ODOR IN THE COURT! AND IT SMELLS LIKE ENVIRONMENTAL RACISM: HOW BIG PORK IS LEGALLY ABUSING POOR COMMUNITIES OF COLOR IN EASTERN NORTH CAROLINA

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I. INTRODUCTION

Over 500 plaintiffs across eastern North Carolina have filed twenty-six separate lawsuits against Murphy-Brown, LLC ("Murphy-Brown"), a subsidiary of Smithfield Foods, which is a Chinese-owned company.¹ Smithfield Foods is the largest pork and hog producer in the world, generating 8.6 billion pounds of pork and 18.9 million hogs in 2016 alone.² The largest individual pork processing plant in the world is located in Tar Heel, North Carolina, where the facility kills and processes more than 30,000 pigs per day.³ The plaintiffs in this line of cases live close to hog farms owned by Defendant Murphy-Brown and suffer from offensive smells, invasive insect populations, and disruptive noises that are associated with the hogs and the trucks carrying hogs.⁴ Hog

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farms use so-called “hog lagoons” to store the feces, urine, blood, and other bodily fluids that the hogs excrete before the hogs are killed and processed.\(^5\) On one of the relevant farms in rural Sampson County, called the Scholar Farm, employees filled a ten-million-gallon hog lagoon with water to help break down the feces and other waste from approximately 6,000 hogs.\(^6\) The waste collected from the Scholar Farm is enough to fill over forty-five water towers.\(^7\) Plaintiffs in these lawsuits are unable to escape the consequences from mismanagement of the hog farms because the smell eventually permeates their homes and affects nearly all aspects of their lives.\(^8\)

The size and dangers of hog lagoons create remarkable public health and safety concerns.\(^9\) Neighbors of hog farms are also unable to enjoy their property, which constitutes a nuisance (a legal claim that protects a person’s right to enjoy his or her property).\(^10\) The water and waste from a hog lagoon has the potential to cause serious illnesses, especially when coupled with North Carolina’s hurricane season.\(^11\) Surprisingly, the political response from North Carolina citizens and farming advocates has sensationalized these cases against Murphy-Brown and drawn a noteworthy legislative response from both sides of the argument.\(^12\) The most devastating aspect of the swine farm nuisance litigation is that the problems associated with hog farming largely affect people of color and families from lower socioeconomic statuses.\(^13\) There are also constitutional

\(^5\) Id.
\(^6\) Id.
\(^7\) Id.
\(^10\) Yeoman, supra note 8.
\(^11\) Id.
and policy concerns that, if applied equitably, would prevent hog odor nuisances and would allow plaintiffs to pursue their cases against Murphy-Brown and other Big Pork companies.\textsuperscript{14}

A number of the plaintiffs from these cases have families that have lived on the same land for centuries.\textsuperscript{15} Now, after the construction of hog farms in the same rural areas, the smells from waste permeate their homes and backyards.\textsuperscript{16} One plaintiff can hear the pigs squealing from her bedroom and has repeatedly tried to cover the repulsive stench with air freshener and scented candles.\textsuperscript{17} Plaintiffs throughout these cases have stated that their families can no longer have their kids play outdoors, tend to their gardens, or even enjoy a simple family cookout outside without the smell of hog waste ruining their activities.\textsuperscript{18} One plaintiff expressed that the smell from the farm near their home wakes them up at night, and their children get teased at school for smelling like pig waste.\textsuperscript{19} Another plaintiff reported that “[i]t smells like a body that’s decomposed for a month.”\textsuperscript{20}

A. Effects of Hog Farm Proximity on Health

Scientific studies have uncovered concerns for the health and safety of the people living in close proximity to giant hog farms in eastern North Carolina.\textsuperscript{21} The hog lagoons house an insurmountable amount of bacteria from the feces, blood, urine, and other

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  \item\textsuperscript{15} Shaffer, \textit{supra} note 4.
  \item\textsuperscript{16} Yeoman, \textit{supra} note 8.
  \item\textsuperscript{17} Celeste Monforton, \textit{Flies, Stench, “Dead Boxes,” NC Neighbors Win Lawsuit Against Industrial Hog Farm, PUMP HANDLE} (May 1, 2018), http://www.thepumphandle.org/2018/05/01/flies-stench-dead-boxes-nc-neighbors-win-lawsuit-against-industrial-hog-farm/#.XkCQT9ZKjOQ.
  \item\textsuperscript{18} Shaffer, \textit{supra} note 4.
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bodily fluids from pigs, and the chemical reaction from hog waste mixed with water turns the lagoons a bright pink color.\footnote{22} Research from the University of North Carolina Gilling’s School of Global Public Health found a correlation between proximity to hog farms and increased rates of nausea, blood pressure, respiratory issues, and asthma symptoms in addition to an overall reduction in quality of life.\footnote{23} A 2018 study published in the North Carolina Medical Journal reported that living near hog farms increased rates of infant mortality, anemia, kidney disease, and tuberculosis.\footnote{24}

When most hog lagoons reach their capacity, the waste is liquified and sprayed onto nearby land with a system similar to an irrigation sprinkler.\footnote{25} Such waste that is sprayed directly onto fields can run off into nearby rivers, streams, and groundwater supplies.\footnote{26} The possibility of flooding during North Carolina’s hurricane season intensifies the health, safety, and environmental concerns associated with hog farms as well.\footnote{27}

**B. Flooding and Hurricane Issues**

Floods increase the chance that bacteria from the hog waste will infiltrate local ecosystems and contaminate the public water supply, which is the main source of drinking water for more than three million residents.\footnote{28} The risks from bacteria in hog waste are exacerbated in rural areas, such as in Sampson and Duplin counties, where there are twenty-nine hogs for every one person.\footnote{29}

For example, forty-six hog lagoons in eastern North Carolina overflowed after Hurricane Floyd hit in 1999. After the 2015 hurricane season, over forty percent of the samples collected by the National Institutes of Health exceeded the $E. coli$ thresholds for state and federal water quality guidelines in surface waters surrounding the hog lagoons. Even when people in areas close to hog lagoons get an infection from bacteria, any treatment may be compromised because of the antibiotics the hogs receive. These massive hog farms are located in areas with many low-income residents who are likely unable to afford preventative water tests or expensive filtration systems for their water. A Fourth Circuit judge even compared the injustices in the hog smell suits with one of the most prominent cases of environmental racism in the country’s history. He stated, “[n]o one wants another Flint, Michigan” and that surely the conditions from the hog farms would have cleared up sooner rather than later if the farm’s neighbors were more fortunate or had greater political influence.

In addition to the environmental nuisances already recognized by the litigation with Big Pork, hog farms present additional potential environmental dangers that would disproportionately affect underrepresented people across eastern North Carolina. After Hurricane Florence in 2018, six hog lagoons had structural damage while thirty-three hog lagoons overflowed. Climate change models from the National Center for Atmospheric Research predict that North Carolina will see an increase in flooding severity and frequency in future years.

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31. Id.

32. Id.

33. Id.


36. Id.
II. OUTCOMES FROM IN RE NC SWINE FARM NUISANCE LITIGATION

Over five hundred plaintiffs across North Carolina filed nuisance lawsuits because of the array of issues described above. There are five “discovery pool” cases that compromise the NC Swine Farm Nuisance Litigation: McKiver v. Murphy-Brown, McGowan v. Murphy-Brown, Anderson v. Murphy-Brown, Gillis v. Murphy-Brown, and Artis v. Murphy-Brown.37

The first of the In re NC Swine Farm Nuisance Litigation cases was McKiver v. Murphy Brown. In that case, neighbors of a hog farm in Bladen County sued Murphy-Brown for private nuisance in federal court based on diversity jurisdiction.38 In April of 2018, the ten plaintiffs were each awarded $75,000 in compensatory damages and $5 million in punitive damages.39 Since North Carolina has laws that cap punitive damages, the court awarded each plaintiff $325,000, reducing the overall damages from $50.75 million to $3.25 million.40 On appeal, the Fourth Circuit affirmed liability and remanded to the district court to determine punitive damages after the rejection of certain financial evidence.41

McGowan v. Murphy-Brown was the next case to enter the arena. This case centered around a farm in Beulaville, NC, and a jury awarded the plaintiffs $25.13 million total in June of 2018.42 Again, a North Carolina statute capped the punitive damages, so the amount was reduced to a total of $630,000.43

The third discovery pool case, Anderson v. Murphy-Brown, implicated a farm in Pender County and ended in August of 2018.44 The jury awarded $23.5 million in compensatory damages and $450

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39. Id.
40. Id.
41. McKiver v. Murphy-Brown, LLC, No. 19-1019 (4th Cir. 2020).
43. Id.
44. Id.
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million in punitive damages, reducing the punitive damages to $70.5 million.45

The fourth trial centered around the nuisance from the Scholar Farm in Sampson County. In Gills v. Murphy-Brown, decided in December of 2018, the court provided the neighbors with various monetary awards.46 The damages ranged from $100 to $75,000 to each plaintiff, but the judge refused to hold a punitive damages phase of the trial, resulting in no punitive damages.47 Notably, this case had a different judge than the rest of the NC Swine Farm Nuisance Litigation Cases. The other cases have all been heard by Judge Earl Britt, while Gills v. Murphy-Brown was heard and decided by Judge David Faber.48

Finally, the last of the discovery pool cases, Artis v. Murphy-Brown, was decided in March of 2019 and involved extremely large damage amounts.49 In Artis, the six plaintiffs were awarded compensatory damages ranging from $3 million to $5 million each.50 The punitive damages were initially a staggering $75 million per plaintiff, but the court reduced them to between $9 million and $15 million each.51

Defendant Murphy-Brown has moved to stay all other related pending litigation against them until the McKiver appeal is fully resolved.52 Murphy-Brown contends that their chances of success for this appeal are good because of the variety in jury verdicts in previous cases coupled with new changes in North Carolina legislation.53 The new appeal will now include a right-to-farm defense, which Republican legislators have recently reformed and worked

45. Id.
46. Id.
47. Id.
49. Wooten, supra note 42.
51. Id.
53. Id.
into the North Carolina General Statutes as a response to the lawsuits against Big Pork.54

III. NORTH CAROLINA LAWMAKERS PRIORITIZE HOGS OVER CITIZENS

Members of the North Carolina General Assembly have shown that their allegiances lie with the few wealthy members of the hog farming community, rather than the majority of North Carolina citizens.55 Legislators seemed to feel comfortable promulgating expansive nuisance protections in the 2018 Farm Act because Big Pork executives have made large political campaign contributions in the past.56

A. Politicians Have Created a Legal Loophole for Murphy-Brown Through the 2018 Farm Act

The North Carolina Farm Act of 2018, also known as the Right to Farm Act, was passed in both houses of the North Carolina General Assembly, vetoed by Governor Roy Cooper, and later overridden by the Republican majority’s legislative veto.57 When asked about the Farm Act of 2018, Governor Cooper stated:

While agriculture is vital to North Carolina’s economy, so property rights are vital to people’s homes and other businesses. North Carolina’s nuisance laws can help allow generations of families to enjoy their homes and land without fear for their health and safety... Giving one industry special treatment at the expense of its neighbors is unfair.58

57. Tovar, supra note 54.
This law gives farmers numerous protections from nuisance lawsuits, including the requirement that a farm must be in violation of an environmental or criminal code provision in order for a plaintiff to be awarded any type of monetary damages. The law also shortens the statute of limitations for nuisance suits to just one year, beginning from the time that a farm initiates hog farming operations or makes a major “fundamental” change in their operations. Other restrictions include that the plaintiff is required to be a legal possessor of the property suffering from nuisances, and the property must be within only half of a mile from the farm. While North Carolina has capped punitive damages since 1995, the new law limits the amount of compensatory damages that courts can award plaintiffs as well.

Most importantly, the Farm Act has provisions that can apply retroactively. Due to this possible retroactive application, the other pending cases against Murphy-Brown could very likely be resolved by using the 2018 Farm Act as a defense for lawsuits arising as early as 2015. This issue is one that was key to Murphy-Brown’s argument in the McKiver appeal in the Fourth Circuit.

The significance of these changes in North Carolina law is that by writing comprehensive protections for the hog industry into law, lawmakers have shown that they are more concerned with supporting the abusive hog industry than giving justice to the people forced to live with the disgusting environments that hog farms produce. Furthermore, lawmakers have persuaded citizens that this particular legal battle is between small, family farmers whose livelihoods depend on raising hogs and ignorant neighbors who hate everything to do with the agriculture industry.

This litigation is also particularly interesting because of the strong political responses from farmers, farming communities, and

59. Id.; Tovar, supra note 54.
60. King, supra note 58; Tovar, supra note 54.
61. Tovar, supra note 54.
62. Id.; N.C. GEN. STAT. § 1D-25(b) (2020).
64. Id.
citizens across North Carolina in reaction to the legislation enacted by the North Carolina General Assembly to further protect hog farms from similar lawsuits. On the day that Governor Roy Cooper was set to veto the Farm Act of 2018, people gathered on the Bicentennial Mall in Raleigh to show their support for the bill.66 Lieutenant Governor Dan Forest stated, “[h]ere in N.C., we don’t need outside interests coming to our state . . . telling us how to grow our crops and raise our animals in our state.”67 However, several of the plaintiffs from these cases have expressed that their families have lived on the same land, now tainted by the presence of giant hog farms, for centuries.68 A citizen from Duplin county at the rally held a sign that read, “Farmers can feed stupid, but they can’t fix stupid.”69

Other signs read, “I’m a Fan of Family Farms” and “Stand Up for NC Farm Families.”70 However, these mantras and slogans that can be found around North Carolina are misleading, since a total of zero of the twenty-six nuisance lawsuits name a “family farm” as a defendant.71 Every single case has a common target: Murphy-Brown and its parent company, Smithfield Foods.72 Far from being a small local family farm, this company was purchased in a $4.7 billion transaction facilitated by the Chinese government.73 At the rally, North Carolina Commissioner of Agriculture Steve Troxler told the crowd, “[w]e are not a nuisance. What we are is a blessing.”74

B. Political Campaign Contributions

A quick glance at recent political campaign contributions demonstrate how and why North Carolina lawmaker’s allegiance to Big Pork is easily overshadowed by any concern for poorer citizens. Various pork corporations (including the N.C. Pork Council,
Goldboro Milling, Prestage Farms, Smithfield Foods, and Murphy-Brown) have collectively contributed more than $272,000 to thirty-three Republicans in the General Assembly. Each one of them voted in favor of the 2018 Farm Act. Representative Jimmy Dixon from Duplin County has the highest amount of money received from Big Pork, taking in over $115,000.

This type of funding is far from new, as political contributions from pork companies goes back decades. In 1995, more than half (92 of 170) of all legislators representing North Carolina at that time received money from Big Pork executives, even though hog farming primarily takes place in eastern North Carolina. Because of this long-standing relationship where companies with an interest in hog farming give money to the campaigns of North Carolina’s lawmakers, the reasons why legislators hope to ease Murphy-Brown and Smithfield Foods’s legal troubles becomes more clear, even if seemingly corrupt. In 1991, North Carolina Senator Wendell Murphy introduced “Murphy’s Law,” which offered large meat production farms protections and exemptions from local zoning regulations, as well as tax incentives. Wendell Murphy’s family owned what is now the hog empire known as Murphy-Brown.

IV. NORTH CAROLINA CONSTITUTIONAL ISSUES

The people affected by the noxious fumes from hog farms would likely not call what they suffer from “a blessing,” as Lt. Governor Dan Forest stated. Environmental groups have filed lawsuits over the constitutionality of the protections that lawmakers have given Big Pork in the 2018 Farm Act and have pointed out specific

76. Id.
77. Id.
80. Sorg, supra note 79.
issues. In particular, the Republican-majority General Assembly was operating under what has now been ruled an unconstitutional racial gerrymander at the time that the Governor Cooper’s veto of the Farm Act was overridden. Environmental organizations have also argued that the changes in law that protect Big Pork are unconstitutional because they deprive citizens of property rights and due process. Even further, such groups believe the laws violate North Carolina’s constitutional prohibition on local, private, and special legislation, or laws that are made for individual cases. In pertinent part, Article II, Section 24 of the North Carolina Constitution states: “The General Assembly shall not enact any local, private, or special act or resolution: (a) Relating to health, sanitation, and the abatement of nuisances.”

A. General vs. Local Cases

North Carolina adopted Article II, Section 29 in 1917 in an attempt to curb the enormous amount of “petty detail” that occupied the General Assembly’s time and attention. The new provision hoped to steer the legislature toward areas that concerned the state as a whole and to delegate local matters to local authorities. The test that North Carolina courts use to determine if a particular piece of legislation is a local, private, or special law is the reasonable classification analysis. Under this test, courts determine if there is a rational basis that would justify the separation of the issue for special legislative attention. If there is not a rational basis, then there is an unreasonable classification and the legislation is an impermissible local act.

83. Id.
84. Id.
85. Id.; see also N.C. Const. art. II, § 24(1)(a).
86. N.C. Const. art. II, § 24(1)(a).
88. Id.
90. Id. at 435–36.
91. Id. at 438.
The provisions that passed in the North Carolina legislature can be clearly categorized as the type of special legislation that the North Carolina Constitution prohibits. The 2018 Farm Act should be read as unconstitutional because its terms are both local in nature and related to health, sanitation, and nuisances. Considering the reasons why Article II, Section 29 was written also shows that the 2018 Farm Act is an example of what North Carolinians were trying to prevent. The NC Swine Farm Nuisance cases all center around a few counties in eastern North Carolina.92 The places where the relevant farms are located are in these mostly rural counties, and the farms are found on even smaller specific areas that are owned by one specific company.93 These facts show that the nuisance suits are not an area of concern that impact the state of North Carolina as a whole.

The history of the 2018 NC Farm Act, or Senate Bill 711, shows that the act was also directly enacted in response to the lawsuits filed. The proposed statute by the House Agriculture/Environment/Natural Resources subcommittee states that the modifications in law were in response to “frivolous nuisance lawsuits [that] threaten the very existence of farming in North Carolina,” and where “a federal trial court incorrectly and narrowly interpreted the North Carolina Right to Farm Act . . . and effectively renders the Act toothless in offering meaningful protection to long-established North Carolina farms.”94 Additionally, the subcommittee even expressed that farms operating in good faith should be shielded from nuisance lawsuits long after the farms have begun operating.95

A law is general, as opposed to local, “if it applies to and operates uniformly on all the members of any class of persons, places or things requiring legislation peculiar to itself in matters covered by the law.”96 The North Carolina Supreme Court gave additional guidance on this distinction in High Point Surplus Co. v. Pleasants and expressed that local laws arbitrarily separate some places from others and embrace less than the entire class of places than what is necessary or appropriate.97

92. Billman, supra note 82.
93. Id.
95. Id.
97. See id. at 656–57.
Under the framework in *High Point Surplus Co.*, the Farm Act would be unconstitutional because of the provisions that place arbitrary limits on the people living near hog farms. The Act provides protections to corporations by specifically preventing a great number of people from litigating their otherwise valid nuisance claims. By enacting the provision that requires plaintiffs to be a legal possessor of the property suffering from nuisances and to live within only half of a mile from the farm, the North Carolina legislature enacted a local law that the state constitution explicitly prohibits. In a less explicit but nevertheless alarming context, the Farm Act is also local because the people whose rights are nullified are generally of a specific group, both socioeconomically and racially. The statistics surrounding the case show that the majority of people suffering from the noxious smells, nuisances, health issues, and environmental problems associated with Murphy-Brown farms are poor and people of color. Because of this fact and that juries are consistently awarding plaintiffs against Murphy-Brown extremely large damage awards, it is apparent that the legislators in the North Carolina General Assembly would rather protect harmful business interests than families that have lived on the same property for centuries. The legislature has been carving out exceptions, even those including retroactive application, into the law for Murphy-Brown. As time goes on, the majority of North Carolina legislators will continue to do so.

**B. Nuisance Cases are the Only Way for Harmed Citizens to Get Justice**

The people who live near hog farms have no other choice but to file nuisance cases if they hope to have some sort of recourse against Big Pork. There are two federal laws that monitor waste and emissions in the agriculture sector, but neither has been enforced in over ten years by the Environmental Protection Act (“EPA”). The EPA, through the Clean Water Act, does require some farms to get permits before releasing large amounts of waste into water.

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98. N.C. S.B. 711.
sources or into fields, but the EPA and farmers both have difficulty accurately measuring and monitoring emissions. Additionally, the burden of proof in nuisance cases is always placed upon the plaintiffs, which should ease a few of the lawmakers’, farmers’, and any defendants’ concerns that the lawsuits are merely frivolous or a money-grab. However, on the plaintiffs’ side, receiving relief from a lawsuit is not easy to come by. Some commentators have referred to the new protective right-to-farm provisions in the Farm Act as “right-to-pollute” or “right-to-commit nuisance” laws.

Since the neighbors of hog farms are disproportionately low-income, the sickening smells and damaging health effects are more difficult to cure. Residents who live near farms do not have the financial resources required to simply pick up their lives and move away from the farms. These families face particularly difficult hardships due to the negative effects from hog farms because they have lived on this land for generations. It would be unfair to expect that families would have no problem with moving from land and property that has such an extremely sentimental and unique value to them, even without taking finances into account.

V. POLICY CONSIDERATIONS

The McKiver appeal will likely resolve in favor of Murphy-Brown because the North Carolina legislature has made environmental racism legal through the 2018 Farm Act, and there is no apparent recourse in other areas of law for those who suffer. Even notwithstanding all of the legal protections that the North Carolina legislature has constructed around hog farming, common law claims like nuisances appear to be a temporary and expensive solution to a very permanent problem.

After visiting certain areas of rural North Carolina and witnessing how hog farms operate next to family homes, Cory Booker, the junior Senator from New Jersey, reported that Murphy-Brown

101. Id.
102. Id.
103. Id.
105. Id.
106. Id.
“is outsourcing its pain, its costs, on to poor black people in North Carolina.” The disproportionate impact on poor people and people of color makes it even more clear that the harmful practices in hog farming need to stop and changes need to be made, in any form, to protect the rights of citizens. While it may be very unlikely that a Republican-majority General Assembly would decide to protect low income and non-white people from the abuse of hog farms, other alternatives may be available. Lawmakers from other political parties have contemplated and brainstormed solutions that would solve many of the problems associated with hog smell, and Smithfield Foods has announced that change may be coming from within their own company.

David Price, the U.S. Representative for portions of Wake and Orange counties from the Democratic Party introduced the Swine Waste Infrastructure and Natural Environment Act, or the SWINE Act. The bill contained provisions that would increase funding for environmentally sustainable technologies for hog farms, with the hopes that the bill would phase out the smelly hog lagoons that pose such a great risk to people’s health. The SWINE Act would have also provided tax incentives to those farms whose practices are in accord with the standards set by the Act. The Act, however, was never put to a vote and died in the 115th Congress.

While this proposal, if fully enacted, would have eliminated some of the problems that hog farms face, a similar proposal would likely stand no chance of passing in North Carolina’s current political arena. Giving government money and tax breaks to farms that are in compliance with regulations will likely never outweigh the larger benefits, namely money, that groups associated with Big Pork are able to give to political campaigns. Additionally, while protections by law could ultimately receive support because of the sense of security associated with judicially enforceable rights, the enforcement of such laws would likely be substandard because of the

109. Id.
political unpopularity of the neighbor’s positions against hog farms in addition to the farms’ rural locale.

In the midst of the nuisance claims against Murphy-Brown and Smithfield Foods, many North Carolinians have questioned why Smithfield Foods has not started moving toward a solution to containing the waste from hog farms themselves.111 The co-director for the North Carolina Environmental Justice Network questioned why Smithfield Foods can afford to pay its chief executive a salary of millions of dollars but cannot seem to be able to “afford to put clean technology in the ground.”112

In October of 2018, Smithfield Foods announced plans to cover 90% of their hog lagoons by 2028.113 By covering the lagoons, anaerobic digesters can convert the methane found in the hog waste into a renewable natural gas, which would be pumped into pipelines and then sold to Duke Energy.114 While biogas systems would reduce greenhouse gas emissions, the smell from the hog waste, and some of the negative health effects on neighbors of farms, will continue,115 since it is likely that natural gas projects will not be able to be meaningfully implemented across the state due to economic and technical challenges.116 Additionally, some climate change advocates have expressed that biogas technology could lead to a greater dependence on fossil fuels.117 Finally, Smithfield Foods announced these changes in 2018,118 and in February of 2020 there have been no further publications, updates, or news articles about the purported changes to biogas technologies on their farms.

111. See Galvin, supra note 104.
112. Id.
114. Id.
115. Pfister & Manning, supra note 100.
117. Id.
118. Barnes, supra note 113.
VI. CONCLUSION

Smithfield Foods and Murphy-Brown now have to face a number of difficult decisions. They both have to allocate time and money among the remaining nuisance cases that have seen wildly successful plaintiffs, donations to politicians to protect their interests, and investments in technology that could greatly reduce the amount of money they may owe in the future. Since financial and political interests dominate the discussion surrounding hog farms and environmental justice, the status quo likely will not change through the North Carolina legislature, but change will occur only once Smithfield Foods decides that the money required to fix the numerous issues with hog farms is finally justified. However, a permanent solution that works for both farmers and citizens will surely only arise from Smithfield Foods’s need to shelter its own interests, rather than to protect the health, safety, and comfort of low-income and non-white families.