, as they are responsible for influencing public opinion through the information they do, or do not present.

The objectives of this study were to a) identify all news articles about the horse slaughter bill published by the two highest-circulating Oklahoma newspapers, *The Oklahoman* and the *Tulsa World*, between January 17, 2013, and April 1, 2013; b) describe the types of sentences used in the identified stories; and c) compare the use of each sentence type in the identified articles between the two highest-circulated newspapers in Oklahoma.

A total of 30 articles were identified and coded, using the Hayakawa-Lowry content analysis methodology. Overall the distribution of judgment and report sentences was fairly even, and there were a limited number of inferences identified. However, there was a notable lack of attribution in judgment sentences, indicating a lack of objective reporting.

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CHAPTER I

INTRODUCTION

Background Information

According to a report produced by the Government Accountability Office (GAO) (2001), Americans consumed horsemeat as recently as the 1940s. However, the study also stated the subject of horse slaughter is a controversial issue in the United States. The GAO report identified opponents of horse slaughter as groups such as “animal rights advocates, horse enthusiasts, and some state governments” (U.S. Government Accountability Office, 2011, p. 1). One animal rights organization, the Humane Society of the United States (HSUS), said horses are treated as companion animals (HSUS, 2013) “Unlike animals raised for food, the vast majority of horses destined for slaughter will have ingested, or been treated or injected with, multiple chemical substances that are known to be dangerous to humans” (HSUS, 2013). The GAO (2011) report said groups such as the livestock and meatpacking industries support horse slaughter because of “a strong export market for horsemeat, the economic and employment benefits to local communities of horse slaughtering facilities, and limited alternative options for dealing with unwanted horses” (p. 1).

An unwanted horse is defined as an animal deemed by someone “to be no longer needed or useful, or their owners are no longer interested in or capable of providing care for them either physically or financially” (Monahan, 2012, p. 105). The annual cost of caring for an unwanted horse has been estimated at \$2,340, which does not include veterinary costs (Cowen, 2012). According to a 2009 study commissioned by the Unwanted Horse Coalition, the horse industry

would need a minimum of \$25.7 million just to care for animals being turned away from rescue/retirement/adoption/retraining facilities (Unwanted Horse Coalition, 2009).

Prior to 2007, most unwanted horses were likely sent to slaughter (Monahan, 2012). “Since the closure of all of the US slaughter plants, a significant and increasing number of unwanted horses are being exported to Canada and Mexico for slaughter” (Monahan, 2012, p. 105). According to a report published by the Congressional Research Service, in 2006 the United States exported 26,000 live horses to Canada and 19,000 to Mexico (Cowen, 2012). The last horse slaughter plants in the United States were closed in 2007, and by 2010 almost 138,000 live horses were being transported to Canada and Mexico (Cowen, 2012). Proponents of horse slaughter said the ban would move “slaughter across the borders, hurting horse welfare by increasing the distances horses would travel” (U.S. Government Accountability Office, 2011, p. 2).

In 1968, the Thirty-First Oklahoma Legislature passed S.B. No. 657, which would be known as the Oklahoma Meat Inspection Act (1968). In 2013, Representative Skye McNeil authored H.B. 1999, which amended the Oklahoma Meat Inspection Act to permit the slaughter of horses but prohibit the sale of horsemeat for human consumption (Oklahoma Meat Inspection Act, 2013). The Fifty-Fourth Oklahoma Legislature passed the bill, which Governor Mary Fallin signed on March 29, 2013, and went into effect November 1, 2013 (Oklahoma Meat Inspection Act, 2013).

Research has shown agricultural issues tend to be reported in an unfavorable and biased manner (Terry, Dunsford & Lacewell, 1996; Whitaker, 1998; Sitton, 2004; and King, 2006). However, “as a reporter’s perceptions about agriculture became more positive, his or her objectivity increased” (Sitton, 2000, p. 71). “There is a positive relationship between a journalist’s knowledge of agriculture and his or her perceptions about agriculture” (Sitton, 2000, p. 71).

Even in a world like today's, in which everybody seems to be fighting everyone else, we still, to a surprising degree, trust each other's reports. With the interest given today to the discussion of biased reporting and propaganda, and the general mistrust of many of the communications we receive, we are likely to forget that we still have an enormous amount of reliable information available and that deliberate misinformation, except in warfare, still is more the exception than the rule. (Hayakawa & Hayakawa, 1990, p. 23)

Even so, research shows the public's trust in news reporting has decreased during the last 20 years (Pew, 2009). Readers do not believe reporters portray issues accurately and question the reporter's credibility (Pew, 2009).

Journalists have a responsibility to fairly and accurately report news (Whitaker & Dyer, 2000). Journalists should not take sides in an issue and should attribute all but the most commonly known information to make it clear where all information was obtained (Stoval, 2005). It is also important to note "no story is fair if it omits facts of importance or significance. So fairness includes completeness" (Mencher, 2011, p. 43).

Despite the decrease in trust, "media, by emphasizing or de-emphasizing certain attributes of an issue, have the power to tell the audience 'what is important to think about' when making a judgment about the issue" (Kim, Han, Choi & Kim, 2012, p. 55). Newspapers create, or take away, emphasis by the size of a story written by the reporter and its location in the paper chosen by the editor (Kim, Scheufele & Shanahan, 2002, p. 7). "Both local influence arising from the nature of the local community and national influence arising from professional journalistic standards of what is newsworthy are at play in the determination of a local daily newspaper's news agenda" (McCombs & Funk, 2011, p. 916).

One part of agricultural reporting that should be studied, according to Kuykendall (2010), is agricultural legislation. "Reporters and agricultural communicators can ensure that by disseminating the correct and most relevant information to readers and potential voters, they provide an accurate picture of agricultural legislation" (Kuykendall, 2010, p. 53). The current

study follows this recommendation by examining the coverage of the 2013 Oklahoma horse slaughter legislation.

Statement of the Problem

The problem addressed in this study was that no data existed regarding how the media presented information associated with the 2013 horse slaughter legislation in Oklahoma. Of specific interest was to ascertain if content was presented in a fair and balanced manner.

Purpose of the Study

The purpose of this study was to analyze the content of news articles associated with a bill regarding horse slaughter in Oklahoma as published by the two highest-circulating newspapers in the state.

Objectives

The following research objectives were developed to guide the study to:

1. Identify all news articles about the horse slaughter bill published by the two highest-circulating Oklahoma newspapers, *The Oklahoman* and the *Tulsa World*, while the bill was under consideration.
2. Conduct a content analysis of identified sentences.
3. Describe the differences in article content by source.

Scope of the Study

The scope of the study included all newspaper articles classified as news written about horse slaughter and published in *The Oklahoman* and the *Tulsa World* between January 17, 2013, and April 1, 2013.

Significance

According to American Farm Bureau's *Farm and Food Facts* (2011) book, "farm and ranch families comprise two percent of the U.S. population" (p. 2). With such a small number of Americans engaged in production agriculture, more and more people rely on news to form an opinion of agricultural issues. Thus, there is an increasing importance to understand how

newspapers portray agriculture. Previous studies found newspapers frequently present agriculture in an unfavorable manner, but previous research also recommends evaluating the presence or lack of bias in newspapers and other local publications (Terry et al., 1996; Sitton, 2000).

Assumptions

The following assumptions were made for this study:

1. Reporters searching for information about a controversial topic are guided by some ethic of fairness (Commission on Freedom of the Press, 1947).
2. The press and other news media are main vehicles of information to the public (Commission on Freedom of the Press, 1947).
3. All articles relating to the topic addressed in the objectives were identified.
4. Each coder understood each article.
5. The coders used the coding manual correctly.
6. All coders reached a consensus on the correct code for each article.

Limitations of the Study

The following limitations apply to this study:

1. The results of the study can only be applied to this analysis.
2. This study looked only at printed news articles from the two highest-circulating newspapers' coverage of the horse slaughter legislation and did not look at television or other types of news coverage.

Definition of Terms

For the purpose of this study, the following terms were defined operationally:

Bias: "Any tendency in a news report to deviate from an accurate, neutral, balanced and impartial representation of the 'reality' of events and social world according to stated criteria" (McQuail, 2000, p. 491).

Editorial: "Article of comment or opinion, usually on the editorial page" (Mencher, 2001, p. 571).

Favorable: The state of “expressing approval; advantageous” (Mish et al., 2003, p. 457).

Objectivity: Term that “sums up a number of the qualities that make for trust and reliability on the part of the news audience. These include factual accuracy, lack of bias, separation of fact from comment, transparency about sources, not taking sides” (McQuail, 2000, p. 500).

Slanting: “The process of selecting details that are favorable or unfavorable to the subject being described” (Hayakawa & Hayakawa, 1990, p. 30).

Unfavorable: The state of being “negative: adverse; undesirable: disadvantageous; not pleasing” (Mish et al., 2003, p. 1367).

CHAPTER II

REVIEW OF LITERATURE

The purpose of this chapter is to thoroughly explore all areas that influence this study. The areas addressed were the history of horse slaughter and horse slaughter regulations, the concept of animal rights vs. animal welfare, journalism bias, content analysis methodology and the Hayakawa-Lowry news basis categories, and the theoretical framework used to guide the study. The theoretical framework used for this study included the agenda-setting and attribute agenda-setting communication theories.

History of Horse Slaughter and Horse Slaughter Regulations

Horsemeat gained its popularity after World War II in some war-torn European countries because of its leanness and fairly high iron content (Reece et al., 2000). Today, the market for horsemeat is primarily found in France, Italy, Belgium, Switzerland, Japan and Mexico (U.S. Government Accountability Office, 2011). In countries such as the United States, Canada, and Great Britain, “the horse has been favored as a performance and companion animal, and these cultures have never embraced the use of horsemeat for human consumption” (Reece et al., 2000, p. 1253). However, some “horsemeat was consumed in the United States as recently as the mid-1940s” (U.S. Government Accountability Office, 2011, p.1).

The horse slaughter industry in the United States gained momentum in the 1970s when Congress passed a law that banned the shipment of live horses overseas due to high mortality rates and poor conditions for the animals (Reece et al., 2000). To meet the world demand, foreign companies invested in slaughter plants in the United States (Reece et al., 2000). “When the

slaughter industry was at its peak during the late 1980s, there were at least 16 federally inspected plants spread throughout the United States, processing in excess of 300,000 horses/y (sic)” (Reece et al., 2000, p. 1254). Another 50,000 to 100,000 horses were shipped to Canada for slaughter in its three plants (Reece et al., 2000).

Due to a decrease in the number of horses sold for slaughter, by 1998 only four slaughter plants were operational in the United States: one in Illinois, two in Texas and one in Nebraska (Reece et al., 2000). “Beginning in 2003, however, the number of horses slaughtered began rising through 2006” (U.S. Government Accountability Office, 2011, p. 10) when almost 105,000 horses were slaughtered (U.S. Government Accountability Office, 2011).

U.S. Horse Slaughter Regulations

With the decreasing number of horses for slaughter came an increase in concern for humane transport to slaughter; therefore, the Safe Commercial Transportation of Horses to Slaughter Act (SCTHSA) was passed as part of the 1996 Agriculture Improvement and Reform Act (Reece et al., 2000). The law gave authority to the “Secretary of the USDA to develop and promulgate rules and regulations to enforce the stated law, contingent on available funding” (Reece et al., 2000, p. 1255).

The final rules were released in 2001 and regulate such things as “food, water, and rest provided to such equines” (Final Rule, 2001, p. 63588). The regulations also specify the “owner/shipper of the equines to take certain actions in loading and transporting the equines and require that the owner/shipper of the equines certify that the commercial transportation meets certain requirements” (Final Rule, 2001, p. 63588).

In 2005, Congress passed USDA’s FY2006 budget with the amendment that prohibited “funds provided in the measure to pay for the ante-mortem inspection of horses under the meat inspection act” (U.S. Government Accountability Office, 2012, p. 2). The amendment carried through 2010 but was allowed to falter in 2011 (“Equine slaughter,” 2013). However, the appropriations restrictions once again passed for FY2014 budget (Bowen, 2014).

With no funding for inspectors, by 2007 all horse slaughter plants closed in the United States, resulting in horses for slaughter to be shipped to Canada or Mexico (U.S. Government Accountability Office, 2012). In 2006, the United States exported “nearly 26,000 live horses to Canada and more than 19,000 to Mexico” (U.S. Government Accountability Office, 2012, p. 8). In 2007, 47,000 horses were shipped to Canada and 45,000 were sent to Mexico, and in 2008, 77,000 were shipped to Canada and 69,000 were sent to Mexico (U.S. Government Accountability Office, 2012). In 2010, the total number of horses shipped to Canada and Mexico was 130,000 (U.S. Government Accountability Office, 2012).

Oklahoma Horse Industry and Slaughter

Prior to the peak horse-slaughter years, Oklahoma banned the slaughter of horses in the state as part of the “Oklahoma Meat Inspection Act,” which was passed in 1968 by the Oklahoma Thirty-First Legislature (Oklahoma Meat Inspection Act, 1968) (see Appendix A). In 2013, the Fifty-Fourth Oklahoma Legislature amended the “Oklahoma Meat Inspection Act,” allowing for the slaughter of horses, but banning the sale of horsemeat for human consumption (Oklahoma Meat Inspection Act, 2013) (see Appendix B).

According to a study commissioned by the Oklahoma Equine Alliance and conducted by The Innovation Group, in 2012 the Oklahoma equine industry had a \$3.6 billion economic impact on the state (The Innovation Group, 2013). The industry also is credited with yielding roughly 35,070 full-time-equivalent jobs (The Innovation Group, 2013).

According to the 2007 Census of Agriculture from the United States Department of Agriculture (USDA) (2009), 4,028,827 horses and ponies live in the country as well as 283,806 mules, burros and donkeys. Of the more than 4 million horses and ponies in the country, 165,555 of them are in Oklahoma, which gives the state the fourth-largest horse population in the country (USDA, 2009). However, the more recent Oklahoma Equine Alliance study puts the Oklahoma horse population at more than 260,000 (The Innovation Group, 2013). According to the GAO

(2011) “horse abandonment and neglect cases are reportedly up, and appear to be straining state, local, tribal, and animal rescue resources, (p. 44)”

Horse Slaughter Controversy

The topic of horse slaughter for any reason is controversial in the United States (U.S. Government Accountability Office, 2011). Some groups oppose horse slaughter “citing the horse’s iconic role in helping to settle the American West; its former importance as a work and transportation animal on farms and in rural communities; and its continued value as a show, racing, and recreation animal” (U.S. Government Accountability Office, 2011, p. 1). Other groups support horse slaughter, “noting a strong export market for horsemeat; the economic and employment benefits to local communities of horse slaughtering facilities; and limited alternative options for dealing with unwanted horses” (U.S. Government Accountability Office, 2011, p. 1).

According to the GAO (2011), what can be agreed upon is that the number of horses “purchased for slaughter has not decreased since domestic slaughter ceased in 2007” (p. 42). “Furthermore, an unintended consequence of the cessation of domestic slaughter is that those horses are traveling farther to meet the same end in foreign slaughter facilities where U.S. human slaughtering protections do not apply” (p. 43). The GAO also found “the cessation of domestic slaughter has had unintended consequences, most importantly, perhaps, the decline in horse welfare in United States” (U.S. Government Accountability Office, 2011, p. 44).

Animal Rights vs. Animal Welfare

The terms animal rights and animal welfare “are different concepts, although the terms often are intermingled and exchanged by many individuals” (Getz & Baker, 1990, p. 3468). The interchanging of terms often causes confusion among individuals discussing or reading about the issue (Getz & Baker, 1990). Numerous definitions of animal welfare have been presented over the years, but one commonly accepted definition does not exist (Bayvel & Cross, 2010). The lack of a common definition has further complicated the debate between animal welfare and animal

rights, but the World Organization for Animal Health has developed a definition to help guide the principle conversations about animal welfare (Bayvel & Cross, 2010).

Animal welfare means how an animal is coping with the conditions in which it lives. An animal is in a good state of welfare if (as indicated by scientific evidence) it is healthy, comfortable, well nourished, safe, able to express innate behaviour, and if it is not suffering from unpleasant states such as pain, fear, and distress. Good animal welfare requires disease prevention and veterinary treatment, appropriate shelter, management, nutrition, human handling and humane slaughter/killing. Animal welfare refers to the state of the animal; the treatment that an animal receives is covered by other terms such as animal care, animal husbandry, and humane treatment (OIE, 2010, p. 1).

The *Encyclopedia of Animal Rights and Animal Welfare* states animal rights is the view that “human utilization of nonhuman animals, whether in the laboratory, on the farm, or in the wild, is wrong in principle and should be abolished in practice” (Bekoff & Meaney, 1998, p. 42). The idea of animal rights is much newer than animal welfare, as the modern meaning behind “rights” (including civil rights, women’s rights, etc.) was not developed and recognized until the 1700s (Bekoff & Meaney, 1998). The animal rights movement known today is commonly credited to philosopher Peter Singer, after the publication of his book, *Animal Liberation*, in 1975 (Bekoff & Meaney, 1998).

Bayvel and Cross (2010) illustrate the complexity of the animal welfare and animal rights debate by explaining public policy on the topic has increased during the last 30 years and is expected to grow in the future. Getz and Baker (1990) state, “animal rights and welfare is an important element of the future profitability of animal enterprises of the U.S. farmers and ranchers” (p. 3469). Bayvel and Cross (2010) recommend a “science-based, ethically principled policy approach, complemented by an incremental change management paradigm, will ensure continuous improvement along the animal-welfare journey” (p. 10). They further encourage all stakeholders to become involved in the debate (Bayvel & Cross, 2010). Getz and Baker (1990)

explain those stakeholders' opinions fall on a continuum of different viewpoints. They include animal rights activists, agricultural producers who depend on animals for economic stability, and other individuals who feel responsible for animals' well-being (Getz & Baker, 1990).

Journalism Bias

News and Journalism

“Words are powerful weapons. They define cultures, and create second-class citizens and reveal stereotypical thinking” (Missouri Group, 1999, p. 154). Words are used to share news, and they should be used accurately and precisely (Missouri Group, 1999). Two types of news exist. The first is information “about a break from the normal flow of events, an interruption in the expected, a deviation from the norm” (Mencher, 2011, p. 56). The second type is information “people can use to help them make sound decisions about their lives” (Mencher, 2011, p. 56). Six news values consistently appear in news literature to guide the determination of information as news: timeliness, impact, prominence, proximity, conflict, and novelty/unusual events (Mencher, 2011; Missouri Group, 2008; Stovall, 2005; Harrower, 2010).

Another term for news is journalism. Journalism “typically means informational reports of recent or current events of interest on the public” (McQuail, 2000, p. 13). “Journalists have a social responsibility to accurately report news that is important to society” (Foreman, 2011, p. 29). Although a journalist's or reporter's responsibility is to find and report facts, it is impossible to remove completely human attitude and emotion from news reporting (Missouri Group, 1999; Hirst & Patching, 2005). However, journalists should not take sides in a controversy but should evaluate the facts as they use their own emotions and attitudes to interpret the information for the story (Hirst & Patching, 2005; Stovall, 2005).

If journalism is merely about the reporting of facts, then striving for complete accuracy would be enough. The facts would speak for themselves and journalism would be ‘objective’, no ‘opinion’ would creep in to ‘slant’ the news. Presented with true and accurate facts the public would be able to determine for itself an attitude towards the

subject under discussion. However, journalism is more than the reporting of facts—it is about interpretation, thus there is the potential for bias (Hirst & Patching, 2005, p. 29). Journalists “should strive for truth, in which the facts are presented in a context that fosters an understanding of the event or issue being reported” (Foreman, 2010, p. 186).

“The public’s assessment of the accuracy of news stories is now at its lowest level in more than two decades of Pew Research surveys” (Pew Research Center, 2009, p. 2). According to the Pew Research Center (2009), only 29% of Americans believe news organizations regularly get the facts of a news story straight, and 63% believe news stories are frequently inaccurate. Pew also said there is currently a 65% favorable impression of daily newspapers, but positive opinions “have decreased by 16 points since 1985, with nearly all the decline (14 points) coming in the past decade” (Pew Research Center, 2009).

News reporting is starting to be replaced by infotainment, as some argue, “news is becoming a form of entertainment, or too closely resembles public relations” (Hirst & Patching, 2005, p. 32). Public relations is “now a reference to all forms of influence carried out by professional paid communicators on behalf of some ‘client’ and designed primarily to project a favourable image and to counter negative views that might exist” (McQuail, 2000, p. 502). Public relations “is often a source of supply for news media or seeks to influence news in other ways” (McQuail, 2000, p. 502).

Bias in Reporting

Bias in news is often explained as a lack of objectivity, and objectivity is often explained as fairness and balance. According to *Merriam-Webster’s Collegiate Dictionary* (2003) fair is “treating people in a way that does not favor some over others” (p. 449); balance is “a state in which different things occur in equal or proper amounts or have an equal or proper amount of importance” (p. 93); and objectivity is “based on facts rather than feelings or opinions: not influenced by feelings” (p. 855).

Mencher (2011) said the “unfair and unbalanced journalism might be described as a failure in objectivity” (p. 45). “Objectivity is viewing things, people and events as they actually exist without filtering them through basic influences or accepting or rejecting them without question because of social mores” (Bugeja, 2008, p. 57). Stovall (2005) said the “concept of balance is linked to fairness in reporting and increasingly it is being seen as the ‘holy grail’ for reporters, replacing the difficult and, as some would argue, outdated concept of objectivity” (p. 38).

The discussion of balance and bias “is primarily one of journalistic ideology, and we can therefore talk about ‘balance’ as being the fair presentation of both sides of an argument, or conflict and ‘bias’ as a definite propensity to favour one side over another” (Hirst & Patching, 2005, p. 37).

“All reporters have an emotional attitude towards what they consider to be ‘news’ events” (Hirst & Patching, 2005, p. 6), but “fairness requires, above all, that you make every effort to avoid following your own biases in your reporting and your writing” (Missouri Group, 1999, p. 15). However, reporters must understand the importance of a situation or issue to avoid over or underplaying a story’s importance, as consciously or subconsciously omitting important information makes a story unfair and unbalanced (Stovall, 2005; Mencher, 2011).

Even if the details in a news story are correct, one can still mislead if the context is wrong (Missouri Group, 1999). “When facts are reported out of context, they can seem as forced as incompatible puzzle pieces. Ideally, a reader, viewer or listener should be able to verify facts without finding errors, inventions or omissions in reports” (Bugeja, 2008, p. 107). Journalists should attribute where all but the most commonly known information comes from (Stovall, 2005). “Stories are objective when they can be checked against some kind of record” (Mencher, 2011, p. 45) and should include attribution as it builds a reporter’s credibility (Stovall, 2005).

However, Whitaker (1998) suggests the general public “has a responsibility to assess information in an open and evaluative manner” (p. 73) and that “bias is only effective if readers

allow themselves to be fooled by biased reporting. All readers should objectively evaluate all information published” (p. 72). The researcher also concluded “agriculture professionals, as well as consumers, should voice their concerns and opinions regarding the coverage of important agricultural issues both to news and agricultural journalists” (Whitaker, 1998, p. 72). Whitaker further recommended “college and universities should fully utilize journalistic and agricultural curriculum to enhance objectivity in future journalists” (p. 72).

Content Analysis and Hayakawa-Lowry News Bias Categories

Bernard Berelson’s frequently cited definition states content analysis “is a research technique for the objective, systematic and quantitative description of the manifest content of communications” (1971, p. 18). Kolbe and Burnett (1991) reinforce this by saying content analysis is “an observational research method that is used to systematically evaluate the symbolic content of all forms of recorded communications (p. 243). These communications also can be analyzed at many levels such as image, word, or roles, thus creating a realm of research opportunities (Kolbe & Burnett, 1991). Stempel and Westley (1989) said content analysis is “a formal system for doing something that we all do informally rather frequently, drawing conclusions from observations of content” (p. 124). To fully understand the content analysis methodology, one must completely understand the meaning of objective, systematic, quantitative and manifest content (Stempel & Westley, 1989).

“Objectivity refers to the process by which analytical categories are developed and used. Precise operational definitions and detailed rules and procedures for coding are needed to facilitate an accurate and reliable coding process” (Kolbe & Burnett, 1991 p. 245). Results of an objective content analysis are dependent on procedures, not the coders, and the use of coders other than the author is a measurable element of the study’s objectivity (Kolbe & Burnett, 1991). “Objectivity is a fundamental component of content analysis because it encompasses details that directly affect the overall quality of the judging process” (Kolbe & Burnett, 1991, p. 247).

Systematic implies “a set procedure is applied in the same way to all the content being analyzed” (Stempel & Westley, 1989, p. 125). Analyses should be relevant to research questions or hypotheses and categories should ensure relevant content is being analyzed (Stempel & Westley, 1989). Quantitative is “simply the recording of numerical values or the frequencies with which the various defined types of content occur” (Stempel & Westley, 1989, p. 126). Manifest content means “content must be coded as it appears rather than as the content analyst feels it is intended” (Stempel & Westley, 1989, p. 126).

Berelson states the method of content analysis has been applied to a diverse group of problems (1971). However, it often is used to better understand mass media communication (Lombard, Duch & Bracken, 2002). Weber adapted Berelson’s original list of content analysis uses into 11 categories:

- disclose international differences in communication content;
- compare media or “levels” of communication;
- audit communication content against objectives;
- code open-ended questions in surveys;
- identify the intentions and other characteristics of the communicator;
- determine the psychological state of persons or groups;
- detect the existence of propaganda;
- describe attitudinal and behavioral responses to communications;
- reflect cultural patterns of groups, institutions, or societies;
- reveal the focus of individual, group, institutional, or societal attention; and
- describe trends in communication content (Weber, 1990, p. 9)

Kolbe and Burnett also identify three benefits of using content analysis methodology (1991). They state the methodology “allows for an unobtrusive appraisal of communications” while assessing “the effects of environmental variables on message content” and gives an

“empirical starting point for generating new research evidence about the nature and effect of specific communications” (Kolbe & Burnett, 1991, p. 244).

Many potential benefits exist for using the content analysis methodology, but some weaknesses are associated with the methodology (Kolbe & Burnett, 1991). Content analysis can be susceptible to researcher bias, and the potential of the study reportings are often limited to specific elements of communication (Kolbe and Burnett, 1991). Often, the research yields categorical data rather than higher-order scales obtained from other studies (Kolbe and Burnett, 1991). “Although these data are rich in descriptive, classificatory, and identification powers, they may be less sensitive to subtleties in communications than are data obtained from higher-order scales or from other research methods” (Kolbe and Burnett, 1991, p. 244). Reliability is also a potential issue because of the systematic and objective nature of the methodology (Stempel & Westley, 1989).

Thus, the analysis of communication content rests upon two kinds of consistency: 1) consistency among analysts that is – different coders should produce the same results when they apply the same set of categories to the same content; and 2) consistency through time – that is, a single coder or a group of coders should produce the same results when they apply the same set of categories to the same content but at different times (Berelson, 1952, p. 172).

The Hayakawa-Lowry news bias categories are a popular form of news media message analysis. S. I. Hayakawa first developed three categories to classify all statements: report, inference and judgment (Hayakawa & Hayakawa, 1990). Lowry (1971) expanded those three categories into nine and conducted a content analysis of a series of speeches the U.S. Vice President Spiro Agnew gave criticizing the media. Following his original study, Lowry (1985) conducted two studies at Ohio University and Liberty University to prove the construct validity of the Hayakawa-Lowry news bias categories. He concluded that “Hayakawa’s distinctions between reports, inferences, and judgments are indeed perceived by untrained audience members and

actually do affect their perceptions of news objectivity” (Lowry, 1985, p. 579). Lowry (1985) also said “the differences measured by these categories when used by researchers in content analysis studies are differences that do indeed make a meaningful difference to news consumers” (p. 580) and that “negative judgments are sometimes perceived as more biased than are positive judgments” (p. 579).

The Hayakawa-Lowry content analysis method has been used multiple times to study agricultural news (Hall & Rhoades, 2007; King, Cartmell, & Sitton, 2006; Sitton, Terry, Cartmell, & Key, 2004; Whitaker, 1998). Whitaker (1998) used the Hayakawa-Lowry news bias categories to compare the objectivity of the three largest circulating agricultural periodicals to the three largest circulating news periodicals. The study indicated agricultural periodicals “reported more factual information as opposed to reporting biased information than did news periodicals” but “both news and agricultural periodicals contained biased reporting” (Whitaker, 1998, p. 72). Whitaker (1998) recommended colleges and universities should fully utilize journalistic and agricultural curriculum to enhance objectivity in future journalists” (p. 72).

Sitton et al (2004) found similar results when they examined the objectivity of newspaper coverage regarding Oklahoma swine concentrated animal feeding operations (CAFOs). Research found that “when judgment sentences were used, issues related to swine CAFOs were portrayed in a negative manner” (Sitton et al, 2004, p. 30). They recommended “legislators and other policy makers should review information from those knowledgeable about agriculture and use newspapers as only one source of information” (Sitton et al, 2004, p. 30).

King et al. (2006) used Hayakawa-Lowry’s news bias categories to study the objectivity of the December 2003 bovine spongiform encephalopathy (BSE) outbreak newspaper coverage in *USA Today*, *The Washington Post*, and *The Seattle Times*. The findings showed the “majority of the judgment statements found were negative toward agriculture” (King et al., 2006, p. 33). *The Seattle Times* was found to be the most objective and *USA Today* the least objective of the three publications (King et al., 2006). The researchers recommended reporters use more objective

sentences in their writing (King et al., 2006). The study also recommended “journalism and agricultural communications students be educated about the Hayakawa-Lowry news bias categories, that additional research be conducted on media coverage of other agricultural issues, and that the agricultural literacy of journalists be examined” (King et al., 2006, p. 33).

Theoretical Framework

Agenda-setting is the idea “the public’s social or political priorities and concerns – their beliefs about what is a significant issue or event – are determined by the amount of news coverage accorded various issues and events” (Ansolabehere, Behr & Iyengar, 1993, p. 142). McQuail (2000) goes on to say it is the “process by which the relative attention given to items or issues in news coverage influences the rank order of public awareness of issues and attribution of significance” (p. 426). Dearing and Rogers (1996) said a “better understanding of the agenda-setting process lies at the intersection of mass communication research and political sciences” (p. 4). As early as the 1920s, it was apparent most citizens struggled to comprehend the democracy surrounding them and, as a result, a relationship developed between mass media and the public (Iyengar & Kinder, 2010; Dearing & Rogers, 1996). Walter Lippmann was one of the first to characterize this problem in his book *The Phantom Public*:

The private citizen today has come to feel rather like a deaf spectator in the back row, who ought to keep his mind on the mystery off there, but cannot quite manage to keep awake. He knows he is somehow affected by what is going on. Rules and regulations continually, taxes annually and wars occasionally remind him that he is being swept along by great drifts of circumstance.

Yet these public affairs are in no convincing way his affairs. They are for the most part invisible. They are managed, if they are managed at all, at distant center, from behind the scenes, by unnamed powers. As a private person he does not know for certain what is going on. Or who is doing it, or where he is being carried. No newspaper reports his environment so that he can grasp it; no school has taught him how to imagine it; his

ideals, often, do not fit with it; listening to speeches, uttering opinions and voting do not, he finds, enable him to govern it. He lives in a world which he cannot see, does not understand and is unable to direct. (Lippmann, 1925, p.13-14)

Lippman's ideas helped to set the stage for the development of the agenda-setting theory known today (Dearing & Rogers, 1996). Further development for the theory came from the work of Bernard Cohen (1963). In his book, *The Press and Foreign Policy*, he laid out the common hypothesis for the theory that guided formal research into the topic (Dearing & Rogers, 1996). Cohen stated the press "may not be successful much of the time in telling people what to think, but it is stunningly successful in telling its readers what to think *about*" (1963, p. 13). He went on to say newspaper editors might believe they print stories about topics people are interested in (Cohen, 1963), but they are "thereby putting a claim on their attention powerfully determining what they will be thinking about, and talking about, until the next wave laps their shore" (Cohen, 1963, p. 13).

The individuals who gave a name to the relationship between mass media and the public were Maxwell McCombs and Donald Shaw (Dearing & Rogers, 1996). In 1968, McCombs and Shaw conducted a study to investigate the ability of mass media to set an agenda during the 1968 presidential campaign in Chapel Hill, North Carolina (McCombs & Shaw, 1972). Their study found "voters tend to share the media's *composite* definition of what is important" (McCombs & Shaw, 1972, p. 184).

McCombs and Shaw discovered media has the ability to make people believe certain issues, events or situations are more important than others, usually by dedicating more space in newspapers or time on television news reports to certain subjects (McCombs & Shaw, 1972), meaning the media determines what issues will be more salient than others (Dearing & Rogers, 1996). According to Dearing and Rogers (1996), salience is "the degree to which an issue on the agenda is perceived as relatively important" (p. 8). Iyengar and Kinder (2010) put it another way,

“those problems that receive prominent attention on the national news become the problems the viewing public regards as the nation’s most important” (p. 16).

There are three main components of the agenda-setting process: media agenda, public agenda, and policy agenda (Dearing & Rogers, 1996). The media agenda influences the public agenda, which could influence the policy agenda (Dearing & Rogers, 1996).

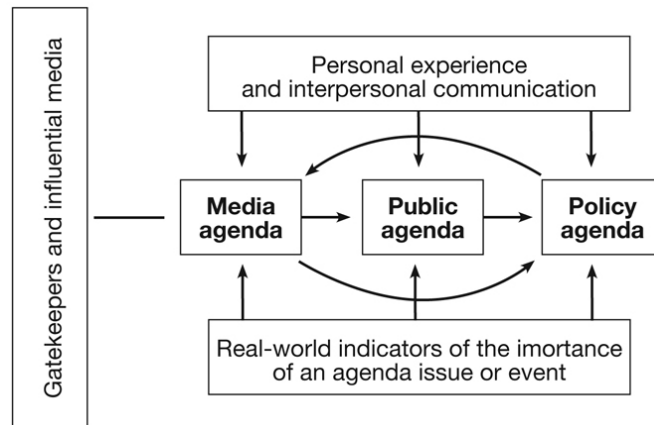


Figure 1. Three Main Components of the Agenda-Setting Process: The Media Agenda, Public Agenda, and Policy Agenda (Rogers & Dearing, 1996, p. 5).

Research shows a small increase or addition of news coverage about a certain issue can significantly alter viewers’ attitudes regarding the importance of said issue (Ansolabehere, Behr & Iyengar, 1993). This is believed to be because in many cases viewers have limited information on which they base their opinions on a variety of issues, so they rely on media to provide the information they need to judge the situation and formulate an opinion (Shoemaker & Vos, 2009). According to Ansolabehere, Behr and Iyengar (1993), three main factors influence the media’s ability to shape the public’s opinion. “These factors include the remoteness or immediacy of the issue, the demographic characteristics of the people who receive the news, and differences in the way the news is presented” (Ansolabehere, Behr, & Iyengar, 1993, p. 143).

The way information is presented is also proven to be important in the strength of the agenda that is set. Front-page stories, stories with pictures, and lead stories on the news are going to have the biggest impact (Ansolabehere, Behr & Iyengar, 1993). However, if the media attempt

to add an issue to the media agenda, if it isn't perceived as a social problem, it will not stay on the media agenda (Dearing & Rogers, 1996). "The public and the news media are joint participants in the agenda-setting process" (McCombs, 2010, p. 437).

There is some conflicting research on which situations create the strongest agenda-setting circumstances (Ansolabehere, Behr & Iyengar, 1993). Some research indicates the more removed people are from the issue at hand and the less direct personal experience they have in relation to the issue creates a stronger agenda-setting effect (Ansolabehere, Behr & Iyengar, 1993). However, other research shows people who can relate personally to the issue the media is portraying will be more likely to be impacted by the media's agenda (Ansolabehere, Behr & Iyengar, 1993).

McCombs and Shaw were the seminal leaders in the agenda-setting world of thought, but over the years their original idea of mass media influence on public issues has turned into a broader, more encompassing theory base (McCombs & Funk, 2011). The idea of agenda-setting now has connections with other theories and ideas in mass communication; these areas include image building, stereotyping, status conferral, and framing (McCombs & Funk, 2011). Agenda-setting has grown from a simple idea about media effects on salience to a broad theory of mass communications covering other areas (McCombs & Funk, 2011).

There is now the idea of first level agenda-setting (the traditional view) and second-level or attribute agenda-setting (McCombs, 2006). "The emergence of second-level agenda-setting theory has shifted the focus of research away from investigating *what* topics news media cover to *how* they cover them" (Kiousis, 2005, p.4). There are now attributes that influence one's understanding of an object on the agenda (McCombs, 2006).

Attribute agenda-setting goes from analyzing issues the media presents to analyzing the attributes that make up those issues (Golan & Wanta, 2001). Attribute agenda-setting "suggests that the media can successfully make various aspects of an issue more or less accessible and therefore prime which pieces of information people will use when they are making decisions"

(Kim, Scheufele & Shanahan, 2002, p. 21). This shows the evolution of the theory because now that a basic understanding has been reached, researchers are free to delve into the idea on a much more complex level (Golan & Wanta, 2001).

According to Golan and Wanta (2001), the first stage of agenda-setting examined “how individuals learn about the major issues of the day through media coverage” (p. 247) and now level two allows researchers to “examine how people learn important characteristics about the topic at hand” (p. 247). Attribute agenda-setting has moved past simply telling people what to think about to also telling them how to think about the issue at hand (Golan & Wanta, 2001; McCombs, 2006).

The idea of media influence is especially relevant in communities with few media outlets (Kim, Scheufele & Shanahan, 2002). The “mass media can play an important informational role in local communities by focusing on mobilizing or other relevant types of information and making them more salient” and media can “play a key role in indirectly shaping public opinions for a wide variety of issues on a day-to-day basis” (Kim, Scheufele & Shanahan, 2002, p. 21).

Agenda-setting research is often applied to political news coverage where researchers are “examining the characteristics that the news media link to political figures and how the public subsequently links these same attributes to the political figures” (Golan & Wanta, 2001, p. 247). “The media seem to influence attribute accessibility, the ease with which a specific issue attribute is retrieved from memory” (Kim et al., 2012, p. 54). Kiouois (2005) said second-level agenda-setting focuses on attribute salience, which are the properties, qualities and characteristics in news content that describe an object.

The focus is no longer on the attention to an object, but rather how the topic is portrayed. “The process of second-level agenda setting contains four main dimensions: subtopics, framing mechanics, affective, and cognitive” (Golan & Wanta, 2001, p. 249). The “media by emphasizing or de-emphasizing certain attributes of an issue, have the power to tell the audience ‘what is important to think about’ when making a judgment about the issue” (Kim et al., 2012, p. 55).

Researchers are still expanding the idea of second-level agenda setting, as Kim et al.'s 2012 study found the "notion of *attribute priming* is particularly new" and their findings "support the idea that attribute agenda setting produces a priming effect (p. 55). "The convergence of attribute agenda setting with the concept of framing offers new insights and raises intriguing questions about the influence that various patterns of description found in the news have on how the public thinks about public affairs topics" (McCombs, 2006, p. 547).

CHAPTER III

METHODOLOGY

The purpose of this chapter is to describe the methods and procedures used to develop and conduct this study. The purpose of this study was to analyze the content of news articles associated with a bill regarding horse slaughter in Oklahoma as published by the two highest-circulating newspapers in the state.

Cases and Population

For this study, *The Oklahoman* and the *Tulsa World* were selected because of the total daily circulation of these publications. According to the 2013 *Gale Directory of Publications and Broadcast Media*, *The Oklahoman* has a daily circulation of 190,655 and a Sunday circulation of 283,679. Due to the fact the *Tulsa World* circulation numbers were not reported from 2010-2013, the 2009 circulation numbers were used. The *Tulsa World* daily circulation is 143,582 and the Sunday circulation is 206,801 (Gale Group, 2009). There are more than 120 newspapers in Oklahoma (Gale Group, 2013). However, these two papers have the highest circulation of all Oklahoma newspapers.

The two highest-circulating newspapers were chosen rather than the most circulated newspaper because of geographic location and the idea presented through the agenda-setting theory stating each media organization will select what aspects of an issue to make more or less accessible (Kim, Scheufele & Shanahan, 2002). The manner in which information is presented is proven to relate to the strength of the agenda set (Ansolabehere, Behr & Iyengar, 1993).

Since each editor and reporter is different, thus presenting information differently, two newspapers rather than one were selected for this study.

Data Collection

A quantitative content analysis methodology, based on the Hayakawa-Lowry news bias coding system, was used to conduct this study (Lowry, 1985).

Quantitative content analysis is the systematic and replicable examination of symbols of communication, which have been assigned numeric values according to valid measurement rules, and the analysis of relationships involving those values using statistical methods, in order to describe the communication, draw inferences about its meaning, or infer from the communication to its context, both of production and consumption (Riffe, Lacy & Fico, 1998, p. 20).

Potter and Donnerstein (1991) further explain the purpose of content analysis “is to show the public patterns in some content with which they have high exposure and are likely to have their own subjective interpretations” (p. 269).

The content analysis for this study was rooted in S. I. Hayakawa’s original news bias work and the work of Denis Lowry. The system Hayakawa separated divided sentences into three categories: reports, inferences, and judgments (Hayakawa & Hayakawa, 1990). Hayakawa said the very basic exchange of information is a report (1990). Reports are statements that can be verified and exclude inferences and judgments as much as possible (Hayakawa & Hayakawa, 1990). According to Hayakawa (1990), an inference is “a statement about the unknown based on the known” (p. 24) and the “quality of inference is directly related to the quality of the report or observations from which it stems and to the abilities of the one making the inference” (p. 25). A judgment is described as “expressions of the speaker’s approval or disapproval of the occurrences, person, or objects he is describing” (Hayakawa & Hayakawa, 1990, p. 25).

Lowry expanded on Hayakawa’s three-category system by accounting for news attribution (Lowry, 1985). “Attribution can take the form of a direct quote or an indirect quote,

and can be to a specific source or a general source” (Lowry, 1971, p. 207). Lowry developed the system while conducting a content analyses of news programs during Richard Nixon’s presidency (Lowry, 1971). He concluded “Hayakawa’s distinctions between reports, inferences and judgments are indeed perceived by untrained audience members and actually do affect their perceptions of news objectivity” (Lowry, 1985, p. 579). Lowry expanded Hayakawa’s three categories into nine:

1. Report sentence/attributed (RA)
2. Report sentence/unattributed (RU)
3. Inference sentence/labeled (IL)
4. Inference sentence/unlabeled (IU)
5. Judgment sentence/attributed/favorable (JAF)
6. Judgment sentence/attributed/unfavorable (JAU)
7. Judgment sentence/unattributed/favorable (JUF)
8. Judgment sentence/unattributed/unfavorable (JUJ)
9. All other sentences (O) (Lowry, 1985).

Lowry further defined reports, inferences and judgments. Reports are verifiable “information that is out in the open and observable in some manner, not things that are matters of personal opinion or inside somebody’s head” (Lowry, 1971, p. 207). “Inferences are not capable of verification, at least not at the time they are made” (Lowry, 1971, p. 207). Lowry divided inferences not by attribution, but rather by labels. A labeled inference gives the audience a “tip-off” that an inference is being made. Lowry (1971) said “a large number of inference words could be considered tip-off words” (p. 208) but for the Hayakawa-Lowry coding system the only words used were:

- “appears, appeared, apparently, appearing, apparent,
- seems, seemed, seemingly
- sounds, sounded, sounding

- looks, looked, looking.” (p. 208).

Judgments were narrowly defined as “sentences that indicate approval-disapproval, like-dislike, good-bad” (Lowry, 1971, p. 207).

Validity and Reliability

Lowry established the construct validity for the Hayakawa-Lowry coding system through a two-part study at Ohio University and Liberty University (Lowry, 1985). It can be stated “the assumptions underlying the Hayakawa-Lowry category system were twice put to the test, and a group of subjects ranging from college freshmen to Ph.D. professors” for a majority of the time “evaluated the news stories and sentences as predicted” (Lowry, 1985, p. 580). “Thus, the results strongly suggest that the differences measured by these categories when used by researchers in content analysis studies are differences that do indeed make a meaningful difference to news consumers (Lowry, 1985, p. 580).

“It is widely acknowledged that intercoder reliability is a critical component of content analysis, and “when it is not established, the data and interpretations of the data can never be considered valid” (Lombard et al, 2002, p. 589). Lowry (1971) addressed inter-rater reliability by developing a tested rater manual. A copy of the manual was obtained and used for the study.

Data Analysis

To achieve Objective 1, the researcher LexisNexis Academic, a database paid for by the Oklahoma State University Edmon Low Library. To gather articles, the researcher used the search terms “horse slaughter,” “Skye McNiel,” “Senate Bill 375,” and “House Bill 1999.” Only articles published between January 17, 2013, the day the bill was filed, and April 1, 2013, the Monday after Governor Mary Fallin signed the bill the previous Friday, were collected for the analysis.

Only articles classified as “news” by LexisNexis were used in the content analysis, as the definition of editorial is one’s opinion. Letters to the editor, direct question-and-answer interviews, and stories only briefly mentioning horse slaughter among other news during this time

frame were also excluded from the study. The articles were copied into Microsoft® Word for formatting and printing.

To achieve Objective 2, three paid assistants coded the articles included in the case and population, as it is recommended to have multiple coders and the researcher not be one of them to ensure objectivity (Lombard et al., 2002; Kolbe & Burnett, 1991; Potter & Donnerstein, 1999). Kolbe and Burnett (1991) stated training coders increases their “familiarity with the coding scheme and operational definitions, thereby improving interjudge and intrajudge coding reliability” (p. 245). For this study, the coders were trained by Dr. Shelly Sitton using the coding manual developed by Lowry.

It is important to “cue all coders to use the same schema” (Potter & Donnerstein, 1999, p. 276); thus, coders participated in multiple training sessions to ensure coding accuracy and consistency. After the final training session, each coder was given a notebook with the 30 identified articles to code independently (Potter & Donnerstein, 1999; Lombard et al, 2002; Kolbe & Burnett, 1991). Coders were allowed a 22-day time period from the day they received the notebooks to code all 30 articles individually.

Each sentence was coded using the Hayakawa-Lowry news media bias system (Lowry, 1985). After all articles were coded, the researcher compiled the codes into a Microsoft® Excel spreadsheet to identify discrepancies in codes. The coders then met in two, three-hour sessions to reach consensus on the sentences with conflicting codes from the first round of coding. The original coding time and consensus meetings were completed in a 45-day time period.

Descriptive statistics were used to evaluate the variables in this study. Descriptive statistics indicate general tendencies in the data (Creswell, 2012). Measures of central tendency were the primary descriptive statistic used (Creswell, 2012).

To achieve Objective 3, the researcher combined all RA/RU sentences, IU/IL sentences, and JAF/JAU/JUF/JUU sentences into three groups (report, inference and judgment). The

researcher then compared the frequency of all Hayakawa sentence types and all Hayakawa-Lowry sentence types between the two newspapers.

CHAPTER IV

FINDINGS

This chapter is a presentation of the findings of this study, as directed by the purpose and objectives. Findings are organized by objective and are presented with narrative descriptions, tables and figures.

Findings Related to Objective One

Objective 1 of this study sought to identify all news articles associated with the 2013 Oklahoma horse slaughter bill, as published in the two highest-circulating Oklahoma newspapers, *The Oklahoman* and the *Tulsa World*, between January 17, 2013, and April 1, 2013. The researcher identified 30 articles meeting the previously outlined criteria. Of those 30 articles, 13 were published in *The Oklahoman* and 17 were published in the *Tulsa World*. Table 1 presents each article title, the newspaper in which it was published, and the date of publication.

Table 1
Articles Associated with Horse Slaughter in Oklahoma During Period of Study

Article Title	Newspaper	Publication Date
“Measures would legalize horse slaughter in Oklahoma”	<i>Tulsa World</i>	February 09
“Committee advances bill on horse slaughtering”	<i>Tulsa World</i>	February 12
“Measure on horse slaughter advances”	<i>Tulsa World</i>	February 13
“Horse bill wins committee approval”	<i>The Oklahoman</i>	February 13
“Choosing the animals to slaughter a sorry task”	<i>Tulsa World</i>	February 19
“Lawmakers pass horse slaughter measures”	<i>Tulsa World</i>	February 21
“Consumption still is banned”	<i>The Oklahoman</i>	February 21
“All against state horse slaughter say 'neigh”	<i>Tulsa World</i>	February 22
“Slaughterhouse foes argue for options”	<i>The Oklahoman</i>	March 05
“Stigma may harm state, human society says”	<i>The Oklahoman</i>	March 08
“Horse shows won't race out of state if slaughter OK'd”	<i>Tulsa World</i>	March 09
“Two horse show groups say slaughter measure won't drive them away”	<i>The Oklahoman</i>	March 09
“Horse slaughter advocates rally at Oklahoma Capitol”	<i>The Oklahoman</i>	March 14
“Bill in Congress would ban slaughter of horses in U.S.”	<i>The Oklahoman</i>	March 14
“Federal law would ban U.S. horses' slaughter”	<i>Tulsa World</i>	March 15
“Horse bill's author could reap gain from passage”	<i>Tulsa World</i>	March 18
“Horse-slaughter measure advances in state Senate”	<i>Tulsa World</i>	March 19
“Senate panel passes horse slaughter bill”	<i>The Oklahoman</i>	March 19
“Bingman supports state horse slaughter”	<i>Tulsa World</i>	March 22
“Bill stirs emotional debate”	<i>Tulsa World</i>	March 24
“Horse slaughter opponents spur last-minute efforts to kill plan”	<i>The Oklahoman</i>	March 25
“Fallin OK on horse bill likely”	<i>Tulsa World</i>	March 26
“Fallin likely to sign horse slaughter bill”	<i>The Oklahoman</i>	March 26
“Senate Oks horse slaughter”	<i>Tulsa World</i>	March 27
“Horse slaughter bill's passage sends measure to governor”	<i>The Oklahoman</i>	March 27
“OSBI investigating threats on lawmaker”	<i>Tulsa World</i>	March 28
“OSBI Investigates threats”	<i>The Oklahoman</i>	March 28
“Fallin signs measure to allow horse slaughter”	<i>Tulsa World</i>	March 30
“Governor signs measure that would lift horse slaughter ban”	<i>The Oklahoman</i>	March 30
“Horse law could nip Fallin's re-election bid”	<i>Tulsa World</i>	March 31

Note. All dates are from the year 2013.

No articles were published during the weeks of January 13-19, January 20-26, and January 27-February 2. One article was published during each of the following weeks: February 3-9 and March 31-April 6. Three articles were published during each of the following weeks: February 10-16 and March 10-16. Four articles were published during each of the following weeks: February 17-23, March 3-9, and March 17-23. Ten articles were published the week of March 24-30. Figure 2 presents this information.

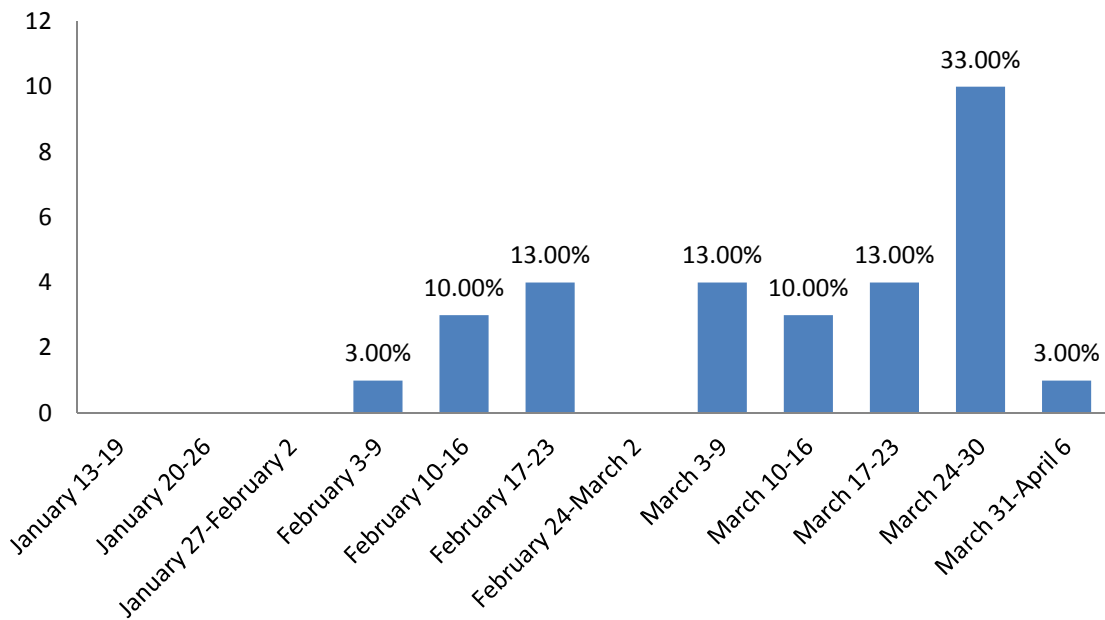


Figure 2. The number of total news articles published each week of the review period by both newspapers.

Findings Related to Objective Two

Objective 2 sought to determine the types of sentences in the identified articles. To complete this objective, all sentences were coded using the Hayakawa-Lowry news bias categories:

1. Report sentence/attributed (RA)
2. Report sentence/unattributed (RU)
3. Inference sentence/labeled (IL)
4. Inference sentence/unlabeled (IU)

5. Judgment sentence/attributed/favorable (JAF)
6. Judgment sentence/attributed/unfavorable (JAU)
7. Judgment sentence/unattributed/favorable (JUF)
8. Judgment sentence/unattributed/unfavorable (JUJ)
9. All other sentences (O) (Lowry, 1985).

A total of 762 sentences were coded by three trained coders (see Table 2 and Table 3).

Table 2
Frequency and Percentage of Report and Inference Sentences

Article Title	RA		RU		IL		IU	
	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%
“Measures would legalize horse slaughter in Oklahoma”	7	16.28	5	11.63	1	2.33	0	0.00
“Committee advances bill on horse slaughtering”	5	23.81	5	23.81	0	0.00	0	0.00
“Measure on horse slaughter advances”	12	30.00	3	7.50	0	0.00	0	0.00
“Horse bill wins committee approval”	8	29.63	5	18.52	0	0.00	0	0.00
“Choosing the animals to slaughter a sorry task”	0	0.00	2	6.90	3	10.34	1	3.45
“Lawmakers pass horse slaughter measures”	10	21.74	18	39.13	0	0.00	0	0.00
“Consumption still is banned”	1	3.70	6	22.22	0	0.00	0	0.00
“All against state horse slaughter say 'neigh”	0	0.00	3	14.29	1	4.76	0	0.00
“Slaughterhouse foes argue for options”	9	27.27	7	21.21	0	0.00	1	3.03
“Stigma may harm state, human society says”	1	6.25	3	18.75	0	0.00	0	0.00
“Horse shows won't race out of state if slaughter OK'd”	8	53.33	0	0.00	0	0.00	0	0.00
“Two horse show groups say slaughter measure won't drive them away”	3	50.00	1	16.67	0	0.00	0	0.00
“Horse slaughter advocates rally at Oklahoma Capitol”	4	14.81	4	14.81	1	3.70	1	3.70
“Bill in Congress would ban slaughter of horses in U.S.”	1	8.33	4	33.33	0	0.00	0	0.00
“Federal law would ban U.S. horses' slaughter”	4	26.67	4	26.67	0	0.00	0	0.00
“Horse bill's author could reap gain from passage”	2	33.33	0	0.00	1	16.67	0	0.00
“Horse-slaughter measure advances in state Senate”	5	25.00	8	40.00	0	0.00	0	0.00
“Senate panel passes horse slaughter bill”	3	16.67	6	33.33	1	5.56	0	0.00
“Bingman supports state horse slaughter”	2	13.33	4	26.67	1	6.67	0	0.00
“Bill stirs emotional debate”	9	11.69	15	19.48	0	0.00	5	6.49
“Horse slaughter opponents spur last-minute efforts to kill plan”	6	20.00	6	20.00	0	0.00	2	6.67
“Fallin OK on horse bill likely”	5	19.23	8	30.77	1	3.85	1	3.85
“Fallin likely to sign horse slaughter bill”	3	15.00	5	25.00	1	5.00	1	5.00
“Senate Oks horse slaughter”	12	31.58	10	26.32	0	0.00	0	0.00
“Horse slaughter bill's passage sends measure to governor”	6	17.65	8	23.53	1	2.94	2	5.88
“OSBI investigating threats on lawmaker”	6	54.55	2	18.18	0	0.00	0	0.00
“OSBI Investigates threats”	3	33.33	4	44.44	0	0.00	2	22.22
“Fallin signs measure to allow horse slaughter”	3	12.50	2	8.33	10	8.33	1	4.17
“Governor signs measure that would lift horse slaughter ban”	4	12.12	5	15.15	19	0.00	0	0.00
“Horse law could nip Fallin's re-election bid”	0	0.00	2	8.70	0	4.35	0	4.35
Total	142	18.64	155	20.34	1	1.97	18	2.36

Note. RA = Report sentence/attributed; RU = Report sentence/unattributed; IL = Inference sentence/labeled; IU = Inference sentence/unlabeled

Table 3
Frequency and Percentage of Judgment Sentences

Article Title	JAF		JAU		JUF		JUJ	
	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%
“Measures would legalize horse slaughter in Oklahoma”	12	27.91	16	37.21	0	0.00	2	4.65
“Committee advances bill on horse slaughtering”	0	0.00	10	47.62	0	0.00	0	0.00
“Measure on horse slaughter advances”	7	17.50	14	35.00	0	0.00	1	2.50
“Horse bill wins committee approval”	3	11.11	7	25.93	1	3.70	2	7.41
“Choosing the animals to slaughter a sorry task”	0	0.00	0	0.00	3	10.34	16	55.17
“Lawmakers pass horse slaughter measures”	10	21.74	6	13.04	1	2.17	0	0.00
“Consumption still is banned”	10	37.04	6	22.22	2	7.41	0	0.00
“All against state horse slaughter say 'neigh”	0	0.00	0	0.00	1	4.76	9	42.86
“Slaughterhouse foes argue for options”	8	24.24	6	18.18	0	0.00	2	6.06
“Stigma may harm state, human society says”	1	6.25	10	62.50	0	0.00	1	6.25
“Horse shows won't race out of state if slaughter OK'd”	6	40.00	1	6.67	0	0.00	0	0.00
“Two horse show groups say slaughter measure won't drive them away”	2	33.33	0	0.00	0	0.00	0	0.00
“Horse slaughter advocates rally at Oklahoma Capitol”	10	37.04	3	11.11	4	14.81	0	0.00
“Bill in Congress would ban slaughter of horses in U.S.”	0	0.00	4	33.33	1	8.33	2	16.67
“Federal law would ban U.S. horses' slaughter”	4	26.67	0	0.00	2	13.33	1	6.67
“Horse bill's author could reap gain from passage”	2	33.33	0	0.00	0	0.00	0	0.00
“Horse-slaughter measure advances in state Senate”	1	5.00	4	20.00	0	0.00	2	10.00
“Senate panel passes horse slaughter bill”	1	5.56	4	22.22	1	5.56	1	5.56
“Bingman supports state horse slaughter”	6	40.00	2	13.33	0	0.00	0	0.00
“Bill stirs emotional debate”	16	20.78	12	15.58	8	10.39	8	10.39
“Horse slaughter opponents spur last-minute efforts to kill plan”	5	16.67	7	23.33	0	0.00	3	10.00
“Fallin OK on horse bill likely”	8	30.77	0	0.00	0	0.00	0	0.00
“Fallin likely to sign horse slaughter bill”	7	35.00	3	15.00	0	0.00	0	0.00
“Senate Oks horse slaughter”	5	13.16	9	23.68	1	2.63	0	0.00
“Horse slaughter bill's passage sends measure to governor”	6	17.65	7	20.59	2	5.88	1	2.94
“OSBI investigating threats on lawmaker”	1	9.09	2	18.18	0	0.00	0	0.00
“OSBI Investigates threats”	0	0.00	0	0.00	0	0.00	0	0.00
“Fallin signs measure to allow horse slaughter”	10	41.67	5	20.83	1	4.17	0	0.00
“Governor signs measure that would lift horse slaughter ban”	19	57.58	3	9.09	0	0.00	2	6.06
“Horse law could nip Fallin's re-election bid”	0	0.00	0	0.00	2	8.70	16	69.57
Total	160	21.00	141	18.50	30	3.94	69	9.06

Note. JAF = Judgment sentence/attributed/favorable; JAU = Judgment sentence/attributed/unfavorable; JUF = Judgment sentence/unattributed/favorable; JUJ = Judgment sentence/unattributed/unfavorable

Table 4
Frequency and Percentage of Other Sentences

Article Title	O	
	<i>f</i>	%
“Measures would legalize horse slaughter in Oklahoma”	0	0.00
“Committee advances bill on horse slaughtering”	1	4.76
“Measure on horse slaughter advances”	3	7.50
“Horse bill wins committee approval”	1	3.70
“Choosing the animals to slaughter a sorry task”	4	13.79
“Lawmakers pass horse slaughter measures”	1	2.17
“Consumption still is banned”	2	7.41
“All against state horse slaughter say 'neigh”	7	33.33
“Slaughterhouse foes argue for options”	0	0.00
“Stigma may harm state, human society says”	0	0.00
“Horse shows won't race out of state if slaughter OK'd”	0	0.00
“Two horse show groups say slaughter measure won't drive them away”	0	0.00
“Horse slaughter advocates rally at Oklahoma Capitol”	0	0.00
“Bill in Congress would ban slaughter of horses in U.S.”	0	0.00
“Federal law would ban U.S. horses' slaughter”	0	0.00
“Horse bill's author could reap gain from passage”	1	16.67
“Horse-slaughter measure advances in state Senate”	0	0.00
“Senate panel passes horse slaughter bill”	1	5.56
“Bingman supports state horse slaughter”	0	0.00
“Bill stirs emotional debate”	4	5.19
“Horse slaughter opponents spur last-minute efforts to kill plan”	1	3.33
“Fallin OK on horse bill likely”	3	11.54
“Fallin likely to sign horse slaughter bill”	0	0.00
“Senate Oks horse slaughter”	1	2.63
“Horse slaughter bill's passage sends measure to governor”	1	2.94
“OSBI investigating threats on lawmaker”	0	0.00
“OSBI Investigates threats”	0	0.00
“Fallin signs measure to allow horse slaughter”	0	0.00
“Governor signs measure that would lift horse slaughter ban”	0	0.00
“Horse law could nip Fallin's re-election bid”	1	4.35
Total	32	4.20

Note. O = Other

Of those in the two report categories, 18.64% ($f = 142$) were RA and 20.34% ($f = 155$) were RU. In the inference categories, 1.97% ($f = 15$) were IL and 2.36% ($f = 18$) were IU. The judgment categories were coded as 21.00% ($f = 160$) JAF, 18.50% ($f = 141$) JAU, 3.94% ($f = 30$) JUF, and 9.06% ($f = 69$) JUU. The final category of O had 4.20% ($f = 32$). Figure 3 presents the total number of sentences for each Hayakawa-Lowry news bias category.

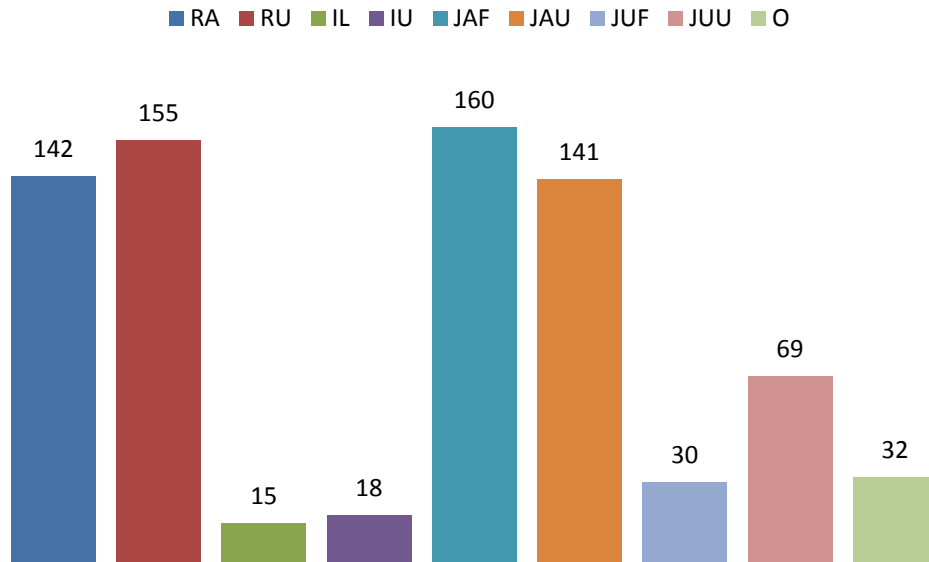


Figure 3. Number of sentences in each Hayakawa-Lowry news bias category.

Findings Related to Objective Three

Objective 3 of this study sought to compare the use of each sentence type in the identified articles between the two highest-circulated newspapers in Oklahoma.

As shown in Table 5, this study identified 762 sentences in the 30 articles, and of those sentences 38.98% ($f = 297$) were reports, 4.33% ($f = 33$) were inferences, 52.49% ($f = 400$) were judgments, and 4.20% ($f = 32$) were other.

Table 5

Content of Articles by Sentence Type

Newspaper	No. of Articles	No. of Reports	No. of Inferences	No. of Judgments	Other	Total
<i>Tulsa World</i>	17	181	20	243	26	470
<i>The Oklahoman</i>	13	116	13	157	6	292
Total	30	297	33	400	32	762

Of the 762 sentences in the identified articles, 61.68% ($f = 470$) were from the *Tulsa World* and 38.32% ($f = 292$) were from *The Oklahoman* (See Table 5).

Of the 297 report sentences in all identified articles, 60.94% ($f = 181$) were from the *Tulsa World* and 39.06% ($f = 116$) were from *The Oklahoman*.

Of the 33 inference sentences in all the identified articles, 60.61% ($f = 20$) were from the *Tulsa World* and 39.39% ($f = 13$) were from *The Oklahoman*.

Of the 400 judgment sentences in all of the identified articles, 60.75% ($f = 243$) were from the *Tulsa World* and 39.25% ($f = 157$) were from *The Oklahoman*.

Of the 32 other sentences found in the identified articles, 81.25% ($f = 26$) were from the *Tulsa World* and 18.75% ($f = 6$) were from *The Oklahoman*.

Of the 400 judgment sentences identified, 47.50% ($f = 190$) were favorable about the horse slaughter bill and 52.50% ($f = 210$) were unfavorable about the bill. The data is presented in Figure 4.

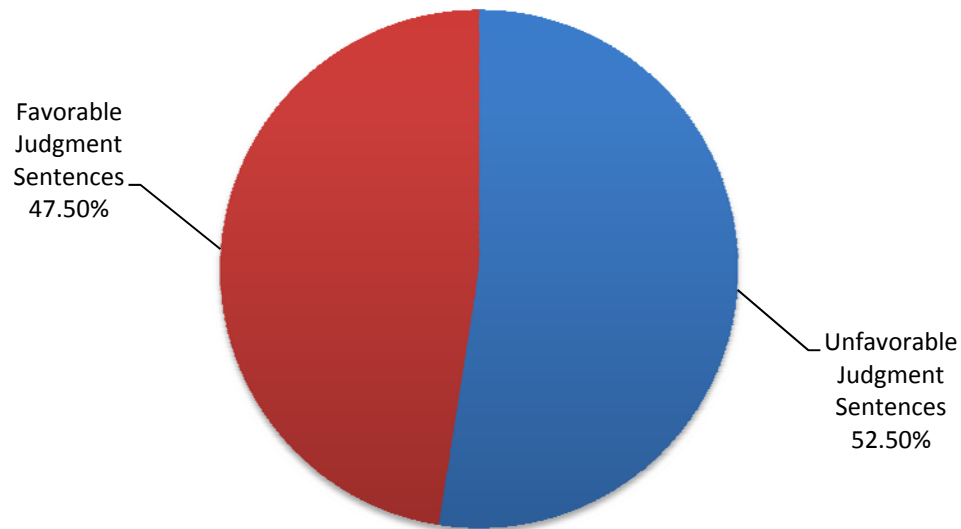


Figure 4. Total percentage of favorable and unfavorable judgment sentences.

Of the 400 total judgment sentences, 60.75 % ($f = 243$) sentences were from the *Tulsa World*. Of those 243 sentences, 44.03% ($f = 107$) were favorable and 55.97 % ($f = 136$) were unfavorable about the horse slaughter bill. The remaining 39.25 % ($f = 157$) sentences were found in *The Oklahoman* articles. There were 52.87 % ($f = 83$) sentences favorable about the horse slaughter bill and 47.13 % ($f = 74$) sentences coded as unfavorable about the bill.

Of the 470 sentences from the *Tulsa World*, 38.51% ($f = 181$) were reports, 4.26% ($f = 20$) were inferences, 51.70 % ($f = 243$) were judgments, and 5.53% ($f = 26$) were coded as other. Table 4 and Figure 5 present these findings.

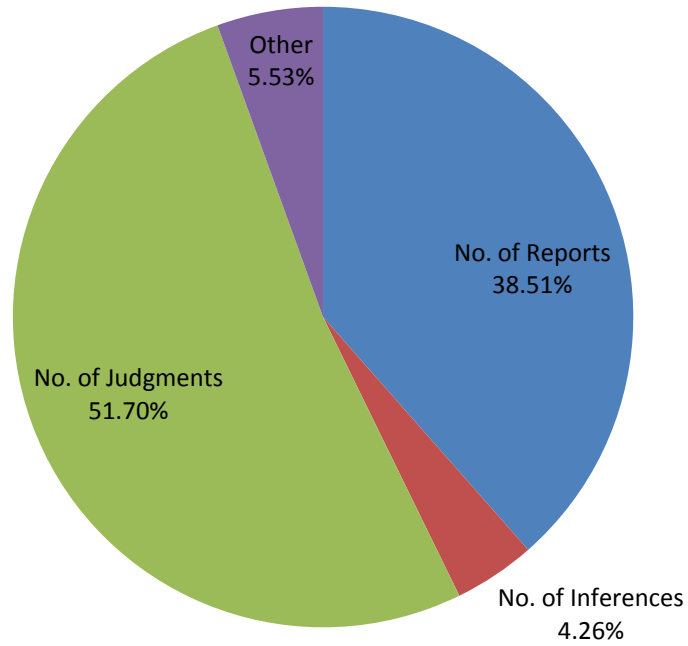


Figure 5. The total percentage of report, inference, judgment, and other sentences in the *Tulsa World*.

Of the 292 sentences from *The Oklahoman*, 39.73% ($f = 116$) were reports, 4.45% ($f = 13$) were inferences, 53.77% ($f = 157$) were judgments, and 2.05% ($f = 6$) were coded as other. Table 4 and Figure 6 present this information.

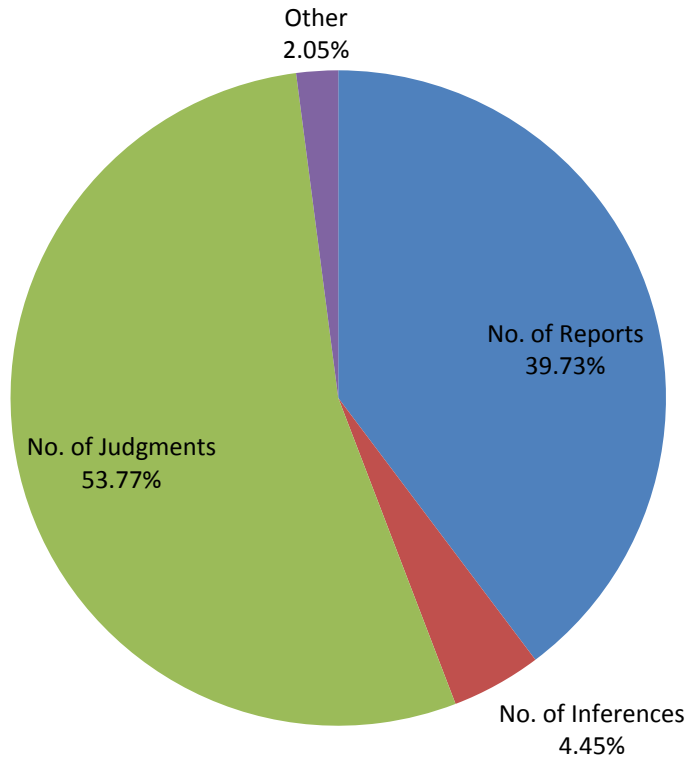


Figure 6. The total percentage of report, inference, judgment, and other sentences in *The Oklahoman*.

The sentences described in Table 6 and Table 7 are the frequency and percentage of each Hayakawa-Lowry sentence type by publication.

Table 6

Distribution of sentences in the Tulsa World

	<i>f</i>	%
RA	90	19.15
RU	91	19.36
IL	11	2.34
IU	9	1.91
JAF	88	18.72
JAU	81	17.23
JUF	19	4.04
JUU	55	11.70
O	26	5.53
Total	470	100.00%

Note. RA = Report sentence/attributed; RU = Report sentence/unattributed; IL = Inference sentence/labeled; IU = Inference sentence/unlabeled; JAF = Judgment sentence/attributed/favorable; JAU = Judgment sentence/attributed/unfavorable; JUF = Judgment sentence/unattributed/favorable; JUU = Judgment sentence/unattributed/unfavorable.

Table 7

Distribution of sentences in The Oklahoman

	<i>f</i>	%
RA	52	17.81
RU	64	21.92
IL	4	1.37
IU	9	3.08
JAF	72	24.66
JAU	60	20.55
JUF	11	3.77
JUU	14	4.79
O	6	2.05
Total	292	100.00%

Note. RA = Report sentence/attributed; RU = Report sentence/unattributed; IL = Inference sentence/labeled; IU = Inference sentence/unlabeled; JAF = Judgment sentence/attributed/favorable; JAU = Judgment sentence/attributed/unfavorable; JUF = Judgment sentence/unattributed/favorable; JUU = Judgment sentence/unattributed/unfavorable.

Out of the *Tulsa World's* 470 published sentences, 19.15% ($f = 90$) were RA sentences compared to 17.81% ($f = 52$) of *The Oklahoman's* 292 total published sentences. The *Tulsa*

World published 19.36% ($f = 91$) RU sentences compared to 21.92% ($f = 64$) published in *The Oklahoman*.

Out of the *Tulsa World's* 470 published sentences, 2.34% ($f = 11$) were IL sentences compared to 1.37% ($f = 4$) of *The Oklahoman's* 292 total published sentences. The *Tulsa World* published 1.91% ($f = 9$) IU sentences compared to 3.08% ($f = 9$) published in *The Oklahoman*.

Out of the *Tulsa World's* 470 published sentences, 18.72% ($f = 88$) were JAF sentences compared to 24.66% ($f = 72$) of *The Oklahoman's* 292 total published sentences. The *Tulsa World* published 17.23% ($f = 81$) JAU sentences compared to 20.55% ($f = 60$) published in *The Oklahoman*. The *Tulsa World* published 4.04% ($f = 19$) JUF sentences compared to 3.77% ($f = 11$) published in *The Oklahoman*. The *Tulsa World* published 11.70% ($f = 55$) JUU sentences compared to 4.79% ($f = 14$) published in *The Oklahoman*.

Out of the *Tulsa World's* 470 published sentences 5.53% ($f = 26$) O sentences compared to 2.05% ($f = 6$) of *The Oklahoman's* 292 total published sentences. This data is represented in Table 6 and 7.

CHAPTER V

CONCLUSIONS, IMPLICATIONS, AND RECOMMENDATIONS

The purpose of this chapter is to summarize the study and to develop conclusions, implications, practical recommendations and research recommendations based on the findings presented out in Chapter IV.

Conclusions and Discussion related to Objective One

Objective 1 sought to identify all news articles about the horse slaughter bill published by the two highest-circulating newspapers in Oklahoma while the bill was under consideration. Both papers treated the horse slaughter legislation as a newsworthy event. Thirty total articles were identified, with the *Tulsa World* publishing more than *The Oklahoman*. Coverage of the issue increased as the governor prepared to sign the bill. At least one of the two sources published at least one article each day for five days before the signing, and both newspapers published a story for the three days prior to the signing. Both papers published a story the day after the bill was signed, but neither published a story the day of the signing. This finding supports journalism literature stating timeliness and importance are two factors for determining what is newsworthy (Mencher, 2011; Missouri Group, 2008; Stovall, 2005; Harrower, 2010).

Conclusions and Discussion related to Objective Two

Objective 2 sought to conduct a content analysis of identified articles. Based on the Hayakawa-Lowry news bias categories codes placed on each sentence, an overall negative bias toward horse slaughter was present in the articles included in this investigation.

A notable difference exists between the quantity of judgment/unattributed/unfavorable (JUJ) sentences and judgment/unattributed/favorable (JUF), especially in the number of JUJ sentences. According to Lowry's (1985) and Hayakawa and Hayakawa's (1990) work, the lack of attribution on judgment/unfavorable sentences suggests bias; therefore, these articles were biased about horse slaughter.

The lack of attribution in the selected articles indicates journalists were more concerned with a story focused on infotainment than an accurate and unbiased story, and it can further be concluded universities are not stressing the importance of attribution and unbiased reporting in their curricula. Hirst and Patching (2005) stressed the importance of attributing all but the most basic information to build credibility in the story. Therefore, journalists reporting on the horse slaughter legislation allowed their perceptions or opinions to enter their writing and appeared to take sides on the issue. Journalists must avoid taking sides on an issue (Hirst & Patching, 2005; Stoval, 2005).

The identified articles are part of attribute agenda-setting. Based on the definitions of agenda-setting (McCombs & Shaw, 1972) and attribute agenda-setting (McCombs, 2006), the identified articles in this study were not telling people what to think about, as people were already thinking about the issue, rather they were telling people how to think about the issue (Kiousis, 2005). The manner in which the information was presented could have influenced the public's understanding of issue on the agenda, in this case is horse slaughter (McCombs, 2006)

Contrary to what others found (Terry et. al, 1996; Whitaker, 1998; Sitton, 2004; and King, 2006), a greater percentage of favorable sentences overall were identified in this study. Many of those were attributed judgment sentences, which are not perceived of as biased as judgment unattributed sentences (Hayakawa & Hayakawa, 1990). Hence, it can concluded the negative bias of more JUJ than JUF sentences causes the overall reporting of the 2013 horse slaughter legislation biased against horse slaughter.

Conclusions and Discussion related to Objective Three

Objective 3 sought to describe the differences in article content by source. The *Tulsa World* had a higher percentage of judgment/unattributed/unfavorable sentences than *The Oklahoman*. *The Oklahoman* had a higher percentage of judgment/attributed/favorable sentences than the *Tulsa World*. Lowry (1985) found judgment sentences are seen as the most biased; thus, one can conclude *The Oklahoman* reported the 2013 horse slaughter legislation with less bias.

The agenda-setting effect for the horse slaughter issue was more prominent in the Tulsa area than the Oklahoma City area, as the *Tulsa World* published 70% of the total sentences in this study. The agenda-setting theory tells people what to think about (McCombs & Shaw 1972), and the attribute agenda-setting theory tells people how to think about the issue (Golan & Wanta, 2001; McCombs, 2006). Thus, it can be concluded the editors and reporters of the *Tulsa World* were more interested in influencing public opinion than those from *The Oklahoman*.

Implications

Sitton (2000) found a positive correlation exists between journalists more favorably portraying agriculture and the more knowledge they have about the industry. Are agricultural organizations working with journalists to provide accurate information? Are journalists taking extra precaution to ensure they report agriculturally related news stories without bias with their lack of background/knowledge of the topic?

Research indicates people are more apt to be influenced by agenda-setting the more removed from a situation they are, while other research shows the importance of an issue increases the impact of the agenda-setting effect (Ansolabehere, Behr & Iyengar, 1993). With a decreasing number of individuals involved in agriculture (American Farm Bureau, 2011), it can be assumed many individuals are removed from the situation, but food production is an important issue. Thus, agricultural topics are especially susceptible to the agenda-setting effect in the news media. Knowing attribute agenda-setting tells readers not only what to think about, but also how to think

about an issue, and literature indicating journalism is starting to resemble public relations, were these articles persuading readers to have a pro or con opinion of the horse slaughter issue?

Recommendations for Practice

The following recommendations are based on the findings and conclusions from this study.

Colleges and universities need to focus on teaching objective, fair, and balanced reporting. The use of attributed judgment sentences is acceptable, but a balance should occur between judgments and report sentences (Hayakawa & Hayakawa, 1990). When judgment sentences are used, they must always be attributed (Hayakawa & Hayakawa, 199). Agricultural communications and journalism curriculum should stress the importance of attribution to ensure credibility and help remove reporter bias.

Agricultural communications and journalism professionals and students should be exposed to the Hayakawa-Lowry news bias categories through professional development and classroom instruction to understand the importance of unbiased reporting and writing. Agricultural communication and journalism students and professionals as well as agricultural organizations should be reminded of the importance to work more closely with the media so journalists are better informed about agricultural issues.

Legislators should use news stories to gather information and opinions on issues, but they should not depend solely on news stories to determine public opinion on an issue. Legislators should understand the idea of agenda-setting and its ability to set public opinion and thus influence public policy (Rogers & Dearing, 1996).

Recommendations for Future Research

The following recommendations for further research are based on the findings and conclusions from this study.

1. Examine how the horse slaughter issue was portrayed on the radio, TV, Internet, social media, and other communication media.

2. Determine what sources are used for agricultural stories and how the sources are selected.
Compare the number of favorable and unfavorable editorials and letters to the editor published about a specific agricultural issue.
3. Determine if readers objectively read news articles, or if they assume all information is unbiased and accurate. Compare the level of trust readers have in popular press and agricultural publications to report agricultural issues fairly and accurately.
4. Continue Hayakawa-Lowry research, moving forward without the idea of a level of objectivity, as has been used in past research. Hayakawa-Lowry methodology produces categorical data; therefore is impossible to determine a level of objectivity from categorical data, which are the result of the Hayakawa-Lowry news bias categories, as categorical data can only be used to describe and classify data (Kolbe & Burnett, 1991).
5. Determine how much weight legislators place in newspaper articles to gauge public opinion of issues.
6. Determine to what extent framing plays a part in the attribute agenda-setting theory as related to agricultural issues.

REFERENCES

- American Farm Bureau. (2011). *Farm and Food Facts*. Washington, D.C.: American Farm Bureau Federation
- Ansolabehere, S., Behr, R., & Iyengar, S. (1993). *The media game: American politics in the television age*. Needham Heights, MA: Allyn and Bacon.
- Bayvel, A. C. & Cross, N. (2010). Animal welfare: A complex domestic and international public-policy issue—who are the key players? *Journal of Veterinary Medical Education*, 37(1), 3-12.
- Bekoff, M., & Meaney, C. A. (1998). *Encyclopedia of animal rights and animal welfare*. Westport, Conn: Greenwood Press.
- Berelson, B. (1971). *Content analysis in communication research*. New York: Hafner.
- Bowen, N. (2014, January 17). Congress passes FY14 omnibus. *NASDA*.
- Brooks, B. S., & Missouri Group. (1999). *News reporting and writing*. Boston: Bedford/St. Martin's.
- Bugeja, M. (2008). *Living ethics: Across media platforms*. Oxford: Oxford University Press.
- Cohen, B. (1963). *The press and foreign policy*. Princeton, NJ: Princeton University Press.

- Cowen, T. (2012). *Horse slaughter prevention bills and issues*. (Report No. RS21842). Washington, D.C.: Congressional Research Service.
- Creswell J. (2012). *Educational research: Planning, conducting, and evaluating quantitative and qualitative research*. Boston: Pearson.
- Dearing, J. & Rogers, E. (1996). *Agenda-setting*. Thousand Oaks, CA: SAGE Publications.
- Equine slaughter. (2013, June). FSIS Constituent Update. Retrieved from http://www.fsis.usda.gov/horses/Const_Update_062813.pdf
- Final Rule: Commercial Transportation of Equines to Slaughter; Part 88 Fed. Reg. 63588-617 (December 7, 2001) (codified at 9 C.F.R. pt. 88)
- Foreman, G. (2010). *The ethical journalist: Making responsible decisions in the pursuit of news*. Chichester, U.K: Wiley-Blackwell.
- Gale Group, & Gale Research Inc. (2009). *Gale directory of publications and broadcast media*. Detroit, MI: Gale Research Inc.
- Gale Group, & Gale Research Inc. (2013). *Gale directory of publications and broadcast media*. Detroit, MI: Gale Research Inc.
- Golan, G. & Wanta, W. (2001). Second-level agenda setting in the New Hampshire primary: A comparison of coverage in three newspapers and public perceptions of candidates. *Journalism and Mass Communication Quarterly*, 78(2), 247-259.
- Hall, K., & Rhoades, E. (2007). Coverage of corn-based ethanol: A comparison of objectivity in US national newspapers. In AAEEA North Central Region Conference (p. 246).
- Harrower, T. (2010). *Inside reporting: A practical guide to the craft of journalism*. New York: McGraw-Hill.
- Hayakawa, L.L. & Hayakawa, A. R. (1990). *Language in thought and action*. (5th ed.). Orlando, FL: Harcourt Brace Jovanovich.
- Hirst, M., & Patching, R. (2005). *Journalism ethics: Arguments and cases*. Oxford: Oxford University Press.

- Iyengar, S., & Kinder, D. (2010). *News that matters: Television and American opinion*. (Updated Edition ed.). Chicago, IL: The University of Chicago Press.
- Kim, S. H., Han, M., Choi, D. H., & Kim, J. N. (2012). Attribute agenda setting, priming and the media's influence on how to think about a controversial issue. *The International Communication Gazette*, 74(1), 43-59.
- Kim, S. H., Scheufele, D. A., & Shanahan, A. (2002). Think about it this way: Attribute agenda-setting function of the press and the public's evaluation of a local issue. *Journal and Mass Communication Quarterly*, 79(1), 7-25.
- King, J. M., Cartmell, D. D., & Sitton, S. (2006). Newspaper coverage of the bovine spongiform encephalopathy outbreak in the United States: A content analysis. *Journal of Applied Communications*, 2006.
- Kiousis, S. (2005). Compelling arguments and attitude strength: Exploring the impact of second-level agenda setting on public opinion of presidential candidate images. *The Harvard International Journal of Press/Politics*, 10(3), 3-26.
- Kolbe, R. H. & Burnett, M. S. (1991). Content-analysis research: An examination of applications with directives for improving research reliability and objectivity. *Journal of Consumer Research*, 18(2), 243-250.
- Lippmann, W. (1925). *The Phantom Public*. New York: Harcourt, Brace and Company
- Lombard, M., Snyder-Duch, J., & Bracken, C. C. (2002). Content analysis in mass communication: Assessment and reporting of intercoder reliability. *Human Communication Research*, 28(4), 587-604.
- Lowry, D. T. (1971). Agnew and the network TV news: A before/after content analysis. *Journalism Quarterly*, 48(1), 205-210.
- Lowry, D. T. (1985) Establishing construct validity of the Hayakawa-Lowry news bias categories. *Journalism Quarterly*, 62(3), 573-580.

- McCombs, M. (2006). A look at agenda-setting: Past, present and future. *Journalism Studies*, 6(4), 543-557.
- McCombs, M. (2010). Building consensus: The news media's agenda-setting roles. *Political Communication*, 14(4), 433-443.
- McCombs, M., & Funk, M. (2011). Shaping the agenda of local daily newspapers: a methodology merging the agenda setting and community structure perspectives. *Mass Communication and Society*, 14(6), 905-919.
- McCombs, M. E., & Shaw, D. L. (1972). The agenda-setting function of mass media. *The Public Opinion Quarterly*, 36(2), 176-187.
- McQuail, D. (2000). *McQuail's mass communication theory*. London, England: Sage Publications Ltd.
- Mencher, M. (2001). *Melvin Mencher's news reporting and writing*. New York, NY: McGraw-Hill.
- Mish, F. C. et al. (Eds.). (2003). *Merriam-Webster's collegiate dictionary* (11th ed.). Springfield, MA: Merriam-Webster, Inc.
- Monahan, C. J. (2012). *Equine welfare concerns: Horse slaughter, wild and unwanted horses*. New York: Nova Science Publishers.
- Oklahoma Meat Inspection Act. Okla. Stat. Ann. § 63-241-252 (1971, Supp. 1968)
- Oklahoma Meat Inspection Act. Okla. Session Law § 2-5-9 (2013)
- OIE. (2010). *Terrestrial animal health code: Introduction to the recommendations for animal welfare*. Retrieved from http://web.oie.int/eng/normes/mcode/en_chapitre_1.7.1.pdf
- PewResearch Center. (2009). *Public evaluations of the news media: 1985-2009*. Retrieved from <http://www.people-press.org/files/legacy-pdf/543.pdf>.
- Potter, W. J., & Levine - Donnerstein, D. (1999). Rethinking validity and reliability in content analysis. *Journal of Applied Communications Research*, 27(1999), 258-284

- Reece, V. P., Friend, T. H., Stull, C. H., Grandin, T. & Cordes, T. (2000). Equine slaughter transport – update on research and regulations. *Proceedings from AVMA Animal Welfare Forum*, 1253-1258.
- Riffe, D., Lacy, S., & Fico F. G. (1998). *Analyzing media messages*. Mahwah, New Jersey: Lawrence Erlbaum Associates, Inc., Publishers.
- Shoemaker, P., & Vos, T. (2009). *Gatekeeping theory*. New York, NY: Routledge.
- Sitton, S. (2000). 1998 Newspaper Coverage of Oklahoma Swine Production Issues: A Content Analysis. Unpublished doctoral dissertation, Oklahoma State University, Stillwater, OK.
- Sitton, S., Terry Jr, R., & Cartmell, D. D. II, & Keys, JP (2004). Newspaper coverage of swine production issues: A closer look at reporters and their objectivity. *Journal of Applied Communications*, 88(2), 21-35.
- Stempel, G. H., & Westley, B. H. (1989). *Research methods in mass communication*. Englewood Cliffs, N.J: Prentice Hall.
- Stovall, J. (2005). *Journalism: Who, what, when, where, why and how*. Boston, MA: Pearson/Allyn & Bacon.
- Swafford, M., & Terry Jr, R. (2006). Assessment of references to agriculture in a middle grade science textbook. *Journal of Southern Agricultural Education Research*, 56(1).
- Terry, R., Jr., Dunsford, D., & Lacewell, T.B. (1996). Evaluation of information sources about agriculture: National news publications. *Proceedings of the National Agricultural Education Research Meeting*, 23, 215-266.
- The Humane Society of the United States. (2013, October 1). The facts about horse slaughter [Web log post]. Retrieved from http://www.humanesociety.org/issues/horse_slaughter/facts/facts_horse_slaughter.html#transport
- The Innovation Group. (2013). *Oklahoma equine industry study*. Oklahoma Equine Alliance, OK.

- United States Department of Agriculture, National Agricultural Statistics Service. (2009). *2007 Census of Agriculture*. Retrieved from http://www.agcensus.usda.gov/Publications/2007/Full_Report/Volume_1,_Chapter_1_US/usv1.pdf
- United States Government Accountability Office. (2011). *Action needed to address unintended consequences from cessation of domestic slaughter* (GAO-11-228). Retrieved from <http://www.gao.gov/new.items/d11228.pdf>
- Unwanted Horse Coalition. (2009). *2009 unwanted horses survey: Creating advocates for responsible ownership*. Unwanted Horse Coalition, Washington, DC.
- Weber, R. P. (1990). *Basic content analysis*. Newbury Park, CA: Sage Publications.
- Whitaker, B. K. (1998). *A comparison of levels of bias in environmental and food safety articles: Agricultural versus news periodicals* (Master's thesis, Iowa State University).
- Whitaker, B. K. & Dyer, J. E. (2000). Identifying sources of bias in agricultural news reporting. *Journal of Agricultural Education*, *41*(4), 125-133.

APPENDICES

APPENDIX A

1968 OKLAHOMA LEGISLATURE SESSION LAWS

SECOND SESSION—1968

Ch. 63

AGRICULTURE—MEAT INSPECTION ACT

CHAPTER 63 ²³

S.B. No. 657

AN ACT RELATING TO AGRICULTURE; ESTABLISHING THE "OKLAHOMA MEAT INSPECTION ACT"; DEFINING TERMS; PROVIDING FOR INSPECTION OF CERTAIN ANIMALS TO BE SLAUGHTERED; PROVIDING FOR INSPECTION AND LABELING OF MEAT FOOD PRODUCTS; PROVIDING FOR APPOINTMENT OF INSPECTORS BY STATE BOARD OF AGRICULTURE; PROVIDING FOR POWERS AND DUTIES OF STATE BOARD OF AGRICULTURE; PROHIBITING FALSE OR MISLEADING MARKINGS OR LABELS AND AUTHORIZING BOARD TO DISAPPROVE USE OF SAME; PROVIDING FOR HEARING AND APPEAL; PROHIBITING THE USE OF CERTAIN MARKS, DEVICES OR CERTIFICATES; PROVIDING FOR EXCEPTIONS TO ACT; AUTHORIZING STATE BOARD OF AGRICULTURE TO PROMULGATE RULES AND REGULATIONS; REQUIRING CERTAIN RECORDS; PROVIDING FOR COOPERATION WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE; PROVIDING FOR WITHDRAWAL OF INSPECTION SERVICE; PROVIDING FOR CONDEMNATION, INJUNCTION AND RESTRAINING ORDERS; PROHIBITING BRIBERY, INTERFERENCE, INTIMIDATION OR ACTS IN CONFLICT OF INTEREST; MAKING CERTAIN VIOLATIONS OF ACT A FELONY AND FIXING PENALTIES; PROVIDING PROCEDURES FOR HEARINGS; REPEALING SECTIONS 1 THROUGH 20, INCLUSIVE, CHAPTER 381, O.S.L.1967 (2 O.S.SUPP.1967, §§ 6—161 THROUGH 6—180, INCLUSIVE); MAKING PROVISIONS OF ACT SEVERABLE; AND DECLARING AN EMERGENCY.

As enacted by the People of the State of Oklahoma:

SECTION 1. Designation

This Act shall be designated as the "Oklahoma Meat Inspection Act."

SECTION 2. Definitions

As used in this Act, except as otherwise specified, the following terms shall have the meanings stated below:

(a) The term "Board" means the State Board of Agriculture, or its delegate.

(b) The term "firm" means any partnership, association, or other unincorporated business organization.

(c) The term "meat broker" means any person, firm or corporation engaged in the business of buying or selling carcasses, parts of carcasses, meat, or meat food products of cattle, sheep, swine, goats, horses, mules, or other equines on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person, firm, or corporation.

(d) The term "renderer" means any person, firm, or corporation engaged in the business of rendering carcasses, or parts or products of the carcasses, of cattle, sheep, swine, goats, horses, mules, or other equines, except rendering conducted under inspection under Sections 1 through 16 of this Act.

²³ O.S.Supp.1968, §§ 6—181 to 6—212.

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(e) The term "animal food manufacturer" means any person, firm, or corporation engaged in the business of manufacturing or processing animal food derived wholly or in part from carcasses, or parts or products of the carcasses, of cattle, sheep, swine, goats, horses, mules, or other equines.

(f) The term "intrastate commerce" means commerce within this State.

(g) The term "meat food product" means any product capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any cattle, sheep, swine, or goats, excepting products which contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been considered by consumers as products of the meat food industry, and which are exempted from definition as a meat food product by the Board under such conditions as it may prescribe to assure that the meat or other portions of such carcasses contained in such product are not adulterated and that such products are not represented as meat food products. This term as applied to food products of equines shall have a meaning comparable to that provided in this paragraph with respect to cattle, sheep, swine, and goats.

(h) The term "capable of use as human food" shall apply to any carcass, or part or product of a carcass, of any animal, unless it is denatured or otherwise identified as required by regulations prescribed by the Board to deter its use as human food, or it is naturally inedible by humans.

(i) The term "prepared" means slaughtered, canned, salted, rendered, boned, cut up, or otherwise manufactured or processed.

(j) The term "adulterated" shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

(1) if it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;

(2) (A) if it bears or contains (by reason of administration of any substance to the live animal or otherwise) any added poisonous or added deleterious substance (other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the Board, make such article unfit for human food;

(B) if it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of Section 403 of the Federal Food, Drug, and Cosmetic Act;

(C) if it bears or contains any food additive which is unsafe within the meaning of Section 409 of the Federal Food, Drug, and Cosmetic Act;

(D) if it bears or contains any color additive which is unsafe within the meaning of Section 706 of the Federal Food, Drug, and Cosmetic Act: Provided, that an article which is not adulterated under clause (B), (C), or (D) shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such article is prohibited by regulations of the Board in establishments at which inspection is maintained under Sections 1 through 16 of this Act;

(3) if it consists in whole or in part of any filthy, putrid, or decomposed substance or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;

(4) if it has been prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

(5) if it is, in whole or in part, the product of an animal which has died otherwise than by slaughter;

(6) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

(7) if it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to Section 409 of the Federal Food, Drug, and Cosmetic Act;

(8) if any valuable constituent has been, in whole or in part, omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part, therefor; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is; or

(9) if it is margarine containing animal fat and any of the raw material used therein consisted, in whole or in part, of any filthy, putrid, or decomposed substance.

(k) The term "misbranded" shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

(1) if its labeling is false or misleading in any particular;

(2) if it is offered for sale under the name of another food;

(3) if it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word "imitation," and, immediately thereafter, the name of the food imitated;

(4) if its container is so made, formed, or filled as to be misleading;

(5) if in a package or other container unless it bears a label showing (A) the name and place of business of the manufacturer, packer, or distributor; and (B) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count: Provided, that, under clause (B) of this subparagraph (5), reasonable variations may be permitted, and exemptions as to small packages may be established, by regulations prescribed by the Board;

(6) if any word, statement, or other information required by or under authority of this Act to appear on the label or other labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

(7) if it purports to be or is represented as a food for which a definition and standard of identity or composition has been prescribed by regulations of the Board under Section 7 of this Act unless (A) it conforms to such definition and standard, and (B) its label bears the name of the food specified in the definition and standard and, insofar as may be required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food;

(8) if it purports to be or is represented as a food for which a standard or standards of fill of container have been prescribed by regulations of the Board under Section 7 of this Act, and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard;

(9) if it is not subject to the provisions of subparagraph (7), unless its label bears (A) the common or usual name of the food, if any there be, and (B) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings, and colorings may, when authorized by the Board, be designated as spices, flavorings, and colorings without naming each: Provided, that, to the extent that compliance with the requirements of clause (B) of this subparagraph (9) is impracticable, or results in deception or unfair competition, exemptions shall be established by regulations promulgated by the Board;

(10) if it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as the Board, after consultation with the Secretary of Agriculture of the United States, determines to be, and by regulations prescribes as, necessary in order fully to inform purchasers as to its value for such uses;

(11) if it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact: Provided, that, to the extent that compliance with the requirements of this subparagraph (11) is impracticable, exemptions shall be established by regulations promulgated by the Board; or

(12) if it fails to bear, directly thereon or on its container, as the Board may by regulations prescribe, the inspection legend and, unrestricted by any of the foregoing, such other information as the Board may require in such regulations to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.

(l) The term "label" means a display of written, printed, or graphic matter upon the immediate container (not including package liners) of any article.

(m) The term "labeling" means all labels and other written, printed, or graphic matter (1) upon any article or any of its containers or wrappers, or (2) accompanying such article.

(n) The term "Federal Meat Inspection Act" means the Act so entitled approved March 4, 1907 (34 Stat. 1260), as amended by the Wholesome Meat Act (8 Stat. 584).

(o) The term "Federal Food, Drug, and Cosmetic Act" means the Act so entitled, approved June 25, 1938 (52 Stat. 1040), and Acts amendatory thereof or supplementary thereto.

(p) The term "pesticide chemical," "food additive," "color additive," and "raw agricultural commodity" shall have the same meanings for purposes of this Act as under the Federal Food, Drug, and Cosmetic Act.

(q) The term "official mark" means the official inspection legend or any other symbol prescribed by regulations of the Board to identify the status of any article or animal under this Act.

(r) The term "official inspection legend" means any symbol prescribed by regulations of the Board showing that an article was inspected and passed in accordance with this Act.

(s) The term "official certificate" means any certificate prescribed by regulations of the Board for issuance by an inspector or other person performing official functions under this Act.

(t) The term "official device" means any device prescribed or authorized by the Board for use in applying any official mark.

SECTION 3. Inspection of animals to be slaughtered—Setting apart of animals

For the purpose of preventing the use in intrastate commerce, as hereinafter provided, of meat and meat food products which are adulterated,

the Board shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of all cattle, sheep, swine, goats, horses, mules, and other equines before they shall be allowed to enter into any slaughtering, packing, meat-canning, rendering, or similar establishment in this State in which slaughtering and preparation of meat and meat food products of such animals are conducted for intrastate commerce; and all cattle, sheep, swine, goats, horses, mules, and other equines found on such inspection to show symptoms of disease shall be set apart and slaughtered separately from all other cattle, sheep, swine, goats, horses, mules, or other equines, and when so slaughtered, the carcasses of said cattle, sheep, swine, goats, horses, mules, or other equines shall be subject to a careful examination and inspection, all as provided by the rules and regulations to be prescribed by the Board as herein provided for.

SECTION 4. Postmortem inspection—Marking or stamping

For the purposes hereinbefore set forth the Board shall cause to be made by inspectors appointed for that purpose, as hereinafter provided, a postmortem examination and inspection of the carcasses and parts thereof of all cattle, sheep, swine, goats, horses, mules, and other equines, capable of use as human food, to be prepared at any slaughtering, meat-canning, salting, packing, rendering, or similar establishment in this State in which such articles are prepared for intrastate commerce; and the carcasses and parts thereof of all such animals found to be not adulterated shall be marked, stamped, tagged, or labeled, as "Inspected and Passed"; and said inspectors shall label, mark, stamp, or tag, as "Inspected and Condemned," all carcasses and parts thereof of animals found to be adulterated; and all carcasses and parts thereof thus inspected and condemned shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Board may remove inspectors from any such establishment which fails to so destroy any such condemned carcass or part thereof, and said inspectors, after said first inspection, shall, when they deem it necessary, reinspect said carcasses or parts thereof to determine whether, since the first inspection, the same have become adulterated and if any carcass or any part thereof shall, upon examination and inspection subsequent to the first examination and inspection, be found to be adulterated, it shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Board may remove inspectors from any establishment which fails to destroy any such condemned carcass or part thereof.

SECTION 5. Application of inspection provisions

The foregoing provisions shall apply to all carcasses or parts of carcasses of cattle, sheep, swine, goats, horses, mules, and other equines or the meat or meat products thereof, capable of use as human food, which may be brought into any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, where inspection under §§ 1-16 is maintained, and such examination and inspection shall be had before the said carcasses or parts thereof shall be allowed to enter into any department wherein the same are to be treated and prepared for meat food products; and the foregoing provisions shall also apply to all such products which, after having been issued from any such slaughtering, meat-canning, salting, packing, rendering, or similar establishment, shall be returned to the same or to any similar establishment where such inspection is maintained. The Board may limit the entry of carcasses, parts of carcasses, meat and meat food products, and other materials into any establishment at which inspection under §§ 1-16 is maintained, under such conditions as it may prescribe to assure that allowing the entry of such articles into such inspected establishments will be consistent with the purposes of this Act.

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SECTION 6. Meat food products—Inspection—Access—Marking or stamping

For the purposes hereinbefore set forth, the Board shall cause to be made by inspectors appointed for that purpose an examination and inspection of all meat food products prepared in any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, where such articles are prepared for intrastate commerce and for the purposes of any examination and inspection said inspectors shall have access at all times, by day or night, whether the establishment be operated or not, to every part of said establishment; and said inspectors shall mark, stamp, tag, or label as "Oklahoma Inspected and Passed" all such products found to be not adulterated; and said inspectors shall label, mark, stamp, or tag as "Oklahoma Inspected and Condemned" all such products found adulterated, and all such condemned meat food products shall be destroyed for food purposes, as hereinbefore provided, and the Board may remove inspectors from any establishment which fails to so destroy such condemned meat food products.

SECTION 7. Labeling of cans, receptacles or coverings—Standards—False or misleading markings—Hearings and appeals

(a) When any meat or meat food product prepared for intrastate commerce which has been inspected as hereinbefore provided and marked "Oklahoma Inspected and Passed" shall be placed or packed in any can, pot, tin, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this Act is maintained, the person, firm, or corporation preparing said product shall cause a label to be attached to said can, pot, tin, canvas, or other receptacle or covering, under supervision of an inspector, which label shall state that the contents thereof have been "Oklahoma Inspected and Passed" under the provisions of this Act, and no inspection and examination of meat or meat food products deposited or inclosed in cans, tins, pots, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this Act is maintained shall be deemed to be complete until such meat or meat food products have been sealed or inclosed in said can, tin, pot, canvas, or other receptacle or covering under the supervision of an inspector.

(b) All carcasses, parts of carcasses, meat and meat food products inspected at any establishment under the authority of this Act and found to be not adulterated, shall at the time they leave the establishment bear, in distinctly legible form, directly thereon or on their containers, as the Board may require, the information required under paragraph (k) of Section 1 of this Act.

(c) The Board, whenever it determines such action is necessary for the protection of the public, may prescribe: (1) the styles and sizes of type to be used with respect to material required to be incorporated in labeling to avoid false or misleading labeling of any articles or animals subject to Sections 1 through 20 of this Act; (2) definitions and standards of identity or composition for articles subject to Sections 1 through 16 and standards of fill of container for such articles not inconsistent with any such standards established under the Federal Food, Drug, and Cosmetic Act, or under the Federal Meat Inspection Act, and there shall be consultation between the Board and the Secretary of Agriculture of the United States prior to the issuance of such standards to avoid inconsistency between such standards and the Federal standards.

(d) No article subject to Sections 1 through 16 of this Act shall be sold or offered for sale by any person, firm, or corporation, in intrastate commerce, under any name or other marking or labeling which is false or misleading, or in any container of a misleading form or size, but estab-

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lished trade names and other marking and labeling and containers which are not false or misleading and which are approved by the Board are permitted.

(e) If the Board has reason to believe that any marking or labeling or the size or form of any container in use or proposed for use with respect to any article subject to Sections 1 through 16 is false or misleading in any particular, it may direct that such use be withheld, unless the marking, labeling, or container is modified in such manner as it may prescribe so that it will not be false or misleading. If the person, firm, or corporation using or proposing to use the marking, labeling or container does not accept the determination of the Board, such person, firm, or corporation may request a hearing, but the use of the marking, labeling, or container shall, if the Board so directs, be withheld pending hearing and final determination by the Board. Any such determination by the Board shall be conclusive unless, within thirty (30) days after receipt of notice of such final determination, the person, firm, or corporation adversely affected thereby appeals to the District Court of Oklahoma County.

SECTION 8. Establishments—Inspections—Sanitary conditions

The Board shall cause to be made, by competent inspectors, such inspection of all slaughtering, meat-canning, salting, packing, rendering, or similar establishments in which cattle, sheep, swine, goats, horses, mules, and other equines are slaughtered and the meat and meat food products thereof are prepared for intrastate commerce as may be necessary to inform itself concerning the sanitary conditions of the same and to prescribe the rules and regulations of sanitation under which such establishments shall be maintained; and where the sanitary conditions of any such establishment are such that the meat or meat food products are rendered adulterated, it shall refuse to allow said meat or meat food products to be labeled, marked, stamped, or tagged as "Oklahoma Inspected and Passed," and the Board may remove inspectors from any establishment which fails to maintain said establishment in a sanitary manner.

SECTION 9. Nighttime inspections

The Board shall cause an examination and inspection of all cattle, sheep, swine, goats, horses, mules, and other equines, and the food products thereof, slaughtered and prepared in the establishments hereinbefore described for the purposes of intrastate commerce to be made during the nighttime as well as during the daytime when the slaughtering of said cattle, sheep, swine, goats, horses, mules, and other equines, or the preparation of said food products, is conducted during the nighttime.

SECTION 10. Compliance with Act—Acts prohibited

No person, firm, or corporation shall, with respect to any cattle, sheep, swine, goats, horses, mules, or other equines, or any carcasses, parts of carcasses, meat or meat food products of any such animals

(a) slaughter any such animals or prepare any such articles which are capable of use as human food at any establishment preparing such articles for intrastate commerce, except in compliance with the requirements of this Act;

(b) sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce, (1) any such articles which (A) are capable of use as human food, and (B) are adulterated or misbranded at the time of such sale, transportation, offer for sale or transportation, or receipt for transportation; or (2) any articles required to be inspected under Sections 1 through 16 of this Act unless they have been so inspected and passed;

(c) do, with respect to any such articles which are capable of use as human food, any act while they are being transported in intrastate commerce or held for sale after such transportation, which is intended to cause or has the effect of causing such articles to be adulterated or misbranded.

SECTION 11. Forging of official marks or certificates

(a) No brand manufacturer, printer, or other person, firm, or corporation shall cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the Board.

(b) No person, firm, or corporation shall

(1) forge any official device, mark, or certificate;

(2) without authorization from the Board use any official device, mark, or certificate, or simulation thereof, or alter, detach, deface, or destroy any official device, mark, or certificate;

(3) contrary to the regulations prescribed by the Board, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;

(4) knowingly possess, without promptly notifying the Board or its representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label or any carcass of any animal, or part or product thereof, bearing any counterfeit, simulated, forged, or improperly altered official mark;

(5) knowingly make any false statement in any shipper's certificate or other nonofficial or official certificate provided for in the regulations prescribed by the Board; or

(6) knowingly represent that any article has been inspected and passed, or exempted, under this Act, when, in fact, it has, respectively, not been so inspected and passed, or exempted.

SECTION 12. Horse meat

No person, firm, or corporation shall sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce, any carcasses of horses, mules, or other equines or parts of such carcasses, or the meat or meat food products thereof, unless they are plainly and conspicuously marked or labeled or otherwise identified as required by regulations prescribed by the Board to show the kinds of animals from which they were derived. When required by the Board with respect to establishments at which inspection is maintained under Sections 1-16, such animals and their carcasses, parts thereof, meat and meat food products shall be prepared in establishments separate from those in which cattle, sheep, swine, or goats are slaughtered or their carcasses, parts thereof, meat or meat food products are prepared.

SECTION 13. Appointment of inspectors—Rules and regulations

The Board shall appoint from time to time inspectors to make examination and inspection of all cattle, sheep, swine, goats, horses, mules, and other equines, the inspection of which is hereby provided for, and of all carcasses and parts thereof, and of all meat and meat food products thereof, and of the sanitary conditions of all establishments in which such meat and meat food products hereinbefore described are prepared; and said inspectors shall refuse to stamp, mark, tag or label any carcass or any part thereof, or meat food product therefrom, prepared in any establishment hereinbefore mentioned, until the same shall have actually been inspected and found to be not adulterated; and shall perform such other duties as are provided by this Act and by the rules and regulations to be prescribed by said Board and said Board shall, from time to time,

make such rules and regulations as are necessary for the efficient execution of the provisions of this Act, and all inspections and examinations made under this Act shall be such and made in such manner as described in the rules and regulations prescribed by said Board not inconsistent with the provisions of this Act.

SECTION 14. Bribery—Penalties

Any person, firm, or corporation, or any agent or employee of any person, firm, or corporation, who shall give, pay, or offer, directly or indirectly, to any inspector, deputy inspector, chief inspector, or any other officer or employee of this State authorized to perform any of the duties prescribed by this Act or by the rules and regulations of the Board, any money or other thing of value, with intent to influence said inspector, deputy inspector, chief inspector, or other officer or employee of this State in the discharge of any duty herein provided for, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by a fine not less than Five Thousand Dollars (\$5,000.00) nor more than Ten Thousand Dollars (\$10,000.00) and by imprisonment not less than one (1) year nor more than three (3) years; and any inspector, deputy inspector, chief inspector, or other officer or employee of this State authorized to perform any of the duties prescribed by this Act who shall accept any money, gift, or other thing of value from any person, firm, or corporation, or officers, agents, or employees thereof, given with intent to influence his official action, or who shall receive or accept from any person, firm, or corporation engaged in intrastate commerce any gift, money, or other thing of value given with any purpose or intent whatsoever, shall be deemed guilty of a felony and shall, upon conviction thereof, be summarily discharged from office and shall be punished by a fine not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00) and by imprisonment not less than one (1) year nor more than three (3) years.

SECTION 15. Exemptions

(a) The provisions of Sections 1 through 16 of this Act requiring inspection of the slaughter of animals and the preparation of the carcasses, parts thereof, meat and meat food products at establishments conducting such operations shall not (1) apply to the slaughtering by any person of animals of his own raising, and the preparation by him and transportation in intrastate commerce of the carcasses, parts thereof, meat and meat food products of such animals exclusively for use by him and members of his household and his nonpaying guests and employees; nor (2) to the custom slaughter by any person, firm, or corporation of cattle, sheep, swine or goats delivered by the owner thereof for such slaughter, and the preparation by such slaughterer and transportation in intrastate commerce of the carcasses, parts thereof, meat and meat food products of such animals, exclusively for use in the household of such owner, by him, and members of his household and his nonpaying guests and employees: Provided, that such custom slaughterer does not engage in the business of buying or selling any carcasses, parts of carcasses, meat or meat food products of any cattle, sheep, swine, goats or equines, capable of use as human food.

(b) The provisions of this Act requiring inspection of the slaughter of animals and the preparation of carcasses, parts thereof, meat and meat food products shall not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments.

(c) The slaughter of animals and preparation of articles referred to in paragraphs (a) (2) and (b) of this section shall be conducted in accordance with such sanitary conditions as the Board may by regulation prescribe. Violation of any such regulation is prohibited.

(d) The adulteration and misbranding provisions of Sections 1 through 16 of this Act, other than the requirement of the inspection legend, shall apply to articles which are not required to be inspected under this section.

SECTION 16. Storing and handling—Regulations

The Board may, by regulations, prescribe conditions under which carcasses, parts of carcasses, meat, and meat food products of cattle, sheep, swine, goats, horses, mules, or other equines, capable of use as human food, shall be stored or otherwise handled by any person, firm, or corporation engaged in the business of buying, selling, freezing, storing, or transporting, in or for intrastate commerce, such articles, whenever the Board deems such action necessary to assure that such articles will not be adulterated or misbranded when delivered to the consumer. Violation of any such regulation is prohibited.

SECTION 17. Articles not intended as human food

Inspection shall not be provided under Sections 1 through 16 of this Act at any establishment for the slaughter of cattle, sheep, swine, goats, horses, mules, or other equines, or the preparation of any carcasses or parts or products of such animals which are not intended for use as human food, but such articles shall, prior to their offer for sale or transportation in intrastate commerce, unless naturally inedible by humans, be denatured or otherwise identified as prescribed by regulations of the Board to deter their use for human food. No person, firm, or corporation shall buy, sell, transport, or offer for sale or transportation, or receive for transportation, in intrastate commerce, any carcasses, parts thereof, meat or meat food products of any such animals, which are not intended for use as human food unless they are denatured or otherwise identified as required by the regulations of the Board or are naturally inedible by humans.

SECTION 18. Records

(a) The following classes of persons, firms, and corporations shall keep such records as will fully and correctly disclose all transactions involved in their businesses; and all persons, firms, and corporations subject to such requirements shall, at all reasonable times, upon notice by a duly authorized representative of the Board, afford such representative and any duly authorized representative of the Secretary of Agriculture of the United States accompanied by such representative of the Board access to their places of business and opportunity to examine the facilities, inventory, and records thereof, to copy all such records, and to take reasonable samples of their inventory upon payment of the fair market value therefor:

(1) Any persons, firms, or corporations that engage, for intrastate commerce, in the business of slaughtering any cattle, sheep, swine, goats, horses, mules, or other equines, or preparing, freezing, packaging, or labeling any carcasses, or parts or products of carcasses, of any such animals, for use as human food or animal food;

(2) Any persons, firms, or corporations that engage in the business of buying or selling (as meat brokers, wholesalers or otherwise), or transporting, in intrastate commerce, or storing in or for such commerce, any carcasses, or parts or products of carcasses, of any such animals;

(3) Any persons, firms, or corporations that engage in business, in or for intrastate commerce, as renderers, or engage in the business of buying, selling, or transporting, in such commerce, any dead, dying, dis-

abled, or diseased cattle, sheep, swine, goats, horses, mules, or other equines, or parts of the carcasses of any such animals that died otherwise than by slaughter.

(b) Any record required to be maintained by this section shall be maintained for such period of time as the Board may by regulations prescribe.

SECTION 19. Registration of certain businesses

No person, firm, or corporation shall engage in business, in or for intrastate commerce, as a meat broker, renderer, or animal food manufacturer, or engage in business in such commerce as a wholesaler of any carcasses, or parts or products of the carcasses, of any cattle, sheep, swine, goats, horses, mules, or other equines, whether intended for human food or other purposes, or engage in business as a public warehouseman storing any such articles in or for such commerce, or engage in the business of buying, selling, or transporting in such commerce any dead, dying, disabled, or diseased animals of the specified kinds, or parts of the carcasses of any such animals that died otherwise than by slaughter, unless, when required by regulations of the Board, he has registered with the Board his name, and the address of each place of business at which and all trade names under which he conducts such business.

SECTION 20. Dead, dying or disabled animals—Regulations concerning

No person, firm, or corporation engaged in the business of buying, selling, or transporting in intrastate commerce dead, dying, disabled, or diseased animals, or any parts of the carcasses of any animals that died otherwise than by slaughter, shall buy, sell, transport, offer for sale or transportation, or receive for transportation, in such commerce, any dead, dying, disabled, or diseased cattle, sheep, swine, goats, horses, mules or other equines, or parts of the carcasses of any such animals that died otherwise than by slaughter, unless such transaction or transportation is made in accordance with such regulations as the Board prescribes to assure that such animals, or the unwholesome parts or products thereof, will be prevented from being used for human food purposes.

SECTION 21. Cooperation with Federal Government

(a) The Oklahoma State Board of Agriculture is hereby designated as the State agency which shall be responsible for cooperating with the Secretary of Agriculture of the United States under the provisions of Section 301 of the Federal Meat Inspection Act and such agency may cooperate with the Secretary of Agriculture of the United States in developing and administering the meat inspection program of this State under this Act to assure that not later than November 15, 1969, its requirements will be at least equal to those imposed under Titles I and IV of the Federal Meat Inspection Act and in developing and administering the program of this State under Sections 17 through 20 of this Act in such a manner as will effectuate the purposes of this Act and said Federal Act.

(b) In such cooperative efforts, the Oklahoma State Board of Agriculture is authorized to accept from said Secretary advisory assistance in planning and otherwise developing the State program, technical and laboratory assistance and training (including necessary curricular and instructional materials and equipment), and financial and other aid for administration of such a program. The Oklahoma State Board of Agriculture is further authorized to spend public funds of this State appropriated for administration of this Act to pay fifty percent (50%) of the estimated total cost of the cooperative program.

(c) The Oklahoma State Board of Agriculture is further authorized to recommend to the said Secretary of Agriculture such officials or employees of this State as the Oklahoma State Board of Agriculture shall

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designate, for appointment to the advisory committees provided for in Section 301 of the Federal Meat Inspection Act; and the President of the Oklahoma State Board of Agriculture shall serve as the representative of the Governor for consultation with said Secretary under paragraph (c) of Section 301 of said Act, unless the Governor shall select another representative.

SECTION 22. Refusal or withdrawal of inspection

The Board may (for such period, or indefinitely, as it deems necessary to effectuate the purposes of this Act) refuse to provide, or withdraw, inspection service under Sections 1 through 16 of this Act with respect to any establishment if it determines, after opportunity for a hearing is accorded to the applicant for, or recipient of, such service, that such applicant or recipient is unfit to engage in any business requiring inspection under Sections 1 through 16 of this Act because the applicant or recipient, or anyone responsibly connected with the applicant or recipient, has been convicted, in any Federal or State Court of (1) any felony, or (2) more than one (1) violation of any law, other than a felony, based upon the acquiring, handling, or distributing of unwholesome, mislabeled, or deceptively packaged food or upon fraud in connection with transactions in food. This section shall not affect in any way other provisions of this Act for withdrawal of inspection services under Sections 1 through 16 from establishments failing to maintain sanitary conditions or to destroy condemned carcasses, parts, meat or meat food products.

For the purpose of this section a person shall be deemed to be responsibly connected with the business if he was a partner, officer, director, holder, or owner of ten percent (10%) or more of its voting stock or employee in a managerial or executive capacity. The determination and order of the Board with respect thereto under this section shall be final and conclusive unless the affected applicant for, or recipient of, inspection service files application for judicial review within thirty (30) days after the effective date of such order in the appropriate court as provided in Section 25. Judicial review of any such order shall be upon the record upon which the determination and order are based.

SECTION 23. Detention of animals or products

Whenever any carcass, part of a carcass, meat or meat food product of cattle, sheep, swine, goats, horses, mules, or other equines, or any product exempted from the definition of a meat food product, or any dead, dying, disabled, or diseased cattle, sheep, swine, goat, or equine is found by any authorized representative of the Board upon any premises where it is held for purposes of or during or after distribution in intrastate commerce, and there is reason to believe that any such article is adulterated or misbranded and is capable of use as human food, or that it has not been inspected, in violation of the provisions of Sections 1 through 16 of this Act or of the Federal Meat Inspection Act or the Federal Food, Drug, and Cosmetic Act, or that such article or animal has been or is intended to be distributed in violation of any such provisions, it may be detained by such representative for a period not to exceed twenty (20) days, pending action under Section 24 of this Act or notification of any Federal authorities having jurisdiction over such article or animal, and shall not be moved by any person, firm, or corporation from the place at which it is located when so detained, until released by such representative. All official marks may be required by such representative to be removed from such article or animal before it is released unless it appears to the satisfaction of the Board that the article or animal is eligible to retain such marks.

SECTION 24. Seizure and condemnation

(a) Any carcass, part of a carcass, meat or meat food product of cattle, sheep, swine, goats, horses, mules or other equines, or any dead, dying,

disabled, or diseased cattle, sheep, swine, goat, or equine, that is being transported in intrastate commerce, or is held for sale in this State after such transportation, and that (1) is or has been prepared, sold, transported, or otherwise distributed or offered or received for distribution in violation of this Act, or (2) is capable of use as human food and is adulterated or misbranded, or (3) in any other way is in violation of this Act, shall be liable to be proceeded against and seized and condemned, at any time, on an information filed in any proper court as provided in Section 25 of this Act within the jurisdiction of which the article or animal is found. If the article or animal is condemned it shall, after entry of the decree, be disposed of by destruction or sale as the court may direct and the proceeds, if sold, less the court costs and fees, and storage and other proper expenses, shall be paid into the Treasury of this State, but the article or animal shall not be sold contrary to the provisions of this Act, or the Federal Meat Inspection Act or the Federal Food, Drug, and Cosmetic Act, provided, that upon the execution and delivery of a good and sufficient bond conditioned that the article or animal shall not be sold or otherwise disposed of contrary to the provisions of this Act, or the laws of the United States, the court may direct that such article or animal be delivered to the owner thereof subject to such supervision by authorized representatives of the Board as is necessary to insure compliance with the applicable laws. When a decree of condemnation is entered against the article or animal and it is released under bond, or destroyed, court costs and fees, and storage and other proper expenses shall be awarded against the person, if any, intervening as claimant of the article or animal. The proceedings shall be at the suit of and in the name of this State.

(b) The provisions of this section shall in no way derogate from authority for condemnation or seizure conferred by other provisions of this Act, or other laws.

SECTION 25. District Courts—Jurisdiction

The District Courts are vested with jurisdiction specifically to enforce and to prevent and restrain violations of this Act, and shall have jurisdiction in all other kinds of cases arising under this Act, except as provided in Section 7(e) of this Act.

SECTION 26. Interference with persons engaged in official duties—Penalties

Any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of his official duties under this Act shall be fined not more than Five Thousand Dollars (\$5,000.00) or imprisoned not more than three (3) years, or both. Whoever, in the commission of any such acts, uses a deadly or dangerous weapon shall be fined not more than Ten Thousand Dollars (\$10,000.00), or imprisoned not more than ten (10) years, or both. Whoever kills any person while engaged in or on account of the performance of his official duties under this Act shall be punished as provided under 21 O.S.1961, § 691.

SECTION 27. Violations and penalties

(a) Any person, firm, or corporation who violates any provision of this Act for which no other criminal penalty is provided by this Act shall upon conviction be subject to imprisonment for not more than one (1) year, or a fine of not more than One Thousand Dollars (\$1,000.00), or both such imprisonment and fine; but if such violation involves intent to defraud, or any distribution or attempted distribution of an article that is adulterated (except as defined in Section 2(j) (8) of this Act), such person, firm, or corporation shall be subject to imprisonment for not more than three (3) years, or a fine of not more than Ten Thousand

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Dollars (\$10,000.00), or both: provided, that no person, firm, or corporation shall be subject to penalties under this section for receiving for transportation any article or animal in violation of this Act if such receipt was made in good faith, unless such person, firm, or corporation refuses to furnish on request of a representative of the Board the name and address of the person from whom he received such article or animal, and copies of all documents, if any there be, pertaining to the delivery of the article or animal to him.

(b) Nothing in this Act shall be construed as requiring the Board to report for prosecution, or for the institution of legal action or injunction proceedings, minor violations of this Act whenever it believes that the public interest will be adequately served by a suitable written notice of warning.

SECTION 28. Powers of Board

(a) The Board shall also have power:

(1) To gather and compile information concerning and to investigate from time to time the organization, business, conduct, practices, and management of any person, firm, or corporation engaged in intrastate commerce, and the relation thereof to other persons, firms, and corporations;

(2) To require, by general or special orders, persons, firms, and corporations engaged in intrastate commerce, or any class of them, or any of them to file with the Board in such form as the Board may prescribe, annual or special, or both annual and special, reports or answers, in writing, to specific questions, furnishing to the Board such information as it may require as to the organization, business, conduct, practices, management, and relation to other persons, firms, and corporations, of the person, firm, or corporation filing such reports or answers in writing. Such reports and answers shall be made under oath, or otherwise, as the Board may prescribe, and shall be filed with the Board within such reasonable period as the Board may prescribe, unless additional time be granted in any case by the Board.

(b) For the purposes of this Act the Board shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any person, firm, or corporation being investigated or proceeded against, and may require by subpoena the attendance and testimony of witnesses and the production of all documentary evidence of any person, firm, or corporation relating to any matter under investigation. The Board may sign subpoenas and may administer oaths and affirmations, examine witnesses, and receive evidence.

(1) Such attendance of witnesses and the production of such documentary evidence may be required at any designated place of hearing. In case of disobedience to a subpoena the Board may invoke the aid of any court designated in Section 25 of this Act in requiring the attendance and testimony of witnesses and the production of documentary evidence.

(2) Any of the courts designated in Section 25 of this Act within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpoena issued to any person, firm, or corporation, issue an order requiring such person, firm, or corporation to appear before the Board or to produce documentary evidence if so ordered, or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(3) Upon the application of the Attorney General of this State at the request of the Board, the District Court shall have jurisdiction to issue writs of mandamus commanding any person, firm, or corporation to com-

ply with the provisions of this Act or any order of the Board made in pursuance thereof.

(4) The Board may order testimony to be taken by deposition in any proceeding or investigation pending under this Act at any stage of such proceeding or investigation. Such depositions may be taken before any person designated by the Board and having power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition or under his direction, and shall then be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the Board as hereinbefore provided.

(5) Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of this State, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in such courts, except the person or representatives of the firm or corporation charged with a violation and so summoned shall not be paid the fees and mileage that are paid witnesses.

(6) No person, firm, or corporation shall be excused from attending and testifying or from producing books, papers, schedules of charges, contracts, agreements, or other documentary evidence before the Board or in obedience to the subpoena of the Board, whether such subpoena be signed or issued by it or its delegate, or in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged violation of this Act, or of any amendments thereto, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him or it may tend to incriminate him or it or subject him or it to a penalty or forfeiture; but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(c) Any person, firm, or corporation that shall neglect or refuse to attend and testify or to answer any lawful inquiry, or to produce documentary evidence, if in his or its power to do so, in obedience to the subpoena or lawful requirement of the Board shall be guilty of an offense and upon conviction thereof by a court of competent jurisdiction shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment for not more than one (1) year, or by both such fine and imprisonment.

(1) Any person, firm, or corporation that shall willfully make, or cause to be made, any false entry or statement of fact in any report required to be made under this Act, or that shall willfully make, or cause to be made, any false entry in any account, record, or memorandum kept by any person, firm, or corporation subject to this Act or that shall willfully neglect or fail to make, or to cause to be made, full, true, and correct entries in such accounts, records, or memoranda, of all facts and transactions appertaining to the business of such person, firm, or corporation, or that shall willfully remove out of the jurisdiction of this State, or willfully mutilate, alter, or by any other means falsify any documentary evidence of any such person, firm, or corporation or that shall willfully refuse to submit to the Board or to any of its authorized agents, for the purpose of inspection and taking copies, any documentary evidence of any such person, firm, or corporation in his possession or within his control, shall be deemed guilty of an offense and shall be subject, upon conviction in any court of competent jurisdiction, to a fine of not more

than Five Thousand Dollars (\$5,000.00), or to imprisonment for a term of not more than three (3) years, or to both such fine and imprisonment.

(2) If any person, firm, or corporation required by this Act to file any annual or special report shall fail so to do within the time fixed by the Board for filing the same, and such failure shall continue for thirty (30) days after notice of such default, such person, firm, or corporation shall forfeit to this State the sum of One Hundred Dollars (\$100.00) for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of this State, and shall be recoverable in a civil suit in the name of the State brought in the county where the person, firm, or corporation has his or its principal office or in any county in which he or it shall do business. It shall be the duty of the various District Attorneys, under the direction of the Attorney General of this State, to prosecute for the recovery of such forfeitures. The costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of this State.

(3) Any officer or employee of this State who shall make public any information obtained by the Board without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment not exceeding one (1) year, or by both such fine and imprisonment, in the discretion of the court.

SECTION 29. Application of Act with respect to Federal Meat Inspection Act

The requirements of this Act shall apply to persons, firms, corporation establishments, animals, and articles regulated under the Federal Meat Inspection Act only to the extent provided for in Section 408 of said Federal Act.

SECTION 30. Appropriation authorized

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SECTION 31. Repealer

Sections 1 through 20, inclusive, Chapter 381, O.S.L.1967 (2 O.S.Supp. 1967, §§ 6—161 through 6—180, inclusive), are hereby repealed.

SECTION 32. Severability

If any provision of this Act or the application thereof to any person, firm or corporation or circumstances is held invalid, the validity of the remainder of the Act and the application of such provisions to other persons, firms, and corporations and circumstances shall not be affected thereby.

Approved March 19, 1968. Emergency.

APPENDIX B

2013 OKLAHOMA LEGISLATURE SESSION LAWS

FIRST REGULAR SESSION—2013

Ch. 2, § 1

shares of that class or series and not to the vote of the outstanding shares as a whole.

I. A corporation may agree to submit a matter to a vote of its shareholders regardless of whether the board of directors determines at any time subsequent to approving the matter that the matter is no longer advisable and recommends that the shareholders reject or vote against the matter.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Approved March 5, 2013.

¹ So in original; should read "QUORUM".

HORSEMEAT

CHAPTER 2

H.B. No. 1999

An Act relating to meat inspection; amending 2 O.S. 2011, Sections 6-182 and 6-192, which relate to the Oklahoma Meat Inspection Act; modifying definition; prohibiting the sale, possession and transferring of certain horsemeat; specifying that certain requirements apply to horsemeat for sale in this state; authorizing the State Commissioner of Health to have access to certain vehicles and establishments; defining terms; modifying definition; repealing 63 O.S. 2011, Sections 1-1135, 1-1136, 1-1137, 1-1138 and 1-1139, which relate to horsemeat; and providing an effective date.

SUBJECT: Horsemeat

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-182, is amended to read as follows:

Section 6-182. As used in this act the Oklahoma Meat Inspection Act, except as otherwise specified, the following terms shall have the meanings stated below:

(a) The term "Board" means the State Board of Agriculture, or its delegate.

(b) The term "firm" means any partnership, association, or other unincorporated business organization.

(c) The term "meat broker" means any person, firm or corporation engaged in the business of buying or selling carcasses, parts of carcasses, meat, or meat food products of cattle, bison, sheep, swine, goats, horses, mules, or other equines on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person, firm, or corporation.

(d) The term "renderer" means any person, firm, or corporation engaged in the business of rendering carcasses, or parts or products of the carcasses, of cattle, bison, sheep, swine, goats, horses, mules, or other equines, except rendering conducted under inspection under Sections Section 6-181 et seq. of this title.

Additions are indicated by underline; deletions by ~~strikeout~~

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(e) The term "animal food manufacturer" means any person, firm, or corporation engaged in the business of manufacturing or processing animal food derived wholly or in part from carcasses, or parts or products of the carcasses, of cattle, bison, sheep, swine, goats, horses, mules, or other equines.

(f) The term "intrastate commerce" means commerce within this state.

(g) The term "meat food product" means any product capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any cattle, bison, sheep, swine, ~~or~~ goats, horses, mules, or other equines, excepting products which contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been considered by consumers as products of the meat food industry, and which are exempted from definition as a meat food product by the Board under such conditions as it may prescribe to assure that the meat or other portions of such carcasses contained in such product are not adulterated and that such products are not represented as meat food products. ~~This term as applied to food products of equines shall have a meaning comparable to that provided in this paragraph with respect to cattle, bison, sheep, swine, and goats.~~

(h) The term "capable of use as human food" shall apply to any carcass, or part or product of a carcass, of any animal, unless it is denatured or otherwise identified as required by regulations prescribed by the Board to deter its use as human food, or it is naturally inedible by humans.

(i) The term "prepared" means slaughtered, canned, salted, rendered, boned, cut up, or otherwise manufactured or processed.

(j) The term "adulterated" shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

(1) if it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;

(2) (A) if it bears or contains (by reason of administration of any substance to the live animal or otherwise) any added poisonous or added deleterious substance (other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the Board, make such article unfit for human food;

(B) if it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of Section 408 of the Federal Food, Drug, and Cosmetic Act;

(C) if it bears or contains any food additive which is unsafe within the meaning of Section 409 of the Federal Food, Drug, and Cosmetic Act;

(D) if it bears or contains any color additive which is unsafe within the meaning of Section 706 of the Federal Food, Drug, and Cosmetic Act: Provided, that an article which is not adulterated under clause (B), (C), or (D) shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such article is prohibited by regulations of the Board in establishments at which inspection is maintained under ~~Sections~~ Section 6-181 et seq. of this title;

(3) if it consists in whole or in part of any filthy, putrid, or decomposed substance or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;

(4) if it has been prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

(5) if it is, in whole or in part, the product of an animal which has died otherwise than by slaughter;

(6) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

(7) if it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to Section 409 of the Federal Food, Drug, and Cosmetic Act;

(8) if any valuable constituent has been, in whole or in part, omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part, therefor; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is; or

(9) if it is margarine containing animal fat and any of the raw material used therein consisted, in whole or in part, of any filthy, putrid, or decomposed substance.

(k) The term "misbranded" shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

(1) if its labeling is false or misleading in any particular;

(2) if it is offered for sale under the name of another food;

(3) if it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word "imitation", and, immediately thereafter, the name of the food imitated;

(4) if its container is so made, formed, or filled as to be misleading;

(5) if in a package or other container unless it bears a label showing (A) the name and place of business of the manufacturer, packer, or distributor; and (B) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count: Provided, that, under clause (B) of this subparagraph (5), reasonable variations may be permitted, and exemptions as to small packages may be established, by regulations prescribed by the Board;

(6) if any word, statement, or other information required by or under authority of this act to appear on the label or other labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

(7) if it purports to be or is represented as a food for which a definition and standard of identity or composition has been prescribed by regulations of the Board under Section 6-187 of this title unless (A) it conforms to such definition and standard, and (B) its label bears the name of the food specified in the definition and standard and, insofar as may be required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food;

(8) if it purports to be or is represented as a food for which a standard or standards of fill of container have been prescribed by regulations of the Board under Section 6-187 of this title, and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard;

(9) if it is not subject to the provisions of subparagraph (7), unless its label bears (A) the common or usual name of the food, if any there be, and (B) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings, and colorings may, when author-

ized by the Board, be designated as spices, flavorings, and colorings without naming each: Provided, that, to the extent that compliance with the requirements of clause (B) of this subparagraph (9) is impracticable, or results in deception or unfair competition, exemptions shall be established by regulations promulgated by the Board;

(10) if it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as the Board, after consultation with the Secretary of Agriculture of the United States, determines to be, and by regulations prescribes as, necessary in order fully to inform purchasers as to its value for such uses;

(11) if it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact: Provided, that, to the extent that compliance with the requirements of this subparagraph (11) is impracticable, exemptions shall be established by regulations promulgated by the Board; or

(12) if it fails to bear, directly thereon or on its container, as the Board may by regulations prescribe, the inspection legend and, unrestricted by any of the foregoing, such other information as the Board may require in such regulations to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.

(l) The term "label" means a display of written, printed, or graphic matter upon the immediate container (not including package liners) of any article.

(m) The term "labeling" means all labels and other written, printed, or graphic matter (1) upon any article or any of its containers or wrappers, or (2) accompanying such article.

(n) The term "Federal Meat Inspection Act" means the act so entitled approved March 4, 1907 (34 Stat. 1260), as amended by the Wholesome Meat Act (8 Stat. 584).

(o) The term "Federal Food, Drug, and Cosmetic Act" means the act so entitled, approved June 25, 1938 (52 Stat. 1040), and acts amendatory thereof or supplementary thereto.

(p) The term "pesticide chemical", "food additive", "color additive", and "raw agricultural commodity" shall have the same meanings for purposes of this act as under the Federal Food, Drug, and Cosmetic Act.

(q) The term "official mark" means the official inspection legend or any other symbol prescribed by regulations of the Board to identify the status of any article or animal under this act.

(r) The term "official inspection legend" means any symbol prescribed by regulations of the Board showing that an article was inspected and passed in accordance with this act.

(s) The term "official certificate" means any certificate prescribed by regulations of the Board for issuance by an inspector or other person performing official functions under this act.

(t) The term "official device" means any device prescribed or authorized by the Board for use in applying any official mark.

SECTION 2. AMENDATORY 2 O.S. 2011, Section 6-192, is amended to read as follows:

Section 6-192. A. It shall be unlawful for any person to sell, offer or exhibit for sale, or have in his or her possession with intent to sell, any quantity of horsemeat for human consumption in Oklahoma.

B. It shall be unlawful for any person to transfer the possession of any horsemeat to any other person when the person so transferring knows, or in the exercise of a reasonable discretion should have known, that the person receiving the horsemeat intends to sell it in this state, offer it for sale in this state, exhibit it for sale in this state, or keep it in his possession with intent to sell it for human consumption in this state.

C. No person, firm, or corporation shall sell in this state, transport, offer for sale in this state or transportation, or receive for transportation, in intrastate commerce, any carcasses of horses, mules, or other equines or parts of such carcasses, or the meat or meat food products thereof, unless they are plainly and conspicuously marked or labeled or otherwise identified as required by regulations prescribed by the Board to show the kinds of animals from which they were derived. When required by the Board with respect to establishments at which inspection is maintained under Sections 1-146 Section 6-181 et seq. of this title, such animals and their carcasses, parts thereof, meat and meat food products shall be prepared in establishments separate from those in which cattle, sheep, swine, or goats are slaughtered or their carcasses, parts thereof, meat or meat food products are prepared.

D. The State Commissioner of Health or his or her authorized representative shall have free access to any transport vehicle, factory, warehouse or establishment in which horsemeat or feed suspected of containing horsemeat is transported, manufactured, processed, packed, sold, or prepared for serving to secure, after payment or offer to pay therefor, samples or specimens of such products found therein, to examine any and all sales records, shipping records relating to foods or horsemeat, to embargo any article of food or horsemeat suspected of being in violation of law, and to determine whether any law is being violated.

E. For the purpose of this section:

1. The term "horsemeat" shall mean the meat or flesh of any animal of the equine genus;

2. The term "package" or "container" shall mean the original, properly labeled package or container in which the horsemeat was packaged by the packer or processor at the point of origin; and

3. The term "properly labeled" shall mean a display of written, printed or graphic matter upon the outside package or container, or wrapper if there be one, stating the name and address of the original packer or processor, and in addition thereto shall include the word "horsemeat". All letters and words of the label shall be legible and of such size as to be easily read and understood by the ordinary individual under customary conditions of purchase and use.

SECTION 3. REPEALER 63 O.S. 2011, Sections 1-1135, 1-1136, 1-1137, 1-1138 and 1-1139, are hereby repealed.

SECTION 4. This act shall become effective November 1, 2013.

Approved March 29, 2013.

RECORDS OF PERSONS REQUIRING TREATMENT

CHAPTER 3

S.B. No. 369

An Act relating to records of persons requiring treatment; amending 43A O.S. 2011, Sections 5-414, 5-415, 5-417 and 5-418, which relate to mental health evaluations and precommitment examinations; requiring inclusion of certain documents with

Additions are indicated by underline; deletions by ~~strikeout~~

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VITA

Samantha Ashley Warner

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Master of Science

Thesis: THE 2013 NEWSPAPER COVERAGE OF THE OKLAHOMA HORSE
SLAUGHTER BILL: A CONTENT ANALYSIS

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