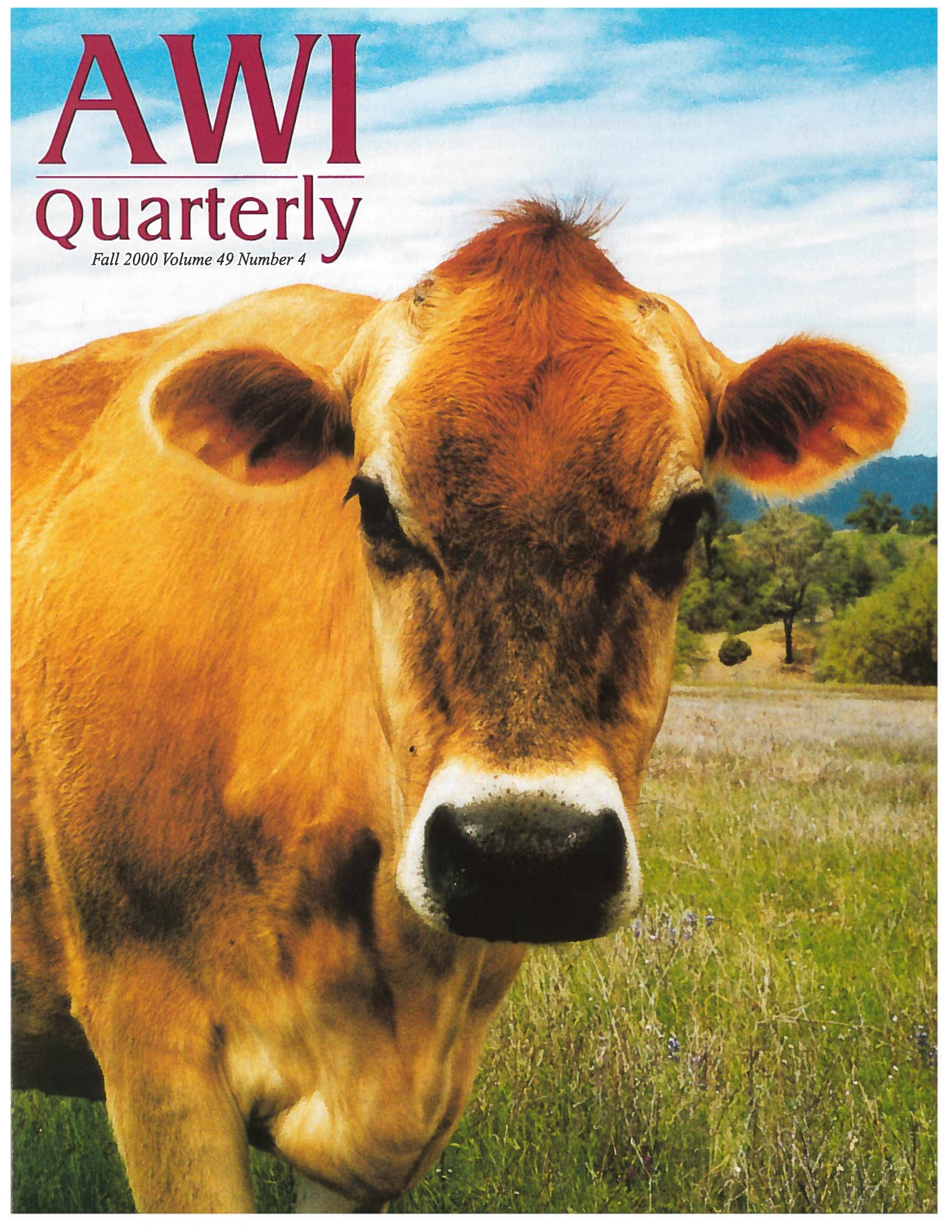
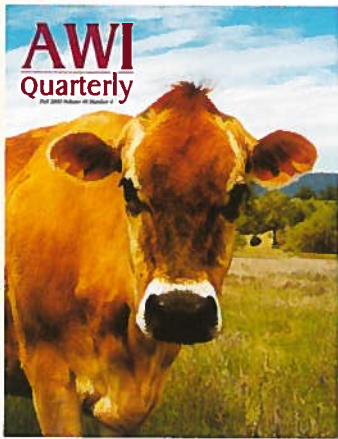


AWI

Quarterly

Fall 2000 Volume 49 Number 4





ABOUT THE COVER

Honey is a Guernsey cow who came to the *Humane Farming Association* several years ago from a sanctuary that closed. Honey lives at the nation's largest 5,000 acre Farm Animal Refuge, Suwanna Ranch, in Glenn County, California. She and the other cows, mostly Holsteins, usually stay in the second valley where she was photographed.

The fate of most cows has become worse than at any other time in the history of the United States. The big industrial dairies, where cows are treated like cogs in a machine, are buying up cows as fast as they can and subjecting them to repeated painful injections of recombinant Bovine Growth Hormone (rBGH), or as the manufacturer, Monsanto, calls this substance, Posilac, to make them produce so much milk that they soon sicken and die or are sold to a slaughterhouse (see story below). The meat packers have trampled on the US Humane Slaughter Act which Congress passed more than forty years ago to protect cattle, swine, sheep, goats and horses from the overriding greed of the enormous slaughter corporations (see pages 10-13).

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“A Winnable Fight...”

The first conference on the dangerous artificial hormone rBGH was held June 17th in Washington, DC. Corporate giant, Monsanto, rBGH's manufacturer and promoter, hates to admit that rBGH is a hormone so it has given it the bland name, “Posilac,” and has sold more and more of the big industrial dairies on injecting it. Chris Bedford of the Maryland Sierra Club organized the meeting, bringing together highly qualified scientists, family dairy farmers, environmental and humane workers.

Starting with an overview of milk production industrialization, dairy farmers graphically described the effects of repeated rBGH injections on their cows: severe mastitis requiring treatment with antibiotics, traces of which remain in the milk, huge swellings in feet, legs, and udders, plus chronic lameness. All the farmers present had tried and rejected rBGH injections of their cows. Delegates from the Community Association for the Restoration of the Environment described community destruction caused by industrial dairy operations. Michael Hansen, a Consumers Union scientist, discussed the link between human cancer and Insulin-like Growth Factor-1, a secondary hormone produced in cows injected with rBGH. He reviewed FDA's and the National Institutes of Health's approval of rBGH, concluding that it was approved despite the fact that mandatory long-term toxicology tests were not conducted. Author Robert Cohen drew attention to the number of ex-Monsanto employees who went to work for FDA before rBGH was approved.

Presidential candidate Ralph Nader emphasized the effectiveness of grassroots efforts; he suggested a good demonstration in front of FDA and letters to Donna Shalala, Secretary of Health and Human Services, to whom FDA reports. For as distinguished scientist and long-time watchdog, Sidney Wolfe said, “FDA has never been worse.”

Ask for the manager of your local supermarket, Nader urged the Conferees, and say that you want milk products *only* from cows not injected with rBGH, and you want them labeled so you'll know the difference. For your business, they'll accede to your reasonable request. “This is a winnable fight,” he told the Conference.

The day concluded with a well-documented summary of how Canada outlawed rBGH despite Monsanto's attempts to conceal its health threats. In the US we must make much more vigorous efforts to fight rBGH—it must be banned in the US as it has been in other countries. This is a winnable fight indeed! 🐾



Animal Welfare Institute

QUARTERLY

Fall 2000 Volume 49 Number 4

TABLE OF CONTENTS

“A Winnable Fight...” 2

Harpoons Readied, *by Ben White* 4-6

Bribery Kills Whale Sanctuary..... 5

Brazen Japan Plans Further Whale Slaughter..... 6

AWI Joins Federal Lawsuits to Protect Manatees 7

Drop Caviar from the Menu 7

Gunsmoke, *by John Gleiber* 8

A Family Affair, Bird Smugglers Busted and Sentenced 8

Congressional Action on Animal Legislation..... 9

Lacey Act Turns 100 9

Cutting the Gordian Knot, *by Tom Garrett*..... 10-12

Court Says No to Self Regulation 12

Congressman Brown Spoke Out Against “Skyrocketing”
Line Speeds..... 12

Barbaric Butchery of Cows..... 13

Lamb on the Lam 13

A Tribute to Ruth Harrison, *by Ann Cottrell Free*..... 14

European Community’s Efforts to Improve Animal Welfare ... 14

Rescue of Battery Hens in Tasmania..... 15

A Sport Most Foul 15

Changing the Housing Standard for Monkeys in
Laboratories, *by V. Reinhardt, A.M. Roberts and A. Reinhardt* 16

Performing Elephants: Dying to Entertain Us..... 17

But Will He Get Frequent Flyer Miles?..... 18

Random Source Dog and Cat Dealers 18

In Remembrance of Mary Warner, *by John Gleiber*..... 19

Frontier “Justice” 19

Initiatives Against Cruel Traps in Oregon and Washington .. 19

Koala and Lynx Listed as “Threatened” Under ESA 2



The Elephant Alliance

According to an August 17th report from The Elephant Alliance, 10 Ringling Brothers and Barnum & Bailey elephants were kept standing, chained by 2 or more legs, in boxcars for nearly 48 hours while being transported from San Diego, California to Oakland. (For more information on the sad plight of circus elephants see page 17.)



Fisher/WSPA

A bear in a Chinese bear “farm” is forced to wear a heavy iron corset because he bit an employee who was trying to extract his bile. Bile export from Asiatic black bears is banned by international Treaty, but China may try to open global trade in bear parts from these farms. Meanwhile, the US Congress is considering legislation to ban the import, export, and interstate commerce of bear gall-bladders and bile. (See page 9).

AWI has a new website location and email address. Please visit <http://www.awionline.org> and send emails to awi@awionline.org



HARPOONS READIED

TIME TO SAVE THE WHALES... AGAIN

Despite overwhelming evidence that the world's whales are struggling against a huge array of new threats, the International Whaling Commission (IWC) voted in Adelaide, Australia, July 3-6, to fast track a scheme designed to legitimize commercial whaling. Inexplicably, many formerly pro-whale groups and nations (including the US) assisted this process, offering ways to strengthen the "Revised Management Scheme" (RMS) even though its adoption will lead directly to the abandonment of the fourteen-year-old moratorium on commercial whaling. The resolution, introduced by Sweden and nine other countries, set a timetable for completing the RMS and voting on its structure at next year's full IWC meeting in London. It was passed by consensus.

The push to hasten the renewal of commercial whaling couldn't have come at a worse time. Papers presented at the IWC conference show that whales are threatened by toxic pollution, global warming, the collapse of food sources and the bombardment by intense man-made sounds as never before. Just a sampling of these papers revealed that:

- Emaciated gray whales are washing up along the Pacific Coast of North America by the hundreds (278 in 1999, over 300 so far in 2000). The number of new calves added to the population has shrunk from a high of 1520 in 1997 to 282 last year. Scientists are mystified as to the cause of either event.

- Orca families living off the San Juan Islands of Washington State are dying off. Biopsy assays show some of the highest levels of PCBs ever found in any wildlife.
- Dolphin meat labeled and sold as whale meat in Tokyo has levels of mercury and other heavy metals in concentrations hundreds of times higher than the maximum safe levels for human consumption.
- Sea otter populations in some parts of the Bering Sea are collapsing under pressure from predation from orca whales. This has never been seen before and it is thought to reflect a dramatic shift in food regimes in the North Pacific.

- The US Navy, in cooperation with the National Marine Fisheries Service, is studying the rare mass stranding of four species of whales and dolphins which occurred in the Bahamas immediately after a series of military exercises in

March. The studies are concentrating on the effect of sonar on beaked whales. These extremely deep diving whales died not only after the Bahamas exercises but following tests of Low Frequency Active Sonar by NATO forces in Greece in 1996.

The seeds of many of these threats were planted long ago. The chemicals developed during and soon after World War II are just now finding their way into the tissues of marine mammals. Heavy metals and organochlorines bio-accumulate with each step up the food chain. After decades of being eaten by small creatures, then in turn by fish of increasing size, these toxic time bombs are beginning to reach lethal levels of concentration in whales and dolphins.

Given these concerns, the idea of accepting the intentional slaughter of whales is outrageous, but the concept is gaining momentum. The premise behind this scheme is the fantasy that we can take everything we know about whales: abundance, recruitment rate (number of babies added each year), mortality rate, environmental threats, number of whales being accidentally or deliberately killed; feed all of these numbers into an algorithm, and out will pop a number of whales that can be "harvested" each year without collapsing the populations.

The problems of this approach are myriad. First is the difficulty of counting whales. Whale populations are estimated from ships that cruise on a certain pattern, count all of the whales seen, and extrapolate based on a formula which

guesses how many whales are unseen. Primarily, because of the difficulty in seeing and correctly identifying species of these usually hidden ocean creatures, this method has always failed. Highlighting this inherent uncertainty, the Scientific Committee at this year's IWC meeting found that the long-held number of minke whales in the Southern Oceans is far less than the 760,000 estimated by the Japanese. Even though this number has been used for years to justify the Japanese killing of over four hundred of these whales a year, the Committee found that the actual number may be as low as a third of that estimate.

The second most obvious problem is the fact that whalers have historically lied about the numbers and species of whales they kill. And not just a little. During the sixties and seventies, the Japanese, working with the Russian whalers, under-reported their catch of sperm and blue whales by tens of thousands. The presence of observers, highly dependent on the goodwill of the ship's crew and captain, has never been a barrier to cheating.

Besides the slide back into allowing commercial whaling, the pivotal issue at this year's meeting, was the proposal by Australia, New Zealand and other Pacific nations to establish a South Pacific Ocean Sanctuary that would ban any killing of whales in a wide area, forever. Major initiatives within the IWC require a 3/4 majority of the 35 member countries. Supposedly, each country has one vote. But the defeat of this popular pro-

posals (with fourteen votes for, eleven against and four abstaining) demonstrated that Japan has finally bought off enough countries to stymie pro-whale initiatives in the IWC. Those voting against the sanctuary included Antigua/Barbuda, Dominica, Grenada, St. Kitts/Nevis, St. Lucia, St. Vincent/Grenadines, and a new Japanese recruit—Guinea. This makes seven poor and small countries that vote with Japan in trade for economic assistance (see article at right).

One surprise at this meeting was the willingness of some powerful organizations to push for the adoption of the RMS and the subsequent return to commercial whaling. *World Wildlife Fund* was one of the groups working behind the scenes to legitimize the outlaws and bring whaling “under control.” The damage wrought by splitting the pro-whale camp can be seen in this quote from the July 5 *Christian Science Monitor*:

“Even some environmental groups have begun quietly saying that they would accept a resumption of commercial whaling under strict conditions. “We’re never going to be promoting it,” says Cassandra Phillips, a whale expert with the British-based World Wildlife Fund, “but we can see a situation where it might be allowable.”

To counter this conciliation by some organizations, and to breathe life back into

Continued on following page

Bribery Kills Whale Sanctuary

The fact that Japan buys the votes of small poor countries has long been a secret within the International Whaling Commission (IWC) and the Convention on International Trade in Endangered Species (CITES). This year the practice garnered unusual public scrutiny at the Australia meeting of the IWC when Dominica’s fisheries minister, Atherton Martin, suddenly resigned his post in protest. Dominica has voted in lockstep with Japan for years, along with five other Caribbean countries that receive financial assistance from Japan. But this year Dominica’s government changed, and its cabinet voted to abstain from voting on the South Pacific Whale Sanctuary proposed by Australia and New Zealand. According to Mona-George Dill of the Dominica Conservation Association, a Japanese delegation came to the little Caribbean island and told the government that an abstention would be considered a “hostile act.” Dominica’s Prime Minister, Roosevelt Douglas, reversed the board cabinet’s decision and directed his delegation to vote against the sanctuary. Atherton Martin decried “international extortion” and said that Japan is “undermining the viability of these economies in order to pursue her agenda internationally.”

Mr. Martin’s statement and resignation received extensive coverage in Australia because the Caribbean votes were pivotal in blocking the formation of a South Pacific Sanctuary. The sanctuary was supported by an overwhelming number of countries in the region.

The rules of both CITES and the IWC call for one country/one vote. But Japan now comes with at least eight, giving them a blocking minority of any major pro-whale initiative within the IWC. This year the pro-Japanese Caribbean bloc of six countries was boosted by the addition of Guinea (a small African country that has never had a whaling tradition.) But in every vote taken, Guinea sided with the Japanese. Zimbabwe and Morocco were present as observers and are expected to join the body on Japan’s behalf next year. Both received foreign aid from Japan starting in 1998. 🐾



International Fund for Animal Welfare
Endangered sperm whales of Moby Dick fame were a favorite of whalers for decades but have been left in peace since 1987. Despite strong condemnation by the IWC, the US and Britain, Japan set sail on July 29 to kill ten in the North Pacific as part of its “research” whaling.

Continued from previous page

steadfast opposition to the expansion of whaling, AWI drafted an opening statement that doubled as a sign-on letter. Over two dozen major international organizations endorsed the following text:

Recognizing the massive global support for the complete protection of the world's whales, the undersigned groups attending the 52nd meeting of the International Whaling Commission (IWC) wish to reaffirm our total opposition to the resumption of commercial whaling.

We therefore support:

–The adoption of the Global Whale Sanctuary as proposed by Australia in 1998, permanently banning all directed takes of whales up to the high-water mark of all seas, with the exception of truly subsistence aboriginal whaling necessary for human survival.

–The urgent international protection of small cetaceans.

–The recognition of whale watching, non-invasive research and educational programs as the optimum utilization of whales.

–The evolution of the IWC into a conservation body that undertakes an audit of all environmental and anthropogenic threats to cetaceans, including: the status of habitat and food sources, a detailed monitoring of the effects of global warming, ozone depletion, and toxic contamination, and a review of the effects of sound pollution in the seas.

We oppose:

–The development or adoption of any regime that lifts the current moratorium on commercial whaling. We specifically reject the concept that it is possible to conservatively and reliably count wild species of whales accurately enough to allow a directed take. Any regime based on such a method is fatally flawed.

A plan allowing the intentional killing of whales assumes a certainty as to how many whales there are, the nature and severity of all threats facing whales, and honesty on the part of the whalers reporting their kills. None of these elements exists. All that is really certain is that the threats are greater than ever before and increasing; and the countries pushing for an acceptance of commercial whaling are the same ones with a long history of falsifying catch records. The greed and managerial incompetence that pushed the great whales to near extinction are still alive and well within the IWC.

The moment cries out for taking stock of the damage we are doing to wild species of whales through toxics, dramatic climate and food regime changes, and the proliferation of loud sounds in the oceans. This is not the time to unleash the harpoons. 🐾

—Ben White



The *New York Times* wrote an editorial, August 15, 2000, "A Reprehensible Whale Hunt," which stated, "Though minke whales are relatively plentiful, sperm and Bryde's whales were nearly wiped out in the 1980s, before they came under the protection of the moratorium. Japan's actions pose a threat to their survival."

ACTION

1. **Refuse** to buy Japanese products as long as the Japanese business community undermines the conservation work of treaty bodies such as the IWC and the Convention on International Trade in Endangered Species (CITES).

2. **Convey** your outrage over Japan's outlaw whaling and its reckless behavior as the leading international destroyer of wildlife and wild places. Tell the Japanese Foreign Minister Yohei Kono that Japan's vote-buying strategy, in which tens of millions of dollars of fisheries aid was given to poor nations in return for their pro-whaling votes, is an outrageous subversion of international democracy and is reminiscent of Soviet control of puppet states around the world.

Letters should be addressed:

Foreign Minister Yohei Kono
Embassy of Japan
2520 Massachusetts Avenue, NW
Washington, DC 20008

3. **Urge** US Secretary of State Madeleine Albright to do everything possible to block Japan's scheme to gain a Security Council seat. Japan is pressuring the international community to award it a permanent seat on the United Nations Security Council. But Japan's flagrant violations of conservation treaties—and outrageous vote-buying practices—make it an outlaw nation unworthy of such a responsible position.

Letters should be addressed:

The Honorable Madeleine K. Albright
The Secretary of State
The Department of State
2201 C Street, NW
Washington, DC 20520

4. **Demand** full accountability from any group you support. Some groups, such as *World Wildlife Fund*, advertise themselves as wildlife protectors but are encouraging rapid adoption of the Revised Management Scheme (RMS). This will lead to renewed commercial whaling.

Brazen Japan Plans Further Whale Slaughter

Japan has ignited a firestorm of criticism by launching a new round of "scientific" whaling, this time targeting ten endangered sperm and fifty Brydes (pronounced "Brutus") whales in the North Pacific. Japan has ignored the International Whaling Commission's condemnation of any expansion of its "research" whaling that now kills over 400 minke whales yearly in the Southern Ocean Sanctuary; on July 29, four whaling ships embarked on a deadly mission and have already killed Brydes, sperm and minke whales, working towards their gruesome goal of 160 dead whales this year. Taking advantage of a loophole in the IWC, Japan need only call its whaling "scientific" to be legal technically, even though the whale meat is sold for food. But the ruse fools few. Sanae Shida, a Greenpeace spokeswoman in Tokyo, said, "If you need to research African elephants, that doesn't mean you kill and eat them."

Protests have been lodged at the highest levels of government by Britain, the United States and New Zealand. US Secretary of State Madeleine Albright met with Japanese Foreign Minister Yohei Kono and asked him to either call back the ships or face economic sanctions. Japan responded belligerently, saying it has a right to kill the whales and that any sanctions would be in violation of the World Trade Organization (WTO). 🐾

AWI Joins Federal Lawsuits to Protect Manatees Deaths Set Record Pace in 2000

In January of this year, AWI joined a coalition of 18 environmental and animal welfare groups led by Save the Manatee Club (SMC), in filing two federal lawsuits, one against the US Army Corps of Engineers (Corps) and US Fish and Wildlife Service (USFWS) and the other against the Florida Fish & Wildlife Conservation Commission (FWC),* both aimed at protecting the endangered Florida manatee and its shrinking habitat.

The deaths of Florida's West Indian manatees, whose closest relative is the elephant, have continued to increase despite being listed for federal protection under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, and state protection under the Florida Manatee Sanctuary Act of 1978.

The lawsuits are a result of USFWS's and FWC's continued unwillingness to protect the manatee, a species that was on the original Endangered Species list in 1966. Both lawsuits ask that state and federal agencies implement and enforce existing environmental laws to stop manatee deaths and bring them back to healthy population levels. Key to the suit against the Corps is its repeated issuance of permits for development in manatee habitat without analyzing the cumulative effects of the permits on the species or its habitat.

With ever-increasing human encroachment into its fragile habitat, the manatee's mortality rates are increasing at an alarming rate. As of July 24, 2000, FWC's Florida Marine Research Institute listed preliminary year 2000 numbers as high as 189. Official numbers from the FWC show a mortality rate of 100 during the first quarter of 2000, well ahead of the 80 during the same period in 1999. So far this year the FWC has been able to determine that 61 manatee deaths have been caused by watercraft. This number is only six short of a record setting number in 1999 with 5 months left in 2000. Only an estimated 2,400 of these gentle, slow moving herbivores exist today and at these death rates, the Florida manatee cannot survive.

Simple steps such as speed limit enforcement and boat propeller guards would not only help reduce manatee deaths and injuries, but such efforts would also reduce human injuries. In the past, the Florida state legislature has attempted to pass legislation requiring propeller guards on new boats. Unless federal and state agencies act now, the dramatic boating population explosion in Florida will destroy the manatee whose fossil record in Florida dates back to at least 45 million years ago.

AWI's companion organization, the *Society for Animal Protective Legislation*, has been working with the coalition's legislative team to secure an additional \$500,000 from the US Congress for manatee protection. These additional funds, which have been approved by the House of Representatives, would double the USFWS budget to deploy more on-water law enforcement officers. 🐾

* Meyer & Glitzenstein is handling the suit against the USFWS and the Corps while Earthjustice Legal Defense Fund is handling the suit against the FWC.



All boaters and manufacturers should install propeller guards which would help reduce manatee deaths and ghastly injuries, like the one pictured above.



Pat Rose/ Save the Manatee Club

Manatee calf receiving nourishment from mother.

Drop Caviar from the Menu

Fish and Wildlife Service officers at Baltimore-Washington International Airport in Maryland became suspicious when they saw labels on tins of Russian caviar begin to peel off. That suspicion led to the largest criminal penalty for wildlife smuggling for one of America's biggest caviar importers—US Caviar and Caviar Ltd. The company has agreed to a plea bargain in which it will pay a remarkable \$10.4 million fine. The company's president, secretary, and main trading partner will also do a combined 77 months in prison according to Baltimore's newspaper, *The Sun*.

The company participated in an elaborate scheme involving the fraudulent labeling of thousands of pounds of caviar from the Caspian Sea. The caviar was imported into the United States via the United Arab Emirates, complete with fake Russian health certificates and false invoices. An account in *The New York Times* notes that "In 1998 alone, the operation funneled more than 18 tons of sturgeon caviar from the Caspian."

Caviar is the eggs of fish species known as sturgeon. The Fish and Wildlife Service notes that sturgeons of the Caspian Sea are thought to yield "the highest quality caviar" and comprise "more than 90% of the world caviar trade." All sturgeon species are listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Therefore, all caviar imports into the United States requires valid export permits from the country of origin. 🐾

Gunsmoke

France has found itself under the gun (if you'll pardon the expression) to bring its hunting laws in line with the Directives of the European Union. The Directives' primary concern is the protection of European fauna. The initial EU laws were passed in 1975, and the 1.6 million strong hunting lobby in France has been violently protesting and stalling ever since. Only the threat of possible EU fines has coerced the Jospin government to move. In France, a compromise bill curtailing open seasons passed by a vote of 275 to 252 with 36 abstentions. There is serious doubt that it will satisfy the EU. Dominique Voynet, the French Environmental Minister and the nemesis of French hunters, has described it as "the nearest possible to an armistice."

The CPNT (the nation's hunting, fishing and shooting party) pledged to disrupt the voting with a demonstration involving 577 hounds. Only 20 hounds showed up. Apparently, the remainder of the packs were blocked in the legendary traffic of Paris. Zut Alors! 🐾

—John Gleiber



One of France's greatest draftsmen and painters, Honoré Daumier, made a series of satirical sketches of both hunters and lawyers. Here, a jubilant huntsman, enthusiastically brandishing his gun, tells a local peasant: "What luck! I've killed a tree sparrow! I won't go home empty handed!" His tiny victim, melodious song stifled, lies dead at the hunter's dancing feet. The French hunting lobby's response to the European Union's Directive to curb hunting of migratory birds like this songster illustrates the same irrational mindset.



Peter LaTourrette

Green singing finch, one of the species of birds smuggled by Flikkema Aviaries.

A Family Affair Bird Smugglers Busted and Sentenced

Father Mike, mother Johanne, and son Harold: the Flikkema family of Flikkema Aviaries in Ontario, Canada have all been investigated, arrested, and now sentenced, for their collective roles in an international wild bird smuggling scheme. In July 2000, the father-son duo was fined \$75,000 by the Ontario Court of Justice and Mike Flikkema was also sentenced to three months in jail.

Flikkema Aviaries was previously fined \$8,500 a year ago for four charges related to worldwide illegal bird trafficking. Included in this illegal activity was the importation into Canada of two highly endangered Illiger Macaws. Michael Flikkema has reportedly been fined as far back as 1982 for offenses related to bird smuggling.

The current charges resulted from a 17-month collaborative investigation between Environment Canada and the United States Fish and Wildlife Service, during which the Flikkemas illegally imported and exported thousands of threatened and endangered birds such as tropical finches, parakeets, and mynas. According to Environment Canada, they faced a total of 483 charges under Canada's Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act.

Gary Colgan, Chief of Wildlife Enforcement for the Canadian Wildlife Service, said, "Smuggling wild birds is a highly profitable, criminal enterprise that jeopardizes the world's most vulnerable animals... A high percentage of these birds die when captured from the wild, making the situation even more tragic."

Matriarch Johanne Flikkema faces charges similar to her husband and son in Canada, but first must serve out a six-month sentence handed down in Buffalo, New York on June 1, 2000 for illegally importing over 200 African finches into the US through Canada. She was also fined \$7,500. Mrs. Flikkema's imprisonment is the first under the federal Wild Bird Conservation Act of 1992. The *Society for Animal Protective Legislation*, AWI's companion organization, played a leading role in this important law's enactment. 🐾

Congressional Action on Animal Legislation

Before our federal legislators escaped from Washington for their August recess, significant action was taken on three animal protection bills: the Great Ape Conservation Act, the Bear Protection Act and the Shark Finning Prohibition Act.

On July 25th, the House of Representatives voted unanimously to pass the Great Ape Conservation Act (H.R. 4320). The bill, introduced by Congressman George Miller (D, CA), establishes a Great Ape Conservation Fund of five million dollars to support conservation programs for gorillas, orangutans, bonobos, chimpanzees, and gibbons. Habitat destruction by unscrupulous logging company profiteers and the trade in bushmeat increasingly threaten endangered species.

Congressman Miller called the depletion of great ape populations “an ecological and moral tragedy.” He said the bill “would be one significant step in the effort to avoid the permanent loss of great apes and the environment in which they live.” Senate action on the bill is expected in September.

The Senate has begun moving another vital bill, the Bear Protection Act (S.1109). Senator Mitch McConnell (R, KY) authored the legislation, which bans the import, export, and interstate commerce in bear viscera such as the gallbladder and bile. On July 26th, the bill was approved by the Senate Committee on Environment and Public Works and now awaits consideration by the full Senate.

The Chairman of the Committee, Bob Smith (R, NH), and twelve other Committee Members are cosponsors of the bill.



This brown bear mother and cub were photographed by AWI's Executive Director Cathy Liss on a recent trip to Alaska.

At the bill's mark-up, Chairman Smith refuted arguments that the bill should be weakened to deal only with the import and export of bear parts, not interstate commerce. Smith said that any amendment to remove the domestic provision would “gut” the bill. He noted that hundreds of bears are poached for their gallbladders across America and that the current inconsistency in state laws facilitates laundering and illegal sale of bear parts.

The Bear Protection Act, which has a total of 67 Senate cosponsors—more than any other pending animal protection bill—now awaits a vote by the full Senate. A companion bill (H.R. 2166) introduced in the House of Representatives by John Porter (R, IL) languishes in three House Committees and has yet to see any positive movement.

Lastly, by an overwhelming vote of 390–1, the House of Representatives passed the Shark Finning Prohibition Act on June 6, 2000, a bill to prohibit the viciously inhumane practice of slicing off a shark's fins while the conscious shark struggles in pain. The bill now awaits action in the Senate.

Helping lead the international campaign to ban this horrific practice, campaigner Susie Watts notes that when fishermen catch sharks while fishing for other bounty such as tuna or swordfish, “they keep the fins and throw away the rest of the body, reserving space in the hold for the more valuable fish.” Watts continues: “these sharks are frequently ‘fined’ while still alive and are then thrown back into the water to be eaten by other fish, starve, or bleed to death.”

The trade in shark fins exists primarily to supply the high Asian demand for expensive shark fin soups where a single bowl in Hong Kong or Taiwan could fetch US \$100. The fins are ultimately processed and sold dried, frozen, or canned. According to the conservation organization WildAid, “Experts agree that an estimate of 100 million sharks and shark-like fish caught around the world annually is not unreasonable.” 🐾

Lacey Act Turns 100

The first American wildlife conservation law celebrates a century in force this year. The Lacey Act, authored by a Republican Congressman from Iowa named John Fletcher Lacey, prohibits the interstate and international trade in illegally taken wildlife.

In 1999 alone, the United States Fish and Wildlife Service was involved in 1,476 Lacey Act cases. Some of these cases included illegal importation of reptile-skin boots, interstate trafficking of jaguar and ocelot mounts, and illegal hunting of deer, elk, and antelope.

According to the Iowa Natural Heritage Foundation, Lacey's daughter “remembered her father as always having had a great love for the outdoors and that it pained him to see the increasing degree of wanton destruction of forests and wildlife in the late 1800s.” This year, the Iowa General Assembly passed a resolution honoring Lacey. It says in part: “no person better represents the model of a citizen conservationist than John Fletcher Lacey, and no act better represents the progress made in conservation of the environment in the last century than the Lacey Act.” 🐾



USFWS



Mark Strickland

Sunken remains of a dismembered shark.

Cutting the Gordian Knot

A Simple Solution to the Slaughterhouse Disaster: *The slaughter line must be slowed, 300 animals cannot be rendered unconscious in a single hour.*

In 1905, publication of Upton Sinclair's novel *The Jungle* describing the abominable state of American slaughterhouses set off a storm of public protest. Meat sales across the country dropped by one third and on July 30, 1906, Congress passed the Meat Inspection Act, mandating that any meat entering interstate commerce must be inspected and approved for purity by federal meat inspectors.

In 1958, another major reform, driven by a national campaign in which the *Animal Welfare Institute* was deeply involved, came to America's slaughterhouses. This was the federal Humane Slaughter Act which requires that the animal be rendered "insensible to pain" by a "rapid and effective" means before being "shackled" to the conveyor chain, or "line," upon which they are hung by a hind leg, where their throats are cut and where they are skinned and dismembered. Federal meat inspectors are empowered to enforce the Humane Slaughter Act by shutting down the line if animals are being killed "not in accordance" with the Act. Because shutting down the line for even a few minutes costs a packing house thousands of dollars in lost production, this is a potentially powerful enforcement tool.

The Humane Slaughter Act was enthusiastically supported by the unions because improperly stunned animals cause worker injuries. While the unions were strong, the Act appeared to work well. During the '80s and '90s, however, disquieting reports began seeping from behind the closed gates of America's slaughterhouses. The publication of Gail Eisnitz's blockbuster book *Slaughterhouse* in 1997 (*AWI Quarterly*, Vol. 46, No. 4), the product of years of painstaking and often dangerous investigation, revealed a situation on the killing floors far worse than any outsider could have imagined. For chapter after chapter, Eisnitz documents horrors almost beyond imagination, not in a few isolated cases, but from North Carolina to Washington State. The Humane Slaughter Act, she found, is entirely unenforced; most workmen—apparently even some inspectors—never heard

"...there are accidents because the cows are still alive. At the back hoof, the cow was kicking and it cut off one worker's three fingers. The cows are kicking and jumping and everything. And the company didn't save the fingers, so the worker lost them...."

—excerpt from affidavit of slaughterhouse employee

of it. Living cattle, fully conscious and struggling, are shackled to the line to be skinned and dismembered. Live hogs are routinely dumped into scalding vats. "There's no way these animals can bleed out in the time it takes to get up the ramp" workmen told Eisnitz. "By the time they hit the scalding tank they're still conscious and squealing. Happens all the time."

For those who must see to believe, a video of conscious cattle being skinned and dismembered alive at IBP's (formally *Iowa Beef Processors*) huge Wallula, Washington slaughterhouse was shown recently on Seattle television (see *Barbaric Butchery of Cows*, page 13). Workers at the plant, who have defied one of America's most sinister corporations to tell the truth about conditions under which they labor, have sworn in affidavits that up to 30% of the animals going up the line are still alive.

How has an industry gained such dominance that it can ignore not only the Humane Slaughter Act but a whole spectrum of laws designed to guarantee food safety, safeguard workers, protect the environment, prevent control and manipulation of markets and prevent illegal immigration? What can be done?

To answer the first question one must turn to the history of meat packing and the takeover of the industry during the '70s and '80s by the ruthless entrepreneurs who now control it. In a startlingly brief time these men broke the power of the unions, replaced a longstanding American-born workforce with legal and illegal immigrants, subjugated federal and state regulators and eliminated independent competitors to gain control of the market. How they did it—by "union busting," in deals suffused with the cloying redolence of corruption—has yet to be fully told.

But if the answer to the first question is complex and shrouded, the answer to the second is not complex at all. Although it required the elimination of active unions and the "neutralization" of government officials before it could be applied, the primary "reform" introduced to "increase efficiency" was brutally simple. This was to increase the speed of the line, or chain, upon which victims are hung and butchered, by 200 to 300 percent. It is from this single operational change that the disastrous situation in American slaughterhouses

chiefly derives. Conscious animals are carried, struggling and vocalizing, down the line because those assigned to kill the victims do not have time to perform the task correctly. Those who dismember live animals do so because they will be fired if they do not. The appalling injury rate among slaughterhouse workers—characterized by Gail Eisnitz as "walking





Coil Eisnitz/Human Farming Association

*"You know they're alive because they are breathing real hard, they make noise, they kick the other cows, and it moves the whole chain."
—excerpt from affidavit of slaughterhouse employee*

wounded”—is equally a function of excessive line speeds. Struggling animals cause innumerable injuries. But even absent this, workers are driven to such dangerous haste that accidents are inevitable.

Additionally, line speeds have played a major role in the dramatic—by some estimates 500%—increase in food poisoning experienced since meat packing “reforms” began in 1970. It is physically impossible for a line inspector to properly inspect the current output of 100 cattle and from 600 to 1000 hogs each hour! As line speeds accelerated, inspections became more and more cursory. The situation was immeasurably worsened in 1998 when USDA’s Food Safety and Inspection Service (FSIS), once again yielding to industry wishes, introduced a system it calls *Hazard Analysis Critical Control Points* (HACCP) that allows companies to devise their own methods of guaranteeing food safety. The practical effect of HACCP has been to remove inspectors from the line, thus eliminating any possibility that the Humane Slaughter Act might be enforced, and to replace systematic carcass inspection with “random spot checks” for bacteria. Fortunately the Court of Appeals ruled HACCP violates the plain language of the Meat Inspection Act which requires that *federal* inspectors must “carefully examine” each carcass before approving it* (see *Court Says No to Self Regulation*, page 12). But the decision does not alter the fact that it is not possible, given the ratio of carcasses to inspectors, to perform careful examinations.

The answer to the second question is therefore obvious. Atrocities against animals can be brought to an end, worker injuries reduced to a modest fraction of the present rate, and meat contamination substantially relieved by a simple corrective. That is to *reduce line speeds in slaughterhouses to 1970 levels or around 40% of current velocities.*

For those who say this is not “administratively feasible” or would require “excessive bureaucracy” there is, once more, a simple answer. It can hardly be beyond human ingenuity to

devise tamperproof governors to fix the maximum velocity of the line and to prevent managers who believe that “minimally stunned” animals “bleed better” from reducing the lethality of stunning devices. At the same time, sealed video cameras should be installed to keep the killing floor under constant surveillance.

The economic effects of an enforced slowdown of line speeds would be little short of revolutionary. Dominant packers have used accelerated line speeds to help them to force smaller plants out of business and gain control of the market. A slowdown would reverse the process by compelling the industry to bring its large, unused capacity back on line.

Some idled plants, such as IBP’s huge Council Bluffs, Iowa slaughterhouse which was closed in 1998 (apparently to help create a processing bottleneck and depress the price of live hogs) belong to dominant packers. But there are hundreds of small plants, driven from business, that might still be restored. Once assured that a line speed reduction *really would* be enforced, investors would rush to bring idled plants back into production and break ground for new ones. The percentage of packing capacity controlled by the dominant packers would drop dramatically. Their ability to repress producer prices with “captive supply” and artificial bottlenecks would be lessened accordingly.

Vertical integration, which has very nearly destroyed independent hog farmers in the US, would be jolted hard by a slowdown in line speeds. It would take years and massive investment in processing facilities for companies such as Seaboard

“...the meat is all green and all dirty from the manure. The meat gets dirty with manure because the skin is dirty and the cows are kicking.”
—excerpt from affidavit of slaughterhouse employee

and Continental Grain to regain their “fully integrated” status. The allure of vertical integration might wind up considerably less appealing.

In the meantime, as small slaughterhouses come back on line across rural America, the free (cash) market would begin to re-establish itself. Small sale barns would re-open. Tens of thousands of family hog farmers who quit raising hogs because they lacked feasible markets, would gain the option of returning. Many doubtless would.

How about labor? Reduced line speeds would open up tens of thousands of new jobs. How do we answer industry’s assertion that unless INS waived all restrictions (an INS raid on the slaughterhouse in Gibbon, Nebraska exposed 68% of

Continued on following page

* The federal Centers for Disease Control currently estimate that food contamination causes 76 million illnesses, 325,000 hospitalizations and 5,000 deaths in the US each year. The earlier CDC estimate of deaths, which some authorities continue to use, was 9,000. Illnesses such as Crohns Disease, closely related to bovine paratuberculosis, and viral lymphoma which statistical studies link to hamburger consumption, are not considered.

Continued from previous page

the workers as “non-documented Hispanics”) a slowdown would create an acute labor shortage?

In the US twenty-five years ago, (and until quite recently in Canada), slaughterhouses were operated by well paid unionized workers who often spent their entire working lives in the same plant. They did not leave voluntarily. They were driven out and replaced by a shifting population of immigrants (average time on the job today is little more than a year) desperate enough to tolerate bad treatment and dangerous conditions for as little as a third the hourly wage paid under union contract. Reduction of line speeds would open the way to re-Americanizing the work force. Packers would be forced to compete for labor by offering higher wages and benefits. Less dangerous conditions would make the work less unattractive to non-immigrants. Small packers resuming business would seek out former employees still living in the community.

A slaughterhouse, under the best of conditions, is a grim and terrible place. That can never change. But slowing line speeds to 1970 levels would greatly reduce the atrocities now committed against helpless animals. It would avoid thousands of worker injuries every year. It would reduce public exposure to meat borne pathogens that are the chief cause of up to 9,000 food poisoning deaths in the US each year. A substantial percentage of these victims are young children. A forced line speed reduction would also do a great deal to open a closed, monstrously rigged system to the workings of the free market. And it would hasten the day when instead of using a captive workforce that can be exploited, bullied, maimed and discarded with complete impunity, packing companies will have to compete for US workers on the US labor market. 🐾

—Tom Garrett

Court Says No to Self Regulation

In an ongoing attempt to abdicate its responsibility of inspecting meat and poultry production, the United States Department of Agriculture (USDA) initiated an experimental inspection program that allows the industry to regulate itself. Under the pilot project, slaughterhouse employees replace USDA inspectors in performing on-line meat and poultry inspections.

The experimental program was tested at about 30 of the nation’s 6,000 plants, including Gold Kist, Inc. of Guntersville, Alabama. Inspection records that the government tried to keep secret confirm that Gold Kist passed thousands of pounds of chicken with tumors, pus, sores and scabs on to unsuspecting consumers. Chicken from Gold Kist supply nuggets for school lunch programs in 31 states. By the government’s own accounting methods, 40 percent of the samples taken from October 1999 to February 2000 were diseased or unwholesome.

Shockingly, USDA considers the experimental program a tremendous success. Thomas J. Billy, the head of USDA’s Food Safety and Inspection Service, issued a press release in response to the concerns about the Alabama plant saying, “We have no reason to believe products leaving these Gold Kist plants is anything other than safe and wholesome.”

But the United States Court of Appeals for the District of Columbia Circuit (Judge A. Raymond Randolph, Judge Merrick B. Garland and Chief Judge Harry T. Edwards) disagreed, ruling unanimously against USDA’s experimental program. The court concluded that under federal laws, government meat inspectors must retain their traditional roles of personally examining every cow, chicken and pig in slaughterhouses and processing plants. The court said it is illegal for the USDA to allow company workers to replace government employees in inspecting products at meat and poultry plants, and explained that the experimental inspection system “provides the industry with complete control over production decisions and execution.” 🐾

Congressman Brown Spoke Out Against “Skyrocketing” Line Speeds

George Brown, the distinguished California Congressman who was elected for the first time in 1963, led the long fight for justice for animals. Brown, who died on July 15, 1999, was a particularly outspoken advocate for farm animals. In a 1998 letter to the Secretary of the United States Department of Agriculture, Brown wrote that he was “deeply troubled” that the USDA was not properly enforcing the Humane Slaughter Act (HSA), resulting in “additional suffering to millions of farm animals who otherwise would have been assured more humane treatment.”

Brown specifically referred to stimulated line speeds in the slaughterhouses: “With fewer slaughterhouses killing a growing number of animals, slaughter ‘line speeds’ have skyrocketed.” Brown continued: “Today, as workers struggle to kill as many as 1,100 animals per hour, or one animal every three seconds, they often find themselves resorting to unbelievable brutality to keep the production line running uninterrupted. Workers in these operations describe the common practice of pounding away at cows’ heads with ineffective stunning equipment; of ‘piping’ or beating disabled animals to death with lead pipes. They report the standard practice of ripping frozen animals from truck walls, after transport in winter months, leaving chunks of flesh behind; sawing off the legs of live cattle to extricate them when caught between planks on unloading docks. In short, slaughter workers admit to routinely strangling, beating, scalding, skinning, and dismembering fully conscious animals in violation of the HSA.”

Congressman Brown’s leadership for farm animals, laboratory animals, animals trapped for their fur, and animals killed painfully as predators will be sorely missed. 🐾

Barbaric Butchery of Cows

I estimate that 30 percent of the cows are not properly knocked [stunned] and get to the first legger alive....To still be alive at the second legger the cows have gone alive from the knocker to the sticker to the belly ripper (he cuts the hide down the center of the cow's abdomen) to the tail ripper (he opens the [rectum]) to the first legger (he skins a back leg and then cuts off the foot) to the first butter (he skins from the breast to the belly and a little bit on the back) to the worker who cuts off both front feet. Those cows then go to a worker who sticks a hook into the joint where the first legger took off the foot and the cows are hung from the trolley hook. I can tell that these cows are alive because they're holding their heads up and a lot of times they make noise." This is an excerpt from the affidavit of a worker at the IBP, Inc. cattle slaughtering plant in Wallula, Washington.

Seventeen employees of the plant have provided affidavits to Gail Eisnitz of the *Humane Farming Association* (HFA), who recently completed an investigation of the slaughter facility. Her findings are appalling. Apparent violations of the law include torture of cows and failure to stun and kill them humanely, hazardous conditions for the workers, and contamination of the meat intended for human consumption. The *Animal Welfare Institute* joined HFA and a coalition of other animal protection, consumer and human rights organizations in petitioning the Attorney General of Washington State to initiate enforcement action against the slaughter facility.

In an ongoing effort to raise the profit margin, slaughter plants are increasing the "line speed," which is the rate animals

"Sometimes the supervisor comes and works on the live cows. They don't want workers to stop the chain, when the live cows are really active, workers are supposed to honk the horn and the supervisor will come to help them skin the live cow....I would estimate that one out of ten cows is still alive when it's bled and skinned."

—excerpt from affidavit of slaughterhouse employee

are moved through the stunning, killing and dismembering process at slaughter facilities. The workers simply cannot keep up, and are unable to put the time and attention into ensuring the humane slaughter of livestock. Workers have described lines that move so fast that cows are being skinned alive, with their limbs flailing, their heads turning, and their eyes blinking. Workers' affidavits indicate the line speed at the IBP plant increased from 105 cows per hour in 1980 to a current total of more than 300 cows per hour! 🐾

ACTION Please contact the Governor of Washington, Gary Locke, to encourage that legal action be taken against IBP for its brutal slaughter practices. Letters should be sent to: Governor Gary Locke, Office of the Governor, PO Box 40002, Olympia, WA 98504-0002. His fax number is 360-753-4110, and email can be sent via his website at: <http://www.governor.wa.gov/contact/govemail.htm>

Lamb on the Lam

A runaway lamb, thought to have escaped from a slaughterhouse, recently achieved something many New Yorkers dream of but few accomplish—he moved fast on the FDR Drive on Manhattan's East Side during a busy time of the day. Two cops on routine patrol on Second Avenue at 120th Street, a very urban neighborhood, first spotted him heading downtown at a brisk trot. At 96th Street, he veered left and got on FDR Drive (we're talking about rush hour traffic here). Danger was somewhat averted when New York's finest halted traffic. As the lamb hopped the divider several times and continued towards Brooklyn, though obviously flagging, an unidentified civilian (one of several who tried to help) angled his car in the animal's path bringing the chase to a safe conclusion.

A very tired lamb, now named Franklin, is resting (and eating) at the American Society for the Prevention of Cruelty to Animals (ASPCA) Bergh Memorial Hospital. Soon a sanctuary will find a spot for him and the youngster—still an adolescent—can look forward to a comfortable life. Lots of cheers for the police, and warm-hearted civilians, but most of all for the plucky Franklin who won his freedom the hard way—in Manhattan traffic. 🐾



Budd Williams/The Daily News

Franklin, the wayward lamb thought to have escaped from a slaughterhouse, calms down at ASPCA shelter after a wild chase in Manhattan. His run ended on the FDR Drive, when a driver cut him off at the pass, enabling an ASPCA agent to lasso him.

A Tribute to Ruth Harrison

When you think of Ruth Harrison, who died at age 79 on June 13 at her London home, your immediate thought would be of her long crusade against factory farming. But you could also think of Henry Salt, Mahatma Gandhi, George Bernard Shaw, Rachel Carson and Richard Ryder—movers and shakers, all.

Ruth Harrison was one of them and together they ushered in the modern era of animal protection—call it what you will: “welfare” or “rights” (Ruth preferred the former, even though she is thought of in the context of “rights”).

She was catapulted into that league of reformers with her 1964 book, *Animal Machines*, a faultlessly documented and indignant assault on the excruciatingly intensive housing of veal calves, chickens and pigs. When she learned that no one else was speaking out against these atrocities, she dropped everything and began her book. She was following Rachel Carson’s path in writing *Silent Spring* because no one else wanted to expose pesticide dangers.

She visited these heart-breaking prisons, especially those of crated, infant, male dairy calves taken from their mothers soon after birth, tethered in small, dark stalls, not allowed to suckle anything, given little water, fed antibiotics and iron deficient artificial milk to fatten them and keep them anaemic so they could be killed at 12 weeks to fill the plates and satisfy the palates of customer-preferred, tender, white meat. She also described in detail the overcrowding of caged laying hens, broilers and pigs.

Ruth pointed to the economic forces behind it all. “Life in the factory farm,”

she wrote, “revolves entirely around profits, and animals are accessed purely for their ability to convert food into flesh or ‘saleable products.’” She also reported on the feeding of antibiotics, growth stimulants, hormones and tranquilizers with no regard to the consequences to the human consumer.

She sent her completed manuscript to Rachel Carson, whom she had never met, and asked her to write the foreword. So stunned by what she read, Rachel asked a mutual friend, Christine Stevens, “could it be true?” Christine replied, “Indeed, it is true” and encouraged her to write the foreword. In it, Rachel expressed hope that the book would “provoke feelings of dismay, revulsion and outrage” and called for a consumers’ revolt.

Carson’s endorsement, a good publisher, her husband’s graphic photos and serialization in a London newspaper helped to spread the word. The public reaction was so intense that the Ministry of Agriculture ordered an investigation chaired by Professor F.W.R. Brambell. The Brambell Report led to an Act of Parliament governing farm animal welfare. It wasn’t long before the veal crates were abolished and better conditions were provided for chickens and pigs.

Despite her modest manner, Ruth was a genuine “whistle blower.” But she never dreamed that her “radical” efforts would be rewarded by inclusion in the 1986 Queen’s Order of the British Empire honor’s list. In her youth, she had dreamed, however, of a career in the theatre. That dream was interrupted by World War II hospital service in the Friends Ambulance Corps post-war service in Germany. But soon thereafter she graduated from the Royal Academy of Dramatic Art. Her career as an actress and director was on its way—helped by coaching from by a neigh-

“Wherever it is read it will certainly provoke feelings of dismay, revulsion, and outrage. I hope it will spark a consumers’ revolt of such proportions that this vast new agricultural industry will be forced to mend its ways.”

—Rachel Carson on *Animal Machines*

bor, George Bernard Shaw. Also, she absorbed his views on a hypocritical society, especially when it came to fox hunting and meat eating.

Her father, Stephen Winsten, was a friend of Shaw’s and authored three books about his life. Both men—like Gandhi—looked to animals’ greatest unsung champion: iconoclast, vegetarian, author of *Animals Rights*, Henry Salt (1851-1939). (Gandhi was inspired by Salt and Henry Thoreau in throwing off the British Rule of India. Gandhi entered Ruth’s life when her mother, Clare Winsten, painted his portrait.)

Her promising theatrical career met a roadblock when she received a leaflet on the plight of veal calves. Not only did that permanent detour lead to reforms in England, but in many other European countries. (Her book was published in seven countries and was the inspiration for the European Convention for the Protection of Animals Kept for Farming Purposes.)

Animal Machines also lit the fuse for greater animal advocacy when a group of British scholars in 1971 wrote *Animals, Men and Morals: An Enquiry into the Maltreatment of Non-humans*. Ruth’s essay opened the book which also included a chapter by Richard Ryder who coined the term “speciesism.”

Up until her death from cancer she was deeply involved in the development and acceptance of alternative methods of raising meat animals. Helping her in this were several animal behaviorists, as well as Diane Halverson, AWI Farm Animal Advisor and her sister Marlene of Northfield, Minnesota.

Her honors, numerous affiliations and many contributions to animal welfare—such as blowing the whistle on the cruel electrocution methods of euthanasia unknowingly used by a large shelter for dogs, which was quickly changed when it learned the electric current must pass through the brain—are too many to list but her never-ending dedication and focus on helping factory farm animals, hopefully will spur long overdue reforms in the US. 🐾

—Ann Cottrell Free

European Community’s Efforts to Improve Animal Welfare

The European Community (EC) Proposal on Animal Welfare and Trade in Agriculture, submitted to the WTO Committee on Agriculture on June 28, 2000, states, “In Practice, our concerns with animal welfare are most acute in relation to highly-intensive and industrialized production methods for certain species, in particular poultry and pigs. This type of production is most often found in developed rather than developing and least developed countries.

“...it is important to secure the right of those WTO members that apply high animal welfare standards to maintain them.

“...The EC’s work on animal welfare is continuing, and the EC reserves its right to make further submissions in the light of developments.” 🐾



Petty Mark/Action Magazine

A debeaked hen not only has a difficult time eating, she is also in constant pain due to the drastic procedure.

Rescue of Battery Hens in Tasmania

According to a release from the Australian Action Animal Rescue Team a seven-member team broke into PURE FOODS, Tasmania's largest battery hen producer on July 8, 2000. The ammonia and noxious fumes overpowered the team when entering the buildings, causing burning eyes, sore throats and difficulty in breathing. The hens all had severely mutilated beaks, making it very difficult for them to eat.

Later that same day the rescuers approached a supposedly free-range egg-producing operation southwest of Hobart, owned by the same company. This operation had somehow gained approval by the *Royal Society for the Prevention of Cruelty to Animals* (RSPCA). The rescue team and the media were refused permission to view the hens, who had been de-beaked by the same contractor. The hens themselves were confined to a big warehouse type shed with small popholes leading to a yard, which looked unused.

The intensive media attention revealing the horrible conditions in which these hens are kept put the authorities under pressure. A meeting of Government, industry and certain representatives of animal welfare groups was called, but no initiatives were added that would make any noticeable difference to the millions of hens that are enduring so much suffering in their tiny cages. Banning battery cages was not even considered. The executive director for the Australian Egg Industry Association, Hugh McMaster, and RSPCA President, Hugh Wirth, drew up a draft agreement on hen housing, proposing to phase out certain cages and increase the floor space of a standard cage by 20% at some future time. The plight of the laying hens continues unabated. 🐾

A Sport Most Foul

A trio of stories from *The New York Times* in June 2000 reveals that brutal brawls between fighting birds are alive and well in the United States—not only in rural America, but also in enclaves of inner cities. Busts in two New York City boroughs, Brooklyn and the Bronx, resulted in hundreds of charges against individuals who breed gamecocks to fight and those who witness the fights and wager on them.

In a dilapidated Bronx movie theater, 36 people were arrested and charged with “animal fighting,” a felony in New York. Another 154 were charged with a misdemeanor for watching the fights. By the time police rammed through the theater doors, sending gambling patrons scattering in all directions, including up to the theater roof, eight birds were already dead.

Days later, armed agents with the American Society for the Prevention of Cruelty to Animals raided a Brooklyn pet store, charging its owners, Jermias Nieves and his son David, with animal fighting and animal cruelty. The agents discovered a padded training room where roosters were trained to fight, breeding hens, thousands of dollars, and the barbaric weapons of battle. All of the live animals confiscated during these raids were euthanized.

According to one *Times* story, a representative with the United Gamefowl Breeders Association estimates that cock-

fighting generates “hundreds of millions of dollars a year in sales of birds, medicines, feed, and breeding and fighting gear.” “Fighting gear” includes knives and sharp metal spurs affixed to the roosters’ claws to maximize injuries, including punctured lungs, broken bones, pierced eyes and a variety of fatal lacerations. “Medicines” include drugs such as “Strychly Speed” (strychnine) and “Pure Aggression,” stimulants used to enhance the birds’ fighting prowess.

Only three states still allow legal cockfighting: Louisiana, New Mexico, and Oklahoma. Pending federal legislation would close a loophole that allows fighting birds to be transported to states where cockfighting is legal (see *AWI Quarterly*, Spring 1999, “Anti-Cockfighting Bill Introduced in Congress”). Colorado Senator Wayne Allard authored the Senate bill, S. 345, which has amassed 58 cosponsors. It was approved in Committee on March 2, 2000 and awaits floor consideration. The House companion bill, H.R. 1275, has 185 cosponsors.

But, according to *The Washington Post*, further consideration of the bill by the full Senate will be difficult, despite widespread bipartisan support. Two former Senators, Steve Symms of Idaho and J. Bennett Johnston of Louisiana, are receiving as much as \$185,000 to lobby against the bill. According to the *Post*, both “have close ties to powerful lawmakers such as Senate Majority Leader Trent Lott.” Perhaps consideration of the cockfighting bill would help define whether or not this Congress is truly compassionate. 🐾

Bequests to AWI

To any who would like to help assure the Animal Welfare Institute's future through a provision in your will, this general form of bequest is suggested:

I give, devise and bequeath to the Animal Welfare Institute, located in Washington, D.C., the sum of \$ _____ and/or (specifically described property).

Donations to AWI, a not-for-profit corporation exempt under Internal Revenue Code Section 501(c)(3), are tax deductible. We welcome any inquiries you may have. In cases where you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.

Changing the Housing Standard for Monkeys in Laboratories

Biomedical and psychological testing conducted with monkeys is often tainted by unresolved ethical questions. Although animal advocates tend to focus their concerns on cruel experimental procedures, the resultant suffering from a particular test is usually of a relatively short duration. The sum total of suffering inflicted is much more pervasive when one examines the monkeys' housing conditions prior to the experiment—conditions which may cause continuous suffering lasting for years on end.

The standard monkey cage is so small that the imprisoned animal cannot take a few normal steps in either direction, let alone run or jump. Usually, cages are devoid of high perches that would at least enable a monkey to make use of the vertical dimension of the cage. Permanent confinement in such extremely small, barren enclosures causes many individuals to develop the monotonous habits of stereotypically pacing back and forth, running in circles, somersaulting or bouncing up or down. These movement patterns reflect a frustrated need for exercise and become deeply ingrained over time. Ironically, scientific investigators label these behaviors—rather than the cage size—as *abnormal*.

Further, in order to minimize housing expenses, monkeys are commonly kept in double-tier cages, with one row stacked on top of another. This doubles the number of animals that can be accommodated in one room, but involves serious adverse welfare implications for the individual animals. Those relegated to the lower rows are restricted to a quasi-terrestrial lifestyle for which they are not adapted biologically. They are unable to withdraw in alarming situations and retreat to a safe place *above* the human “predator” who periodically captures them and subjects them to uncomfortable, painful, distressing, life-threatening, or even deadly procedures. Moreover, they are forced to live in a shady, depressingly dark environment with light often so dim that caretakers have to use flashlights to identify and inspect them.

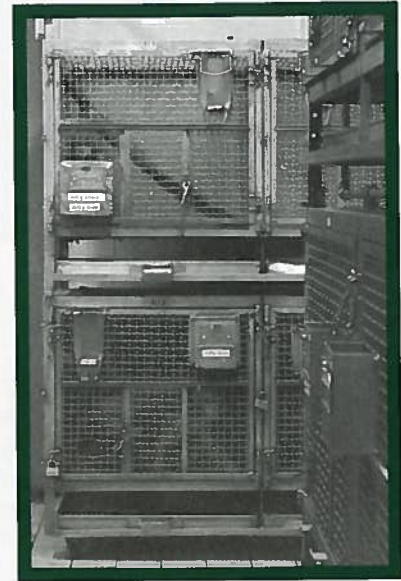
The striking difference of illumination between upper and lower cage rows belies the scientific principle that environmental variables must be controlled strictly to ensure the validity of collected research data. Biomedical

investigators presumably should be adamant that research animals be kept in a standardized environment in which extraneous variables such as illumination (which can affect almost all functions of the body) are as uniform as possible for all research subjects. Nonetheless, there seems to be a tacit agreement among primatological researchers to exempt this variable from rigorous scientific methodology since, in order to meet a uniform standard, all cages would have to be arranged at the same level of the room and the number of available animals, therefore, would be cut in half.

Both human and nonhuman primates are distinguished by a high degree of sociality, which is a basic condition for their survival in the wild. They possess an inherent need for social contact and interaction. Laboratory monkeys, however, are commonly kept in single-cages, thus being deprived of direct contact with conspecifics.

Permanent solitary confinement is extremely distressing for human and nonhuman primates alike. As is the case with incarcerated humans, individually caged monkeys show signs of boredom, depression, frustration and anger, resulting in unmistakable signs of mental disturbance. Distinguished scientists recently acknowledged that “approximately 10% of captive, individually housed monkeys have had some veterinary record of self-injurious behavior within their life-time.” This means that 10 out of every 100 research monkeys bite themselves to the point of serious injuries when being housed in the traditional, single-caging system.

What prompts investigators to imprison innocent nonhuman primates under living conditions that are regarded as a cruel form of punishment for convicted human primates?



Viktor Reinhardt/AWI

The traditional double-tier caging system for laboratory monkeys relegates 50% of the animals to a cave-like housing environment as well as permanent solitary confinement.

For one, many investigators are seemingly unaware of how their research animals are housed. A well-known biomedical scientist made the following observation in a professional journal: “Most investigators think only briefly about the care and handling of their animals and clearly have not made it an important consideration of their work.” If scientists don’t care enough to verify that the research animals they use are housed in accordance with sound scientific methodological principles, there is little hope that they will support efforts to refine current housing practices.

Another consideration is money—some would say greed. It is certainly true that upgrading cheap monkey housing conditions requires additional financial investment, but this initial investment will quickly yield important returns. Better housing conditions will lead to more valid scientific data, therefore reducing the number of animals needed to obtain the information. Money is saved and animals’ lives are spared. 🐾

—Viktor Reinhardt, Adam M. Roberts and Annie Reinhardt

PERFORMING ELEPHANTS:

Dying to Entertain Us

Suing the Circus

The Animal Welfare Institute has joined the Performing Animal Welfare Society, the American Society for the Prevention of Cruelty to Animals, and the Fund for Animals in a lawsuit filed on July 11th, against Ringling Brothers and Barnum & Bailey Circus. The suit alleges that Ringling Brothers violated the Endangered Species Act because of its cruel treatment of endangered Asian elephants.

The Notice of Intent to Sue and the lawsuit detail how Ringling Brothers' trainers and handlers routinely and severely beat elephants to try to make them submissive; the elephants experience pain and distress, they cry out and they bleed because of these beatings. In one particularly horrific incident, an employee testified about the vicious beating of an elephant named Nicole while an executive manager of the circus, Jeffrey Steele, was nearby. When the employee was asked if it was possible that Mr. Steele did not observe the beating, and therefore was unaware of it, the employee testified that while he did not believe that Mr. Steele could have avoided seeing the beating, he certainly could not have missed hearing the repeated "whacking" sound of the ankus (bull hook) on Nicole as well as Nicole's cries of distress. In addition to the beatings, elephants are kept chained virtually the entire time they are not performing.

The lawsuit further describes how baby elephants are separated from their mothers by Ringling Brothers before they are even weaned. The babies, desperate to reunite with their mothers, suffer large lesions on their legs from struggling against the shackles that are used to keep them isolated from their mothers. The baby elephants endured "unnecessary trauma, behavioral stress, and physical harm and discomfort," according to a letter from USDA Under Secretary Michael Dunn.



Photo Courtesy of The Elephant Alliance

The lawsuit against Ringling Brothers alleges that elephants are trained using negative reinforcement (beatings) in violation of the Endangered Species Act. Note the elephants' chains and the man's "training tools."

Crime Subcommittee Holds Hearing

On June 13th, a hearing was held on the Captive Elephant Accident Prevention Act in the US House of Representatives Crime Subcommittee of the Judiciary Committee. More than 150 people crowded into the standing room only hearing to see the show. The bill, H.R. 2929, was introduced by Congressman Sam Farr (D-CA). If passed, it will prohibit circuses from using elephants in traveling shows and from permitting the public to ride on the backs of elephants.

Renowned television game show host and friend of animals, Bob Barker, testified in support

of the legislation and showed a shocking videotape of performing elephants going on rampages and having to be gunned down in the middle of crowded communities.

Chairman of the House Appropriations Committee Bill Young testified eloquently about the plight of elephants used for rides and traveling circuses. He described an elephant who was repeatedly hit in the eye with the hook of an ankus merely to make him get back in line and a baby elephant who was beaten, shrieking in pain and fear.

Conspicuous by their absence from the witness table of the hearing was Ringling Brothers and Barnum & Bailey Circus. 🐾

Joyce (pictured at left), a pathetic victim of the circus industry, was forced to continue working despite the fact that for years she was dying of Tuberculosis. A report from The Elephant Alliance reveals that a TB quarantine was placed on one of Ringling Brothers' elephant facilities by the Florida Department of Agriculture last year, and that Vance, a male elephant at another Ringling Brothers facility, had a positive culture for TB, but went untreated for months.



Photo Courtesy of The Elephant Alliance

But Will He Get Frequent Flyer Miles?

In the United States, an estimated 5,000 animals are killed, injured or lost during transportation by commercial airlines each year. Animals, treated as mere baggage, are mishandled by baggage personnel, exposed to extreme heat or cold, and denied sufficient oxygen while in the cargo holds. Despite vehement opposition from the airline industry, legislation has been adopted by Congress to help address this dire situation.

The new law, the Safe Air Travel for Animals Act, requires airlines to report the loss, injury or death of animals. This information must be made available to the public on a monthly basis by airline companies, where it can be used to help concerned citizens make educated, humane decisions about when, and if, to transport their animals by air. In addition, the legislation mandates improved training for individuals involved in the handling of animals during air transport.

A not-so-surprising change in the treatment of animals has occurred since the new law holds airlines accountable for the care of animals during transport. The case of Dakota, a 10-year old Basenji, is but one example. He was mistakenly loaded into the unheated cargo hold of a plane that departed on a

nearly five-hour flight from Washington, D.C.'s Dulles Airport to San Jose, California. After the plane was en route, an airline employee discovered the problem, and the pilot was informed that the dog was likely to freeze to death in the cargo hold.

Dakota's owner, passenger Mike Bell, was taken to speak with the pilot. "He indicated he was not sure if my dog had survived to this point," Bell said, "However, he was hopeful. If he were alive, the dog would not make it to San Jose under these conditions. So in the best interest of the dog, he was going to divert the plane and land in Denver."

The plane landed in Denver and to Bell's great relief, Dakota survived the freezing temperatures. Bell re-boarded the plane with his dog and carried him to the back row of seats on the plane, as passengers cheered. Dakota sat with Bell for the final leg of the flight. Parents brought their children back to pet the dog, who was wrapped up in blankets to warm him. Dakota is lucky to be alive.

In response to the new law, some airlines have prohibited transportation of pets as checked baggage or have implemented restrictions during the hot summer months. Animals are still transported in cargo holds, so despite these changes, we encourage pet owners who can avoid air travel with their animals to do so. 🐾



Thanks to the pilot's humane decision, Dakota is fortunate to have survived the negligence of the airline.

Random Source Dog and Cat Dealers

Beware of these 27 remaining Random Source Class B dealers who are selling dogs and/or cats to laboratories for experimentation:

Alabama:

John Pesnell, Pesnell Kennels (Arab)

Arkansas:

C. C. and Jeanette Baird, Martin Creek Kennels (Williford)

Connecticut:

Glenn Lawton, Team Associates (Dayville)

Illinois:

Michael Cooper, Triple C Farms (St. Joseph)

Indiana:

Gene Clark, Salt Creek Kennel (Tralfalgar); John and Mark Lynch, LBL Kennels (Reelsville)

Iowa:

Dennis and Toots Conrad, Conrad Livestock (Keota)

Michigan:

Fred Hodgins, Hodgins Kennels (Howell); Mark Ulrich, Cheri-Hill Kennel and Supply (Stanwood); Roberta and James Woudenberg, R&R Research (Howard City)

Minnesota:

Kenneth Schroeder (Wells)

Missouri:

Mildred and Danny Schachtele, Middlefork Kennels (Salisbury)

New Jersey:

West Jersey Biological Services, Inc. (Wenonah)

New York:

Ray and Valerie Dolan, R & V Kennels (North Java)

North Carolina:

Carolina Biological Supply Company (Burlington); Barbara Phillips, Pearlcroft Cattery (Beaufort); S. E. Lab Animal Farm, Inc. (Raleigh); Simons, L.B.S. Biological, Inc. (Graham); John Wise, Carolina Kennel (Dunn); John H. and Eva Wise, Hillside Kennel (Four Oaks)

Ohio:

Andrea Ball, Kiser Lake Kennels (St. Paris)

Oklahoma:

Henry Lee Cooper, C & C Kennels (Wewoka); James Hester, Anamerica, Inc. (Pryor); Henry Lee Cooper, C&C Kennels (Wewoka)

Pennsylvania:

Mike Kredovski, Biomedical Associates, Inc. (Friedensburg); Bruce Rotz (Shippensburg)

Tennessee:

Preston Cates, Jr. (Dunlap)

In Remembrance of Mary Warner

Mary Warner, the friend of dogs stolen by dealers to sell to research institutions, has died at her home in Virginia. Mary was one of that vanishing breed, a private person who saw a need to protect animals and sprang into action—literally, because her organization was named *Action 81*. The 81 referred to Highway 81 which saw heavy traffic in unmarked trucks and vans, carrying abducted dogs to auctions or sales where the pathetic victims would breathe their last fresh air before spending the rest of their days in cages, being tested or waiting to be tested. *Action 81* unceasingly sought to trace lost pets and return them to their distraught owners.

Mary was petite, soft-spoken and a dynamo. Whether on horseback in the Virginia countryside, romping with her dogs—most of whom seemed larger than she—or in Richmond telling it like it is to legislative committees, Mary was a presence. Her unflinching good humor concealed a tireless worker whose legacy we can all appreciate. 🐾

—John Gleiber

Frontier “Justice”

In the fall of 1997, to demonstrate the abusive, inhumane and illegal methods in which animals are being trapped, Alaska wildlife biologist Gordon Haber released a video of a two-year old black wolf in a snare on a site that was covered with the carcasses of at least four dead caribou. Haber who is an outspoken opponent of current trapping methods and is a leading advocate for wolf protection has studied wolves in Alaska for 35 years.

The wolf in question had been trapped at the carcass-covered snare site for at least three days when Haber discovered the animal still alive. Before releasing the wolf, Haber contacted officials from the National Park Service and the Alaska Department of Fish and Game for help in caring for the injured wolf, but no one came to the site. He decided to release the wolf instead of allowing him to languish longer. Sadly, the wolf died of blood loss three weeks later when state and federal wildlife biologists botched an attempt to amputate the injured leg in the field with nothing but a Swiss army knife.

Following the incident, Alaska State Troopers investigated Haber, trapper Eugene Johnson and state and federal game officials for various crimes and for possible charges. In the end, despite comments by the state prosecutor who said that “an appearance of wrongdoing cuts across the board, no charges will be pressed.”

However, after being spared legal action by the State of Alaska for maintaining an illegal trapping site, Johnson filed civil charges against Haber. In July 2000, a jury comprised of five women and one man from Tok (a small town in east-central Alaska near the Canadian border) ordered Haber and his sponsor, *Friends of Animals*, to pay damages totaling \$190,000: \$186,500 to Johnson, plus \$500 for the wolf and \$3,000 for equipment. The jury, from the trapping community, felt that the emotional distress trapper Johnson suffered as a result of his loss justified the settlement.

Both Haber and *Friends of Animals* are currently reviewing the jury’s decision and will decide whether or not to appeal. 🐾

Daniel J. Cox / Natural Exposures



Gray wolves are in constant danger from saturation snaring and steel-jaw leghold traps because the Alaska Department of Fish and Game caters to the hunting lobby which wants every caribou and moose for itself. These wolves are shot from the air after being pursued to exhaustion.

Initiatives Against Cruel Traps in Oregon and Washington

The worldwide movement against the use of steel jaw leghold traps has gained powerful momentum in the United States. *Protect Pets and Wildlife*, a coalition of over 100 groups, including the *Society for Animal Protection Legislation*, has gathered 360,000 signatures, sufficient to qualify trapping initiatives for inclusion in statewide ballots in both Oregon and Washington. These two measures, virtually identical in content, ban the use of cruel traps and snares for recreational and commercial trapping.

A huge, inflatable bobcat in a steel jaw leghold trap bobbing up in both states was an attention grabbing device that brought the issue into focus for the public and helped to trigger this enormous number of signatures.

Oregon’s trap line requirements are among the most lax in the nation: lines need be visited only every 48 hours, and, appallingly, traps set for coyotes need never be checked. Inhumane traps cause endless suffering, not only to target species, but to pets, deer and birds including the eagle—our country’s symbol.

If these two ballot measures are voted into law, Oregon and Washington will join other American states that have banned use of the steel jaw trap, as well as 89 forward-looking foreign nations including all the states of the European Union.

For further information contact *Protect Pets and Wildlife* at (425)787-2500 or visit their website at <http://www.jps.net/propaw/or.htm> 🐾

Koala and Lynx Listed as "Threatened" Under ESA

The United States Fish and Wildlife Service acted on behalf of two of the world's most charismatic species this spring when it listed the koala and the Canada lynx as "threatened" under the Endangered Species Act (ESA). Such a federal listing denotes a species that is likely to become endangered throughout all or a significant portion of its range.

The popular tree-dwelling Australian koala was almost wiped out by the fur trade in the early 1900s. But now, logging, agricultural expansion, and urban sprawl have encroached on the koala's eucalyptus forest home, destroying much of the vital ecosystem on which the species depends. Much of the forestland is cut down for woodchips in particular, which are exported to paper mills in Japan. According to Deborah Tabart, Executive Director of the *Australian Koala Foundation* (AKF), "At the moment with landclearing and development the way it is, the koala doesn't have much chance of survival."

The Service received 3,000 responses to its proposal to list the koala. The primary objections to the listing came from individuals within the Australian state governments, such as Victoria and New South Wales, who claimed that the koala should be considered individually within each Australian state rather than across the entire range. The US argued in response that a species' population status could not be decided by looking at "political boundaries within countries."

Fish and Wildlife Service Director Jamie Rapaport Clark said of the decision, "By listing koalas as threatened under the ESA, we are able to help educate the public about the need for

conservation efforts to protect these enchanting animals and their habitat."

Similar protected status was conferred upon the only lynx in North America, the Canada Lynx (*Lynx Canadensis*). This listing, however, involved almost a decade of petitions, notices, public comments, and lawsuits. On the proposed lynx listing, over 3,500 comments were received, more than three to one in favor of the threatened designation.

The lynx occurs across the US on both private and public lands, with a substantial amount of its habitat falling within lands that are controlled by the National Forest Service. However, Federal land management plans do not adequately protect the lynx or its primary prey species, the snowshoe hare. According to the Fish and Wildlife Service, "timber harvest and its related activities are a predominant land use affecting lynx habitat." Commercial trappers and loggers are the greatest enemies of the lynx.

As a result of the listing, it is illegal to take wild lynx, possess, sell, deliver, carry, transport, or ship illegally taken lynx, export lynx as well

as lynx parts or products without an appropriate permit, or deleteriously modify lynx habitat. Unfortunately, the Service did not simultaneously designate "critical habitat" for the lynx, which is vital to ensuring that a listed species has the necessary territorial protection to enable recovery. 🐾



ANIMAL WELFARE INSTITUTE

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Address Correction Requested

Daniel J. Cox/Natural Exposures



*Listing the Canada Lynx (*Lynx canadensis*), the only lynx in the United States, as threatened under the Endangered Species Act may not only provide the species necessary protection, but also spur the creation of an appropriate Federal land management strategy for the embattled species' conservation.*

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