



THE ANIMAL WELFARE INSTITUTE QUARTERLY

P.O. BOX 3650 WASHINGTON, D.C. 20007

SPRING 1984

VOL. 33 NO. 1

Owners reclaim stolen dogs from Mayo's

by Gail Eisnitz

When Ella Erie of Le Roy, Minnesota returned home from a funeral on the afternoon of January 5th, she was not greeted by the familiar barking of her ten year old border collie. She and friend Herbert searched the garage where Rex had been chained, but found only the strange tire tracks of a vehicle which had backed up to the door.

Down the road about five miles, Wayne and Bonnie Siskow and their children were

combing their farm for Sheba — a two year old miniature collie who had vanished from inside a barn. Two years had passed since



When Wayne went to Mayo to claim his dog Sheba, he saw wet dogs whose cages were being cleaned with the dogs in them. He is holding the USDA tag that was still on Sheba when he got her home.

the Siskow's pet shepherd had mysteriously disappeared, and a year before that, Wayne's brother had lost a dog in a similar manner.

Norburt Rud's red retriever, Dennis Hammeister's blue tick coon hound, valued at \$3,000, and Jim Boe's Scottish collie would also be taken from their owners' Stewartville residences on that very day.

After allegedly stealing the dogs, buncher Greg Green trucked them to his home in Dexter, Minnesota, a town of about 900 people, 20 miles north of Le Roy. Neighbors would later recall the incessant barking
continued on page 2

Most brutal and non-selective of implements

by Hope Ryden

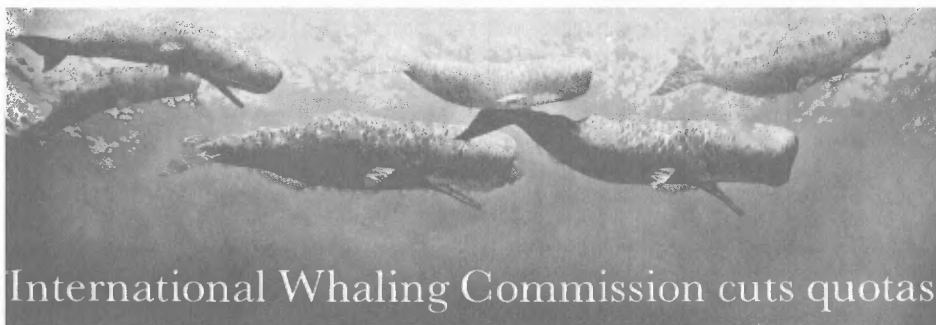
I commend the distinguished Chairman and the Subcommittee for addressing the need to proscribe the leghold trap in the United States. This device is the most brutal and non-selective of implements used to capture animals and I urge passage of this legislation.

As a naturalist and author of several books and many articles on North American wildlife, including *Bobcat Year*, *God's Dog* (on coyotes), *America's Last Wild Horses*, and *The Little Deer of the Florida Keys*, I have spent much time in wilderness areas tracking and studying my subjects. As a result, I have had first-hand experience with the leghold trap and its victims. In fact, at times I have found it necessary to abandon research areas as a result of the prevalence of this device and its effects on the population of animals I was trying to observe.

Before describing trapping impact on wildlife, however, I should like to tell you about my experiences with the leghold trap close to home and involving pets. Anyone who believes that trapped animals do not suffer should have been with me one afternoon in October of 1980 while I was walking with my two dogs in a wooded area some thirty-five miles northwest of New York City. For ten years I have rented a weekend cabin in this protected watershed area, which provides drinking water for a number of neighboring communities in northern New Jersey and several small towns in New York State. The area is off-limits to outsiders for obvious reasons. The water supply must be protected from deliberate or inadvertent pollution. Trespassers are subject to prosecution and severe penalties. The six families that are permitted to rent existing houses in the area are carefully screened and would be held responsible for
continued on page 6



Rex, owned by Ella Erie and Herbert Woolart, LeRoy, MN. When Ella went to recover him the Mayo laboratory man tried to make her pay to get her stolen dog back.



International Whaling Commission cuts quotas

The IWC voted to end all killing of sperm whales.

"Sperm Whales"
Richard Ellis

At its annual meeting in Buenos Aires, the International Whaling Commission voted on the quotas for the final year of commercial whaling before the agreed cessation. Most significant decisions were the ban on sperm whale killing and reduction of the kill of minke whales in the Southern Ocean to 4,224, a quota which Soviet, Japanese and Brazilian whalers must divide among themselves. Cost of sending whaling vessels to antarctic waters is high. The 40% quota
continued on page 11

159

Mayo continued

which had emanated from Green's property. The following day (January 6th), Green delivered four of the animals, at \$10 per dog, to USDA dealer Donald Hippert of Kasson, Minnesota—operator of a so-called Animal Shelter.

On Sunday, January 8th, Julie and Randy Tapp and their three children, left their Austin, Minnesota home for approximately one hour. When they returned, they found only a very frightened cocker spaniel — one of their two pets. The other, a shepherd-collie mix, had never before wandered off. The Tapps would spend the next seven days searching for him on a snowmobile.

At around 5:00 P.M. on January 8th, Don and Kathy Adams of Le Roy discovered that their part St. Bernard was missing. Smokey was just one of five animals which Hippert purchased from Green for \$12.00 that afternoon.



Smokey, a St. Bernard mix, was listed by both dealer and research facility as a brown mongrel.

Dave and Mary Grignon, a young Austin couple, left their two pets locked inside a pen near the garage on January 12th. When they returned from work that day, the kennel door was ajar, and their basset hound sat nervously on the farmhouse steps. That afternoon, Green sold the Grignon's black Labrador to Don Hippert, along with two other dogs — one which the buncher had purportedly "adopted" from a local animal organization



Isaac, a purebred Labrador retriever had lost 40 pounds and was extremely ill when he was reclaimed.

Although Hippert has a USDA dealer's

license Green does not, and such quantities of dogs cannot be sold without a dealer's license. The purpose of the regulation is to prevent theft.

The recovery

"We really did try every avenue to find our dog," said Dave Grignon in a recent interview. To the Grignon's Isaac was a member of the family. Aside from advertising their missing pet in local newspapers, the couple spent hours each night driving around Austin, searching for their dog. Mary, who recalled seeing dogs used for experimentation when she was in college, contacted research facilities at both the University of Minnesota and the Mayo Clinic to ascertain if either had encountered her pet.

Note: Isaac, an unusually large black Labrador, had injured his foot a week before his disappearance. At the time he was stolen, a fresh white scar with stitches was visible on his foreleg. The Grignon's felt confident that the scar would serve to identify their pet. ("We were lucky that way," explained Dave. "We felt that he couldn't be missed or mistaken.")

The University in St. Paul had not admitted any dogs fitting Isaac's description. At the Mayo Clinic, however, a staff member promised to look for the Labrador, and assured Mary that she would be contacted if Isaac turned up. **THIS WAS NEVER DONE.**

Then, on January 19th, Dave and Mary Grignon received a "tip" through a friend, suggesting that they conduct their own inspection of Institute Hills Farm — the Mayo Clinic's laboratory animal facility. Dave rushed to Rochester — to the building where roughly 500 dogs are housed. He entered the first of nine rooms and, in his own words, "Boom! Isaac was right there."

That evening, after recovering their pet, the Grignon's phoned friend Carol Kough, who had been searching tirelessly for Isaac, and neighbor Julie Tapp, whose shepherd-collie mix had been missing for nearly two weeks. Kough and Tapp then contacted a number of individuals who had advertised their lost pets in area newspapers, and arranged to meet at Institute Hills Farm the following afternoon.

"I had no idea we were going to find one dog, let alone several," said Carol Kough. Of eight families who had gone to the research facility on January 20th, five had discovered their pets. Ella Erie, Julie Tapp,

Conditions of recovered dogs

The Grignons, whose Labrador had lost upwards of 40 pounds during his week long ordeal, spent much time and money at the veterinarian's after recovering Isaac. "Part of it was that he had dropped weight, but actually . . . he had developed some kind of bug plus kennel cough . . . The vet was going to put him on i.v.'s if at one point in time he didn't get better," explained Mary Grignon.

As for Rex, the Border Collie, his owner called his condition "awful. There wasn't much to him. He was starved, and when I got him home here, I started giving him water, and I thought he was going to kill himself drinking water. I had a 5-quart pail filled two-thirds of the way with water, and he left just the littlest bit in the bottom. He'd drink and then he'd turn and walk around a little bit, and then he'd go right back to drink."

Hippert, ignoring this essential rule delivered Green's dogs together with 53 others to the Mayo Institute and the University of Minnesota.

and Kathy Adams were among the owners who rescued their dogs that afternoon.

Due to television and newspaper coverage of the incident, within a week of Isaac's recovery from Institute Hills Farm, another 15 stolen dogs had been identified at the Mayo Clinic.

Note: In this case, the stolen dogs recovered from the Mayo Clinic were rescued from 2-16 days after delivery to the research center. Because Mayo Clinic policy requires all new dogs to be conditioned for 21 days prior to use in experimentation, none of these animals had been used in research.

Unfortunately, the owners of two of the 16 stolen dogs found at the Mayo Clinic were never located, and these animals were later used for research. Two additional shepherds from the same lot of stolen dogs turned up at the University of Minnesota. One of these animals died of unknown causes, while the other was used in experimentation.

Hippert's records indicated that he had purchased the dogs from Gregory Green. On January 23rd, Mower County authorities searched Green's home. While they were unable to find any dogs, Green was arrested on charges of felony theft, possession of controlled substances, and damaging police property.

Green was arraigned in Mower County on January 24th and released on \$3000 bond. His trial was scheduled for July 23rd. If convicted of felony theft, he faces a maximum sentence of five years in prison, and a \$5000 fine. In Olmstead County, where several of the dognappings took place, Green faces similar theft charges.

When they found Rex at Mayo's, Mayo employees "questioned us because they weren't sure it was our dog. Then we took Rex's picture out. When he saw that, he couldn't say much more you know . . . There was a guy that kind of rubbed up on my shoulder and he said, 'Are you going to write me a check?'" Asked how long it took Rex to get back to normal, his owner answered, "He really isn't back to normal yet . . . He isn't the dog he was. He can't run anything like he did when they took him. I'll tell you, I think that deal took a lot of years out of his life."

Smokey's owner told how sick the big dog was. "All he did when I saw him in the kennel was lift his paw when I got in there . . . He's got St. Bernard in him and they can look so sad, and he just didn't even look like the same dog. He had lost a lot of weight. I

continued on page 3

Mayo continued

brought him home, and he came to life a little when he seen the kids. But then he just lay down and he didn't hardly move. So we took him to the vet, who said that he had a hundred and five temperature, his lungs were congested, and he had a cough. She sent me home with a bunch of antibiotics . . . He was very, very dehydrated. He drank a 5-quart pail of water and half of another one. Just non-stop . . . It took him about a month to recover."

Mr. Cool apparently had been beaten. His owner said, "When we got him back from over there, our opinion of his condition was that he was beaten. His sides were sore.

Conditions at Mayo's

Contrary to USDA regulations under the Animal Welfare Act, Mayo's often leaves dogs in the cages while they are being hosed. Several owners of reclaimed dogs observed animals that had been wet by hoses. Ironically, while the dogs are subjected to this extreme unwholesome treatment, a large proportion of the animals exhibited intense thirst after being confined at the Mayo Institute. Water deprivation is a major cruelty. Virtually every anti-cruelty law in the world includes as one of its major requirements that animals be provided with water. The Animal Welfare Act, of course, makes such a requirement.

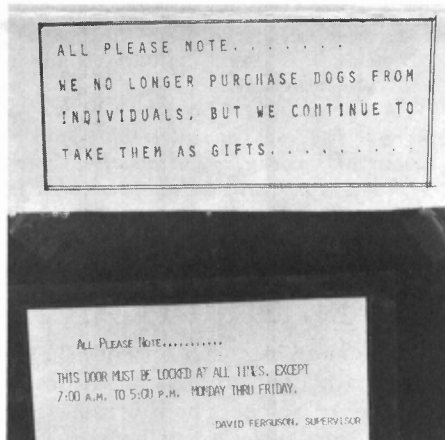
Even if no laws were being violated, enlightened self-interest should prevent Mayo's from dehydrating its experimental dogs, destined to be used in experimental surgery. Recovery from surgery is directly dependent on adequate hydration. How many dogs has Mayo's subjected to novel surgical procedures only to see them die for lack of the most basic necessity of life: water?

Mayo's reportedly used an average of 2,000 dogs per year over the past three years. Until the recent dog theft scandal broke in local newspapers and television, Mayo's purchased dogs at the door directly from people who told them they wanted to sell their dog. Even now Mayo's accepts "gifts" of dogs. Note the photograph of the sign now posted outside the door of the

Somebody had kicked him. When you touched his sides, he'd yelp . . . He was very thirsty. He drank an ice cream bucket full of water, and he was hungry. He was coughing."

Mayo personnel gave some of the dog owners a hard time. "They were trying to make Rex's owners pay . . . I think the vet over there changed his attitude towards me and Carol when he saw Randy . . . He was giving us grief and then when Randy came in, he just shut his mouth and took us back there." Randy said, "There was a short, fat, stocky guy who had a bad attitude. That's the one that asked Ella how much she would give them to get their dog back."

Mayo Institute stating: "ALL PLEASE NOTE . . . WE NO LONGER PURCHASE DOGS FROM INDIVIDUALS, BUT WE CONTINUE TO TAKE THEM AS GIFTS."



Sign posted on door to office of Mayo Institute Hills Farm and on the kennel door.

Action 81, under the leadership of Mary Warner, has focussed public attention on the theft of dogs for sale to laboratories and the pet industry, and has provided information used in the best selling novel *Nop's Trials* by Donald McCaig. The address is Action 81, Route 2, Box 151, Berryville, VA 22611. The telephone number is 703-955-1278.

fairs and to set their own standards. Nor can a solution be found in long philosophical polemics on the rights of animals or on human duties toward them. This is a problem for society as a whole.

The word *alternatives* has come to have a special meaning in this context — to include all procedures which can completely replace the need for animal experiments, reduce the numbers of animals required, or diminish the amount of animal suffering. The range of available or potential alternatives includes:

- improved storage, exchange and use of information so that needless repetition can be avoided;
- improved design of experiments, including the involvement of statisticians at the design stage and not merely in the assessment of the data obtained;
- mathematical modelling of structure-activity relationships and of biochemical and physiological processes;
- the use of lower organisms, such as bacteria and fungi, as in the Ames test for mutagenicity;
- *in vitro* techniques, including the use of subcellular fractions, short-term cellular systems (cell suspensions, tissue biopsies, tissue slices, whole organ perfusion), and tissue culture (the maintenance of cells, tissues, and the whole or parts of organs in a nutrient medium for 24 hours or longer);
- human studies, including epidemiology, post-marketing surveillance and the carefully regulated use of human volunteers.

These alternatives have not yet been developed to the point where they could replace animal experimentation on a significant scale. That will require time, patience, research of the highest scientific calibre, and rigorous and independent assessment of what is achieved and the new methods that are proposed.

Tissue Culture

FRAME's main research project is concerned with the use of cell-culture methods in toxicology. There is a good chance that a number of quantitative tests for general cell toxicity will be devised, for use in combination with tests for genetic toxicity and non-biological alternatives (e.g. mathematical modelling), for screening large numbers of chemicals, and for selecting candidate chemicals for further study. Such a *first-order test system* would contribute to a reduction of acute toxicity testing in animals.

A wider range of cell-culture methods for various specialized cell types (e.g. from the liver, kidney, pancreas, skin, nervous system) will also be developed, for use as part of a *second-order test system* for predicting the likelihood of adverse effects in particular organs in the intact body. FRAME also hopes to establish related research projects on the use of human tissue culture and on the use of tissue culture in drug discovery.

It is vital that an intelligent strategy be devised, both for the development of the alternatives and for their integrated use. The various non-biological and biological

continued on page 4

ALTERNATIVES TO ANIMAL EXPERIMENTATION

by Michael Balls, Chairman of the Trustees of FRAME (Fund for the Replacement of Animals in Medical Experiments) Headquarters: 5b The Poultry, Nottingham NG1 2JR, United Kingdom

It is now widely felt that for ethical, scientific, economic and political reasons, the current reliance of biomedical research on live animal experiments cannot be allowed to continue. FRAME was founded in 1969 to seek cooperation with scientists, industrialists, politicians and members of the general public, in a search for realistic alternative approaches. Through its scientific journal (*ATLA, Alternatives to Laboratory Animals*), its quarterly bulletin (*FRAME News*), its independent Toxicity Committee, its multi-centre Research Program, and its educational campaign, FRAME seeks to identify and to stop those animal procedures which are unnecessary, to encourage the refinement of those procedures which are for the time being necessary, and to promote the development of valid alternatives.

The current trend toward extremism and confrontation results from a lack of agreement on what should be done to solve the problem. I do not consider that the answer can be provided either by those who call for

an immediate and total ban on all animal experiments or by those who argue that scientific research by any means and for any purpose is justified, and that scientists should be left alone to regulate their own af-

191

Alternatives continued

alternatives should not be seen as rivals, but as partners in the search for ways of predicting effects and responses in man without such ready resort to animal experiments.

Political Initiatives

Governments inescapably play a central role in all questions related to animal experimentation because:

- they permit and regulate the use of animals in laboratories (in the UK through the Cruelty to Animals Act of 1876);
- they require animal experimentation (through regulations which control the introduction of new drugs, pesticides and other chemicals);
- they fund animal experimentation (either directly in their own institutions or indirectly through grant-giving bodies);
- they are elected by citizens who have views on this issue;
- they have the power and resources to encourage the development of alternatives.

On this last point, positive action has been taken by the Swedish government through its National Board for Laboratory Animals, which gives grants for alternative research, while the Swiss government has recently announced that a specific sum for this purpose has been set aside by the *Fonds*

National Suisse. Government initiatives could also contribute to reducing both the number of animals used in toxicity testing and the amount of distress suffered by animals which still have to be used. What is needed is international harmonization of regulations so that:

- regulatory guidelines are guidelines and not requirements;
- animal toxicology does not have to be repeated for the regulatory authorities of other countries unless valid reasons are given; i.e. there should be mutual recognition of foreign data;
- tests are not required in species which can be proven in advance to be inappropriate as models for man;
- numerical indices (e.g. the LD50) are not overvalued or used as substitutes for proper toxicological investigations;
- what is pointless is identified and discontinued, the prime example here being the classical LD50 test, which should be abolished for many categories of chemicals, including pharmaceuticals;
- there is continuous reappraisal of safety evaluation tests in the light of new scientific knowledge.

If animals *must* continue to be used in laboratories, we *must* be more concerned about their treatment and welfare. There is no country in the world where standards of care and supervision could not be raised.

experiments involving animals may be eroding, the result of 'politically sophisticated critics' who are attacking animal experiments as unnecessary and inhumane. NIH arguably have a role in public education to counter this trend, but need not sacrifice integrity in the process. If 'political sophistication' means issuing meaningless regulations for the sake of appearances, NIH are better off with naivety. Or is it that by invoking the bogey of rabid antivivisectionists seeking to shut down biomedical research, NIH hope to distract attention from some serious proposals for reform (as opposed to revolution)?

Turning to "sensible criticisms from sensible people", *Nature* points out that Senator Robert Dole "has introduced legislation that, while respecting the absolute freedom of researchers to design scientific protocols and to make their own judgements on the necessity of using animals, would clamp down on some of the more serious persisting abuses in the care of laboratory animals and their use. The bill would require the use of analgesics, tranquilizers and anaesthetics except when scientifically impossible, would forbid the use of the same animal in more than one major operative procedure and would require either proper postoperative care or prompt euthanasia. Enforcement would be left largely to the animal care committees, which would have to certify in regular reports that experimental procedures involving animals followed these requirements. Significantly, the bill does not limit the freedom of scientists to proceed with such experiments; it does, sensibly, require that investigators 'consider' alternatives and consult with a veterinarian in planning procedures involving unanaesthetized animals.

There is hardly anything subversive about these proposals. (Nor is there anything subversive in demands of animal welfare activists, such as Mrs. Christine Stevens of the Animal Welfare Institute, that inspections now required by federal law should actually be carried out to ensure that laboratory animal care meets the published guidelines — which means basic things like clean cages, proper food and proper ventilation.) The US Department of Agriculture, which is charged with carrying out the inspections, has never been given the funds to discharge its responsibilities under the law. Yet such inspections as it is able to carry out reveal continued problems in these basic necessities for humane care. NIH would do well to face up to these issues, rather than issuing pronouncements full of sound and fury that signify nothing."

Taub grant termination confirmed

The Department of Health and Human Services Grant Appeals Board issued a final ruling May 21 on the termination of the grant to The Institute for Behavioral Research. Principal Investigator Edward Taub appealed the previous ruling and a seemingly interminable hearing took place.

Continued on page 9

Everybody's talking about laboratory animals

Never before have there been so many symposia and meetings focussed on the way laboratory animals are treated. Starting with the National Institutes of Health symposium held in the National Academy of Sciences auditorium April 11 and 12, research and test animals have drawn substantial scientific audiences from all over the country.

■ The National Coalition for Science and Technology sponsored a workshop, "The Use of Animals in Research and Testing", May 7, 1984.

■ The University of Cincinnati Medical Center held a conference April 26-27 entitled "Humane Care of Animals."

■ The Scientists Center for Animal Welfare sponsored a workshop at The John Hopkins University May 21-22 entitled "Animals and the Scientist: Institutional Responsibilities. How to Run Effective Animal Care and Use Committee." Interest ran so high that people had to be turned away even with their \$95 registration fee in hand.

■ Yet to come is The National Capitol Area Branch of The American Association for Laboratory Animal Science session "Laboratory Animal Welfare — Points of Agreement" scheduled for September 26, and the three meetings announced by NIH for comment on the proposed new policy on Laboratory Animal Welfare, July 19 in Kansas City, July 24 in Boston, and August 3 in Seattle.

■ *Nature* magazine's Opinion Section, May 3 carried a commentary on that new policy statement entitled "Double Talk on Animals — NIH seems more ready to risk its reputation than to meet serious critics on animal care". After comparing NIH's new style to that of antivivisectionists, *Nature* continues: "One has to feel even more uncomfortable at the nagging suspicion that NIH's simultaneous announcement of a new and supposedly tougher set of rules for the care and use of laboratory animals is nothing more than a part of this same public relations campaign. This conclusion can only be reinforced by NIH's simultaneous release of a study of animal experimentation at ten research institutions, chosen at random, that finds the old rules are working fine and that there are no problems to correct. If so, why correct them, unless the aim is to make a — very public — point?"

"In reality, the new regulations, which are published as a proposal open for public comment, do very little. Research institutions under the new regime will not only have to 'commit themselves to implementing' animal care requirements — they will now have to 'implement' them, a major crackdown if there ever was one. The only substantive change in the proposal is that

the institutional animal care committees, charged with monitoring the use of laboratory animals at each research institution, would have to include one outside member.

"NIH director James Wyngaarden set the tone for the NIH stance when, at last month's meeting, he declared his 'deep concern' that public support for laboratory

Long-time friend of animals and science introduces H.R. 5725

Congressman George E. Brown, Jr. (D, CA), who has been a leader in animal protection and in the advancement of science, introduced H.R. 5725 on May 24, 1984, to amend the Animal Welfare Act to ensure the proper treatment of laboratory animals. The bill is similar to Senator Robert Dole's S. 657, and it begins with the same findings:

"The Congress finds that —

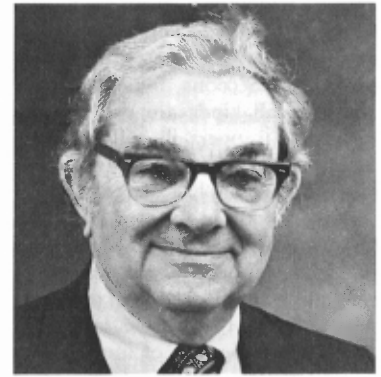
"(1) methods of testing that do not use animals have been developed which show promise of being faster, less expensive, and more accurate than traditional animal experiments for some purposes and further opportunities exist for the development of these methods of testing;

(2) measures which eliminate or minimize the unnecessary duplication of experiments on animals can result in more productive use of Federal funds; and

"(3) measures which help meet the public concern for laboratory animal care and treatment are important in assuring that research will continue to progress."

Congressman Brown guided through the House the 1978 Humane Slaughter Act which empowered inspectors at all federally inspected plants to stop the slaughtering line on the spot if any cruelty occurs. Senator Dole was responsible for the bill's passage in the Senate.

Congressman Brown brought about the National Institutes of Health symposium, "Trends in Bioassay Methodology," which discussed alternatives to laboratory animals. He is Chairman of the Subcommittee on Department Operations, Research, and Foreign Agriculture of the House Agriculture Committee and former Chairman of the Subcommittee on Science, Research, and Technology; and as he stated when he introduced the bill, "I have spent many years studying the use of animals in experiments." He further stated: "... the trauma experienced by these animals from procedures necessary to the experiments should be the only trauma they must face. Dehydration, poor sanitation and ventilation, lack of presurgical and postsurgical operative care and lack of exercise — when not interfering with specific research pro-



Congressman George E. Brown, Jr.

col — and any other situation resulting in pain to animals from simple negligence is not acceptable and should not exist. Poor animal care works contrary to the success of the research. Ill, malnourished or weak animals will not perform or react in the same fashion as healthy animals. Proper care of laboratory animals increases research integrity and accuracy, and thus benefits our society."

USDA brings additional charges against Missouri dealer

JoEtta L. Anesi, in business as Jo's Kennel, at Kirksville, Mo., has been charged repeatedly with violating standards of the Animal Welfare Act by the U.S. Department of Agriculture.

According to Dr. Robert B. Moody, chief veterinarian in Missouri for USDA's Animal and Plant Health Inspection Service, APHIS is asking for a \$1,000 fine, revocation of the kennel owner's federal license, and a cease-and-desist order against future violations of the act.

Moody said in addition to previous charges, five inspections conducted in 1982 and 1983 revealed multiple deficiencies including those regarding structural strength of facilities, storage of food and bedding, watering, cleaning, sanitation, housekeeping and veterinary care. [Italics ours]

The important point is that APHIS is calling for revocation of the license. The usual practice is to suspend, so this means a real strengthening in the enforcement process.

Anesi has 20 days to answer the new APHIS charges and can request a hearing before an administrative law judge. Failure to answer constitutes admission of the charge.

Massachusetts

In Massachusetts dogs and cats who stray from home will be safer owing to a new state law, signed by the Governor last December. Much publicized because it bans sales of dogs and cats from pounds to laboratories, it also contains important humane provisions on euthanasia and on the activities of dog officers throughout the state.

Key provisions are:

- Dog officers must complete a course on euthanasia techniques. They must check all dogs against the list of licensed dogs in the city or town where they were found. They may not be animal dealers, nor sell to animal dealers or laboratories.
- Except in an emergency, gun shot may not be used to kill animals, and T-61 may not be used except under supervision of a veterinarian. Electrocutation and succinyl choline are both prohibited.
- Complete records must be kept on each animal and on its final disposition including the method of euthanasia if used.
- Section 8 provides for licensing and inspection of research institutions that

use animals. Licenses must be renewed annually and are issued by the Commissioner of Public Health "unless, after notice and hearing, he finds that the research institution by reason of its standards, facilities, practices, or activities, is not a fit and proper institution to receive such license, and that the issue thereof is not in the public interest." Provision for suspension or revocation of licenses is made.

- The Commissioner is empowered to make regulations and designate agents to visit the institutions. The Massachusetts SPCA and the Animal Rescue League of Boston are named as agents that may be selected by the Commissioner. The animals benefitting from the regulations are dogs, cats "and all other sentient creatures except humans."

Japan's Schweitzer Medal winner continues her good work

Back in 1978 AWI awarded the Schweitzer Medal to a young Japanese lady for her stalwart work on behalf of Japan's laboratory animals and, in particular, for her devoted care of post-operative dogs. Six years on we learn (from the Japan Animal Welfare Society, JAWS) that Miss Yoko Muto is still engaged in this work — down in the basement of an old teaching hospital in Tokyo.

In its latest newsletter JAWS also reports on a colleague of Yoko Muto's, Miss Yamaguchi who is a veterinarian. Her task is to visit research establishments and to try to lighten the load of animal suffering she invariably finds there. It is an uphill battle. JAWS speaks of the "depressing repetition of small cat cages, chained dogs, inadequate food and water, inadequate light and ventilation, the continued use of strychnine for killing wild dogs, the continued use of decompression chambers and the fact that officials listened and understood what she was saying but still did nothing."

Meanwhile back in the hospital basement Miss Muto and her helpers not only tend and care for their unfortunate dogs but also take in strays as pets while trying to find them new homes.

On October 1, 1986, the prohibition against laboratory use of impounded dogs and cats is extended beyond Massachusetts boundaries. No impounded animals can be imported into the state for that purpose, and institutions are required to report in 1984 and 1985 on their "plans for discontinuation of the use of such animals."

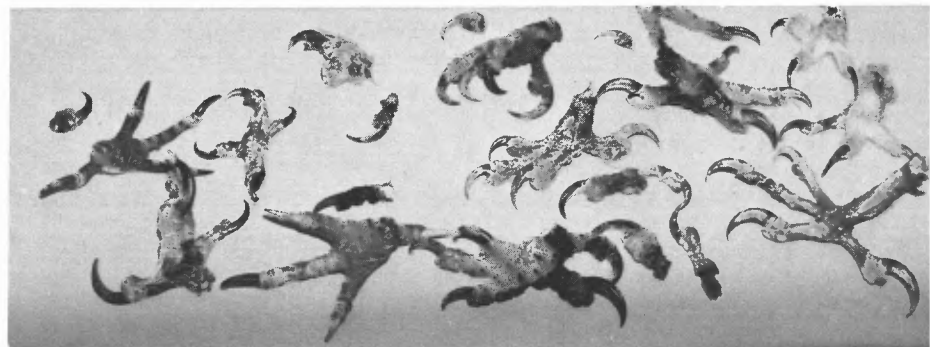
any action on their part which might jeopardize the water supply. This watershed area is particularly attractive to me, as a naturalist, for raccoons, fox, deer, beavers and birds of all kinds are protected here. Nevertheless, trappers illegally invade the area and, in recent years, since the price of long haired wild furs has soared, it is hardly safe to take a walk in the region.

On that day in October when my dog "Zoe" was trapped, I was enjoying the autumn leaves in this section of the Ramapo Mountains when I heard her screams. She is a shepherd-collie mix of unusually stoic temperament. Her veterinarian describes her as the most uncomplaining dog she has ever treated. So when I heard her anguished cries, I knew she was suffering terrible pain. I ran to her side and discovered that her front toes were tightly clamped in steel jaws and her violent efforts to jerk free were exacerbating her pain. It was apparent that if I did not release her quickly, she would dislocate all of her toes. Yet I could not do this, for the dog was yanking and pulling against the trap with such violence that I did not dare to pull it open for fear the tightly sprung device would be jerked from my hands and snap shut again on the animal's already injured paw. I called for help at the top of my lungs and a companion came running. Together we released the dog; I held Zoe tightly to restrain her, while he, needing both hands to do so, opened the trap. Because we managed to release the dog within minutes of her becoming trapped, she sustained no permanent crippling. Had I not been present to restrain her from self injury, however, she certainly would have dislocated all of her toes.

My neighbor's cat was not as lucky as "Zoe." It disappeared in the middle of winter and when a two-day search failed to turn up the missing animal, my neighbor, Mr. Thomas Wagner, presumed his pet was dead. However, on the third day, her pitiful mews were heard and the cat was discovered caught by a hind leg in a leghold trap. The animal was in terrible condition. Her leg had frozen and ultimately had to be amputated. My neighbor, Mr. Thomas Wagner, had to make a decision whether to have her "put down" or attempt surgery on her mangled leg. He chose the latter course, and today the cat hobbles about and cannot be allowed outside for it can no longer protect itself from dogs by running up a tree.

Two other dogs in this presumably protected area were also caught in traps. One, a Dalmatian puppy whose bones were still soft, suffered permanent crippling. The other, a full grown Norwegian elkhound, recovered from painful injury in about a month's time.

Those incidents point up a number of misconceptions commonly held regarding the leghold trap. Number one: The weight of a trap does not in itself determine the extent of the damage it can inflict. The normal reaction of a trapped animal is to try to escape. My dog would have dislocated her



Eagle feet amputated from victims of steel jaw traps to save them from gangrene

photo — H. Ryden

toes in short order had I not been nearby to prevent her from doing so. I have observed animals in the wild who have chewed off a leg to gain escape from a trap. Number two: Traps are everywhere. No one's pet is safe from these barbaric devices. Number three: Trapping regulations are of no protection to pets or wildlife. None of the traps described above were marked with identification tags as is required by law. Several were set out-of-season. All were placed on private, posted land.

The flouting of existing trapping laws cannot be dismissed as an isolated phenomenon peculiar to New Jersey (which state, incidentally, has now seen fit to ban the leghold trap.) While conducting field research in the West, I frequently found illegal, unmarked and out-of-season traps on our public lands. In Arizona an angry rancher (who within the space of a day suffered the crippling of his two most valuable herding dogs and an injury to his two year-old grandson) led me to forty-one out-of-season and unmarked traps set on the public grazing land he leased. He told me it would be dangerous for him to protest. If he did so, he said, the trappers likely would react by shooting his water tank full of holes or by leaving his gates opened. I promised not to use his name when I called the Arizona Game and Fish to register my complaint: The game warden I spoke with responded as follows:

"Enforcement of trap laws is a heart-breaking job. We can spend four days a week and that's not enough. The answer is a drop in fur prices. If prices fall, trappers won't bother with the coyote and fox that much. We only have 51 men to patrol the whole state. Judges can fine \$300 for trapping offenses but they never do it. The \$30 trapping fee was meant to slow down trapping but they're just not bothering to get licenses. Don't quote me on this, but everyone would agree with me."

The Arizona Department of Game and Fish is evidently resigned to the unenforceability of what trapping regulations do exist. Still, another conservation officer told me:

"Each officer has 2,000 square miles of rugged terrain (to patrol). Poachers are willing to take the small risk of being apprehended and the even smaller risk of trapping out-of-season and without a

license."

Arizona need not be singled out as an isolated example of poor law enforcement. In Idaho, in 1979, while attempting to track bobcats and observe their behavior for a book I was then writing (*Bobcat Year/Viking Press*), I encountered even more flagrant abuses than what I had seen in Arizona. The whole business of trying to locate bobcats in Idaho wilderness areas was discouraging. The animal, elusive by nature, had been overtrapped to an unknown extent throughout the state. I say "unknown extent" because records of trapping pressure on a species must necessarily rely on "reported" take. Poachers, of course, do not cooperate with game and fish personnel to report either the animals they meant to harvest or those unwanted animals they have caught inadvertently and disposed of. Poaching is rampant in Idaho. In 1980 one dedicated law enforcement officer lost his life to an irate poacher who gunned him down in order to escape being cited for his illegal activity.

As a result of the difficulty I had locating bobcats to study in the state of Idaho, I decided to look for a research area that was off-limits to the public, one in which trapping was not permitted, and I found what I regarded as the ideal spot — the National Nuclear Reactor Testing Station — a 640 square mile high security region. After obtaining the necessary clearance and permissions to enter the area, I went to work there looking for my subject. But bobcats were scarce there, too, and after several weeks of poorly rewarded effort, I discovered why. The security officers who patrolled the area found 80 leghold traps set for bobcat!

The fact that trappers do not even respect such a high security area as a nuclear testing station is clear evidence that this activity is ungovernable — one in which participants are willing to flout regulations for whatever monetary or psychological reward trapping brings them. Throughout Idaho conservation officers were even more hard put to patrol and enforce laws in rugged wilderness areas than had been those officers I spoke with in Arizona. Each warden in Idaho was responsible for patrolling a 3,000 square mile district. Poachers and scofflaws had not the least difficulty eluding detection.

Hearings on H.R. 1797 to end the use of steel jaw leghold traps are scheduled for August 3, 1984 in the House Subcommittee on Health and the Environment. Hope Ryden, author and naturalist tells why the steel jaw trap should go.

And what of the wild animals I have seen struggling against desperate odds to make a living in bitter winter weather on only three legs? I have many photographs of coyotes in this condition. In the winter of 1973 I watched a full grown but still young three-legged coyote posture and beg like a puppy before an adult pair who then regurgitated food for it. I surmised that the three-legged animal was one of their young of the previous year. On another occasion I found a badger paw in a steel jawed leghold trap. The animal to whom it belonged had apparently wrenched itself free from the brutal device by wringing off its all-too-important front leg. Badgers, as you know, must have two front paws in order to burrow.

bald eagle caught in one of their traps and likely would turn the bird loose without benefit of medical treatment. Such untreated birds, he stressed, would stand little or no chance of surviving. Redig's experience treating 59 trap-injured bald eagles clearly demonstrates that even those birds whose traumas appear to be slight steadily worsen. Tissue damage caused by lack of circulation below the point of trap constriction almost inevitably results in the death of the leg. Redig took me on a tour of the bird wards and showed me a number of one-legged eagles which could never be released, for eagles need their feet to kill food.

While at the Raptor Rehab Center, I saw a screech owl brought in with both legs



Trapper victory over a coyote.

Daniel J. Kelly



Daniel J. Kelly

And while on assignment for GEO magazine to study and write about the American bald eagle, I visited the University of Minnesota Raptor Research and Rehabilitation Center in St. Paul, where I was shown a drawerful of eagle feet — thirty in all — that had been amputated from birds crippled in leghold traps.

Of the 237 bald eagles that have been brought to this clinic for treatment since it opened, 59 or 24% have been victims of the leghold trap. The veterinarian in charge, Dr. Patrick Redig, expressed the opinion that these trap casualties represented only the tip of the iceberg. Most trappers, he said, would be too ashamed to bring in a

chopped off by a leghold trap. That bird, of course, had to be euthanized.

Dr. Redig named the species that have been brought to his avian clinic with severe trap injuries, a total of 300 birds. These are: The barred owl, the great horned owl, the red tail hawk, the rough legged hawk, the goshawk, the screech owl, the broad winged hawk, the golden eagle and the bald eagle.

The above descriptions are but a few of the experiences I have had in the fifteen years I have studied wildlife. During this time I have become convinced that the leghold trap is a device that ought have no place in responsible stewardship of wildlife. What few laws are in place to regulate this so-called sport have proved useless. It is time to get rid of the device altogether for it is inherently cruel and non-selective. To what extent the leghold trap has impacted threatened and endangered species will never be known. These unwanted victims are an embarrassment and are not reported.

To obtain some idea of the incidence of crippling of wild animals caught by the steel jawed leghold trap, I would like to call your attention to a four year study conducted on the Wheeler National Wildlife Refuge in Alabama by Thomas Atkinson and published in the *Journal of Wildlife Management*.

Eighteen trap permits were issued to local citizens who trapped from the beginning of the fur season in late November until the end of the season in late February. The most common trap used by these people was the long-spring size 1 1/4 although some No. 3 and No. 1 traps were used, as well as coil spring, long spring, jump, single jaw, double jaw and high grip. One stipulation was made: The men granted permits to trap on the Refuge were required to report all crippling that resulted. For purposes of the study this would include all animals that had pulled out of traps by wringing off or gnawing off feet. The following information



Daniel J. Kelly

resulted:

- 1) 209 mink were caught during the four year study; an additional 79 were crippled (27.6%).
- 2) The raccoon catch was 429; an additional 137 raccoons were crippled (24%).
- 3) 962 opossums were trapped; 19 were crippled. This lower incidence is likely due to the docile nature of this animal.
- 4) There were 196 foxes (red and gray) trapped; 69 additional foxes were crippled (26%).

Since the study covered a four-year period and involved individuals with varied degrees of trapping skill using a variety of trap sizes and types and experiencing all kinds of weather conditions, the percentages here should give a good indication of the extent of this problem.

Most nations now recognize the truth about trapping. Fifty countries and three states no longer permit use of the leghold trap, holding it to be a non-selective, ecologically damaging device that inflicts unnecessary suffering on animals.

I urge the members of this committee to recommend passage of H.R. 1797. It is past time that the United States join these enlightened nations and ban the cruel and non-selective steel jawed leghold trap.

Greece greets its spring visitors with hail of bullets

In Europe the EEC Directive which forbids the killing of migratory birds continues to be brazenly flouted. Previous issues of the *Quarterly* (see summer 1982 and winter 1984) have drawn attention to the callous disregard of the ruling by, in particular, Italy and France whose hunters twice a year, spring and fall, indiscriminately shoot, snare, net and lime tens and even hundreds of millions of birds just for "fun". The trigger-happy ranks have now won a new recruit, the EEC's youngest member, Greece.

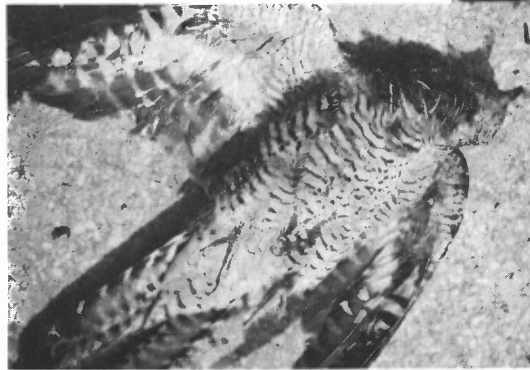
On joining the European club in 1981 Greece dutifully acceded to the club's rules and outlawed the time-honored seasonal slaughter. But this year the government has reneged on its obligation by once more permitting a spring shoot.

It so happens that Athens was the site of the 4th European Ministerial Conference on the Environment last April. The Greek Minister for the Environment, Dr. Antonis Tritsis, gave assurances that spring shooting was negligible, "purely a matter of regional cultural patterns, restricted to limited areas and confined to turtle doves." But is the Minister really aware of what is going on in the Greek countryside?

It appears not. For immediately after the conference Dr. van der Ven, an observer to the Council of Europe for the International Council for Bird Preservation (ICBP), went for an all-day walk in the fields and found himself "nearly always surrounded by hunters." At the end of the day the hunters had bagged so many cuckoos, golden orioles and red-footed falcons that it was sometimes hard to find the "legitimate" turtle doves amongst them.

Had Greek hunters, in deference to the Minister's beliefs, confined their spring shoot to turtle doves, huge numbers of migrating birds would have been spared. Nevertheless the hunters would still have been in breach of the EEC ruling. For while the Directive gives year-round protection to a great many migratory species, it gives *seasonal* protection to those birds, principally game birds, for which hunting is allowed. And one such bird is the turtle dove — a game bird in France, Italy and Greece. The Directive unequivocally requires that "species to which hunting laws apply are not hunted during the rearing season."

There are two main aspects of this whole murderous business: one, the humane is-



On the left, a dead cuckoo and above, an assortment of song birds killed in Greece.

sue, the scale and savagery of the slaughter; two, the conservation issue, the senseless threat to species whose populations are already dangerously low. The trouble is that ornithologists are themselves an immensely rare species in many Mediterranean lands. Greece, for example, has over 250,000 hunters but only a handful of serious bird-watchers — well under 100. There is thus little pressure on these governments to protect birds and a great deal of pressure the other way.

Public education is clearly the primary task. And this is the focus of the *Campaign for Conservation of Migratory Birds* which

ICBP and the International Waterfowl Research Bureau are jointly undertaking. Drawing from a basic list of 96 Mediterranean birds, ICBP has developed a bird book for several Mediterranean nations. When published this will in some cases be a country's only reference book on its own birds in its own language.

For further information, or if you wish to contribute to the protection of Mediterranean migratory birds, write to: *European Committee for the Prevention of Mass Destruction of Migratory Birds, International Council for Bird Preservation, 219c Huntingdon Road, Cambridge, UK.*

China's bird week

In China under the auspices of the Forestry Ministry the *National Association of Wildlife Conservation* as founded last December. Star billing goes to the giant panda — every one of China's one billion people is being asked to contribute "a small coin" to its preservation.

But other animals are not being ignored. During the spring the Association sponsored a "bird-loving week" — the week varying with climatic differences in this huge country. It took the form of an educational drive in schools and villages.

No more wild bird sales in New York?

by Greta Nilsson

For the first time, there is a chance to stop the inhumane trade in wild birds for the cage bird trade. Each year, thousands upon thousands of parrots, macaws, finches, toucans and other birds are captured in the wild and shipped to the U.S. and other countries for the pet trade, killing thousands in the process. As many as four wild birds may die for every one that reaches the pet shop alive. Just since 1980, AWI has learned from mortality reports obtained from the Department of Agriculture, nearly four million birds have been imported into the U.S. and of these, 500,000 died in transport or in quarantine stations. Some shipments involve a huge mortality — 468 of 750 Grey Parrots from Senegal arrived dead at New York's Kennedy Airport recently and 1648 of 3624 Nanday Conures were dead in a shipment arriving in Los Angeles last September.

The New York Bill, Senate 9472, bans the sale of wild-caught birds in New York State, and it is presently awaiting Governor Cuomo's signature. Captive-bred birds are readily available and could supply the market but cage bird dealers make a far larger profit margin from the sale of wild birds and therefore have touted them to the pub-

lic as ideal pets. Not only do many of these wild parrots and cockatoos die in transit and in quarantine, but many die in the totally unnatural environment of people's livingrooms — a stress that is too great for many of them. Some can spread Exotic Newcastle Disease to poultry or psittacosis to humans, and they are much better off in

the wild where they are far less likely to succumb to disease.

Baby parrots are the saddest example of this cruel trade — taken from their tree-hole nests often by cutting the tree down and killing some in the process, they are crammed into small crates and shipped from trader to trader, many dying along the way, until they arrive in U.S. quarantine stations or even worse they are smuggled into the country in car door panels, hub caps or under seats in cars and vans. One such shipment of 259 baby Yellow-headed Parrots smuggled in from Mexico a few years ago suffered a 100% mortality from Exotic Newcastle Disease after they were discovered by U.S. Customs Officials.

This New York bill is a major step toward confining the trade in cagebirds to those raised in captivity. Budgerigars, canaries, cockatiels and Zebra finches are among those birds raised exclusively in captivity. Many are bred in Taiwan, South Africa and Europe, and mortality data shows that fewer than 5% of captive-bred birds imported into the U.S. die in transit or in quarantine. This is far lower than the 20+ % of wild birds that die between export from their native country and release from U.S. quarantine stations.

Some of the importers in wild birds have even found a way to profit from the thousands of birds that die in their care. They send them to museums as "specimen

continued on page 11

Wolves win in Minnesota

In a splendid decision preventing trapping, shooting and selling the fur of wolves in Minnesota, US District Court Judge Miles W. Lord voided the US Interior Department's August tenth regulations, which the Judge found unlawful in all respects. Excerpts from his decision follow:



photo—MGM

Two wolves

"The court has listened to the arguments of the defendants that a sport season is needed to enhance the value of the wolf in the eyes of the public. In this respect, the court is aware that some wildlife experts feel that a sport season would reduce the level of wolf-human conflict. It is argued that the public in northern Minnesota sees the wolf as having little value. This is said to contribute to the estimated number of 250 illegal killings that afflict the wolf each year. While these illegal killings must be stopped, this can hardly be accomplished by allowing a sport season and creating a market in wolf pelts. An attempt to "manage" the wolf in this manner is to treat the wolf as a furbearer, and not as a threatened species whose value is determined by its rightful

place in nature. While some may place value on the wolf because of its fur or simply as a game animal, the Endangered Species Act has given the wolf a status much more important — it is a protected animal that all persons must seek to conserve. If this is not done, the result is obvious. There will simply no longer be a wolf-human conflict, for there will be no more wolves.

"In addition to the regulations allowing a sport season and trade in wolf pelts, the Secretary has sought to expand the current livestock predation control program beyond its present limits. The area in which the wolves may be trapped has gone from one-quarter mile, as previously ordered, to within one-half mile of the farm where the depredation occurred. More than that, there would no longer be a requirement that the trapper determine with reasonable cause the identity of the predating wolf or wolves. In addition, there would not be a requirement that the wolf or wolves be taken in a humane manner. These changes in the law are made without explanation. . . . This court has no choice but to conclude that these new regulations only go toward expanding the unnecessary taking of wolves, rather than being designed in accordance to the previous rulings of this court. Accordingly, these regulations concerning the predating control program are also determined to be illegal under the Endangered Species Act.

The hunters' guns still fire poison

Every year between 1.5 million and 3.8 million waterfowl die from unintentionally swallowing quantities of lead pellets while foraging for food on marshland, lakeside and river bottom. For years now environmentalists have been campaigning against this huge and cruel "incidental catch" by America's sportsmen. Time and again they have documented unambiguous cases of lead poisoning and urged — unavailingly — that hunters turn to steel

shot.

A recent case concerns the death in New Mexico of a rare whooping crane. The bird's gizzard was found to contain some 200 pieces of lead shot. Conservationist outrage, though, seems powerless to move officialdom — in the form of Mr. Ray Arnett, Assistant Secretary of the Interior for Fish, Wildlife and Parks.* He argues that lead poisoning of waterfowl is not a "serious" problem.

"Plaintiffs have urged that state and federal governments are doing little, if anything, to prevent the illegal killing of wolves. The court finds it very difficult to conclude otherwise when almost one quarter of the wolf population is illegally slaughtered each year. There is no evidence, at least in federal court, that anyone has been prosecuted for these killings. It is apparent that the manpower to enforce the law is there, the quid pro quo being the allowance of a hunting season. But the duty imposed by Congress to increase the wolf population does not hinge upon the existence of a sport season. Every step must be taken to enforce the law as it stands.

"The wolf has long been depicted in story and song as a mysterious menace to man's very existence. This concept of the wolf has become engrained in our attitudes and approach toward the wolf. As a result, we have been driven by an ethic which would lead to the wolf's extinction. But Congress has now mandated that each person who would slay the wolf must stay his hand. When Congress took cognizance of the fact that thousands of species of plants and animals had disappeared in past decades, and undertook to curb that desecration, it declared that the wolf had a value as an individual species in danger of extinction. We cannot depend on Canada, or Wisconsin, or Isle Royale, to ensure the prosperity of the wolf. The majority of the burden is ours, and with us it must stay. An increased 'war on wolves' in northern Minnesota will not be permitted under the law.

"For these reasons, IT IS HEREBY ORDERED that plaintiffs' motion for summary judgment is granted."

And so while lead shot continues to rain down on the nation's wetlands, and wildfowl in their millions continue to be poisoned, pleas for federal action continue to fall on deaf ears and stony ground.

**Ironically the Interior Department spends more than \$500,000 a year attempting to save the whooping crane, a highly endangered bird of which only about 100 now remain. It is time Interior got its act together on this issue.*

Distinguished newcomer to AWI Committee

We are pleased to announce that His Excellency Tabarak Husain, former Bangladesh Ambassador to the US and Mexico, has agreed to serve on AWI's International Committee. He has had a most distinguished and varied career in the diplomatic service. An economist by training, and specializing in international relations, he has participated in negotiations at the highest level in a great many countries.

Ambassador Husain thus brings to AWI a wealth of international experience and also — coming as he does from a developing non-aligned nation — a valuably different perspective on our "only one world".

The Ambassador's interest in animals is shared by his wife Uzra, and his three sons,

Riaz, who is at the World Bank, and students, Jamil and Taher. We warmly welcome him on board!



Ambassador Tabarak Husain

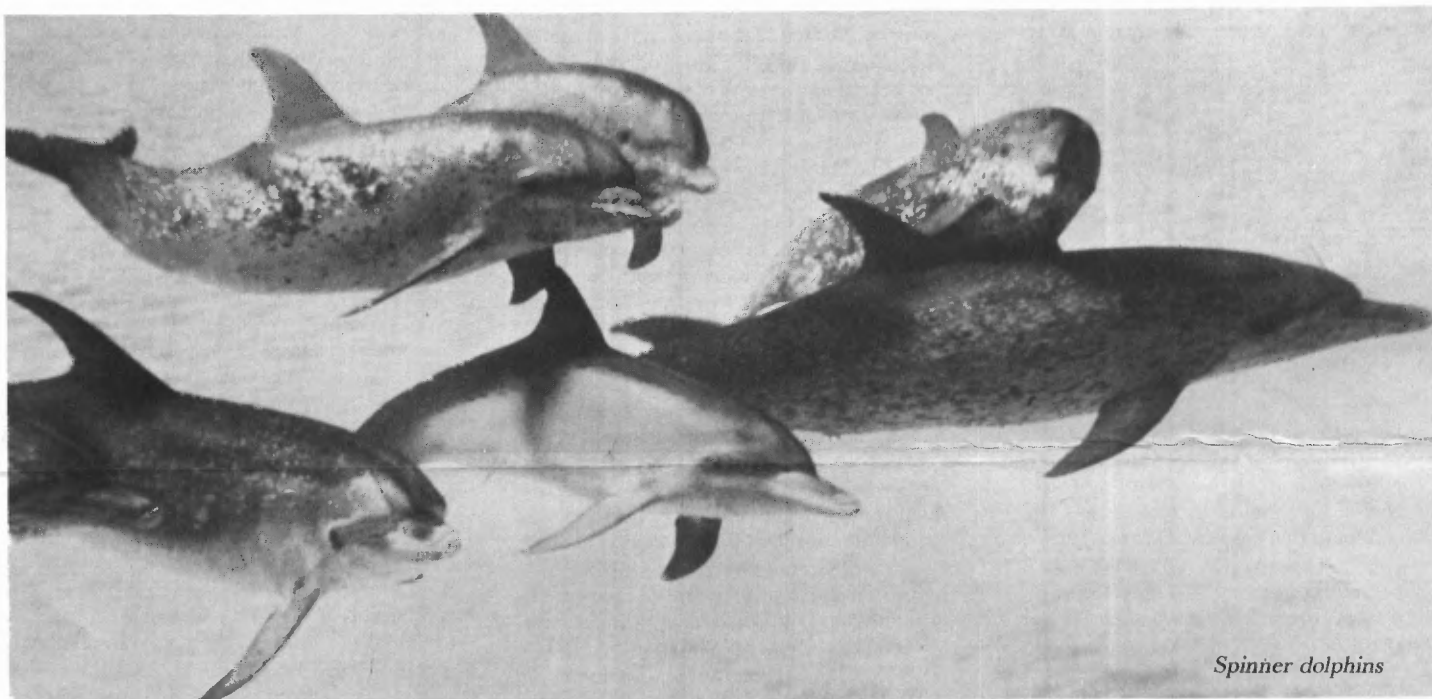
Taub continued

A footnote to the 35-page Decision indicates: "The Institute for Behavioral Research (IBR) and its parent institution, the Institute for Behavior Resources, Inc., participated in the PHS Board proceedings but chose not to appeal the decision further. However, IBR requested that the PI be allowed to prosecute the appeal before this Board."

The Board concluded that NIH's termination of the grant should be upheld "because IBR failed to materially comply with the terms and conditions of the award when it failed to purchase new animal cages, alter the ventilation system, renegotiate its animal assurance, and provide regular supervision and veterinary care by a veterinarian."

Where dolphins and people get on famously together

Monkey Mia is a remote and unspectacular stretch of Australia's Pacific coastline. And as they never could in a famous resort, dolphins and people there get on famously.



Spinner dolphins

Photo — Hardy Jones

It all began with Old Charley who turned up about six years ago. A young girl made first contact by feeding him regularly and he soon became accustomed to humans. He in turn showed his gratitude by rounding up the bony herring at precisely 7:15 am and nosing them towards the fishermen at the end of the jetty. Keeping them closely packed while the men jag-fished, he would only pick off the injured herring that got away. If by chance he got himself jagged, he would come in and almost beach himself while the hook was pulled out.

Then at 8:30 am, practically on the dot, Old Charley would scatter the herring in all directions and that would be the end of bait fishing for the day. Nobody thought anything of it; it was just the accepted thing that Old Charley brought the bony herring in every morning for everybody's bait. It is hard to think of a non-altruistic reason why he should do this, and it is little wonder that he became a legend. Probably the friendliest of all the dolphins to visit the area, Old Charley used to swim close to shore to give rides to kids. His open contact with man was cut short when someone shot him.

About the time Old Charley became a regular, the caravan park was established and more dolphins turned up. So did more people. Contact with dolphins seems to transform people of

all ages into glowing children again. They stand in knee-deep water with fish in hand while a dolphin quietly cruises in and gently receives the gift. This is usually followed by an audible squeaking that can only be interpreted as "Thank you."

Dolphins are not immune from accidents. The owner of the caravan park, Wilf Mason, relates how some children came running from the beach to tell him that one of the dolphins had a hook in her mouth. Armed with pliers he coaxed her into the shallows and spent 30 seconds wriggling out a large hook whose barbs were sunk deep in. During all this she lay quite still. Says Wilf: "From the moment I grabbed hold of the hook I had the feeling she knew exactly what I was going to do." He is convinced that dolphins can somehow pick up our thoughts and certainly our vibes.

A sobering experience about a year ago further emphasizes the dolphins' trusting nature. A new dolphin arrived and came straight into the beach which was unusual because the colony is very selective and invariably chases away intruders. Emitting a sound almost like a cry the dolphin vainly tried to swallow fish that were offered. No one could figure out what was wrong. Two days later the dolphin was found dead on the shore; a bullet had passed through the jaw, shattering the

hinge. Unable to feed, there was no way the dolphin could have survived. The amazing thing is that after being treated so harshly by a human it still sought human help.

Although the dolphins obviously enjoy the free handouts from the tourists, it is unlikely that all their food requirements are satisfied from this source alone. It is more the human contact that keeps the dolphins in the area. They seem to delight in giving leaping demonstrations — the more people on the shore, the bigger the show. If cameras are pointed at them they stick their heads out and grin, often four dolphins in a line.

All this without formal training. Can they have been practising secretly?

Adapted from the Australian magazine Simply Living.

Good news for dolphins

The tuna industry petitioned the U.S. Supreme Court to review the lower court decision upholding the Marine Mammal Protection Act authority to put federal observers on the tuna boats. (see *Animal Welfare Institute Quarterly* Vol. 32 no. 4) Industry wants to police itself despite clear evidence that it is incapable of doing so if a captain decides to flout the government regulations that help prevent dolphins from dying in the purse seines.

The Supreme Court declined to hear the case. The lower court decision to protect the dolphins stands.

Baby turtle riddle solved

What happens to baby turtles between their headlong scamper down the beach to the sea after hatching and their reappearance as full-grown adults either in the nets of shrimp fishermen or — if luck is with them — back on exactly the same strip of beach to lay their eggs? This was the puzzle which Dr. Archie Carr, from the University of Florida in Gainesville and one of the world's foremost authorities on sea turtles, had been striving to solve ever since 1951.

But no longer. The 33-year quest is now ended and the secret is out. From Georgia south to Panama, go 50 or 100 miles out to sea and you'll find floating rafts to seaweed called sargassum. And on these rafts you'll find tiny turtles, three to six inches long, happily fattening up on other lodgers in the shape of crabs, shrimps and jellyfish. After a year or so of this easy riding the surviving youngsters are now mature enough to leave their mobile home and come in closer to shore where they feed off the seabed.

So now we know where the baby loggerhead, hawksbill and green turtles go — at least those born on America's south-east coast and the coasts of the Caribbean. And we know they find energy for their long swim by feeding *en route* on the yolk of the eggs they hatched from, cunningly stored undigested in the stomach for just such an endurance trip.

But how many survive the journey — swooped on by voracious gulls as they waddle from egg to sea and snapped up by sharks and other finny predators thereafter? This we still do not know. Certain it is, though, that the answer is very few — a tiny percentage of those that started out.

Especially is this so nowadays. For added



Photo — Andrew Young

Sea turtle breaks free of its egg shell

to the hazards which baby turtles have had to learn to cope with over the millions of years of their existence is a new one: man-made pollutants. Along with juicy edible fare on their seaweed rafts the young turtles are now liable to find oil, tar and plastic debris. These things are not good to eat. Indeed they are lethal. Unhappily the turtles don't know this until too late.

Archie Carr believes that turtle mortality on the rafts has been growing in line with

the growth of pollutants. Which is just one more reason why turtle populations everywhere are showing signs of collapse — and one more reason why we should take urgent steps to stop polluting the oceans.

Birds Continued

birds" even though many are mutilated by fights with other birds in the crowded cages. One major natural history museum curator told AWI that he received a box of these dead birds from a New York importer. The birds were missing beaks, eyes, wings and some even heads! The importer sends the dead birds C.O.D. and then takes a tax write-off for the donation.

Another aspect to the trade is the shipment of protected species that are smuggled out of countries banning bird exports such as Brazil and Australia and shipped through other countries to be sold as pets. AWI research with quarantine forms revealed that over 6,000 protected birds have been imported by the U.S. since 1980. For others, the trade has depleted the species in the wild to near extinction. The Palm Cockatoo, Hyacinth, Green-winged and Scarlet Macaws, and Grey-checked Parakeet are only some of the species now rare because of the trade.

sion, which requires a ¾ majority voted 22 to 7 to allow an additional 337 to be killed but it is unlikely that the whalers can make ends meet without government subsidy in the coming season.

Japan, Russia and Norway all filed objections to the cessation after it was adopted in 1982 by a vote of 25 to 7. Soon they will have to withdraw their objections or become subject to the sanctions of US laws: the Pelly Amendment and the Packwood-Magnuson Amendment which can cut fish imports from offending countries and prevent them from fishing in US waters.



reduction impinges heavily on any profits. The small minke whales were not even considered worth the trouble of pursuing and butchering before the huge blue whales and fin whales had been driven to near extinction.

Japanese whaling interests used every means to obtain a quota of 7390 minkes. The IWC's Scientific Committee, however, noting how rapidly the populations of minkes are decreasing, recommended that no more than 3887 be taken. The Commis-

Animal Welfare Institute

Scientific Committee

- Marjorie Anchel, Ph.D.
- Bennett Derby, M.D.
- F. Barbara Orlans, Ph.D.
- Roger Payne, Ph.D.
- Samuel Peacock, M.D.
- John Walsh, M.D.

International Committee

- Aline S. de Aluja D.V.M. — Mexico
- T.G. Antikas, D.V.M. — Greece
- Ambassador Tabarak Husain — Bangladesh
- Angela King — United Kingdom
- Simon Muchiru — Kenya
- David Ricardo — Canada
- Godofredo Stutzin — Chile
- Ambassador Fumihiko Togo — Japan
- N.E. Wernberg — Denmark

Officers

- Christine Stevens, President
- Cynthia Wilson, Vice President
- Marjorie Cooke, Secretary
- Roger L. Stevens, Treasurer

Directors

- John Beary, M.D.
- Madeleine Bemelmans
- Gerard Bertrand Ph.D.
- Marjorie Cooke
- Christabel Gough
- David. O. Hill
- Sue Hunt
- Freeborn G. Jewett, Jr.
- Christine Stevens
- Aileen Train
- Cynthia Wilson

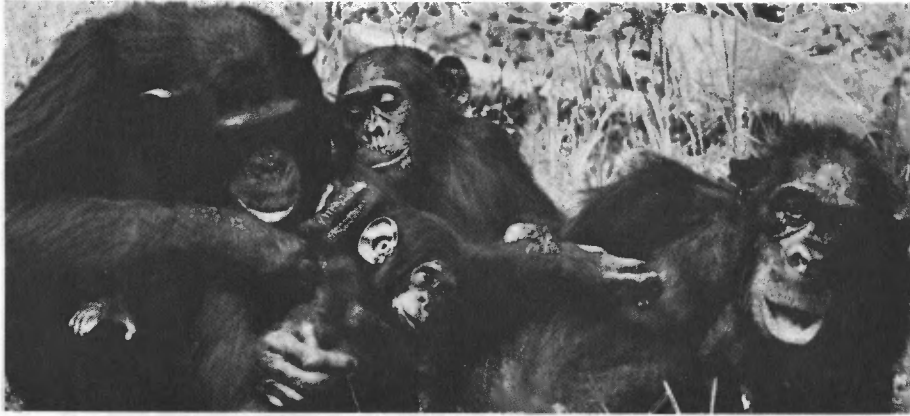
Staff

- Patrick Allen, Editorial Consultant
- Cynthia Bank, Administrative Assistant
- Diane Halverson, Research Associate for livestock and poultry

- Louise Wright, Research Assistant
- Lynne Hutchison, Whale Campaign Secretary
- Cathy Liss, Research Associate
- Elizabeth E. Cory, Publications Coordinator

- Lynda Power, Administrative Assistant
- Nell Naughton, Mail Order Secretary
- Greta Nilsson, Wildlife Consultant
- Adele Schoepperle, Assistant Treasurer

Japan and Sierra Leone in "diplomatic" chimp deal



Chimpanzee family

Japan has been a member of CITES since 1980. And high on the Convention's list of endangered species which may not be traded internationally is the chimpanzee. Sierra Leone, though not a member of CITES, banned exports of its native chimpanzees in 1978.

This West African country's chimps are thus doubly protected from ending up in a Japanese laboratory. Or so you might think. The facts, though, tell a very different story.

Last year the two countries concluded a "diplomatic deal" whereby the National Primate Research Center in Maruyama, Tokyo, was to receive 50 young chimpanzees for hepatitis research. We know from the European Economic Community's *Primate Report* of April 1984 that during last year Japan imported 31 chimps from Sierra Leone. In all likelihood these 31, or the survivors amongst them, have now been joined by a further 19 animals, so completing the despicable deal.

Competing with the Japanese in the race to produce an improved chimp-tested hepatitis B vaccine is none other than the Austrian conglomerate *Immuno* whose predatory designs on Sierra Leone's chimps were highlighted in the

summer 1983 *Quarterly*. To the winner of the race the profits could be fat—all the fatter for using "cheap" chimpanzees plundered from the wild.

But what is cheap to the purchaser is hugely expensive to the species. Even for purposes of genuine medical research, there is no case whatever for decimating wild stocks when captive-bred individuals are readily available. This does not mean, though, that captive-bred animals may be heedlessly sacrificed on the altar of medical progress. Least of all in this case.

For it transpires that the Swiss company *Biogen* has developed a synthetic hepatitis vaccine that does not have to be tested on chimpanzees. The president of the company is Dr. Walter Gilbert, 1980 winner of the Nobel Prize in chemistry. He believes that within the next 18 months his company's product will have rendered chimp-tested vaccines obsolete.

A peculiarly nasty aspect of all this is that capturing a wild baby chimp invariably involves killing the four, five or even more adults that guard it. So, quite aside from the savage cruelty of it, the loss to the species from a live sale of 50 is not less than 250-300.

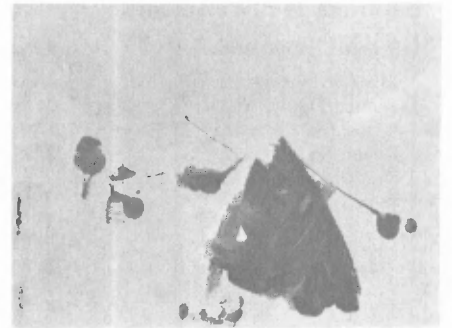
Canadian zoo commissions hunter to capture baby gorillas

With the blessing of the Canadian government a professional hunter, Mony Ananwa, has been commissioned to capture a baby male gorilla from the forests of Cameroon, West Africa. The animal is then booked to become a cage mate for Zira, a young female gorilla captured last year and a resident of Granby Zoo, Montreal, since January.

The zoo is paying \$32,000 for the pair and intends using them to attract fee-paying visitors and to start a lucrative breeding colony. Attracting visitors should be simple enough; gorillas are a big draw. But the hoped-for breeding colony is unlikely to materialize. The odds are that the long months cut off from her own kind at a tender age will have left Zira psychologically incapable of mating in maturity. Especially when to this trauma must be added the still earlier trauma of her capture.

For as with chimpanzees, so with gorillas. The capture of a baby almost inevitably involves the killing of the guardian adults in the troop—a scarring experience for the captured baby and a body blow to a species that is fighting for survival. Not that you would guess any of this from the zoo's newsletter, *Le Perroquet*. In its January 1984 issue, by way of justifying the big price paid for the two gorillas, comes this remarkably bland statement: "The capture of these animals is quite complicated because the parents are intensely protective of their young."

Quite complicated—what a multitude of sins this innocuous term covers! The brutal facts of the matter, though, will be known full well both to the Granby Zoo and to Canada's CITES authority. That they should be sanctioning such murderous expeditions is disgraceful.



"Banana Flower" by Tatu

ART NEWS

The Animal Welfare Institute is not ordinarily thought of as an art center, but two of the staff are proud possessors of creations by Roger Fouts' talented chimpanzees. There is a drawing entitled "Banana Bird" and a painting called "Banana Flower". Chimps obviously prefer subjects they can later eat, a tip struggling artists might do well to emulate.

Paintings can be ordered directly from Dr. Fouts at Friends of Washoe, Central Washington University, Ellensburg, WA 98926. Any profits (after paying for the bananas) support his work in language skills and primate communication. Suggested prices are \$35 and \$40.

170



THE ANIMAL WELFARE INSTITUTE QUARTERLY

P.O. BOX 3650

WASHINGTON D.C. 20007

SUMMER 1984

VOL. 33 NO. 2



Governor Mario Cuomo.

NEW YORK SHOWS THE WAY A major step toward stopping the wild bird trade

The lives of tens of thousands of wild birds worldwide have been saved by New York Governor Mario Cuomo's courageous and far-sighted signing on 7 August of the *Wild Bird Bill*. The bill bans the sale in the state of birds not bred in captivity.

Ferocious opposition came from the *Pet Industry Joint Advisory Council*, a very powerful and vocal lobby group which formed a special New York Chapter just to squash the bill. But letters in support came not just from American bird lovers but from conservationists in tropical-forest lands too. And they came in sackloads.

The final decision, though, was the Govern-

nor's alone — and it seems he was never in doubt that the bill which the Senate had overwhelmingly approved deserved his endorsement. His statement (see box) indicates his compassion for these maltreated wild birds as well as his wish to prevent the trade from propelling still more species into the endangered category.

In his statement he made no mention of the pet trade. The only opponents of the bill he referred to were veterinarians and "zoological interests": he directed the Department of Environmental Conservation to accommodate these "valid concerns" through regulations which it will propose in 1985. The bill comes into force on 1 November 1985, so giving dealers over a year to dispose of their wild birds and obtain captive-bred replacements.

In the US, New York State is the third largest market after California and Florida for wild birds. Parrots, macaws, cockatoos, toucans, finches and other birds are imported by the million for sale in pet shops nationwide. Few people realize that their purchase of these birds condemns others to be trapped in the wild and subjected to cruel and unsanitary crowding on their way to the pet stores. Since 1976 almost five million birds have been imported by the US; over 75% were wild-caught and one million died during shipment in airless cargo holds or in the quarantine stations where they are screened for Newcastle Disease.

Millions more died in capture and early transport to exporters, and on release from quarantine, in pet shops and in people's homes. Indeed four out of five never get to

continued on page 2

Governor Cuomo's message on signing the Wild Bird Bill

"The intent of this bill is to prohibit the sale of wild birds in New York State and therefore to remove the state from the market now served through the importation of wild birds. Underlying this intent is a belief that populations of wild birds now endangered or threatened will be saved and that inhumane practices used in the birds' capture and transport will be discouraged if these birds are unsaleable in our market.

The bill will be effective November 1, 1985. In the past session I have actively participated in the development and enactment of legislation to reinforce the statutory prohibition of animal fighting. In the 1983 legislative session I approved legislation to increase penalties associated with the taking of threatened or endangered species. When implemented by regulation of the Department of Environmental Conservation, this bill will build on these earlier efforts to foster the important objectives of humane animal treatment and protection of threatened or endangered species.

Veterinarians and others concerned with the health of domestic bird populations and zoological interests which depend on wild birds to support their scientific work have expressed some concerns with this bill. These valid concerns, however, may clearly be accommodated through the regulations which the Department will issue to implement this legislation. The bill's sponsors have weighed the importance of these regulations and left the Department over a year to canvass all groups interested in the bill and to prepare regulations to refine the bill's broad expression of legislative intent."

Hearings on the Brown bill, House companion to the Dole bill

Back in the House Agriculture Committee, where since 1965, all legislation to protect laboratory animals in the United States has been initiated, an all-day hearing was conducted September 19th by Congressman George E. Brown, Jr. (D,CA) on his bill, H.R.5725, the Improved Standards for Laboratory Animals Act. With Mr. Brown in the Chair as head of the Subcommittee on Department Operations, Research, and Foreign Agriculture, the hearing began with a statement by the ranking Republican Pat

Roberts (R,KS), who thanked Chairman Brown for his leadership and spoke warmly of the senior Senator from Kansas, Robert Dole, author of the Senate bill, S.657. Congressman Roberts said, "We can't tolerate any inhumane treatment."

Congressman Charles Rose (D,NC), a member of the full House Agriculture Committee, appeared before the Subcommittee to state that "This is an extremely fair and realistic bill." Mr. Rose said that he had seen himself "that there has been abuse." Prais-

ing the bill's requirement for institutional committees, he said: "This is important because for the first time the public and the people concerned with the treatment and well-being of these animals will have input. This legislation also establishes for the first time a data base that contains information on all the completed animal research. In addition, this data base will provide information on improved methods for minimizing pain and alternatives to using animals for

continued on page 4

Bolivian Birds and Primates Return to the Forest

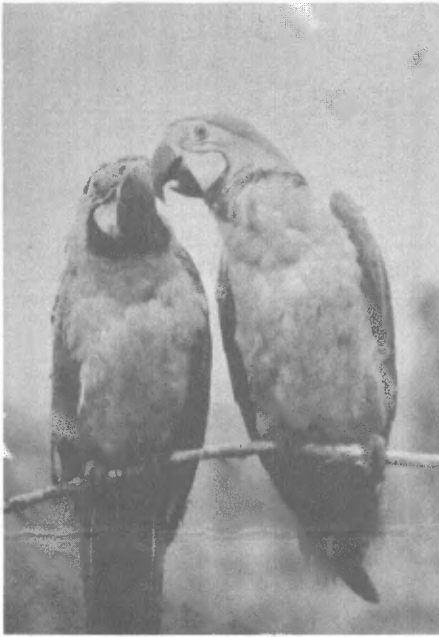


photo — Prodena Bolivia

Many of the birds had lost their tails

When the Bolivian Government banned parrot exports for one year on April 1st, exporters had over 18,000 birds in stock. The export ban was delayed for one month to allow dealers to empty their stocks, most of which were being exported with false papers. In an unprecedented act, a group of young people (Santa Cruz Brigado Juvenil) raided the airport compound of one of these dealers intercepting the last flight before the ban. The Bolivian Wildlife Society, Prodena Bolivia, came to the rescue of 900 parrots and 30 primates from this compound. The birds were first taken to the Santa Cruz Zoo, but inadequate space necessitated moving them. A representative of Prodena Bolivia, Robin Clarke, converted his garage into a rehabilitation center.

Within weeks, almost 500 of the parrots were released back into the wild, having narrowly escaped being shipped abroad for the pet trade. The remaining birds need special care to rehabilitate them so they can become independent. Five of the macaws are missing one eye and many have lost their tails. Numerous other injuries were incurred dur-

ing capture and holding, and an unexpected cold spell claimed the lives of 28 birds. 268 parrots now are being cared for by Prodena Bolivia. They have been moved to a thatched shelter next to the new National Park Amboro. Some of the birds are in an inbetween stage, perching in trees nearby but coming for food, while 66 macaws have flown off into the Amboro Park, joining 19 monkeys from the original shipment that were transported to the park from the Santa Cruz Zoo. The majority, 149 birds, are Blue and Yellow Macaws and others include Scarlet, Green-winged and Military and Chestnut-fronted Macaws, Blue-fronted and Tucuman Amazons and Blue-crowned Conures.

This is the first such project ever undertaken for Latin American birds and, along with the export ban, constitutes some real hope for the future of Bolivian parrots. For many years, Bolivia has been the major wildlife exporter in Latin America, depleting not only its own wild bird and primate populations, but also those of neighboring countries from which smuggled wildlife was received and exported under false papers. Bolivia is a party to the Convention on Trade in Endangered Species of Wild Fauna and Flora (CITES), but until its recent ban, had not abided by the terms of the convention. Traders within the country, including some high up in the government, received export and CITES permits as political favors or as a result of bribes. So blatant were the illegalities that the CITES Secretariat, which oversees the implementation of the convention, had to personally visit Bolivia in 1982 to investigate

NEW YORK continued

this final stage — a cage in a sitting room. And of the (relatively) few that do, most die within a year.

Many countries have banned the export of their birds. But these bans are difficult to enforce; smuggling, and trans-shipment of protected birds, is rife because too many people are eager to pay high prices for rare species. In recent months AWI has been analyzing mortality data obtained from the Department of Agriculture and sending it, along with a record of species imported, to exporting countries.

A major impetus behind the New York bill was Whitney N. Seymour, Jr., one of whose family contracted psittacosis after purchasing a parrot which died of the disease. Pamphlets written for young people by the Seymour

family and called *Parrot Troopers* tell of the horrors inflicted on these birds — their nesting trees felled and their bodies crammed into crates and shipped to markets abroad.

AWI will be intensifying its efforts to keep wild birds out of the pet trade. Members wishing to help in this public education campaign may request copies of AWI's *The Bird Business*, a copiously illustrated analysis of the cage-bird trade. We can also supply copies of *Parrot Troopers*. And don't forget — letters to local newspapers and visits to pet shops asking them to sell only captive-bred birds will help to save the lives of birds still flying free in remote parts of the world.

New York has shown the way. Will California, Florida and other states follow?

Greta Nilsson

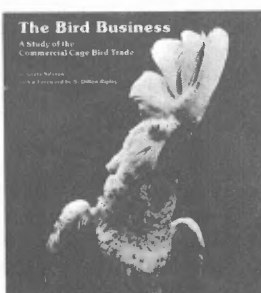


photo — Prodena Bolivia

The thatched shelter where the injured birds regained their strength.

the situation. It was then revealed that the head of the Bolivian Management Authority, the official empowered with issuing permits, had had 2000 copies of CITES permits printed, paid for by the Bird Export Association of Bolivia. In return for the favor, the Association had received 1500 blank permit forms, with which they could export any species they wished. All these permits were declared invalid by the CITES Secretariat

continued on page 3



The Bird Business: A Study of the Commercial Cage Bird Trade by Greta Nilsson. Foreword by S. Dillon Ripley, AWI, 1981. Illustrated in black and white and color, 121 pages. One copy free to libraries and humane societies. To others — \$5.00.

Please use this coupon or write to:
Animal Welfare Institute
Box 3650, Washington, DC 20007

Please send me _____ copies of *The Bird Business*.

Name _____

Address _____

Zip Code _____

172

BOLIVIA continued

who allowed 150 "recovered" forms to be used under strict control while new permits were printed. The rest of the blank permits remained in circulation. Subsequently, in February, 1983, the CITES Secretariat was forced to issue another notification to all member nations to reject even these "recovered" permits which the new head of the Bolivian Management Authority found missing when he took office. The Secretariat asked for copies of all Bolivian permits in this series from member countries since "many of them seem to have been altered after issuance." Two shipments of Blue-fronted Amazon parrots shipped under these false permits were seized in mid-1983, but most shipments apparently went undetected.

The situation reached a climax at the first seminar on CITES implementation in South and Central America and the Caribbean in August, 1983. Representatives from other Latin American countries accused Bolivia of permitting illegal shipments of CITES species and of failing to "properly implement the convention with regard to its relations with the CITES Secretariat." They formally urged Bolivia to remedy the situation and these allegations may have been instrumental in the appointments of new Bolivian CITES personnel and the enactment of an export ban. Another possible factor in the enactment of the export ban was the discovery in early 1984 of yet another irregularity in Bolivian CITES permits. Forged permits, virtually identical to the authentic ones, had been used in shipments destined for France, The Netherlands and West Germany. The CITES Secretariat had to make another notification to the parties requesting that all Bolivian permits be copied and sent to them for examination.

The Animal Welfare Institute has examined quarantine forms filed by U.S. bird importers for the Department of Agriculture's Animal and Plant Health Inspection Service. The numbers of birds imported by the U.S. from Bolivia since 1980 exceeded exports from all other Latin American countries — 212,897 birds. Among them were many native to countries where they are protected — Hyacinth Macaws, Janday, Golden-capped and Cactus Conures, for example, are all protected Brazilian birds. All but 885 of the birds Bolivia exported to the U.S. were of the parrot family, and a few were rare species. The Red-fronted Macaw and Caninde Macaw have been listed in Appendix I, the endangered category of CITES which does not permit commercial trade, but these birds still received no official protection from the Bolivian government. U.S. imports of these two species totaled 790 birds in the four-year period (January 1980 - December 1983), and 104 of these died in transit or in quarantine. Unfortunately for the birds, the Appendix I listing did not take effect until late in 1983 when the majority of them had already been exported for the pet trade. Bolivia continued to export Red-fronted and

Caninde Macaws to other countries in spite of the Appendix I listing until their recent export ban. These birds have not been totally eliminated in the wild according to Reginald Hardy, founder of Prodena Bolivia, and the new protection may allow them to rebuild their numbers . . . if illegal capture does not occur.

Mortality of birds exported from Bolivia has been very high — 32,705 birds died on the way to the U.S. or in quarantine stations. Shipments in which large numbers of birds died were rife: Of 246 Blue and Yellow Macaws shipped in September, 1980, 81 arrived dead; 191 of 248 Yellow-collared Macaws died in quarantine in December, 1981; 635 of 1200 Mitred Conures shipped in August 1982 were dead on arrival; as were 1168 of 1862 shipped in August, 1983; In January, 1981, 584 Dusky-headed Conures

Socializing near the thatched shelter where they were fed and medicated.



photo — Prodena Bolivia

arrived dead in a shipment of 1036 birds; 157 Toco Toucans were unloaded dead in December 1981: the list goes on and on.

The birds rescued by the Bolivian Wildlife Society were therefore very fortunate and Society members are working to make the export ban permanent. AWI has sent the mortality data compiled to those working for a permanent ban to aid them in their efforts.

The wildlife dealers in Bolivia, centered in Santa Cruz in the western part of the country bordering Brazil, have already begun efforts to lift the export ban. They have been known to represent themselves as conservationists. One bird exporter declared his exporting firm a "zoo" and wrote an article in an aviculture magazine claiming concern for the rare Red-fronted Macaw; this species has the misfortune to have as its sole habitat the Cochabamba valley near Santa Cruz. He said that the major threat to the birds was persecution from local farmers growing peanuts and corn who shot birds raiding their crops. When interviewed by an ornithologist surveying Latin American parrots, this man admitted that he was a bird dealer, but said that exports of this

Roosting in the surrounding trees.



photo — Prodena Bolivia

bird would not exceed 150 per year (of a total estimated population of a few thousand), while he was in fact exporting many times that number. The ornithologist discovered that the dealers were the major threat to the species, not farmers, and the story that they were persecuted was spread to foster the notion that the birds' lives would be saved by export.

Bolivia is a microcosm of the bird trade and its problems, problems caused by the enormous profits to be gained from the sale of wild birds, the greed of exporters, importers and pet dealers, and above all, the disastrous effects of this trade on wild birds. On the bright side New York State has banned the sale of wild birds (see front page story) and Mexico, until recently a major exporter, banned all wildlife exports in late 1982, joining other Latin American countries — Costa Rica, Panama, Colombia, Venezuela, Surinam, French Guiana, Brazil and Paraguay. Worldwide, many countries ban exports of live, native wildlife, but smuggling and trade from those still exporting keeps wild birds in trade.

BROWN BILL continued

research." The Congressman said he was "very distressed to learn that there are farm groups opposed to the bill. I hope," he said, "they understand that laboratory animals are not farm animals, and because of the kind of experiments that they undergo and the pain they suffer, they deserve special attention."

Mr. Bert Hawkins, Administrator of the U.S. Department of Agriculture's Animal and Plant Health Inspection Service, testified for the Department. He stated that as Administrator, he had placed a great emphasis on compliance with the Act. "We are citing people regularly," he said, and publicizing the facts. He promised that given another year, enforcement of the Act would be much improved. With regard to H.R. 5725, the Department position might best be described as neutral.

Following Administrator Hawkins was Dr. James B. Wyngaarden, Director of the National Institutes of Health. Dr. Wyngaarden told the Subcommittee that NIH "relies on a written system" of assurances and "has not felt the need to establish routine inspections," but he referred to the random site visits described in the Ann Landers column published that morning which he placed in the record of the hearings. He assured Congressman Harley Staggers (D,WV), who questioned the enforcement of the Animal Welfare Act, that there is "compliance with the guidelines in general throughout the research community" and that "periodic site visits will tune up the system." And when the Congressman pressed him further, he said, "I don't share the implication that there is widespread abuse of animals that justifies legislation."

Chairman Brown said that some of the institutions on the list NIH found "adequate to excellent" had been found out of compliance by USDA, and he inquired as to whether the NIH visits were announced or unannounced. Dr. Wyngaarden referred this question to his Deputy, Dr. William E. Raub, who replied that the visits are announced in advance and said, "Our total thrust is looking at systemic strengths or weaknesses more than specific remedies." The Chairman pursued the question of NIH's supervision of its grantees. "Generally your statement presents an encouraging analysis of the situation with regard to research using live animals," he said, "Yet we still find examples and they are in very prestigious institutions where there seems to be some lack of adequate standards for the use of laboratory animals." He spoke of the Psychology Department in Berkeley, noting that the supervising veterinarian, was so dissatisfied with conditions for the animals that he refused to sign the annual reports. "I like the University of California," he said, "I'm an alumnus of it myself and I think it's a great institution, but it may be that we have a situation somewhat like we have here in Congress with our Ethics Committee. We don't always diligently pursue some of the allegations that we might just because we are

all part of the same club, you know, institutional framework. It's that kind of problem that I think we need to be concerned about . . . Are you concerned about that, Dr. Wyngaarden?" asked the Chairman.

"I do think the performance record of NIH . . . indicates that even to the point of terminating support when necessary we can

be firm and forceful when the situation requires that" replied the NIH Director.

"Generally speaking though the situation only requires that when there's a loud public hue and cry," said Brown. "I'm concerned that we do everything we can to create systems which will help to overcome that as much as possible."

SUPPORT FROM PRESIDENT JEAN MAYER

The first public witness was Dr. Frank Loew, Dean of the College of Veterinary Medicine, Tufts University, speaking in the place of the University's President, Jean Mayer who was unable to be present. Dr. Mayer, a distinguished nutritional scientist, advisor to Presidents and the Senate, has been repeatedly honored nationally and internationally. As a leader, his support for H.R. 5725 is highly significant, and it is consistent with his published statements of concern for needless animal suffering. In a New York Times op ed piece he expressed opposition to painful experiments by high school students.

Dean Loew said, "I'm here to speak in support of the proposed legislation. I bring you greetings from Jean Mayer." Loew's credentials include chairmanship of the Institute for Laboratory Animal Resources/National Academy of Sciences, presidency of the Association of Veterinary Colleges and membership in the Society of Toxicology and American Institute of Nutrition, part of the Federation of American Societies for Experimental Biology. He pointed out that he was not representing any societies but expressing his personal scientific opinion. He noted that the public expects accountability from all scientists, including research with human subjects and DNA. He characterized criticisms based on costs as "particularly weak." He said scientists risk loss of public faith and Congressional faith.

On enforcement of the Animal Welfare Act he said the USDA staff is too small and its legal support is stretched too thinly so that it is a scapegoat for real or imagined problems. Praising Chairman Brown, he said, "The Animal Welfare Act is good. Your proposal will make it better." And he emphasized that "a sound, properly enforced law can help scientists as well as animals."

Explaining the reason for opposition by some scientific groups, he said, "There can be orthodoxy in science just as in anti-science."

The next witness provided an instant demonstration of that orthodoxy. Dr. G.L. Van Hoosier urged an 18-month study before legislating. He expressed fear that "the difference between legislation and guidelines could cause confusion," thought action should wait till the revised NIH Guide was "tested in the field," and felt that "adjunct methods" (a phrase used by those who shudder at the very idea of alternatives for laboratory animals) could "only be developed through research, not research on research." He said, "We do not need more legislation, just more support for research and animal care training." And he joined in attacks on the "Scapegoat" mentioned by Dean Loew: The U.S. Department of Agriculture. Dr. Van Hoosier represented the National Association of State Universities and Land Grant Colleges.

Dr. John McCardle, speaking for the Humane Society of the United States told the subcommittee that he had had ten years experience working with experimental animals including experimental surgery. "I was told by my superiors not to worry about post-operative pain because animals don't feel pain."

Dr. Glenn Geelhoed, representing the Association of American Medical Colleges and the National Society for Medical Research said "We regret that we cannot offer our full support of H.R. 5725 at this time" and like all the opponents of the bill called for more study, insisting there have been only "a few isolated instances of noncompliance" which he said "were the exception not the rule" and "very, very rare." He urged the Chairman to postpone action "until all efforts to develop and revise existing guidelines were completed and their implementation by three agencies analyzed for effectiveness." [Dr. Geelhoed refers to the welter of recommendations, guidelines, policies and principles being proposed by NIH, the most recent one only published in *The Federal Register* in August]. The postponement he proposes could be extended indefinitely. The obvious aim of AAMC and NSMR, who object specifically to H.R. 5725's requirement that the institutional committee review "practices involving pain to unanesthetized animals 'to ensure compliance with standards of animal care, treatment and practices and that pain and distress is minimized.'" According to Dr. Geelhoed this "severely undermines the time-honored and proven peer review process of the research institutions." [It's obvious he has not viewed the tapes taken of themselves by scientists at the University of Pennsylvania's Head Injury Clinic. See quotes on page 9.]

The American Physiological Society was represented by Dr. Walter Randall. While referring to the NIH, Public Health Service, and Interagency Research Animal Committee guidelines which he said "could and should accomplish most of what is being proposed" in H.R. 5725, he commendably refrained from demanding postponement and

continued on page 5

study. "If Congress has conclusive evidence that the standards for laboratory animals require additional legislative restrictions the Society would then support the concept of amending the Animal Welfare Act" he said.

"The Society applauds Congressman Brown for inclusion of our recommendations and for his sensitive understanding of our concerns," Dr. Randall said. He reported on a substantial decrease in the use of animals for teaching physiology. An APS survey of physiology departments indicates that the use of animals for teaching has dropped from 90% in 1979 to 66% in 1984.

The afternoon session began with strong opposition to H.R. 5725 by the President of the Association for Biomedical Research (ABR) Edward C. Melby, Jr., Dean of Cornell Veterinary College. Dr. Melby's opposition is understandable because 1) ABR is a trade organization founded by the world's biggest laboratory animal salesmen, Charles River Breeding Laboratories, which Melby serves as a consultant. Charles River spends large sums for promotion of maximum sales and does not want them decreased as a result of the bill's requirement that investigators consider alternatives, and 2) Cornell Veterinary College inspection reports, obtained by the Animal Welfare Institute under the Freedom of Information Act show repeated, major "deficiencies" and "alleged violations" as recorded by USDA's veterinary inspectors. For example on four different inspections from 1981-84 dogs were found in cages so small they did not meet the minimum standards. The inspector noted, 3/17/82 "Although dogs have been removed from the poorest caging, there are still dogs digging at the ceiling, making holes in the wall board." Problems with rabbits are similar, small, insanitary cages repeatedly cited by the USDA veterinarian who wrote 12/2/82 "There is no evidence that cages are being sanitized . . . pans under rabbit cages have large quantities of fecal matter in them and no evidence that they are being emptied once/week." Worse still 11/20/80 "The rabbits in all three rooms of this facility had either no water or very small amounts of water (i.e. less than approximately 1-2 teaspoons)."

Serious neglect of a sick cat was noted 7/23/81 "In the cat room, in the breeding colony an emaciated cat with diarrhea, eye discharge was observed. The caretaker did not know if vet care had been provided and stated that he did not think the cat was being treated, had been treated, or had been given an examination. The cat should be removed immediately, given veterinary care, and kept isolated from cats of the breeding colony."

With such extensive failure to live up to the minimum standards of the Animal Welfare Act by Cornell Veterinary College, it was startling indeed to hear the Dean propose ABR "assistance" to the USDA inspectors in the form of a "training program with AAALAC." Dean Melby said this was "to make sure all APHIS inspectors have the

same training." But what sort of training would a trade association with a vested interest in the status quo offer? USDA will be better off doing its own training.

Melby said ABR supports the Walgren amendments to the NIH reauthorization bill (H.R. 2350) concerning the outside member on the institutional committee. The reason ABR likes this greatly weakened version of the bill Congressman Walgren tried to pass is that the key provision is omitted, namely that the committee member who is not affiliated with the institution "shall be responsible for representing community concerns regarding the welfare of animal subjects." This provi-



Dr. John Seamer (third from left) Honorary Secretary of the British Veterinary Association, testifies on behalf of Humane Information Services in favor of HR5725. He is flanked by representatives of commercial and scientific interests opposing the bill.

sion in H.R. 5725 is fiercely opposed by ABR and its cohorts.

Dr. Barbara Orlans, founder of the Scientists Center for Animal Welfare and a member of long standing on the Scientific Advisory Committee of the Animal Welfare Institute testified in support of H.R. 5725, emphasizing the importance of the role of the institutional committee, concerning which the Center has conducted surveys and symposia. But Dr. Marshall Steinberg speaking for the Society for Toxicology claimed "It is conceivable the community could not provide an outside member of the institutional committee." He opposed the bill.

Harold C. Brown, Jr. spoke for the National Association of Life Science Industries, Inc., a trade association of contract laboratories. He thought service on the institutional committee was "not particularly attractive" and he hammered on the issue of protecting trade secrets — a matter that the Food and Drug Administration has dealt with successfully in the institutional review boards which include more than one outside member.

Marc Rosenberg speaking for the National Coalition on Science and Technology said the bill requires "a broad consensus," but he wanted to divide its provisions into other laws and regulations — hardly conducive to advancing a rapid consensus.

Honorary Secretary of the British Veterinary Association, Dr. John Seamer, flew

from England to present testimony at the hearing on behalf of Humane Information Services, a strong supporter of H.R. 5725. The Chairman noted that "the British have had legislation for more than one hundred years and their experience would be valuable to us." Dr. Seamer emphasized the importance of the "pain condition" in the British Act, which states, "If an animal at any time during (such) experiment is found to be suffering severe pain which is likely to endure, such animal shall forthwith be painlessly killed." Dr. Seamer continued, "Thus, regardless of the nature or purpose of the experiment, and regardless of whether or not a

result has been achieved, it is the rule that any animal suffering severe pain which is likely to endure shall be killed forthwith. He reported that the British Veterinary Association with the support of the Committee for the Reform of Animal Experimentation and the Fund for Replacement of Animals in Medical Experiments wants all experiments to be subject to the condition that any animal suffering severe pain or severe distress that cannot be alleviated should be killed. In response to the Chairman's questions, Seamer indicated that "a government White paper is anticipated within the lifetime of the present government." He said certain procedures are not permitted in Britain and gave the Noble-Collip Drum* as an example. Congressman Brown asked, "Who makes that judgment?" Dr. Seamer replied that it is complex: the person making the application discusses it with The Home Office inspector, and if they can't reach agreement it goes to the Advisory Committee. The decision rests ultimately with the Home Secretary.

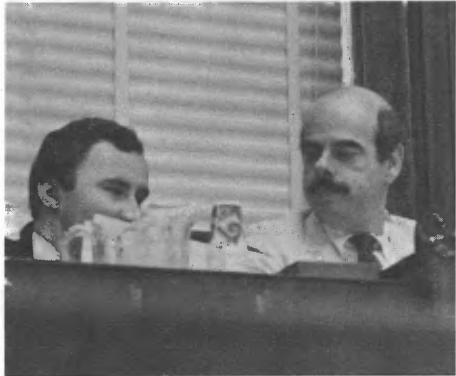
The last panel began with The American Farm Bureau represented by Stuart Proctor who said emotional arguments were being used to fabricate a problem where one does not exist with regard to farm animals and he questioned whether "Congress has been presented with sufficient evidence to substantiate the need for corrective legislation" with laboratory animals. "Congress," he said, "is

continued on page 8

*A device in which small animals are tumbled to throw them into shock.

Notes on Hearings on H.R. 1797 to end use of steel jaw traps

"Until the animal can talk to me in our language, I don't believe we can say he feels pain," Parker Dozhier of the American Fur Resources Institute told Chairman Henry Waxman, (D, CA) at the August 3rd hearing on H.R. 1797 to end use of the steel jaw, leg-hold trap. An impassioned defender of steel traps, Dozhier asked the Chairman: "Are



Chairman Henry Waxman conducts hearings on H.R. 1797. Subcommittee Counsel John McLaughlin is at his side.

you planning on quitting eating and wearing clothing?" Without pausing for a response, he rushed on to attack hunters who oppose the cruel trap that maims their hunting dogs. "That's greed!" he cried, "That's competition for the resource!"

Not to be outdone by Dozhier, Don Hoyt Sr., President of the National Trappers' Association claimed supporters of H.R. 1797 belong to "animal worship cults" and averred that the 59 countries in which steel jaw traps are illegal "are still in the dark ages. The biologists in the Fish and Wildlife Service are 50 years ahead of everybody else." Hoyt did not explain how they got ahead by clinging to an antique device which the other countries have left behind.

Ron Lambertson, Associate Director for Wildlife Resources, who represented the U.S. Department of the Interior had tried a similar line, but hit stiff Congressional reaction to his claim that the United States is "number one" in this field with no need to look to other countries. "Why shouldn't we look to them?" snapped Congressman James Scheuer (D, NY). "We'd have to be a nation of collective fools not to look to other countries that have succeeded." Lambertson lamely countered "This is a tool that allows us to manage the resources." But, Scheuer thundered "It's not graven in the sky. Trapping may be a technique of management, but not the steel jaw, leghold trap."

Congressman Doug Walgren (D, PA) asked for full information on the Fish & Wildlife Service's evaluation of more humane techniques used in other countries and asked how many had been evaluated in the last five

years. "That's difficult to say" said Lambertson, but, "we'll be glad to make that available, Sir." Walgren pursued, "Not only the data on what you tried out, but their experience." And he pointed out that slavery was outlawed by the British in 1831, before the United States outlawed it.

Congressman Scheuer cited the refusal of the U.S. Food and Drug Administration to accept data from abroad on drugs. No matter how excellent its quality, the FDA forced duplication of the research. He said this made him "a little bit cynical" and urged that "if there's something we can learn from other countries, we should do so." Bowing to the pressure, Lambertson replied, "We work very closely with other countries," but his previous statements about testing the Swedish legsnare gave the lie to this assertion.

Professor Jan Englund of the Swedish Museum of Natural History gave a thoroughly documented account of severe injuries to foxes caught in steel jaw traps prior to their being outlawed in Sweden. But, Lambertson



Mollie, who lost a leg to a steel jaw trap, attended the hearing.

claimed coyotes escaped by pulling out of the legsnare with which Sweden has replaced steel traps. "I don't understand escaping" said Professor Englund. "You must have increased the length too much" Plainly, FWS had failed to seek the necessary advice from Sweden's leading expert on the legsnare. Englund's data, provided in full to the Committee, demonstrated that the massive injuries caused by the steel jaw trap are reduced by thousands of percentage points when the legsnare is substituted. Of the "Soft catch," he said, "It can only cause more hurt to the jaws."

Chief sponsor of H.R. 1797 Clarence Long (D, MD) led off the hearing characterizing the steel jaw trap as "the most inhumane form of capturing animals". With aide Charles Stek he demonstrated the striking power of the trap, triggering it with a pencil which shattered on impact. With him was a hawk, theoretically protected by Maryland and federal law, but maimed in a steel jaw trap set by the State Department of Natural Resources. Diane Pearce a wildlife rehabilita-



Congressman Clarence Long, Chief Sponsor, and George E. Brown, Jr., co-sponsor, testifying for H.R. 1797. Congressman Don Young, at right, testified against it. Note: bear trap on witness table.



Professor Jan Englund, reports on massive injuries to foxes in steel traps and how Sweden substituted cable coated legsnare.

tor, displayed the handsome bird, showing its pathetic stump. It can never be returned to the wild because of its injury.



Diane Pearce, wildlife rehabilitator holds one-legged hawk maimed in a steel jaw trap.

Congressman George E. Brown, Jr. a co-sponsor of H.R. 1797, spoke feelingly of the pain and fear inflicted on animals who fall victim to the hidden traps and drew attention to statistics from states that have taken action. "The Florida Fish and Game Commission,

for example, banned the leghold trap, referring to it as 'barbaric and inhumane'. Since 1973 when the traps were banned, Florida recorded its highest harvest of furbearers and a reduction of rabies cases," he said.

One member of Congress, however, Don Young (R, AK), who formerly ran a 300-mile-long trapline himself, decried H.R. 1797. "Dogs and cats are caught, I won't deny," he said, "but why are the dogs loose?" He further acknowledged, "They do suffer pain, but no worse than a rabbit caught by an owl or hawk. Ever heard a rabbit howl when caught in the claws of an owl?" he asked. He gave a graphic imitation of a rabbit's screams, but failed to mention that owls quickly kill and eat their prey, whereas an animal in a steel trap may suffer for hours or days. In Alaska there is no requirement to check traps even after a week.

At hearings held in 1975, Congressman Young put a small trap on his hand in an effort to convince the subcommittee that the pain wasn't as bad as they thought, but he quickly removed it when the Chairman noted that since his hand was turning blue, he could take it off. This time, a bear trap had been placed on the witness table by the Society for Animal Protective Legislation so that anyone tempted to repeat that demonstration would have a trap of a size proportionate to an adult

human rather than one designed to catch a creature ten times smaller than a man.

The Society also had a trap on display to which a set of 20 sharp teeth has been attached. Pro-steel trap witnesses tried to claim teeth were no longer legal, and Congressman Young asserted, "whoever owned the (bear) trap was guilty of a crime". However Christine Stevens testifying for the Society for Animal Protective Legislation pointed out that there are no size limitations on steel traps in 22 of the 50 states, and teeth are legal in 28 states. In fact the teeth on display were

photos: Lynda Power



Tripod resting on the witness table as Dr. Ned Buyukimhci testifies for the Animal Protection Institute. Tripod's owner, Dr. Donald Fincher is beside her.

recently bought for \$3.75 per dozen sets in a state where teeth are illegal (Illinois), and they were mailed to Virginia, where they're supposedly illegal too. Cathy Liss demonstrated the contraption. No one offered to put his hand in.

Congressman Young spoke of "furry animals" killed by cars on the George Washington Parkway, but when Chairman Waxman challenged: "You don't really believe that the fact animals are killed on the road justifies the leghold trap," the Representative from Alaska fell back on its use for management adding that it was commercial "for the little man." But the Chairman retorted, "There were small holders of slaves. That doesn't justify slavery."

Greg Linscombe from the Louisiana Department of Wildlife and Fisheries representing the International Association of Fish and Wildlife Agencies says he doesn't want to "inject the Federal Government into the management of wildlife resources." He estimated there are 400,000 to 500,000 trappers in the United States.



Display of traps at the hearing. Steel jaw traps on the right, on the left, alternative devices.



A mixed panel testifies: left to right Dr. John Grandy, Humane Society of the United States, Christine Stevens and Hibbert Robertson, Woodstream Corporation.

Hibbert Robertson, Executive Vice President of the world's biggest steel jaw trap manufacturer, the Woodstream Corporation of Lititz, Pennsylvania, claimed H.R. 1797 would "seriously damage our company", but under questioning by the Chairman who asked, "Why not sell the legsnare?" he relented so far as to say, "We're going to see if the consumer would buy it. We think it is effective." He also admitted under Waxman's questions that Woodstream is losing money on the steel jaw trap part of its business. "Woodstream survives," he said, "because we're a diversified company."

"Susan Russell testifying for Friends of Animals referred back to Congressman Young's description of trappers as "little people". "He's right", she said, "they're kids". Dr. George Whitney, emphasizing the appalling pain suffered by steel jaw trapped animals also referred to the large number of child trappers and condemned states that reduce license fees for children. The animals, he said, "chew up every blade of grass, break teeth, and go through unbelievable torture." He reported that the Connecticut Veterinary Medical Association voted unanimously in favor of a resolution to ban the steel jaw trap. He submitted a book of letters from knowledgeable scientists and other experts condemning this trap.

But the American Farm Bureau Federation gave no indication of having heard the preceding testimony. Its Assistant Director of National Affairs, Dennis Stolte, while agreeing that "inhumanity does result from the leghold trap" proceeded to blame "the inhumanity of predators", quoting Professor Walter E. Howard to the effect that coyotes suffocate sheep, taking an average of 13 minutes to kill them. Of the millions of animals painfully caught in steel jaw traps how many have been killed by the trapper only 13

continued on page 8

being asked to overreact to an undocumented problem.”

The Fund for Animals testimony, presented by Gretchen Wyler, contained many pages of documentation, and Ms. Wyler presented 52 letters from physicians and veterinarians supporting H.R. 5725. She cited ways in which the Brown bill would have prevented the mistreatment of the baboons at the University of Pennsylvania.

Steve Kopperud, Legislative Director of the American Feed Manufacturers Association expressed the view that the Secretary of Agriculture possesses authority under the Animal Welfare Act to promulgate regulations providing for all the requirements of the bill except the criminal penalties for release of trade secrets. He said the Food and Drug Administration enters into contractual arrangements with the non-affiliated member of the institutional review boards which corresponds, in experiments with human beings, to the institutional committee in the Brown and Dole bills to protect animals. “This contractual protection has been sufficient for FDA,” he said, “and there is no reason it would not be sufficient for USDA.” Thus did one industry representative answer the complaints of representatives of another segment of industry!

Donald McCaig, sheep farmer and author of *Nop's Trials*, which describes the adventures of a border collie stolen and sold to a laboratory, testified, “H.R. 5725 is a good bill. It promotes the most basic sort of animal husbandry. It should save tax revenues and will certainly reduce animal pain. Most livestock farmers who knew its provisions would

Chairman George E. Brown, Jr. receives a copy of *Nop's Trials* from author Donald McCaig.



photo — R. R. Eck

support it wholeheartedly.”

The last witness, Christine Stevens speaking on behalf of the Society for Animal Protective Legislation, presented data collected by the Animal Welfare Institute under the Freedom of Information Act which shows “Major and repeated ‘deficiencies’ or ‘alleged violations’ of the minimum standards of the Animal Welfare Act by 23.7% of the sample of 186 institutions whose inspection reports and annual reports have so far been examined. Another 22% have less frequent major violations; 28.5% have only minor ones; 1.6% are under investigation. . . . Thus, even using the most optimistic assumptions only 24.2% of registered research facilities are regularly meeting the

existing minimum standards of the Animal Welfare Act!”

“The number of animals used is higher in 40.9% of the 44 institutions in the second year, demonstrating that the glib and often repeated statement that the use of animals is just naturally decreasing and there is no need of legislative encouragement in this area to far from accurate. It is noteworthy, too, that 77.3% of these severely deficient institutions were rewarded by an increase in NIH funds in the second year noted. 22.7% of the 44 used more animals and got more money from NIH despite their bad record with USDA.”

The full record of the hearings when printed will be available from the Superintendent of Documents.

Available free on request: Reprints of an article from the September 27, 1984 issue of *Nature* international edition, “Mistreatment of laboratory animals endangers biomedical research” by Christine Stevens.

TRAPS continued

minutes after being trapped?

Jimmy Cupit speaking for Concerned Houndsmen Against the Steel Jaw Trap said “99% of trapping is carried out by hobbyists, amateurs, and week-end trappers who do not engage in it for subsistence but make it a spare-time job, even recreation.” He referred to a “sub-teenager running out with a cheap mess of steel jaw traps, putting them all over the place, and catching anything that walks, crawls or flies down from its perch. Very few trades a young person could grow up in will give him a worse life than trapping. But young people are pulled right into it by the older ones, and those whose stomachs don't turn the first time they have to go out on a trap-line and see what happens, the ones who are least revolted by this, become the trappers who keep going, and who use the steel jaw trap, and who say that the agony of the animals isn't really as bad as it looks, we shouldn't worry about it. Well the concerned houndsmen and true sportsmen are worried, we are sick and tired of losing our hunting dogs and pets. We are sick and tired of losing our game at an alarming rate. There are areas in Mississippi and other states that don't have any game to hunt, and the main reason for this is the steel jaw trap.”

Elmer Davies, inventor of the EZYONEM cable coated leg snare described it as follows:

“The EZYONEM Leg Snare is a non-progressive holding device. It does not continue to get tighter and tighter as the animal struggles to be free. The cable that holds the leg is neoprene coated to eliminate chafing or cutting. The body of the trap is made of fiberglass reinforced polycarbon. A smooth round surface is presented so that tooth damage from chewing is eliminated. The EZYONEM LEG SNARE can be used in any type of set that is commonly used with the steel trap.



photo — Lynda Power

Cathy Liss set off a steel trap with teeth attached.

This does away with trappers having to learn new methods. The price is comparable to that of the traps now used. From conception to production the EZYONEM has taken fifteen years to become the trap that is good enough to offer to the trapper.”

Dr. Ned Buyukmihci representing The Animal Protection Institute responded to a question from the Chairman on predators by noting that the State of California has been spending \$1.60 for animal damage control for every \$1 of damage to livestock by predators.

Lewis Regenstein, Vice President of the Fund for Animals and author of *The Politics of Extinction*, sharing the organization's allotted five minutes with Hope Ryden whose classic studies of eagles, coyotes, and bobcats qualify her as a leading expert on the effects of the steel jaw trap; strongly urged passage of H.R. 1797.

But Vivian Pryor who introduced herself as “a wife, mother and homemaker as well as a trapper and concerned conservationist,” says steel jaw traps are “wholesome”. She represented the giant National Wildlife Federation (NWF) best known to the public for its colorful wildlife stamps sent out by the million before Christmas as unsolicited fund raisers. As they attach a sticker depicting a cheery cardinal in the snow to a Christmas card, few

continued on page 10

178

Commentary on Videotapes taken by scientists at the Head Injury Clinical Research Center, University of Pennsylvania from testimony of Christine Stevens, Society for Animal Protective Legislation.

Because the original tapes were stolen from the laboratory by a group called the Animal Liberation Front, copies are not being shown in the House of Representatives. People for the Ethical Treatment of Animals has a half-hour of excerpts from a copy of the 60-hour long tapes which can be viewed by all interested persons. In looking at this half-hour, I noted numerous graphic illustrations of needless suffering which would have

been prevented by the legislation. Selecting seven sequences, I wrote corresponding citations of the bill's provisions, and this material follows. The relevance of the bill is given in all capitals, the experimenters' remarks in lower case.

I should state that the Society for Animal Protective Legislation does not endorse the theft of the tapes. After consultation with counsel, we find that it is not illegal to show

and view these copies of the incriminating evidence. Excerpts have already been widely viewed on television. We believe an examination of them will be of value to the Congress in understanding why there is such vehement and constantly increasing dissatisfaction with improper conduct of animal experimentation, as vividly documented in these tapes. And it is especially relevant to Congress since it shows so clearly the waste of government money.

Sequence I THE HEAD INJURY CLINICAL RESEARCH CENTER OF THE UNIVERSITY OF PENNSYLVANIA RECEIVED NEARLY A MILLION DOLLARS FROM THE NATIONAL INSTITUTES OF HEALTH IN 1983.

THE BROWN BILL WOULD PREVENT DISCRIMINATION AGAINST PERSONNEL WHO REPORT ANIMAL MISTREATMENT TO THE INSTITUTION'S ANIMAL RESEARCH COMMITTEE SO THAT CORRECTIONS CAN BE MADE WITHOUT ADVERSE PUBLICITY.

THIS BABOON IS UNDERGOING SURGERY WITHOUT ADEQUATE ANESTHESIA. NOTE THE ANIMAL RAISING HIS TAIL. THIS IS CRUEL ON-THE-JOB LEARNING. NOTE ONE EXPERIMENTER HOLDING DOWN THE BABOON'S LEG.

(a) Oh! He's lifting his head! Come on, baby!

(b) I better get some nitrous. [nitrous oxide, an anesthetic agent]

(a) Stop! stop, for heaven's sake. He wants to get up. He says I've had it. It hurts him, for Christ's sake. All you got to do is make a little slit in the periosteum and push it back.

(b) Ya, but it bleeds.

(a) You got to do something to control the bleeding. That's what the bovie is for. . . Not there, There!

THE BROWN BILL REQUIRES TRAINING SESSIONS FOR SCIENTISTS AND TECHNICIANS IN METHODS TO LIMIT ANIMAL PAIN AND DISTRESS. IT REQUIRES THE USE OF PAIN RELIEVING DRUGS TO MINIMIZE SUCH PAIN. IT PROVIDES FOR AN INFORMATION SERVICE ON IMPROVED METHODS SUCH AS ANESTHETIC AND ANALGESIC PROCEDURES.

THE BROWN BILL REQUIRES THAT PAIN RELIEVING DRUGS NEVER BE WITHHELD LONGER THAN NECESSARY.

Sequence II THIS BABOON IS ABOUT TO BE SUBJECTED TO HIS SECOND INJURY

(a) This is monkey B9. The monkey now weighs 8.8 kilos. The animal is down for a second lateral bang. That's him waving. As you can see, the monkey's awake, moving all extremities. That's his trainer who's taught him how to do those tricks. The animal is mounted in a helmet. He is monitored for ICP, EKG, EEG, blood pressure etcetera. The animal is to be thrust in the lateral position to become a chronic animal, uh, for long term studies.

(b) You might want to mention the monkey's already been banged once.

(a) I said that, a second bang.

(b) Did you say that?

(a) This is his second bang. He was banged once at 680 g force and quickly recovered. Cheer leading over in the corner we have B 10. B 10 wishes his counterpart well. As you can see, B 10 is alive. B 10 is watching and hoping for a good result for future B 17 over here.

Sequence III REMOVAL OF THE HELMET APPEARS TO BE AN OCCASION FOR MERRIMENT

(a) Change his name, and we'll call him "Slim." We could run a diet service, bring 'em in slam 'em, put 'em to bed. (hammering and laughter) Thibault's weight reduction clinic.

THE HELMET WHICH IS CEMENTED TO THE BABOON'S HEAD WITH DENTAL CEMENT IS BEING HAMMERED WITH A CARPENTER'S HAMMER AND SCREW DRIVER TO BREAK IT APART.

(a) We don't know where to put 'em. This guy's waking up. Conceivably we will come in and they'll be running around the lab. He's moving! He's moving! He has this little string on his tail. We just pull. (more hammering) Push!

Ooh! It's a boy!

It is regrettable indeed that spokesmen for the University of Pennsylvania asserted publicly that the baboons were anesthetized and felt no pain. These statements show remarkably poor judgment in as much as: 1) The videotape clearly shows a baboon undergoing head surgery with

inadequate anesthesia (see above, "It hurts him for Christ's sake"); and 2) The NIH protocol for the grant states that the general anesthetic is allowed to wear off for a full hour before the massive injury is inflicted. Line 1, page 193 of the grant application reads, "Through the endotracheal tube

THIS CRUDE METHOD OF REMOVING THE HELMET CAUSES UNQUANTIFIED TRAUMA TO THE EXPERIMENTAL SUBJECT.

(a) We're thinking of going on strike. The contract says no more than three comatose boonies at any one time. That is in the contract. (more hammering)

(a) Seems like I left a little ear behind.

(b) Oooohay!

THE BROWN BILL REQUIRES THE INSTITUTIONAL COMMITTEE TO BE NOTIFIED OF ANY CHANGE IN PRACTICES ADVERSELY AFFECTING THE WELFARE OF THE ANIMALS. USE OF HAMMER AND SCREWDRIVER WERE NOT MENTIONED IN THE GRANT REQUEST.

Sequence IV RESEARCHERS, STANDING OVER ANOTHER BABOON ON THE OPERATING TABLE, DISCUSS THE LACK OF SANITATION

(a) Why is it so dusty down here? Why, because they're basically incompetent down here. Well, I mean, just in general our procedures cause dust.

They don't. . . They're not regular in cleaning at all, and I've called them three times. When they do clean they're half-ass.

Lately the ventilation system has been spewing out some sort of. . . dust. It's the type of thing. . . Ya, I don't, you know. I complain about it, but you know. . . When you come down here it smells like urine.

(b) We have three months of urine down in the bottom of that thing. . . Urine asphyxiation. . . toxicity.

(a) We had to get her out of that. She was just filling it up with buckets of urine.

THE BROWN BILL REQUIRES SEMI-ANNUAL INSPECTIONS BY AN ANIMAL RESEARCH COMMITTEE INCLUDING A VETERINARIAN AND AN OUTSIDE MEMBER RESPONSIBLE FOR REPRESENTING COMMUNITY CONCERNS FOR THE WELFARE OF THE ANIMAL SUBJECTS. UNCORRECTED DEFICIENCIES MUST BE REPORTED TO THE DEPARTMENT OF AGRICULTURE AND FUNDING AGENCIES.

Sequence V WHILE CONDUCTING A SURGICAL PROCEDURE ON ANOTHER BABOON'S HEAD, THE EXPERIMENTER, WHO WEARS NO MASK, CAP OR STERILE CLOTHING, DROPS AN INSTRUMENT ON THE FLOOR, PICKS IT UP WITHOUT REMOVING HIS GLOVES AND WITHOUT STERILIZING IT, CONTINUES THE OPERATION. THE SURGEON IS SMOKING A PIPE. AN ASSISTANT IS SMOKING A CIGARETTE, AND A THIRD BENDS OVER THE UNDRAPED BABOON ON THE OPERATING TABLE, HOLDING A CIGARETTE WITH A LONG ASH IN HIS MOUTH. (more smoking) THE BROWN BILL PROVIDES THAT A FEDERAL AGENCY SUSPEND OR REVOKE SUPPORT FOR A PROJECT IF ANIMAL CARE, TREATMENT OR PRACTICES HAVE NOT BEEN IN COMPLIANCE WITH APPLICABLE STANDARDS. THE NIH GUIDE WAS REPEATEDLY VIOLATED IN THIS NONSTERILE SURGERY.

Sequence VI THE BROWN BILL REQUIRES THAT A VETERINARIAN BE CONSULTED IN THE PLANNING OF ANY PROCEDURE INVOLVING PAIN TO UNANESTHETIZED ANIMALS. NOTE THE BABOON PULLING AGAINST THE BONDS ON HIS LEGS AND SWITCHING HIS TAIL AS THE MACHINE ADMINISTERS THE POWERFUL FORCE.

Sequence VII (a) Come on, monkey, hang in there just a little longer, baby! A DYING BABOON IS ATTENDED ONLY BY A STUDENT WHO CURSES "THE PROBLEM" BUT CANNOT DEAL WITH IT. THE BROWN BILL REQUIRES POST-SURGICAL CARE IN ACCORDANCE WITH ESTABLISHED MEDICAL AND NURSING PROCEDURES.

the animal spontaneously ventilates 70-80% nitrous oxide anesthesia until 1 hour before acceleration after which it breathes room air."

To cap it all, the University of Pennsylvania claims in its annual report to the U.S. Department of Agriculture that it caused no unrelieved pain to animals!

TRAPS continued

people realize that they are contributing to the continued use of the cruel steel jaw trap in our country. The NWF testimony contained monstrous errors of fact. For example "Unlike the foot snare which often causes extensive damage to the foot of a captured animal, the leghold trap does not completely restrict blood circulation."

Tripod, the gray and white tabby cat whose leg had been mangled in a trap, was a mute witness disproving Mrs. Pryor's allegation. Dr. Donald Fincher had to amputate her leg after Tripod's owners brought her in, and with their consent, he adopted her. Only a month later the veterinary clinic was subjected to burglary and arson, and, Tripod was missing. But in three days she returned and has won such trophies as "Best Cat". She appeared to be the most relaxed individual at the hearings as she reclined on the witness table close to Dr. Fincher.

Representatives of the fur industry were anything but calm, "What they are really after is the dismantling of our industry," cried Henry Foner whose arguments against H.R. 1797 rested largely on imputation of motives, which seems to have created an atmosphere of hysteria not related to observable facts. Not one of the 59 countries in which it is illegal to use steel jaw leghold traps has taken any action against the fur industry. In fact, London and Frankfurt are two of the biggest fur centers in the world; yet both the United Kingdom and West Germany have long banned the steel jaw leghold trap. Winston Churchill was responsible for the ban in Britain.

Fred Schwartz turned out to be a "no show" on the furrier's panel, but he submitted testimony for the record against H.R. 1797. "I believe I might add without immodesty," he wrote, "that my face is already familiar to millions who know me better as 'Fred the Furrier' through my rather extensive advertising campaign in print and the broadcast media."



photo — Larry Stein

Sandy, canine star of long-running musical "Annie," joins the campaign.

Book review

Strandings, by Frank D. Robson, The Science Press, Johannesburg, South Africa, 1984. Illustrated, with drawings, charts and diagrams. Available from the Animal Welfare Institute, \$39.95 prepaid.

One expects a book on whale stranding to be a museum scientist's tome, replete with tables of lengths and extrapolated weights, a catalogue of parasites; and a picture somewhere of the author among painstakingly cleaned and mounted skeletons.

There is no smell of formalin about the pages of Strandings. What Frank D. Robson has distilled from sixteen years of work among many hundreds of cetaceans aground along the New Zealand coasts, is an insightful, informative, sometimes moving book on the behavior of living whales, combined with an eminently practical manual on how to assist stranded animals. It dispells the mythology which has grown up around mass strandings, and allows us to grasp why — from the standpoint of the whales themselves — the animals go aground. Robson is a pioneer; the first person to have systematically exploited the opportunity to learn about living cetaceans through strandings. His book is, without question, a classic and his personal example in successfully moving hundreds of whales and dolphins back to sea or preventing them from stranding at all stands as a goal for friends of whales throughout the world.

Frank Robson was in his mid fifties, just retired as a commercial fisherman, when he began his study of strandings. He was motivated, more than anything else, by his perplexity at the awesome spectacle of — as it was then regarded — mass cetacean suicide. The only hint that he might succeed, where the scientific establishment had failed, in unravelling the enigma was his uncanny ability to train, and to understand dolphins at the Napier, New Zealand oceanarium.

Strandings puts to rest the illogical notion of mass suicide. Robson found that strandings of toothed whales and large dolphins fall into four categories: individual strandings of aged and infirm whales; strandings of otherwise healthy whales with localized parasite infections; mass strandings of herds made up of family groups; and strandings from bachelor sperm whale herds migrating from the Antarctic. He provides perfectly logical, although sometimes surprising, explanations for each behavior.

The strandings of aged individuals, no longer able to continue swimming, who come ashore — perhaps deliberately — to die are the least difficult to understand. Robson studied numerous cases, and does not hesitate to assert that attempts to refloat obviously sick, aged and emaciated whales are hopeless, and that the animals should be euthanized. Most, upon autopsy, have been found, along with their other troubles, to carry appalling loads of nematodes and other internal parasites.

Younger adults who ground, sometimes with their calves, have similarly proven beyond help. The great bulk of the animals autopsied were shown to have gross parasite

infections of the ears and sinuses. These unfortunate whales often gash the areas surrounding the infection on rocks in a desperate effort to achieve relief. The only quandary for would-be-rescuers is an accompanying calf. Only if the mother is no longer lactating, Robson suggests, should the calf be refloated. This must be done after the mother has been euthanized, so the calf will not hear her distress calls and return.



photo — Frank Robson

Cover photo of Strandings, a dolphin rescue.

It is the strange phenomenon of mass stranding that the book chiefly addresses. Through his own observations, and by exhaustive debriefings of local observers, Robson has been able to reconstruct the sequence of events in scores of mass strandings some involving over 200 pothead or false killer whales. Robson finds that while herds may occasionally become disoriented by severe storms, especially those with massive lightning discharges, this is uncommon except among bachelor sperms.

Most strandings of mixed herds are social in origin. In almost all cases they are brought about by group concern for the fate of a single whale.

Occasionally the "key" whale in question is an aged animal which detaches itself from a passing herd and goes ashore, and, in extremis, begins emitting distress calls, which draw in the herd and eventually leads it to strand itself. Sometimes the key whale is a female experiencing difficulty in giving birth. The most typical situation, however, involves the ejection from the herd of an animal, usually an adolescent, who has apparently violated some taboos of the herd. Such an outcaste, agitated and disoriented, is liable to strand itself. Its distress calls, despite its pariah status, draw members of its own family group who go aground trying to help. Their distress in turn brings other family groups, until the entire herd is aground.

The common denominator of mixed group

continued on page 11

STRANDINGS continued

strandings is emotional agitation. Emotionally stressed animals, among the species prone to stranding, swim on the surface. This robs them of the ability to gauge the depth of the water, which they can readily do with (forehead transmitted) sonar during their normal "loping" mode of swimming. The first indication a surface swimming animal may have of shore is when it feels bottom. By then, it is usually too late, in an incoming tide, to avoid grounding.

Strandings provides state-of-the-art advice on rescuing and refloating whales. Robson stresses however, that social bonds are so intense that it is useless to expect whales to remain at sea as long as other members of the herd continue to emit distress calls. The best way to prevent distress calls from living whales while refloating operations are underway, is for humans to stand by them, wetting them down occasionally and talking in a calm and reassuring way. This fact, repeatedly demonstrated during strandings, goes far in itself to support Robson's view that some interspecies communication is possible, and, in fact, naturally occurs.

Strandings is far from truly "stripping the mystery" from whale beaching. Robson has answered certain questions only to open the way to new ones. Many of his conclusions and hypotheses need further testing by other investigators, in other settings. Certainly, Frank Robson stands far forward on the front line of human efforts to understand whales. *Strandings* is a book any scientist involved in cetacean research must read, and that everyone interested in whales will very much want to read.

Tom Garrett

Piloting grounded whales back to sea and safety

At low tide on 28 September 1983 a large herd of pilot whales grounded on a gradual-sloping, sandy beach in Northland, New Zealand. It was 6 a.m. and a cold bleak morning with rain squalls and a south-westerly wind.

The grounding was discovered by a resident who promptly raised the alarm by phoning the local radio station and her neighbors. In no time people began arriving at the scene.

Fortunately one or two of them were conversant with my rescue techniques and a trial run was attempted. Although it met with some success we decided to wait for the incoming tide to assist us in our efforts by giving the whales more buoyancy.

Meanwhile more helpers were arriving, among them a busload of schoolchildren. By this time the tide was "making" fast, so we assembled our teams and went into action, turning the whales seawards and then pushing and pulling with each incoming wave.

Once beyond the breakers no further assis-

tance was needed; the water was now deep enough for the whales to swim. The rescue continued until all but four of the 80-strong herd were back in the sea again.

The four exceptions were juveniles which had died of stress brought on by the ordeal coupled with enforced separation from their mothers. They were lifted by helicopter and buried well above high-water mark.

The schoolchildren who helped in the rescue have been presented with a commemorative plaque.

A feature worthy of note is that dolphins are sometimes involved. Twice in recent years they have been seen piloting rescued whales to the safety of the open sea.

Frank Robson

Japan to end commercial whaling — but will the whales notice any change? Japan's smoke-screen

Japan will end commercial whaling in line with the advice from a private body to the chief of the Fisheries Agency. Excellent news, you would think — but what is the exact form of this "advice"?

As from November 1985, commercial whaling would ostensibly cease. In the Antarctic it would be replaced by "investigative" whaling for research purposes conducted, as now, by a mother ship and four catcher boats.

In Japanese coastal waters it would be classed as "indigenous" (on the model of the Alaskan eskimo's bowhead quota). The workforce in Japan's only whaling company would remain at its present strength.

What does all this amount to? Surely it is the continuation of commercial whaling by another name — or rather by two other names, "investigative" and "indigenous". It will not do.

US stands firm on whaling

Correspondence during the summer between Senator Bob Packwood and Secretary of Commerce Malcolm Baldrige makes it plain that the US will indeed implement the Packwood-Magnuson Amendment against any country which continues commercial whaling after the end of next year when the whaling ban comes into effect.

Senator Packwood wrote to the Secretary of Commerce on 28 June seeking an assurance on this score. On 24 July he received a very positive letter from Secretary Baldrige which said (in part): "Any government that chooses to ignore the commercial whaling moratorium . . . should be prepared to accept the consequences. I agree that any doubt regard-

ing the US position should be dispelled. I hope this clarifies our commitment to the effective implementation of the moratorium."

Packwood-Magnuson reduces by at least half the tonnage of fish that a nation in breach of IWC regulations may catch in US waters. Japan and the USSR are now being told unambiguously: comply — or else.

Animal Welfare Institute

Scientific Committee

Marjorie Anchel, Ph.D.
Bennett Derby, M.D.
F. Barbara Orlans, Ph.D.
Roger Payne, Ph.D.
Samuel Peacock, M.D.
John Walsh, M.D.

International Committee

Aline S. de Aluja D.V.M. — Mexico
T.G. Antikas, D.V.M. — Greece
Ambassador Tabarak Husain — Bangladesh
Angela King — United Kingdom
Simon Muchiru — Kenya
David Ricardo — Canada
Godofredo Stutzin — Chile
Ambassador Fumihiko Togo — Japan
N.E. Wernberg — Denmark

Officers

Christine Stevens, President
Cynthia Wilson, Vice President
Marjorie Cooke, Secretary
Roger L. Stevens, Treasurer

Directors

John Beary, M.D.
Madeleine Bemelmans
Gerard Bertrand Ph.D.
Marjorie Cooke
Christabel Gough
David O. Hill
Sue Hunt
Freeborn G. Jewett, Jr.
Christine Stevens
Aileen Train
Cynthia Wilson

Staff

Patrick Allen, Editorial Consultant
Cynthia Bank, Administrative Assistant
Elizabeth E. Cory, Publications Coordinator
Jessie Despard, Administrative Assistant

Diane Halverson, Research Associate
for livestock and poultry
Lynne Hutchison, Whale Campaign Secretary
Cathy Liss, Research Associate

Nell Naughton, Mail Order Secretary
Greta Nilsson, Wildlife Consultant
Adele Schoepperle, Assistant Treasurer
Louise Wright, Research Assistant

Birds of a feather get "stung" together



photo — USFWS

Anatum Peregrine Falcon (endangered species). This chick (eyas) was illegally taken from a wild nest for illegal market.

Operation Falcon, a 3-year "sting", culminated in the busting of a nationwide ring dealing in endangered birds of prey. The raptors, plundered from the wild, were sold in a multi-million dollar black market, many of them to European and Arab falconers who will pay colossal sums for the right bird. Arctic gyrfalcons, which winter as far south as Colorado, can fetch as much as \$50,000 each.

Pickings were rich and plentiful. But suddenly on 29 June the party ended — with a vengeance. Across 14 states 150 special agents of the US Fish and Wildlife Service plus 150 state wildlife officers moved in. They made 39 arrests and seized huge numbers of live raptors — among them gyrfalcons and 140 peregrines — as well as cars, trucks and even planes. Over 80 felony charges are pending.

This same day, 29 June, was also a black day for raptor-smuggling confederates north

of the border. In Ontario, Alberta, British Columbia and the Yukon there were 15 arrests.

It transpires that many of the 400-500 raptors stolen from the wild during the last three years were "laundered" through captive-breeding operations involving the use of government labels. In 1983 the US Fish and Wildlife Service, ignoring the pleas of conservationists had made life easier for the traffickers by lifting a federal ban on the sale of raptors bred in captivity, provided they were marked with authorized leg bands.

Following the arrests Interior Secretary William Clark said: "The Department is greatly concerned about the impact illegal trade is having on wild populations of birds, converting a public trust to a private gain. We intend to review in depth the existing regulatory mechanism that has apparently been defied on such a large scale."

One of the 39 arrested, Marcus Ciesielski, a West German aged 21, was found guilty by a Montana court in August of participating in a plot to smuggle six gyrfalcons out of the country. He was fined \$10,000 and faces deportation. Mr. Ciesielski purchased the birds from an undercover agent and flew them in a rented plane from Great Falls, Montana, to Washington, DC. From there a confederate drove the birds in a limousine provided by the Saudi Embassy to Kennedy Airport where he bought seven first-class tickets (for himself and the six birds?) on Saudi Arabian Airlines. The Saudi Embassy pleads ignorance of the whole affair.

"Aid" from World Bank and EEC is hitting Botswana hard

In Botswana the rules of sound conservation continue to be flouted — with devastating impact on both people and animals. Regular readers of the *Quarterly* will recall that we highlighted (Fall 1983) the tragic plight of Botswana's wildebeest, dying in their tens of thousands through being denied access to their main watering grounds during the recent years of unbroken drought. Barring the animals from the life-giving lakes is 1800 miles of steel fencing, erected in the unproven belief that it will stop the spread of foot-and-mouth disease to some three million cattle.

The diabolical fences are one problem. Another is the cattle themselves. The herds so grossly exceed the carrying capacity of the

land that huge tracts of once fertile soil are now sterile desert.

And who is chiefly responsible for the destruction of Botswana's productivity base, the land itself? Ironically it is international aid donors — notably the World Bank and the EEC. The former has loaned more than \$10 million for cattle projects while the latter "generously" subsidizes Botswana's beef exports (so adding, amongst other ill effects, to Europe's beef mountain).

There might be some slight justification for this policy if the people as a whole benefited. But they do not. The money goes to those whose purses are already bulging. Says an aid official: "The \$100 million earned last year from beef exports went straight into the

pockets of private owners — one-third of them to one man."

That man is Derek Brink whose land-holding of close on one million acres is believed to be the world's largest. Small herders are increasingly being squeezed out; the big ranchers, who are often government officials, control the water points and the usable rangeland.

Savage drought plus ruinous development policies allied to greed are hitting Botswana hard. The people suffer, the cattle and the wildlife die. This mournful saga will continue until the government, helped rather than hampered by foreign "aid", takes the conservation rule-book to heart.

Animal dealer charged again

Animal dealer Marlin Zartman, operating an auction in Douglassville, Pa., has been charged for a second time with providing substandard care and treatment for sick and injured dogs, cats, guinea pigs and rabbits which he was holding for sale. If found guilty of violating the Animal Welfare Act, Zartman faces a \$2000 fine, a cease-and-desist order and suspension of his federal license.

Charles River settles

Sued by both cancer researcher Brenda Kahan of the University of Wisconsin and by the university itself for fraudulent misrepresentation in supplying genetically contaminated mice for use in research, Charles River has agreed to settle. While terms of the settlement between Kahan and the company have not been disclosed, the agreement with the university establishes a \$40,000 research fund. Two-thirds of this sum will support Kahan's research and one-third will go to zoological research at the university. (For the background to this shabby story involving the world's biggest commercial supplier of laboratory animals, see *Quarterlies* for Winter 1984 and Summer 1982.)

Fewer animals to test new products

The number of animals used by Colgate-Palmolive in testing new products fell by more than 50% in 1983. The company is shortly to sponsor a symposium on "the prevention of pain in animal experiments." Avon is also using fewer animals. A drop of 31% in 1983 comes on top of a 33% reduction for the previous year.



THE ANIMAL WELFARE INSTITUTE QUARTERLY

P.O. BOX 3650

WASHINGTON D.C. 20007

FALL 1984

VOL. 33 NO. 3

US Capitulates to Japan on Whales

Whale protectors sue

Abruptly abdicating the leadership position the United States has held in the long fight to save the great whales from extinction, the US Government on November 13 bowed to Japan's intense pressure and announced it would not impose economic sanctions on Japan for sperm whaling, despite the International Whaling Commission decision that no sperm whales be killed.

Japanese whalers immediately began harpooning the endangered sperm whales in defiance of the IWC ban.

The Packwood-Magnuson amendment to the Fishery Conservation and Management Act requires the US Government to certify any country that "diminishes the effectiveness" of the International Whaling Commission, and cut off 50% of its allocation of fish in the US 200-mile limit. If the violation continues for a year, the nation is banned

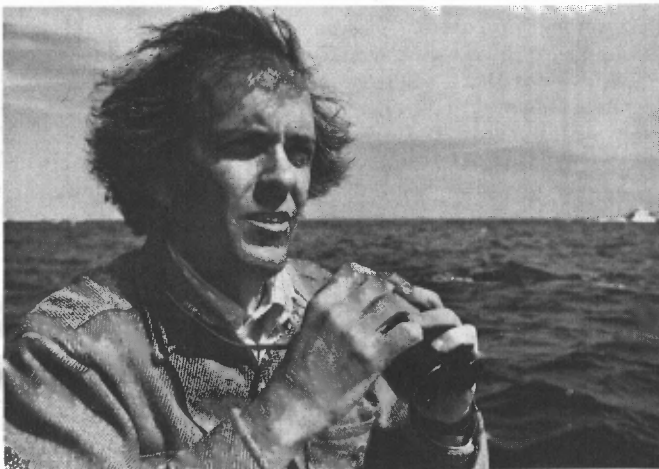
from all fishing in the US 200-mile zone.

Japan has killed sperm whales (see Greenpeace photograph) contrary to the 25 to 1 vote by IWC nations protecting sperm whales but, instead of certifying and cutting Japan's fish quota, our government promised to withhold sanctions and let Japan kill 400 sperm whales a year for two years. Scientific findings show that because of the savage exploitation of this population of whales in the

continued on page 6



"Genius Award" to Roger Payne



Roger Payne
observing whales.

W.W.F.

The prestigious MacArthur Foundation award made to the five most brilliant thinkers it selects each year will be presented to Dr. Roger Payne in recognition of his accomplishments in cetology and environmental affairs. The award carries with it \$240,000 in 1984.

Roger Payne, a distinguished member of the Animal Welfare Institute's Scientific Committee since 1976, received the Albert Schweitzer Medal in 1980. His magnificent acceptance speech appeared in the "Animal Welfare Institute Quarterly" Vol. 30, No. 1, Spring, 1981. It was he who brought the songs of the humpback whale to public notice, and the recordings were distributed so widely that it outstripped all previous records. His television documentary, "Monsters of the Deep," told for the first time of the lives of the severely endangered Southern Right whales closely observed for years in Patagonian waters by Roger and Katy Payne. In 1978, he prepared a statement for submission to the International Whaling Commission on ethical considerations.

Ethical Questions of Whaling

by Roger Payne, Ph.D.

Research on whales demonstrates that they are in possession of unusually large brains. Although there is no general agreement on what the function of these brains may be, it is a principle of evolution that such a complex organ does not develop in a species unless it confers an advantage on the survival of that species.

Recent research on whales has demonstrated that some species have very complex repertoires of sounds; that other species make sounds that can carry over distances of thousands of miles; that still others sing long, complex (and, to human ears, beautiful) songs, that these songs are constantly changed according to laws of form that are remarkably similar to some laws of human musical composition, and that these laws are inherited culturally or genetically. The function of the songs and the reason they change so constantly are unknown, but the ability to memorize a song lasting perhaps 25 minutes, and to incorporate in it all of the complex annual changes, presumably indicates something of what the whale's brain can do.

In at least four separate laboratories in

continued on page 6

Thirty-four charged — federal undercover operation comes to an end

The U.S. Fish and Wildlife Service announced October 4 that 34 people from 9 States have been charged in Montana and Colorado with violating State and Federal wildlife laws. These actions conclude a 3-year undercover investigation of illegal poaching and smuggling of native and exotic wildlife, Operation Trophy Kill.

Nearly 200 Federal and State law enforcement agents participated in the arrests and served 20 search warrants. States involved include Montana, Alaska, Arizona, Oklahoma, Texas, Oregon, and California.

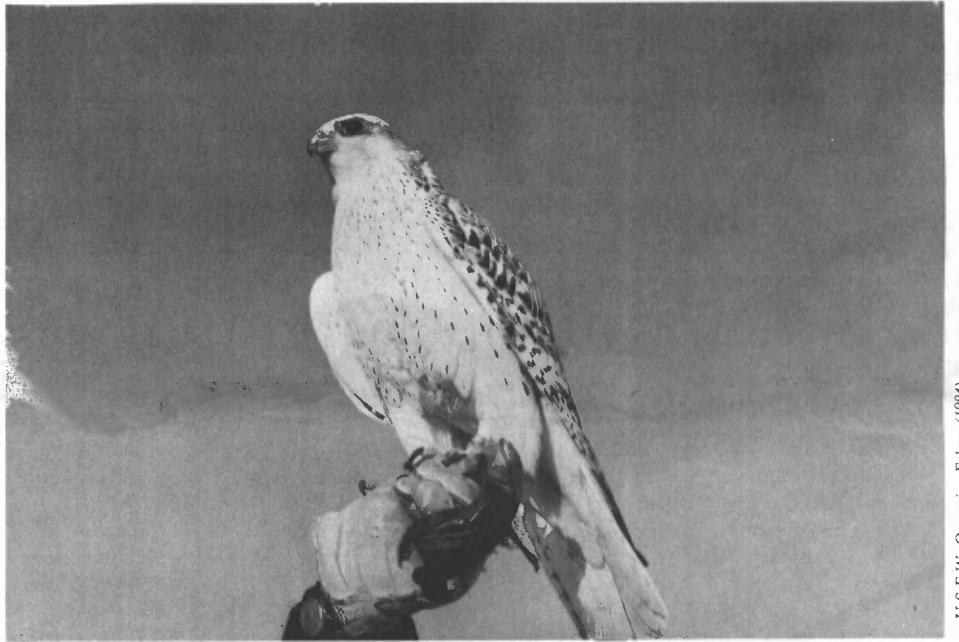
Fish and Wildlife Service agents covertly ran a tanning and taxidermy business in Colorado, where they detected smuggling of endangered wildlife skins into the United States and illegal trade in protected species of big game and rare birds. Further charges involve illegal guided hunts around Yellowstone National Park and in Mexico. Some indictments allege illicit trade to the Orient of wildlife parts and products supposed to have medicinal and aphrodisiacal properties.

Other charges include smuggling skins from species protected by the Endangered Species Act — especially the cheetah, jaguar, ocelot, leopard, margay, and American crocodile — into the United States through the mail, in containerized cargo ships, and in hidden compartments of vehicles; violations of the Lacey Act for interstate transportation of illegally-taken North American wildlife, including a bighorn sheep, (the bigger the horn, the bigger the price) mountain goats, elk, mule deer, black bear, antelope, mountain lions, bobcat, and lynx; Eagle Act and Migratory Bird Treaty Act violations regarding the killing and selling of eagles, hawks, owls, flamingo, scarlet ibis, and songbirds; and conspiracy.

The investigation found that bighorn sheep skulls might sell on the black market for as much as \$5,000. Finished and tanned tiger and jaguar skins can sell for \$3,000-\$4,000. Bear gall bladders — prized in the Far East for their supposed medicinal and aphrodisiacal values — can bring \$3,000 a pound when properly ground, while other bear parts are used in bear-paw soup, which is considered a delicacy.

U.S. Attorney Robert N. Miller reporting on Operation Trophy Kill, said that eleven criminal complaints were filed in Colorado charging seventeen individuals from ten states with violations of various federal statutes designed to protect and preserve wildlife. An additional seventeen individuals were charged with similar violations arising out of Operation Trophy Kill by the United States Attorney in Montana.

Charges were filed in the United States District Court in Colorado against the



U.S.F.W. Operation Falcon (1994)

White Phase Gyrfalcon, birds such as this bring \$50,000 or more on the international market. The North American population of this coveted species should be reinstated to Appendix I of CITES.

following individuals:

Tillman Niblett, a resident of Davis, Oklahoma, is an international hunting and fishing guide. He was charged with smuggling ocelot, margay and jaguar skins from Mexico into the United States and with illegal transportation of American crocodile skins that had been smuggled into the United States, in violation of the federal smuggling laws; with illegal sales of jaguar and margay skins in violation of the Endangered Species Act; and with illegal sales of migratory birds, including cardinals, barred owls, great-horned owl, swainson's hawk, and blue jays, in violation of the Migratory Bird Treaty Act. Mr. Niblett faces a maximum penalty of twenty-two years in prison and \$52,000.00 in fines.

Brian Gaisford is a resident of New York, New York, and is employed by Hemingway African Gallery in New York, New York. Gaisford is charged with illegal transactions in cheetah and leopard skins, including the unlawful sale of a cheetah skin that had been smuggled into the United States from Africa, in violation of the Lacey Act, the Endangered Species Act, and the federal smuggling statutes. He faces a maximum penalty of eleven years in prison and \$40,000.00 in fines.

Steven J. Ackerman is a taxidermist residing in Pensacola, Florida. Morton J. Greene is in the construction business, and is a resident of Mt. Lebanon, Pennsylvania. They are charged with conspiracy to defraud the United States Fish and Wildlife Service by selling documents concerning lawfully im-

ported leopard and tiger skins in order to facilitate other illegal transactions in the skins of those animals, in violation of the federal conspiracy laws.

Ackerman is also charged with illegal sales of endangered species of wildlife, including Siberian tiger, Black leopard, Clouded leopard, and jaguar, in violation of the Endangered Species Act, and illegal sales of migratory birds, including red-shouldered hawks, cattle egrets, flamingos and sandhill cranes, in violation of the Migratory Bird Treaty Act.

Morton J. Greene is also charged with unlawfully offering for sale various endangered species, including jaguar, Indian leopard, Indian tiger and African leopard, in violation of the Endangered Species Act. Ackerman faces a maximum penalty of twelve years in prison and \$74,000.00 in fines. Greene faces a maximum penalty of six years in prison and \$30,000.00 in fines.

Jung T. Wang, President of a business known as U-JIN Enterprises located in San Francisco, California, is charged with illegal purchases of bear gall bladders in interstate commerce, in violation of the Lacey Act, and with unlawful transportation of a marine mammal, specifically a Polar bear skin, in violation of the Marine Mammal Protection Act. WANG faces a maximum penalty of seven years in prison and \$40,000.00 in fines.

Kyune Hyong (K.H.) Kim and Peter Kim are residents of Carson, California, where

continued on next page

Important News: Norway and Denmark have proposed reinstatement of the North American gyrfalcon to Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

they operate a business known as Pecal Enterprises. They are both charged with illegal purchases of bear gall bladders in interstate commerce, in violation of the Lacey Act. K.H. Kim and Peter Kim face a maximum penalty of eight years in prison and \$50,000.00 in fines.

Thomas Radoumis operates a taxidermy shop known as DeJon's Taxidermy in Rosemead, California. He is charged with selling cheetah skins that had been smuggled into the United States from Africa, in violation of the Endangered Species Act and the federal smuggling laws. He faces a maximum penalty of eleven years in prison and \$40,000.00 in fines.

Steven and Connie Murray are residents of Edinburg, Texas, where they operate a business known as Trips Unlimited which offers hunting and fishing trips in Mexico. Michael Maynard is a resident of McAllen, Texas, where he operates a business known as Odyssey Travel Service, which arranges hunting and fishing trips in Mexico. Sergio Necedal is a resident of Reynosa, Mexico,

where he is employed as a Customs agent. These individuals are charged with conspiracy to smuggle and the smuggling of jaguar and ocelot skins into the United States, in violation of the federal smuggling and conspiracy laws.

Douglas Gish, a taxidermist, is a resident of Denver, Colorado and is owner of Head's West Taxidermy in Denver, Colorado. Warren Parker is a resident of Blue Springs, Missouri, where he works in the construction business. These individuals are charged with the unlawful purchase of a jaguar skin which had been smuggled into the United States from Mexico, in violation of the federal smuggling laws. They face a maximum penalty of five years in prison and a \$10,000.00 fine.

Philip Turnbull, a resident of Oakland, Oregon, is charged with the unlawful sale in interstate commerce of wildlife, including two mountain lion hides and two Black bear hides, in violation of the Lacey Act. Turnbull faces a maximum penalty of five years in prison, a \$20,000.00 fine, or both.

Kurt Fox, a taxidermist who operates a

taxidermy business in Cold Springs, New York, known as Fox Studio Taxidermy, Fox is charged with the unlawful purchase of a Bengal tiger skin, in violation of the Endangered Species Act. He faces a maximum penalty of one year in jail, a \$20,000.00 fine, or both.



Black bear

U.S.F.W.

North Yemen is still the chief importer of rhino horn

During the 1970s around 40% of all rhino horn entering international trade was being imported by North Yemen, and there being crafted into handles for traditional daggers or *jambias*. But with the collapse of Africa's rhino populations, the government bowed to international pressure and in August 1982 rhino-horn imports were banned.

The ban, though, is not working. Indeed the 40% figure quoted above is now over 50% — although the total tonnage is down considerably because rhinos are today so few and far between. This latest estimate comes from Esmond Bradley Martin, a rhino expert who has made a particular study of the rhino trade and who returned to North Yemen in October 1983 to find out which countries are now the suppliers, what prices are being paid and how demand might be reduced.

Although *jambias* with rhino-horn handles are now very expensive — average prices range from \$435 to \$875 — demand still exceeds supply. The oil bonanza has pumped money into many purses. Almost all men have daggers and in most parts of the country these are worn every day. By the age of 12 boys will usually possess one. After allowing for the fact that over 90% of these youngsters will either inherit their dagger or be contented (for the time being) with a handle made from the horn of cow or water buffalo, some two tons of rhino horn are still needed every year to satisfy this one market. This is twice the tonnage entering the country in 1982. Demand from older men and from an increasing influx of western tourists compounds the problem.

The "solution" currently being attempted is to increase supplies. Rhino horn is flown in from Khartoum — though it may well have originated from outside Sudan. It travels in the personal luggage of traders who, unlike other travelers, can pass through Customs at

Sana'a airport (Sana'a is North Yemen's capital) without any fear of a search. Not that a search would prove embarrassing. Bradley Martin questioned several Customs officers and they were emphatic that rhino horn could be legally brought in. They disclaimed all knowledge of a Ministerial Order which reads: "The importation of Rhinoceros Horn in any form is strictly forbidden."

Clearly the first move in any serious attempt to stamp out this traffic is to ensure that Customs officers know the law and are intent on applying it — meaning that they inspect the luggage of traders and their "friends". Secondly there should be a ban on the export of rhino-horn shavings to Hong Kong, Singapore and Taiwan where they are made into quack medicines. Because 70% of a raw

horn is wasted when carved into a dagger handle, shavings exist in huge quantities. Were dealers to lose this market, things would be a lot tougher for them. Thirdly the import duties on cow and water-buffalo horn should probably be removed to encourage their use for dagger handles. And perhaps, too, the media could assist by dramatizing the plight of the rhino and the rarity of rhino horn. The likely effect would be to drive up the price beyond the purse of all but a few, so reducing demand.

But if the problem is to be solved, any moves by North Yemen will have to be matched by far stricter controls on rhino-horn exports from, in particular, Sudan. If the rhino is to be saved, the "Khartoum Connection" must be broken.

Smuggled rhino horns



W.W.F.M. Wolf/QUICK

The above piece is based on an article by Esmond Bradley Martin in the March-April, 1984 issue of the Kenyan magazine *Swara*.

185

FDA's Crawford makes progress on alternatives

The Food and Drug Administration is moving towards serious concern for laboratory animals used in testing. In a speech September 24th, Lester M. Crawford, DVM, PhD, Director of FDA's Center for Veterinary Medicine, told a seminar on Animal Testing: Legal, Science and Policy Issues, "The problem was taken so seriously in the federal government that the Food and Drug Administration in January 1984 formed a Steering Committee on Animal Welfare issues." He outlined the activities of the committee and reported that it found a number of unique *in vitro* methodologies under development. He also noted that "some of the basic methods are being used in different centers for different purposes. An exchange of information and views would strengthen the agency science base." Dr. Crawford emphasized that practices vary from center to center and that "agency staff members can benefit by sharing information."

Dr. Crawford made no mention of pending legislation. However, these findings of the FDA Steering Committee underline the great value which would be obtained were the Information Service proposed by the Dole and Brown bills, "Improved Standards for Laboratory Animals," in the National Agricultural Library, in place. It is vitally important that the animal suffering resulting from tests which could be accomplished without using animals, be prevented. The waste of funds involved is a second reason for exerting active efforts both to develop alternative methods and to ensure that, when developed, they are actually used.

Dr. Crawford gave a number of examples of "specific instances where requirements for animal tests have been eliminated or are being considered for elimination as the reliability of alternative procedures is validated." He stated:

"For example, cell culture systems have been shown to be equally or more sensitive than mice, guinea pigs and rabbits in tests for extraneous microbial agents that may be present in inactivated products such as poliomyelitis and rabies vaccines and for similar tests of live virus vaccines such as measles, mumps, rubella and the oral poliovirus vaccines. Appropriate changes in the current additional standards for these biological products will be made to delete the requirement for the use of animals in testing.

"In addition, the use of cell cultures for testing the presence of residual live virus in inactivated poliomyelitis vaccine is being evaluated to determine if they are as reliable as monkeys. Preliminary results indicate that the cell culture systems may be more sensitive. For medical device products, approval has been given for industry to substitute a variety of chemical and cell culture tests for *in vivo* tests of material toxicity and identification and for quality control.

"Pyrogen testing of drug products and biological products is changing from using rabbits to using the Limulus Amebocyt Lysate (LAL) assay to determine the presence of bacterial endotoxins. Guidelines addressing this change have been proposed, and comments received on them are currently being reviewed. In fact, some manufacturers already have received approval to substitute LAL tests for the use of rabbits.

Attempts are being made to develop *in vitro* methods to replace animal tests presently used for assaying foods for protein quality and vitamin D content.

"Immunochemical and biochemical techniques are being substituted for animals to determine the potency and purity of some biological products. Analytical methodology such as spectrophotometry is used to assure potency of meningococcal and pneumococcal polysaccharide vaccines and chromatography is used to determine the identity and molecular configurations of new products using recombinant DNA technology. Single radial immunodiffusion procedures are used to determine the potency of influenza vaccines and also are currently being evaluated for determining the potency of rabies and inactivated poliomyelitis vaccines. The utility of enzyme-linked immunoassay and radioimmunoassay is also being evaluated as a suitable replacement for potency testing of poliomyelitis vaccines which currently requires the use of monkeys.

"Research and development of a number of other alternative methods is being conducted or supported. Tissue culture, cell culture and subcellular cultures are being evaluated for the application to test for many substances such as heparin and protamine sulfate. Genetic probes, developed through advances in recombinant DNA technology, are being investigated for their application in assessing virulence and pathogenicity of food borne bacteria. Probes are now available for *Escherichia coli*, and *Yersinia enterocolitica* with probes under development for *Shigellae*, *Campylobacter jejuni*, *Clostridium perfringens*, *Bacillus cereus*, *Vibrio cholera*, *Salmonella* and *Clostridium botulinum*. The agency is following studies of cell culture methods using corneal epithelial stromal and endothelial cell lines and use of a protozoan species as alternatives to the use of animals for identification of ocular irritants.

"For cosmetic ingredients, *in vitro* tests using ocular tissue cultures and cadaver skin in the Franz cell are now used frequently to provide information on skin sensitization and percutaneous absorption of cosmetic ingredients.

"Unscheduled DNA synthesis, mammalian cell transformation, mouse lymphoma

and the Ames Salmonella Reversion tests are being investigated for their value in providing information on food additive and contaminant toxicity.

"Scientists at the NCTR also use *in vitro* methods and procedures for a variety of research purposes. These include primary hepatocyte cultures for metabolism studies and the Chinese hamster ovary cells and the Ames test to determine mutagenic effects. Microorganisms, such as bacteria, yeasts and fungi, are being employed instead of animals to assess the toxicity of environmentally important chemicals."

FDA is a sizable agency. In order to improve coordination in this important field, the Steering Committee recommended that a series of workshops be conducted under the Commissioner's sponsorship on acute toxicity studies required throughout the agency. Dr. Crawford said: "Regulatory and research staffs of the various centers would attend with the objective being to assure that everyone uses the same terms in dealing with industry. A second objective would be to inform staff members from each center of the requirements in other centers."

Pain symposium spurs book

From the first-ever symposium to address the issue of animal pain — held at the 1982 meeting of the Federation of the American Societies for Experimental Biology — has sprung an important book, *Animal Pain: Perception and Alleviation*. The first section is a thorough review of the scientific basis of pain and pain perception in animals. The second section focuses on the alleviation of pain and contains a chapter by Lloyd E. Davis from the College of Veterinary Medicine, University of Illinois. While his contribution is solidly scientific, there is one paragraph in particular which makes his overall philosophy — and doubtless that of his collaborators in this book — splendidly clear. It runs as follows.

"One of the psychological curiosities of therapeutic decision-making is the withholding of analgesic drugs because the clinician is not absolutely certain that the animal is experiencing pain. Yet the same individual will administer antibiotics without documenting the presence of a bacterial infection. Pain and suffering constitute the only situation in which I believe that, if in doubt, one should go ahead and treat."

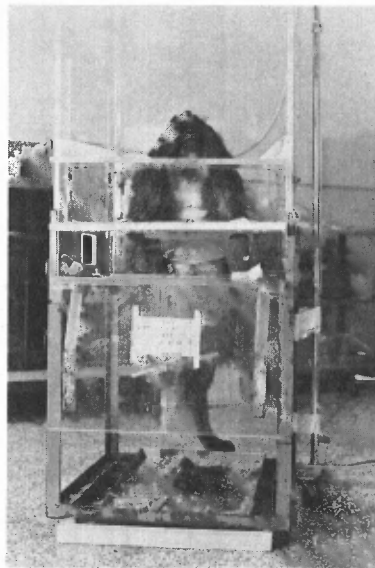
The American Physiological Society and editors O.E. Reynolds and S.R. Geiger are to be congratulated on publishing this 230-page book. It costs \$39.95 and is distributed by Williams and Wilkins, 428 East Preston Street, Baltimore, Maryland 21202. In England they can be reached at 266 Fulham Road, London SW10.

Lifeforce intends suing

The Canadian organization *Lifeforce* is accusing the Heart and Stroke Foundation of Ontario of funding cruel research on baboons imprisoned for months in restraint devices. *Lifeforce* has film and documentation in support of this charge and intends suing those involved in the research at the University of Western Ontario.

The case, the first of its kind in Canada, will be brought under the Criminal Code of Canada. It is likely to be expensive and the organization is therefore appealing for donations. The address is: *Lifeforce*, Box 3117, Main Post Office, Vancouver, Canada, V6B 3X6.

Baboon in restraining chair after surgery covers her eyes with her hands.



© Lifeforce — Peter Hamilton



Top view of the chair is reminiscent of 17th century stocks.

© Lifeforce — Peter Hamilton

Dog fighters in disguise

The sign on the building said "Sunday services 11 a.m." But the Brush Arbor Revival house in Robbinsville, North Carolina, was not quite what it seemed.

Inside the most prominent feature was a 16-by-16 foot pit. And on the last Sunday of last October — not for the first time but surely for the last time — the pit was all covered in blood, the blood of dogs brought together to do sanguinary battle, urged on by a large and brutish crowd of gamblers and sadists.

The fight was openly advertised in a Georgia store, for word had gone round that the local sheriff had been "bought off". What the fight promoters had failed to reckon with, though, was that the sheriff was new. And out to get them.

Two dogs were fighting in the pit when the sheriff's men sprang their trap. The spectators tried to flee but most were caught; 90 arrests were made on the spot. One arrested man had \$100,000 in a bag and many had several thousand dollars on them. The would-be escapers left behind alcohol, drugs and weapons — ranging from brass knuckles to guns.

Dog-fighting is a misdemeanor in North Carolina. Those convicted face \$500 fines and/or six months in jail. No great penalty for such vicious and callous cruelty.

Albert Schweitzer Summer Fellowships

Two Albert Schweitzer Fellowships aimed at reducing use of animals in testing and research are being offered jointly for the Summer, 1985, by the Albert Schweitzer Fellowship and the Center for Advanced Training in Cell and Molecular Biology of the Catholic University of America, Washington, D.C.

The Fellowships are open to college juniors and seniors, first year graduate students and first year medical students. The Schweitzer Fellows will spend 9-10 weeks, including June and July, at the Center. Courses in basic cell and tissue culture and *in vitro* toxicology will be offered as well as an *in vitro* neurotoxicology research program. Refinement of skills in these areas may encourage further development of viable substitutes for animals.

Applicants must submit a completed application, a current academic transcript and an 800-1000 word essay on "Dr. Schweitzer's Perspectives on Animals and Biomedical Research" or a "Personal View of Dr. Schweitzer's Philosophy of Reverence for Animal Life." *Deadline for applications: March 1, 1985.*

The Center is waiving its \$1200 tuition fee

and the Albert Schweitzer Fellowship is awarding a \$1250 stipend for housing, travel and other essential expenses. Low cost housing is available.

Applications and reading lists may be obtained from Dr. Roland M. Nardone, Director, Center for Advanced Training in Cell and Molecular Biology, Catholic University of America, Washington, D.C. 20064. Tel. (202) 636-6161.

The selection committee will include Dr. Nardone and Fellowship board members, Christine Stevens, president of the Animal Welfare Institute, and Ann Cottrell Free, Schweitzer Medalist and author-editor of *Animals, Nature and Albert Schweitzer*.

The Albert Schweitzer Fellowship is a national membership organization, headquartered at 866 United Nations Plaza, New York, N.Y. 10017. It seeks to foster Dr. Schweitzer's ethic of reverence for life and to provide support for the Albert Schweitzer Hospital, Lambaréné, Gabon. The Center for Advanced Training is sponsored by the Department of Biology of Catholic University, where doctoral research and instruction are part of a 70 year tradition.

Big fines for dog dealers

Dog dealer Allen Avis from Monroeville, New Jersey, has been fined \$3000 on 12 counts of selling dogs without a license and twice failing to answer a formal complaint charging him with wholesaling a cat and about 60 dogs one year after his federal license had expired.

One of those to whom Avis had frequently sold dogs is Rudolph Vrana, a lab animal dealer in Millville, New Jersey. He too has been fined \$3000 for transporting dogs, cats and rabbits in overcrowded conditions, failing to provide veterinary care for sick cats and using poorly constructed cages.



Dog dealer Donald Stumbo from Lima, New York, has been fined \$4000 and ordered to suspend business for 120 days. He was judged guilty of giving "a bare minimum of attention" to his animals. He challenged the evidence on which this judgment was based but a retrial found it "abundantly supported."



Harold and Ethel Taylor, dog dealers from Kansas, have been charged with raising, selling and transporting dogs wholesale without a valid dealer's license. APHIS has asked that the Taylors be fined \$13,000 and served with a cease-and-desist order. The couple was warned in 1979 and again in 1980 that they were in violation of the Animal Welfare Act.



James and Julie Stueckerjuergen, dog dealers from Iowa, have been charged with repeatedly violating the Animal Welfare Act. In 1982 the dealers shipped 76 dogs below the minimum age of eight weeks to distant destinations in the US and Canada. APHIS has asked that the dealers' license be suspended for at least 90 days. It is also asking for \$500 per violation — a total fine of \$38,000 — and a cease-and-desist order.

187



photos: Wm Cafritz

Sculpture in stone of a sperm whale by William Cafritz.

Japan continued

North Pacific over the years, it cannot increase its numbers for a decade or more even if *no* sperm whales are killed!

The Animal Welfare Institute and eight other groups filed a lawsuit in US District Court seeking a judicial order nullifying any bilateral agreement with Japan that would allow outlaw whaling, and a court order directing the Secretaries of Commerce and State to impose mandatory sanctions against the Japanese fishing industry as required under the Packwood-Magnuson Amendment.

Representing the conservationists in the lawsuit is William D. Rogers, former Under Secretary of State. His law firm, Arnold and Porter, prepared the legal action *pro bono*.

Rogers stated: "The lawsuit is based on the premise that any commitment by the Secretary of Commerce not to certify Japanese sperm whaling would be an unlawful agreement not to enforce US Law."

Senator Bob Packwood (R-Oregon), co-author of the law, says the US-Japan agreement is flatly illegal: "Packwood-Magnuson is extremely clear. It is absolutely mandatory, not discretionary policy. It leaves no wiggle room or gray area in which representatives of our government can negotiate with the Japanese or any other foreign power to take sperm whales."

Capitulation by the US came after several weeks of intense negotiations between the two countries. Japan kept increasing the pressure against government agencies that were trying to maintain American leadership in whale conservation and the deterrent of the Packwood-Magnuson Amendment. The Japanese fishing industry threatened massive retaliation against US fishermen, with whom they do heavy trade. Japan's Ministry of Agriculture and Fisheries reportedly threatened US agricultural imports. Foreign Minister Shintaro Abe coordinated a drum-beat attack against US policy in both Washington and Tokyo.

Working hand-in-hand with Japanese negotiators were officials of the State Department, specifically the Japan Desk and the Economic Affairs bureau, who felt that the penalties of the Packwood-Magnuson Amendment should not be brought to bear against Japan.

Thomas Garrett, who served as US deputy commissioner to the IWC from 1977 through 1983 and headed the American delegation to the IWC in 1981 when the commission voted, by 25 to 1 (with only Japan dissenting), to prohibit all further sperm whaling, stated, "Any deal to allow continued sperm whaling jeopardizes the fruits of twelve years of labor and support of mil-

lions of Americans. It would open a Pandora's Box of problems. Every whaling nation, including those that have agreed to cease whaling or have already stopped, would demand a similar deal.

"If the US is faced down in this manner," Garrett points out "the Packwood-Magnuson Amendment and its sister law, the Pelly Amendment, which alone have deterred whaling nations from defying the IWC in recent years, would cease to be credible. The moratorium would crumble and the IWC would revert to impotence."

Boycott

An intensively coordinated worldwide boycott of Japan Airlines (JAL) is scheduled to begin January 1, 1985 if Japan has not withdrawn its objections to the ban on sperm whaling and the moratorium and agreed to comply with IWC decisions.

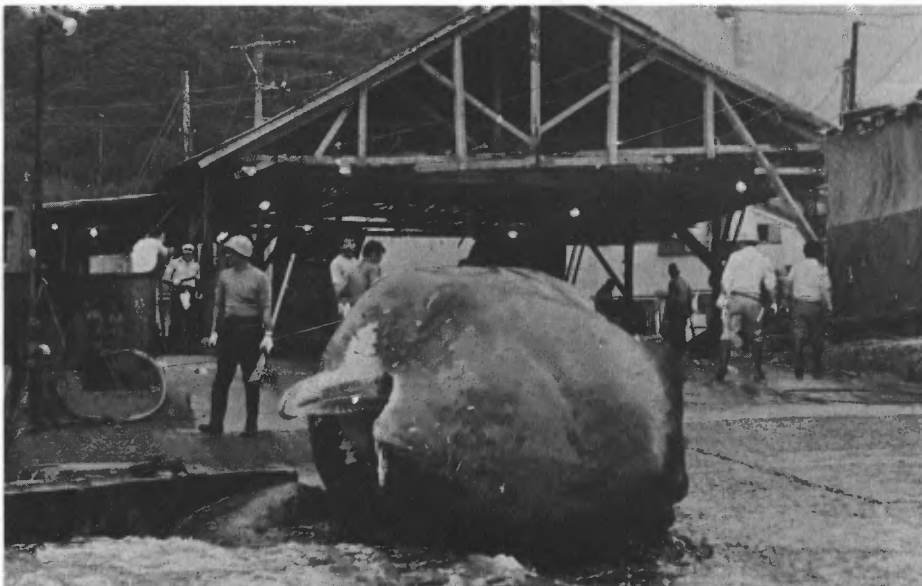
Travel agents in North America, Europe, Australia and New Zealand will be asked not to book passengers on JAL flights and all friends of whales urged to refrain from flying JAL until Japan honors the decisions of the IWC. The Government of Japan owns 37.7% of JAL, the largest share holder being the Ministry of Finance.

Roger Payne continued

the United States, there is research currently in progress on techniques for communicating with cetaceans. Though different in detail, these efforts are essentially modifications of techniques pioneered by primatologists for teaching American Sign, computer, and symbolic languages to chimpanzees and gorillas. The early emphasis in that research was on demonstrating that some non-human animals are capable of the same abstractions necessary to communicate via human languages. That chimpanzees and gorillas are capable of such abstraction is now widely accepted.

The current research with porpoises, though it employs the same techniques, has a different emphasis. One current direction is an effort to learn more about behavior of porpoises in the wild by teaching a porpoise a simple language and then asking it simple questions. Con-

continued on next page



© 1984 Pat Herron/Greenpeace

One of two sperm whale brought in by Nitto Hoge whaling ship *Ryuhō Maru* at Wadoura Chiba, Japan on November 11, 1984.

versations are envisioned such as: "Before you came here, how many fish did you eat each day?" or "Did sharks ever attack you?" or "Do you like it here?". Questions of this and of greater complexity have been asked of and answered by non-human primates, and present indications suggest that porpoises will do well in such tests. If so, animal behaviorists may soon resemble their anthropologist colleagues as regards study techniques — interviews with the subject may become a principal tool of investigation in animal behavior.

We have been discussing research projects that are currently underway, not simply plans for the future. Should these projects yield positive results (and current indications strongly suggest they will — and soon), it would probably seem ironic, if not unethical, to many more people than have hitherto been involved in questions of whale conservation, to recognize a value for porpoises and whales only in relation to how much they contribute to human nutrition or in respect to their worth as lubricants.

The problems of research with large whales are manifest, experimentation under controlled conditions is unknown, and we must be content at present with simple observations. In spite of these limitations, it is already obvious that whatever it is cetaceans use their large brains for, it is almost certainly not the same as what humans do with theirs. Thus, regardless of the answer, it promises to be

Major Consumer of Endangered Species

Japan's intransigent role in providing a market for endangered species of wildlife was reported by the major Tokyo newspapers October 12th. The *Asahi Shimbun* said, "Wild animals that are nearly extinct are coming into Japan illegally. Many countries of origin are trying to prevent the removal of such species."

A news story in the *Nikei Shimbun* headlined "Unusual Vote Criticizing Japan — Kuala Lumpur Conference of Asia and South Pacific Region on Convention on International Trade in Endangered Species" stated:

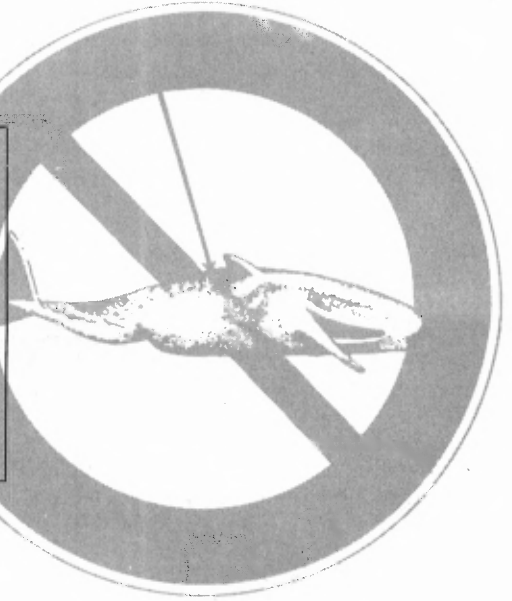
"Japan ratified the treaty in 1980. In order to protect Japanese industry, the government held that 14 species would not be covered, including 6 whale species, 3 sea turtles, 1 crocodile, and others. Japan claimed more exemptions than any other country. The Japanese government has never set up laws to enforce the treaty, simply changing the import/export law a bit. There are no special officials at ports or airports to check illegal imports of wild animals or plants. Although the treaty requires export permission from countries of origin, Japan only requires certification of the origin of the species. These certificates are very easy to obtain, so export

one of the most intriguing discoveries of the future. By continuing whaling, we threaten this mystery; we threaten the legacy we leave for our descendants, and, thus, we threaten our options as a species.

In the United States, we spent, during 1975, more money on seeing live marine mammals (in zoos and aquaria, on whale-watching tours, in television specials, and in books and magazine articles) than the

largest whaling nation made from whaling. It is clear from this and from the increasing presence of whales in the literature, art, music, sculpture, dance, conservation efforts, news media coverage, and legislation of this country that an increased awareness of the values of whales in their live state makes the practice of whaling unacceptable to U.S. citizens on ethical grounds.

On December eleventh, the whale protection groups filed a motion for summary judgment, asking that the U.S./Japan bilateral agreement be declared unlawful, and also asking for a court order forcing Secretaries Baldrige and Shultz to impose sanctions on Japan immediately. An expedited hearing is expected in January.



to Japan is relatively easy. A world conference is held every two years, with a regional conference in between. The regional conference was attended by 15 of the 17 Asian, Mideast and South Pacific parties. Iran and Japan were the only countries not in attendance. An official from the Japanese embassy in Malaysia came the first day, but did not participate. The other countries were very disappointed in Japan's boycott of the conference. If the Japanese government does not do anything before the next CITES in April 1985, the government will be criticized by other countries as has happened as a result of whaling policies. Criticism directed toward Japan came in the form of a vote."

The *Mainichi Shimbun* carried a similar report.

Will the Japanese public demand a change in government policy?

**“Seminar on CITES Implementation in Asia and Oceania
Kuala Lumpur (Malaysia),
1 to 12 October 1984
Resolution
Japan**

“Noting that in the preamble to the Convention it is stated that International co-operation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international

trade;

“Considering that such international co-operation is the central and fundamental obligation of each and every Party state;

“Aware that the Government of Japan has acknowledged its consistent failure to meet this obligation through non-compliance with the provisions of the Convention and Resolutions adopted by the Conference of the Parties;

“Mindful of Japan's major role in the international trade in wildlife and wildlife products;

“Conscious of the complex national factors that often make it difficult for a Party to implement the Convention fully;

“NOTING, however, that such factors cannot be considered sufficient reason for a Party to fail consistently to meet its main obligation under the Convention;

“THE SEMINAR ON THE IMPLEMENTATION OF CITES IN ASIA AND OCEANIA

“URGES the Government of Japan to take immediate remedial measures to ensure effective implementation of the Convention;

“REQUESTS the Secretariat to convey this appeal directly to the Government of Japan at the earliest possible opportunity; and

“RECOMMENDS that if the Government of Japan does not take the necessary remedial measures before the fifth meeting of the Conference of the Parties, the Parties should address the problem at that meeting with a view to finding an immediate and effective solution.”

189

IUCN members meet in Madrid

For 10 days in November members of the International Union for Conservation of Nature and Natural Resources (IUCN) met in Madrid, Spain. On the eve of the conference Patrick Allen questioned IUCN's Director General, Dr. Kenton Miller, on the Union's overall effectiveness and philosophy. AWI is a member of IUCN and a report on the meeting will appear in the next Quarterly.

PA. IUCN is an unusual organization. Its members, 500 and more, are, on the one hand, governments and government agencies, and, on the other hand, the NGOs, the non-governmental bodies, some of them very small indeed. How does it work? What do members contribute and what do they get out of it?

KM. One of the chief ways they contribute is by serving on one of IUCN's six 'commissions'. For example, lawyers develop new treaties and conventions through the Commission on Environmental Law; directors of parks, working with the National Parks Commission, help in setting up reserves around the world; wildlife biologists collaborate with the Species Survival Commission in the urgent task of protecting endangered plants and animals. And so on.

Members also participate in a political sense. At our triennial General Assembly — and the next one is in Madrid in just a week's time — they have a voice and a vote. They judge us on past performance and help set policies for the next three years. And of course they support us financially — although we still have to look outside the membership for the funding of some 75% of our work.



drawings by Fougasse

PA. With its global network of members, IUCN should be uniquely placed to learn of environmentally destructive plots and plans preferably before they are hatched but, failing that, at least before too much damage has been done. But does this happen? Does the network work?

KM. In certain areas, yes. For example, the people who watch over the wellbeing of species through the Species Survival Commission are quick to tell us of destructive happenings and imminent dangers. Say one of our 'spies' learns of a wildlife smuggling offence. The first alerted, often within hours of the event, may well be the Wildlife Monitoring Unit which is part of IUCN's Conservation Monitoring Centre based in Cambridge, England. The facts will be promptly relayed to the secretariats of IUCN and CITES in Switzerland. They then act.

Local infringements, though, are more likely to be spotted by local conservation bodies and dealt with on the spot without recourse to IUCN. And this is as it should be. At the same time it is true that our membership is concentrated in western developed countries and very thin on the ground in precisely those lands where the damage —

both actual and potential — is greatest. From these areas we often learn too little and too late.



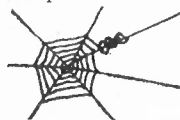
PA. To discover what is going on may be hard enough. But these days it must be still harder, with regard to a great many countries, to get governments to admit to any problem, let alone to get them to take counter measures. Politically, vast areas of the globe must, in effect, be no-go areas to IUCN.

KM. Sadly this is true — though perhaps less so than you might suppose. We are not the UN and therefore we are not held back from saying our piece, forcibly if need be, and offering our services. We feel we have the authority to work wherever we are needed and to act as a forum that links policies with science. We can lobby; we can try to influence. And we are becoming better represented in areas like Brazil, the Pacific coast of South America, eastern Africa and parts of Asia. Also on our Board of Directors — which we call the Council — are people from every region of the world and every political system, all of whom have high rank at home.



PA. May I turn now to the jewel in IUCN's crown, the World Conservation Strategy. Is the jewel genuine — or paste? That is to say, has the Strategy prompted deeds which otherwise would not have happened? Launched some four and a half years ago, its prime purpose was to encourage countries to bring out their own national conservation strategies on the principles laid down. To what extent has this happened? And is the Strategy still alive, still influencing conservation around the world?

KM. The World Conservation Strategy is alive and well. Its development is at different evolutionary stages in different parts of the world. Some nations adapted it to their needs soon after its launch in 1980; some did so later. Others are still hesitating. It is only in the last 18 months or so that development agencies have begun to look seriously at the Strategy. It will often take at least a year to achieve constructive dialogue between development planners and conservationists. And then another year passes while action-plans are shaped.



PA. Meanwhile the health of the planet continues to deteriorate. Reports of natural disasters seem to be on the increase — the famine in Ethiopia being but the latest and most

horrendous example. Yet, and this I find puzzling, professional conservationists seem to have been very shy of ascribing any part of these calamities to man-made causes. In other words they have refrained from strengthening their case by pointing the moral. Why?

KM. This is an issue on which it has proved difficult to work with the big battalions, such as the UN. Quite frankly it is politically very awkward to accept that major disasters like the Sahel drought are in large measure due to misguided use of land — even though this is confirmed by certain studies, notably by the US National Academy of Sciences and the League of Red Cross Societies.

We have recently been asked by the latter to collaborate on disaster-prevention — and prevention in these matters, as well as bringing obvious humanitarian benefits, would be so much cheaper and easier than cure. We welcome this chance of working with aid agencies which, with the best of intentions, have often been the villains of the piece by funding unwise development.



PA. What are your relations with the World Bank and the other big aid bodies?

KM. IUCN has recently grown a new limb, the Conservation for Development Centre. It is there to try to see that development takes conservation into account — because only then will development prosper — and that aid agencies take heed of the World Conservation Strategy. We now have a number of collaborative projects with the World Bank and with other agencies in which we are drawn into the planning stage from the outset. This relationship is growing. Some months ago we had a workshop in Switzerland where people from the development agencies and from IUCN came together to learn from each other.



PA. I think some people might regard this Conservation for Development Centre, set up within the same building as IUCN, as a bit of a Trojan horse. They would argue that conservation and development are not natural allies, that development is entirely concerned with man's material welfare and conservation is not — or at any rate shouldn't be.

KM. The debate on this within IUCN is inherent in our very composition. To some of our members the all-important issue is preservation of species; for others the chief concern is sustainable development in agriculture, forestry, fisheries. For still others animal welfare is perhaps the overriding consideration. Insofar as these priorities conflict, the dominant attitude in IUCN as a whole is that so long as the majority of the peoples on the planet face problems of nutrition, water supply, housing and debilitating poverty, we have, in all humanity, to give

continued on next page

IUCN continued

priority to the development aspect of conservation, striving to ensure that it is effective, that it works with nature and not against.

And we must work *with* the people too. In regions such as central Africa, southern Asia and Amazonia, we can best protect genetic resources by harnessing age-old customs to new-found methods. And the people of these regions may also have much to teach us.



PA. Does IUCN then believe that species should be saved only because they are potential genetic resources, or do species have a right to life in their own right?

KM. IUCN believes very strongly that we have to cover both ends of the spectrum. We must stand on science, on the materialistic aspects of human life — the provision of food, medicine, firewood. But we must also take an ethical stand, be attentive to religious beliefs and have concern for future generations. It is a balancing act — and the challenge is to keep the balance. We would like to prevent all future extinction of species; they may one day be of use to us, but even if not, we believe they should continue to exist.



PA. I think this brings us to the heart of the matter because there are people inside IUCN as well as outside who say that conservation is a crusade or it is nothing. These people believe that IUCN is, in effect, selling the pass — that it has these grandiose and very fine sentiments but that its gaze is so focused on its own machinery and trying to make it run smoothly that it has lost its overall vision.

KM. Now you are here touching on a point very close to my heart. After around 15 months in this job I feel very close to my predecessors — endlessly battling to get the machinery in trim so that *then* we can get on with conservation. A big part of the problem is the perpetual fund-raising we have to undertake to finance the secretariat — bringing in its train mountains of paperwork. There is no question but that this gets in the way of the real work.



PA. But when people say that conservation must be a crusade, what they have in mind is that unless public fervour is really aroused, the action will be at best piecemeal and too slow. You agree that materialistic goals are insufficient on their own to spark the crusading spirit, but do you believe that any one ethical framework can embrace so many creeds and cultures and such a huge disparity of life styles and living standards?

KM. Probably not. But I have thought about trying through IUCN to work with religious leaders and people versed in humanist ethics from all parts of the world to establish the extent of the common ground.

The song of the last 'o'o



Molokai O-O *Moho bishopi* Extinct c. 1904

© 1981 by London Editions/David Day

The newest state of the Union is in trouble. The natural resources of Hawaii, the tropical forests with their amazing variety of animals (particularly birds) and plants, are fast disappearing.

A staggering 95% of these plant species are endemic to the islands — in a word, unique. Yet no fewer than 800 of them are now classed as endangered or threatened. The animals too are, for the most part, endemic. And huge numbers are endangered. Indeed many have already been pushed to the point of no return. They are extinct.

In other parts of the world the best way of protecting species is to create a park around them and forbid all human activity therein. But on the Hawaiian islands, as on most islands, "benign neglect" is not a policy that will work. For it reckons without the chief enemy, the animals and plants brought in from outside, either intentionally or accidentally, by man.

Some two centuries back the explorers Cook and Vancouver introduced cattle, goats, sheep and pigs. All quickly multiplied to pest proportions. Mouflon sheep, axis deer, black-tailed deer and a host of other "foreign" settlers are now also wreaking havoc amongst the native species, unequipped by evolution to deal with competition from such introduced target animals for hunters. Exotic weeds are hardly less of a plague, strangling the native plants as they

My guess is we would find that a great many of the tenets of environmental management, of our responsibility to future generations, of the rights of species other than man, are held universally. Such an exercise would, I believe, sharpen the way we think about these issues, these values — and sharpen too our presentation, our propaganda if you will, to the public at large.



PA. Christianity, of course, has often stood accused of being the enemy of conservation, of taking the God of Genesis with his injunction to man to "subdue the earth" too literally. But scattered through the Good Book, so I'm told, are the essential bones of a full-bodied conservation theology waiting to be put together. It is high time this happened.

spread ever further despite all efforts to control them.

Most of the invaders are now too well entrenched to be removed. But sometimes other factors can impede control efforts. For example, feral sheep, goats, and pigs quite recently acquired the semi-protected status of "game". This gave rise to the celebrated case in which a bird, the palila, made history by suing the Hawaii Department of Land and Natural Resources — and winning! The palila (represented by the Sierra Club) successfully maintained that the Department was wilfully permitting sheep to destroy its habitat, thus violating the Endangered Species Act.

There have been other victories too, for conservationists have been battling long and hard to protect Hawaii's unique natural treasure-house. But looking to the future, if final and irreversible defeat is to be averted, then, in the words of one of conservation's front-line warriors, "immediate and heroic action is required."

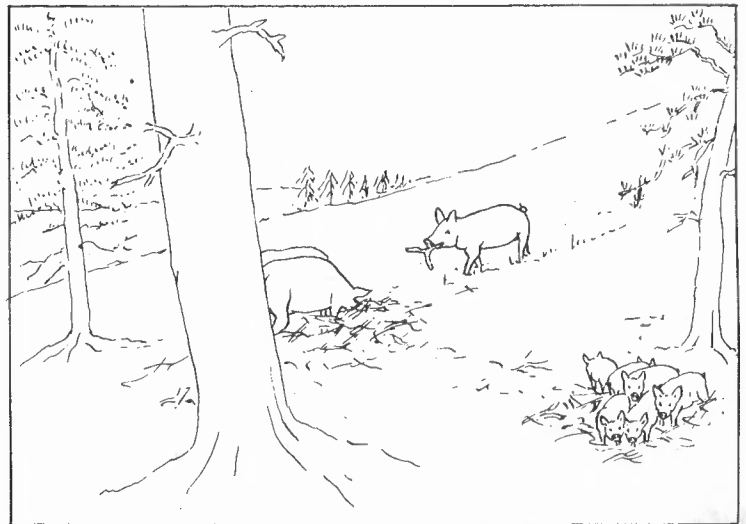
Once upon a time there were four or maybe five species of a Hawaiian bird called the 'o'o. Its brilliant yellow feathers were much prized by the makers of royal capes and helmets. Extinction has long since claimed all but one of these species. And that one now has only one known surviving member a lonely male who sings continuously by its old nest site in an 'ohi'a tree. Is the song of the last 'o'o a poignant symbol of the way things are going in Hawaii today?

The above piece is based on a long article *On the Cutting Edge of Extinction* by Steve Yates in *Audubon Magazine*, July, 1984. Readers wishing for further facts on problems faced by island (and other) species will find them in AWI's *The Endangered Species Handbook*, price \$5.00. The book's primary aim is unashamedly educational, in the belief that effective conservation depends on well-informed, popular support. This is particularly lacking in Hawaii where the public schools teach virtually nothing about the islands' natural history and where the state's Division of Forestry and Wildlife has no public information officer.

Dr. Wood-Gush's university lecture tour

The internationally renowned ethologist from the Edinburgh School of Agriculture, Professor David Wood-Gush, has just completed an intensive month-long lecture tour of nine U.S. universities and two U.S. Department of Agriculture research centers under the auspices of the Animal Welfare Institute. Dr. Wood-Gush, known especially for his extensive research on poultry behavior, spoke on farm animal welfare and presented the results of his study of domestic swine. He emphasized that, "Humane housing systems should take the animals' behavior into account," and stated, "Most of our domestic animals still retain much of the behavior of their ancestral species, and when housing and management systems do not take this into account, problems can arise, particularly in cases in which there is poor or

A sow carries a branch to help build the communal nest site being rearranged by two sows. The piglets nearby will join the nest after the sows have settled in.



Drawn from a photograph by kind permission of Dr. A. Stolba.



Dr. Alex Stolba

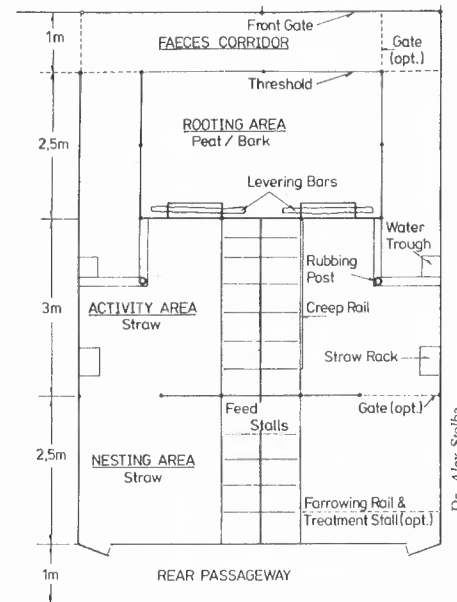
At the border between woodland and open grassland on an Edinburgh hillside sows use facial glands to mark trees.

indifferent stockmanship. It is possible to design systems to fit the animals' behavior, but first it is necessary to study their behavior under conditions that resemble those of their putative ancestors, both physically and socially." Such studies with large white swine carried out with Dr. Alex Stolba, a Swiss ethologist, involved the close observation of the hogs on an Edinburgh hillside which included forests, marsh, grassy pastures, gorse bushes and a stream. These observations were used to develop a novel housing system for hogs that enables the animals to carry out many activities observed outdoors but in a modest amount of space. In fact, the space requirements of the "Pig Family Pen" are equivalent to those of semi-confinement systems. (See Quarterly vol. 31, no. 4 for more photos and information.)

Great interest was shown in this work by agricultural engineers, animal scientists and veterinarians who scheduled lectures by Wood-Gush at their institutions. His first stop was Fort Worth, Texas where he spoke

to the animal welfare committee of the U.S. Animal Health Association. He then went on to give university-sponsored lectures at Texas A & M University, the universities of Minnesota and Illinois, Purdue University, Cornell University at Ithaca, West Virginia State University, Pennsylvania State University and Virginia Polytechnic Institute and State University. Dr. Wood-Gush also lectured at USDA's Meat Animal Research Center in Clay Center, Nebraska and its Beltsville Agricultural Research Center in Maryland. (This lecture was jointly organized by the University of Maryland.)

Under a grant from the British Ministry of Agriculture the "Pig Family Pen," has been thoroughly researched from a scientific standpoint. A new three-year grant will permit detailed economic assessment. The productivity and excellent physical health of the hogs managed in this unique housing system provides powerful evidence that managing animals in behaviorally appropriate conditions will benefit farmers. Estrus is synchronized among the four sows kept in each unit, simplifying management for the farmer, and it is exhibited while the sows are nursing their piglets, resulting in a biological optimum of 2.5 litters per year from each



Dr. Alex Stolba

Schematic drawing of the Pig Family Pen.

sow. The average number of hogs sold from each litter is 8.1, an acceptable figure but one Dr. Wood-Gush expects to increase.



Dr. Alex Stolba

The Pig Family Pen unit includes an area where pigs can mimic the rooting and levering activities they perform outdoors.

192

Why does a crated calf need so much medicine?

Under a grant from the U.S. Department of Agriculture's Agricultural Research Service, four systems for raising veal calves were examined at Texas Agricultural and Mechanical University. Following are extracts from the summary of the University's preliminary draft, published in *The Vealer* April, 1984.

Note that calves isolated in narrow stalls or individual pens required *five times* the amount of medication as the hutch and yard calves! Many became lame, and the stress caused by long-term chronic close confinement caused measurable physiological changes.

These findings should speed change from solitary confinement to straw yards by all who raise veal calves. Consumers should ask butchers how the veal calves were housed and insist upon straw-yard veal.

Extract from Texas A and M

"Dr. Ted Friend and associates at Texas A&M University conducted a series of trials using Holstein bull calves raised in each of three treatments: (1) narrow stalls, (2) individual pens, (3) individual calf hutches with yards. The physiological data obtained at six weeks indicate that a state of chronic stress was induced in stall and pen calves.

"Switching the hutch calves with the stall calves caused a reversal of adrenal function and T3 concentration within 9 days. This supports the hypothesis that the observed changes in physiology were a direct result of housing methods. There was no difference in gain, as expected, since all calves were fed the same amount of milk replacer. The stall and pen calves required approximately five times the amount of medication as the hutch and yard calves. The stall and pen calves showed a significant increase in rate and amount of movement (running, jumping, etc.) when removed from the stalls and pens for open field tests.

"Stall calves stumbled and fell more fre-

quently than calves from other treatments. The greater incidence of highly active behavior in stall and pen calves, despite a higher incidence of lameness, attests to the strength of motivation induced by intensified drives.

"Stall and pen calves also engaged in more social play (head butting, running together, etc.) than calves from the less confining treatments. Hutch-and-yard calves commenced grazing sooner, suggesting the frustrating of one drive may influence the display of other behaviors.

"Results from these studies indicate calves require some degree of exercise to prevent lameness and chronic stress. Relationships were indicated between increasing degree of constraint, increasing stress and decreased disease resistance. The results indicate that long-term chronic close confinement can have adverse effects on the overall production of calves by inducing physiological changes associated with stress. The results also indicate that calves have a drive for social interaction and exploration as well as for locomotion."

Book review

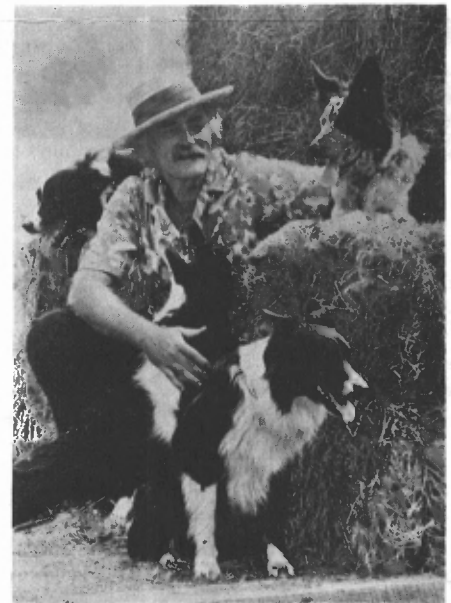
Nop's Trials, a novel by Donald McCaig.

Crown Publishers, Inc.; New York: 1984. \$14.95.

Nop is a Border Collie who works for his master, Lewis Burkholder, on his farm in Virginia where he has some 800 sheep and 70 cows. Nop's work is to control the sheep and cows; the description of how Nop manages the flock is not only interesting but moving. Lewis has family problems and so sometimes takes Nop to other places for sheepdog trails. Unfortunately, he also has his rivals and enemies and Nop is stolen — and even has to bear the indignity of appearing in a circus with a monkey riding on his back. Further adventures remain for Nop before he is reunited with his real master; he is even sold to a laboratory for use in medical tests.

Donald McCaig carefully researched the cruelty and dishonesty rife in the laboratory animal dealer business, and his book is a *Black Beauty*-like call to reform the sordid trade in dogs by "bunchers" and their confederates. Nor are the consuming laboratories that create the market left unscathed. This is a long novel — perhaps a little too long — but I have to admit that I found it difficult to put aside, as I am sure every dog lover will also.

—Hugh Gough



Donald McCaig with his Border Collies.

Animal Welfare Institute

Scientific Committee

Marjorie Anchel, Ph.D.
Bennett Derby, M.D.
F. Barbara Orlans, Ph.D.
Roger Payne, Ph.D.
Samuel Peacock, M.D.
John Walsh, M.D.

International Committee

Aline S. de Aluja D.V.M. — Mexico
T.G. Antikas, D.V.M. — Greece
Ambassador Tabarak Husain — Bangladesh
Angela King — United Kingdom
Simon Muchiru — Kenya
David Ricardo — Canada
Godofredo Stutzin — Chile
Ambassador Fumihiko Togo — Japan
N.E. Wernberg — Denmark

Officers

Christine Stevens, President
Cynthia Wilson, Vice President
Marjorie Cooke, Secretary
Roger L. Stevens, Treasurer

Directors

John Beary, M.D.
Madeleine Bemelmans
Gerard Bertrand Ph.D.
Marjorie Cooke
Christabel Gough
David O. Hill
Sue Hunt
Freeborn G. Jewett, Jr.
Christine Stevens
Aileen Train
Cynthia Wilson

Staff

Patrick Allen, Editorial Consultant
Cynthia A. Bank, Executive Assistant
Elizabeth E. Cory, Publications Coordinator
Jessie Despard, Administrative Assistant

Diane Halverson, Research Associate
for livestock and poultry
Lynne Hutchison, Whale Campaign Secretary
Cathy Liss, Research Associate

Nell Naughton, Mail Order Secretary
Greta Nilsson, Wildlife Consultant
Adele Schoepperle, Assistant Treasurer
Louise Wright, Research Assistant

A serious study of Psittacine communication



Alex eyes his large selection of toys.

In the Department of Anthropology at Northwestern University, Dr. Irene Pepperberg and students are carrying out a study on the parrot's ability to identify objects and use spoken words to express his wishes. Alex is fond of toys and enjoys selecting different colors and shapes of wood from his toy box.

Training sessions take up half of the day. The other half is devoted to random conversations. The students and Dr. Pepperberg always respond to Alex's questions. Alex's test scores average 75-80% correct. According to Dr. Pepperberg, "Most of his errors are generic; he will call a green key simply key or identify three pieces of paper as just paper. He isn't wrong when he uses these labels, but we consider them errors because

he hasn't given us all the information."

Alex takes an interest in mirrors, and on viewing himself Alex said to a student, "What's that? What Color?" the student replied, "That's gray; you're a gray parrot." After this sequence was repeated on six occasions, Alex said gray. After that, he used the word correctly for gray paper, gray wood, and other gray toys.

According to Dr. Pepperberg: "Alex's vocabulary consists of labels for 23 exemplars: paper, wood, key, hide (rawhide chips), peg wood (wooden clothespin), cork,

corn, nut, rock, water, gravel, banana, shower, pasta, scraper (metal nail file), walnut, wheat (shredded wheat cereal), chair, grape, back, gym, knee (pronounced gee for reasons we do not yet understand), and carrot. He also knows five colors — rose (red), green, blue, gray, and yellow; four shapes — two-, three-, four-, and five-corner (respectively: football, triangle, square, and pentagon), and quantities up to five. He can use phrases such as 'come here,' 'no,' and 'want' with any object label; 'wanna go' plus any location label; and 'you tickle me.'"



Dr. Irene Pepperberg testing the powers of communication of Alex, an African gray parrot.

Gray Parrots Decimated by the Pet Trade

Gray Parrots are extremely popular in the pet trade because of their ability to learn to repeat words and phrases. Dr. Pepperberg's research shows that these birds are extremely intelligent, making their exploitation for the pet trade to become toys and status symbols all the more tragic. In the wild, Gray Parrots live in lowland forests of central and west Africa where they fly and roost in closely knit groups. When caught for the pet trade they die by the thousands before the survivors begin their lonely lives as household pets. Over 70,000 of these birds have been imported for the U.S. pet trade since 1980, and almost 13,000 died in transit or in quarantine stations. Ghana, Liberia, Mali, Zaire, Togo, the Cameroon and Senegal are the major exporters. Total world trade may amount to 50,000 birds per year. Japan and Europe also import large numbers of these parrots.

Total U.S. imports and several of the shipments with very high mortality are listed below:

One of these shipments, the importation in September 1982 in which 468 parrots arrived dead at Kennedy Airport caused the importer to sue the airline. Another ship-

ment of 500 Gray Parrots in July 1983 from Ghana to Saudi Arabia stopped over in Kenya where over 200 of the birds were found to be dead or dying. The Royal Society for the Prevention of Cruelty to Animals hired a lawyer to sue Ethiopian airlines in this case, but most instances of heavy transit mortality go unnoticed.

Gray Parrots are being so heavily exploited that they may become endangered. Anyone

considering buying one of these birds should realize that he or she is contributing to this cruel trade. For one parrot to survive to the pet shop, several die en route. Future research on Gray Parrots in their native habitats can be expected to demonstrate that they have a complex system of communication, just as scientists are discovering among whales and wolves. They truly deserve to live in freedom.

Greta Nilsson

U.S. Importation of Gray Parrots					
Year		Birds Arrived	Dead on Arrival	Died in Quarantine	
1980		5,753	116	891	
1981		14,620	158	2,348	
1982		18,929	919	2,875	
1983		25,243	942	3,588	
Jan.-June 1984*		6,868	140	699	
Totals		71,413	2,275	10,401	
*Incomplete					
High Mortality Shipments					
Date of Import	Country of Export	Birds Arrived	Dead on Arrival	Died in Quarantine	% Mortality
June 4, 1981	Togo	885	18	414	49%
June 30, 1981	Senegal	252	4	115	47%
Nov. 22, 1981	Belgium	252	0	9,243 E*	100%
Sept. 17, 1982	Senegal	750	468	50	69%
June 7, 1983	Togo	200	1	103	52%
June 11, 1983	Mali	156	3	83	55%
July 21, 1983	Ghana	197	0	79	40%
Nov. 11, 1983	Zaire	250	28	118	58%
March 3, 1984	Ghana	346	0	209	61%
*E = Euthanized because of Newcastle Disease					

Source: U.S. Department of Agriculture Quarantine forms 17-13.

Data compiled by AWI from these forms



THE ANIMAL WELFARE INSTITUTE QUARTERLY

P.O. BOX 3650 WASHINGTON, D.C. 20007

WINTER 1984

VOL. 32 NO. 4

LD₅₀

Slowly but inexorably pressure is building up against the murderous LD₅₀ — the toxicity test which in the United States alone condemns to an agonizing death some five million animals a year to satisfy bureaucratic regulations on new products. Importantly some of the most prominent converts of recent times have come from the ranks of the bureaucrats themselves.

On 9 November 1983 the Food and Drug Administration convened a workshop on *Acute Studies* to which the public was invited. They heard 15 representatives of government agencies and industry discuss toxicological tests. Nearly every speaker said that the LD₅₀ serves little if any purpose today. Many

emphasized that their own agencies no longer use the test at all. A few quotations will show the temper of the meeting.

Dr Morris Shore, National Center for Devices and Radiological Health:
“LD₅₀s are not conducted” in this
continued on page 8

Great news from New Jersey

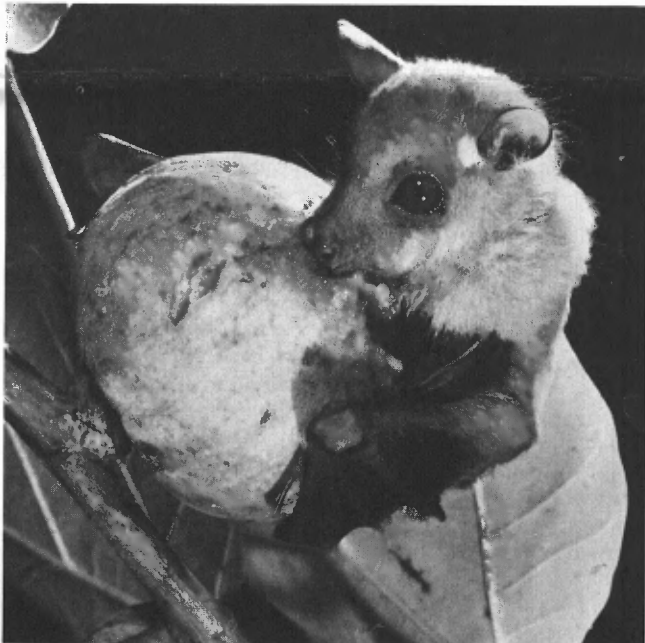
In 18 months it will be illegal to sell, use, manufacture, or even possess a steel-jaw leghold trap in the State of New Jersey. The new law was violently opposed by the Wildlife Legislative Fund of America and other pro-steel-jaw-trap lobbyists who had prevented Senate President Carmen Orechio and Assemblyman D. Bennett Mazur from achieving passage of the legislation in the 1983 legislative session. The lobbyists mounted an even more intense campaign when Orechio and Mazur introduced their bills in the '84 session. Assembly Speaker Alan Karcher
continued on page 10



Fraudulent Pest Control Practices Threaten Both Bats and People

by Merlin D. Tuttle

Contrary to popular belief, most bats are gentle, likeable animals that do a lot of good and no harm. In the United States, they are the only major predators of night-flying insects, such as mosquitos. In tropical areas, single crops, valued at up to \$100 million annually, depend on bats for pollination or seed dispersal. Bats also are extremely valuable for medical research. Nevertheless, misinformed Americans pay many millions of dollars each year for dangerous and unnecessary chemical treatments to kill them.



photo—Merlin D. Tuttle

Dwarf Epuletted Bat (Micropteropus pursillus) is one of the bat species that play a key role in maintaining forest diversity and in regeneration of disturbed areas in West Africa.

Pesticide and pest control companies create and exploit vastly exaggerated public fear of bats to sell “remedies” that cost from \$300 to \$500 each. Yet the world’s foremost authorities on bats and public health agree that these companies’ chemical treatments create problems far worse than those they are supposed to solve. When a large bat colony becomes a nuisance in a house, there is one simple remedy: plug bat entry holes after their nightly or seasonal departure. This is a safe, inexpensive and permanent solution. In a recent court case, a federal judge concluded that the most serious health hazards associated with bats were those created by unscrupulous pest control companies!

One of the most commonly used chemicals, Rozol, is especially dangerous. The Rozol label notes that it can be “highly hazardous” if inhaled or absorbed through the skin. Exterminators are warned to protect themselves with gloves and respirators. Yet up to 18 pounds of this deadly powder are often blown into a single attic, where it can easily sift directly into human living quarters.

While the chemical mingles unrecognized with household dust, people are poisoned. Exposure of pregnant women may cause

continued on page 2



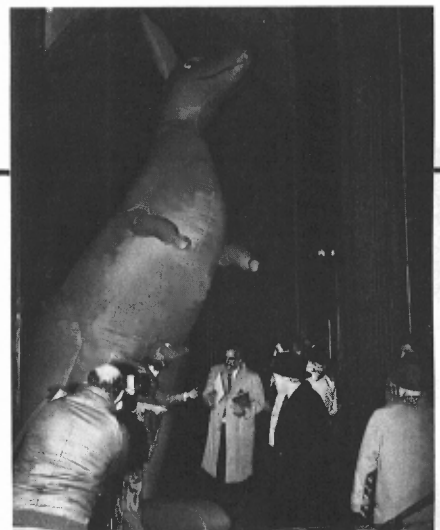
Joanna roots for roos in Italy

We last heard of Australian activist Peter Millington when he was campaigning in Spain, along with balloon whale "Flo", on behalf of whales (see Summer 1982 *Quarterly*). Times have moved on and Millington with them. He is now in Italy with "Joanna", a 16-foot high balloon kangaroo. Together they are touring the country, putting over the grisly facts about Australia's cruel slaughter of kangaroos.

Italy makes a most appropriate launch for such a campaign: it is the

biggest importer of kangaroo skins in the world. Not far behind come other countries of western Europe — notably West Germany which also imports a huge tonnage of kangaroo meat. Indeed in the last two or three years western Europe has taken over from Taiwan and Japan as the principal roo-meat market.

During the course of his crusade Millington plans to visit several other west European nations. Joanna will of course be with him all the way. Good luck to them both!



photo—Peter Millington

Italian Minister of the Environment accepts a petition on behalf of Australia's Kangaroos from Joanna's joey.

BATS *continued*

facial deformities in their babies, and tests on animals indicate that Rozol can cause serious injury, and even death, before diagnostic symptoms are detected.

Poisoned homeowners, unaware of the danger, are unlikely to be correctly diagnosed. Nevertheless, we already know of a chronically injured 3-year-old Minnesota child who was poisoned in her bedroom. The attic above had been treated with Rozol despite the fact that no bats lived there! Her parents had become needlessly frightened when a single bat apparently entered through an open window, and a dishonest company exploited their fear.

In June 1980 an Environmental Protection Agency memo urged that all use of Rozol Tracking Powder for bat control be cancelled. Nevertheless by 1982 20 states (Colorado, Connecticut, Delaware, Georgia, Kentucky, Maine, Maryland, Massachusetts, Michigan, Montana, Nebraska, New Mexico, North Dakota, Ohio, Pennsylvania, South Carolina, Texas, Vermont, West Virginia and Wyoming) had begun to permit Rozol use against bats. Without widespread public outcry, well funded pesticide and pest control company lobbyists will continue to lengthen this list. In the meantime, human health and the survival of highly beneficial bats are seriously threatened.

Even in Third World countries, where people do not traditionally fear bats, our exported fears are increasingly responsible for purchase of massive bat eradication programs. Tens of thousands of caves and other bat roosts are poisoned, dynamited or otherwise permanently destroyed, sometimes including all known sites in an entire country! Millions of invaluable bats have been killed in single acts, and many of the world's largest populations have been destroyed. Some species are already extinct, and many more may become extinct if people and their governments are not soon

alerted to the value of bats and to the dangers posed by counterproductive schemes to kill them.

For information on how you can help, write to *Bat Conservation International*, c/o Milwaukee Public Museum, Milwaukee, WI 53233. *BCI* will provide information packets for those who wish to help ban senseless chemical warfare against bats.

Loss of rain forests is one of the most serious environmental problems of the 1980's. Major conservation strategies are being planned. Yet few, if any, decision makers understand the extent to which these forests depend on bats for their survival.

In tropical ecosystems, bats often comprise more than half of all mammal species, and their biomass may in some places equal that of all other mammals combined. They are the most important seed dispersing animals and also the primary pollinators of numerous tropical plants.

Recent studies demonstrate that seed dispersal activities of bats can be critical to reforestation of clear-cut areas, and that many of the tropics' most economically important plants depend on bats for propagation.

Despite the obvious value of bats, tens of thousands of bat caves and other roosts have been poisoned, blown up or bulldozed shut, killing millions of beneficial bats and destroying entire cave ecosystems.

Throughout much of the Old World and the South Pacific Islands, bats are considered a delicacy and are overharvested for human food, folk medicine and even aphrodisiacs. Many populations of large flying fox bats are seriously threatened. On Guam, bat dinners may sell for \$25 a plate, and in West Africa bats are so valuable that two poachers working together can make \$1000 in a single day.

In many cases the most important question is not extinction, but how many bats can we afford to lose before their pollination and seed dispersal activities become in-

adequate to preserve the balance of rain forest ecosystems?

Judges Cave near Marianna, Florida, contains one of the five largest nursery colonies of bats in eastern North America. With help from *BCI* and the Florida Game and Fresh Water Fish Commission, the Florida Nature Conservancy has purchased this critical site. Arrangements for protection will soon be complete.

In Wisconsin up to 95% of all hibernating bats live in abandoned mines, and some of these mine populations are among the largest known in North America. Yet recent legislation nearly forced closure of all Wisconsin mines without consideration of the consequences for bats.

The problem of mine closure was highlighted in March 1983 when Dr. Robert Stebbings heard about a large-scale shaft capping operation in West Cornwall, England. A survey of remaining shafts revealed that several had recently been used by at least one colony of the endangered Greater Horseshoe Bat (*Rhinolophus ferrumequinum*). Measurement of guano piles and eyewitness reports by locals suggested a colony in excess of 1000 bats, making it the largest colony known in Britain. Hopefully, this colony is not already entombed in a capped mine. Surveys of the remaining uncapped mines in West Cornwall are now in progress.

In Canada the Renfrew Mine shelters one of that country's largest populations of hibernating bats. However, its bats were nearly lost through a recent mine closing. As a result of Dr. Brock Fenton's involvement the mine is now being protected by a combination of gates and a fence at a cost of \$7000. The original plan would have eliminated the bat population and would have cost \$32,000.

Merlin Tuttle, author of the above article, is chairman of IUCN's Chiroptera Specialist Group and founder of Bat Conservation International.



Bringing back the birds to St. Francis's Assisi

Rawlinson Wins

Peter Rawlinson, who wrote on the kangaroo slaughter in the Summer 1983 *Quarterly*, stood for election to the prestigious Australian Conservation Foundation Council, the country's chief conservation group. There were 64 candidates from different parts of Australia. Rawlinson drew the largest vote of any of them and he ran solely on a platform of abolishing the kangaroo industry.

His qualifications and interests were circulated with the ballot. They read as follows:

Senior Lecturer in Zoology, Latrobe University. Actively involved in a broad range of conservation issues (forest management, heavy metal pollution, pesticide usage) since 1967. Present major concern wildlife conservation, especially the commercial slaughter of kangaroos. The kangaroo industry represents the world's largest commercial wildlife kill, yet no Australian Parliamentary Act (State or Federal) has specific provisions for the establishment or maintenance of such an industry. The industry therefore has no legal or democratic mandate. I am asking for a mandate from ACF members to oppose the principle of commercialization of wildlife and to take action to stop the kangaroo industry.



A rescued orphan joey takes solace in a makeshift pouch. Very few are as fortunate as he once their mothers are killed.

UPDATE:

The Australian Government will permit almost two million kangaroos and

1982 marked the 800th birthday of Saint Francis of Assisi, patron saint of ecologists. So, that summer, a San Francisco conservationist, Bert Schwarzchild, travelled to Assisi to celebrate and to climb Mount Subasio above the city in search of the birds, the "little sisters," to which Saint Francis had preached.

At first all went well. As he relates in *Audubon* magazine (March 1983): "Trees, shrubs and wildflowers lined the way. What an ideal landscape for birds and the other humble creatures Saint Francis loved, I thought." But Schwarzchild was



Saint Francis and the birds by Giotto.

reckoning without the fact that this was September in Italy, that the hunting season was therefore in full swing and that Italian hunters slay some 200 million birds, mostly migrating songbirds, every year despite new laws forbidding this time-honored carnage.

As he climbed he noticed more and more spent cartridges — and a total absence of birds. "Suddenly the enormity of it struck me. Could it be that here on Saint Francis's own mountain, all the birds had been hunted out? His beloved birds? How could such a disaster have been allowed? I was shocked and outraged by this desecration."

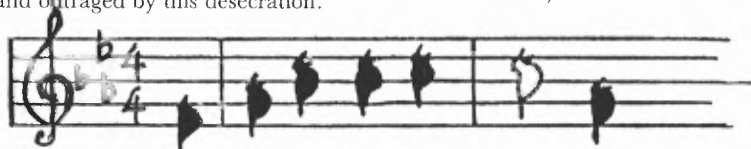
Shock and outrage, though, brought forth productive fruit. Standing before the Giotto fresco of Saint Francis preaching to the birds in the Basilica di San Francesco, Schwarzchild determined to bring back the birds to Mount Subasio. The mountain should become a nature reserve.

An international campaign was launched. Primed by Schwarzchild now back in San Francisco and Marisa Cohen, a conservationist who lives in Switzerland and who had persuaded the Californian to visit Assisi, bird lovers from Europe and America, prominent journalists, churchmen and politicians came together in Assisi just one year after the event which had started it all, that doleful climb up the birdless mountain.

The date, 17 September, was chosen to coincide with the opening of another bird-killing season. But the message which went out from Assisi that day was very different. Speaker after speaker, including Italy's Minister for the Environment, Alfredo Boni, pledged support for the *Mount Subasio Declaration* which calls for the establishment of a nature reserve and the inclusion of the area on the UN World Cultural Heritage List.

In the afternoon a procession led by the Environment Minister and the Mayor of Assisi went up the mountain from where, in a moving ceremony filmed by Italian television, the General Secretary of the Italian League for the Protection of Birds released several birds of prey.

In the evening the famous Paul Winter Trio from the US gave a concert. The call of wolves, whales and birds, blending with human voices and live instruments, reverberated around the beautiful and ancient cathedral of Santa Maria degli Angeli. Saint Francis, it seemed, after many centuries' absence, was back home.



wallabies to be killed in 1984, according to *The Sydney Morning Herald*, 16 February.

Last year's quota was over three million but the kangaroo hunters failed to fill it — an ominous sign for the kangaroos, since commercial wildlife industries generally kill as many of the target

animals as they can find. This year's quota is roughly the same as last year's legal kill. Though known to be large, the amount of illegal poaching can only be guessed at. Some estimates are as high as a million, not counting the joeys left to starve when their mothers are shot.

Commercialism at the University of California

The University of California at Berkeley has been violating the Animal Welfare Act and National Institutes of Health Guidelines with impunity for several years; its tolerance of gross abuses is so great that its own campus veterinarian has twice refused to sign the US Department of Agriculture inspection reports under the Animal Welfare Act because he is unable to get compliance.

In August, the University sent "Background Information" on the issue to members of its Committee on Educational Policy telling them "All University of California animal facilities are inspected regularly by the United States Department of Agriculture, the National Institutes of Health, by internal bodies (campus animal welfare committees and the campus veterinarian), and by the American Association for Accreditation of Laboratory Animal Care (AAALAC). These systems of inspection are designed to point out any deficiencies in the animal care facilities and to assist the campuses in achieving high standards of animal care. *Campuses strive to correct deficiencies in a timely way.*"

It is difficult to grasp what the word "timely" means in this context since USDA inspectors have been reporting massive abuses in the care of the animals for the past four years.

If the Committee on Educational Policy is interested in learning why things have gone so badly for laboratory animals at this big institution, quotations from "Task Force Report-Animal Facilities" prepared as part of the Berkeley Campus Space Plan are relevant: The Task Force describes USDA reports and recommendations on the different animal facilities and concludes "... the most significant revelation is

that most of these deficiencies are caused not by inadequate funding or space but rather by negligent animal husbandry, such as inadequately sized cages, missing or misplaced feeders, or insect infestation."

Discussing the 1982 report of the American Association for Accreditation of Laboratory Animal Care the Task Force notes that it "cited nine problem areas to be corrected in order for the campus to gain full accreditation only one of the nine involved facilities, and the other eight could be solved by changing policies and procedures . . ."

And, finally: "The immediate problems are then to be resolved by better maintenance, more staff support, and tightening up of standards, i.e., more discipline."

However, defense of the status quo seems to be more to the taste of the University. Touting the Boston-based Foundation for Biomedical Research the University states that it "supports the Foundation and is a member of the newly formed California Association for Biomedical Research which was organized exclusively for educational purposes . . ." Not mentioned is the parent organization, the Association for Biomedical Research, a trade organization started by the world's largest supplier of laboratory animals, Charles River, headquartered in Wilmington,

Massachusetts with branches in Germany, Japan, Britain, France and Italy from whence it conducts ever-growing multimillion dollar business in the most frequently used animals from mice to monkeys. Of such cloth is "education" made by the University of California at Berkeley. Will the members of the University's Committee on Educational Policy educate themselves on the serious questions of when, why and how laboratory animals are used. Or will they take the easy way, requiring no mental exertion, no ethical wrestling with the facts? Will they simply reiterate their allegiance to animal experimentation? Will they cast their fate with the commercial laboratory animal dealers and breeders, accepting the leadership of the most assiduous promoters of maximum use of these animals?

Animal abuses at Berkeley

The California-based *Fund for Animals* has charged University of California researchers at Berkeley with "using diseased animals in dirty overcrowded conditions." In a damning 52-page report the Fund extensively documents abuses of laboratory animals, citing internal memos as well as statements by inspectors from the federal Department of Agriculture.

One USDA inspector reported: "Monkeys . . . are fed by placing feed in waste pans under floor grills . . . in many rooms (there is) a build-up of feces and bedding in cages, on racks . . . on floors, in corners."

Berkeley's veterinarians have not been happy with the situation. The Fund's report quotes veterinarian Bruce Feldman as saying he resigned in 1980 after six years because "I was forced to the reluctant conclusion that no amount of my advice, cajoling or pressure was going to effect any fundamental change . . . the critical problem was irresponsible care."

The Fund's report also says: "For every grant a researcher receives, the campus receives money for supplying facilities. This system provides the university with millions of dollars annually."

The Educational Policy Committee of the University of California appeared unconcerned by the report and by the pleas of *Fund for Animals* spokesman, Michael Giannelli. Chairwoman Vilma Martinez referred the document without comment to Berkeley administrators.

Excerpts from the complaint of Dr. Brenda Kahan

before US District Court

Plaintiff seeks recovery of compensatory, consequential and punitive damages for defendant's failure to provide, as promised, genetically pure mice for use in cancer research. Plaintiff seeks recovery under theories of breach of contract, breach of warranty, fraudulent misrepresentation and negligent misrepresentation.

As a direct result of her use of Charles River's genetically defective mice, Kahan's useful research life was shortened by at least 16 months, and she has suffered and will suffer lessened opportunities to attract and receive promotions, research support and peer recognition.

The value of Kahan's lost research time is not less than \$50,000. The value of Kahan's lessened career opportunities is not less than \$50,000.

Kahan relied on the false representations and acted upon them to her pecuniary and professional damage. On information and belief, prior to and during the period it was shipping its mice to Kahan's employer,

Charles River was informed by persons other than Kahan that some or all of Charles River's BALB/c mice were defective.

Charles River deliberately did not notify its customers or researchers using the BALB/c mice that the mice were or might have been defective. Charles River recklessly failed to notify Kahan or anyone at the University of Wisconsin-Madison about the defects in its mice.

Kahan demands the following relief: a) Compensatory and consequential damages of not less than \$100,000; b) Punitive damages of not less than \$100,000.

Swiss Academies take ethical stand

“No person may without justification inflict pain, suffering or injury upon an animal, or cause it fear.” This extract from the Swiss Animal Protection Act precedes the new guidelines formulated jointly by the Swiss Academy of Medical Sciences and the Swiss Academy of Sciences. In effect the statement serves both as a launching pad for these guidelines (*Ethical Principles and Guidelines for Scientific Experiments on Animals*) and as a pronouncement in need of elaboration and tighter definition.

In particular, what precisely is meant by “without justification”? In answer to this question the Commission (whose advisers were mainly professors, including theologians, veterinarians and a member of the Swiss Animal Protection League) declares:

■ Experiments on animals are not legitimate if sufficiently conclusive alternative methods exist of acquiring the knowledge sought. Experiments which have already been competently performed may not be repeated without adequate grounds.

■ The ethical principle of reverence for life demands that the greatest possible gain in knowledge should be achieved at the cost of the fewest possible experiments on animals and the least possible suffering.

■ If pain, suffering or fear are inevitable accompaniments of an experiment, all possible measures must be taken to limit their duration and intensity. The animal must be able to give expression to its sensations and, whenever possible, able to avoid painful stimuli. For this reason the use of paralyzant substances without narcosis is forbidden.

■ Experiments apt to cause severe

suffering must be avoided by modifying the hypothesis to be tested . . . or by foregoing the anticipated gain of knowledge. Severe suffering is to be construed as any state which in man would be unbearable without palliative measures.

Responsibilities

■ The scientific, moral and legal responsibility for the legitimation, planning and performance of experiments on animals is borne by the scientist-in-charge. All other participants share the moral responsibility: they must therefore have complete freedom to voice their opinions and, if need be, to refuse their cooperation.

■ It is the duty of all scientists to take and to support all conceivable measures towards the restriction of experiments on animals, in particular through the development of alternative methods and the constant improvement of test systems. It is their further duty to contribute towards the avoidance of unnecessary experiments by promoting the development of information systems and data banks.

In conclusion the two Academies deem it a “permanent duty” to review both the Guidelines and relevant legal provisions and also “to foster among the general public a more critical attitude.”

This horseshoe crab is our good luck

On the western shores of the Atlantic anywhere between Nova Scotia and Mexico and in coastal waters of Asia from Japan to India lives a horseshoe crab. His name is *Limulus*. For millions upon millions of years *Limulus* had lain obscurely, even idly, on the seabed doing nothing very much — just waiting, waiting for his hour to come and his worth to be recognized.

That long wait is now over. *Limulus* is up and doing. He may not be hitting the headlines but he is making a bit of a name for himself and winning a lot of new friends. He has become a blood donor in the cause of safer drugs, and we — plus a very large number of rabbits — owe him our thanks.

It came about as follows. In the fine city of Baltimore is a fine organization: *The Johns Hopkins Center for Alternatives to Animal Testing*. Investigators there discovered a singular curiosity about *Limulus*: bacteria caused massive clotting in the animal's bloodstream.

This finding was of enormous significance. For drugs that are to be intravenously injected into humans must be scrupulously clean. At that time the required pre-testing for bacterial endotoxin was invariably done on rabbits, a minimum of three per test. The tests were cumbersome and results not wholly reliable. Also the rabbits often had to be destroyed because of the nature of the drug being tested.

Limulus has solved these problems — and at no great inconvenience to himself. Scooped off the ocean floor he is bled and then released again, coming to no harm in the process. And the screening for endotoxin on his extracted blood cells yields results that are far more cheaply gained and vastly more sensitive than tests on live rabbits.

This *in vitro* screening has won government approval and is now being widely practiced throughout the United States. In the words of the current *Johns Hopkins* newsletter, “We can look forward to safer drugs with less expense and less discomfort for the rabbits.” Thank you, *Limulus*. And thank goodness we had not made you extinct before finding out your value to us!

Violations of the Animal Welfare Act

Stolen dogs recovered from research centers

A man from Dexter, Minnesota, was arrested in January for stealing 13 dogs and selling them to a federal dealer who then — not knowing they were stolen — sold them to research centers in the state. All of the thirteen dogs were recovered from the Mayo Clinic's Research Center in Rochester which uses 2000 dogs a year.

Dealers receive about \$25 per dog from research centers and pay out about \$12 each to “owners”. Officials from the research institutions concerned in this case said their methods of identification, the time they hold the animals (from several days to a month) prior to experiments and the slender

rewards of “dognapping” should stop it becoming a trend.

But a trend is what it already is! Indeed in many areas the “trend” has reached epidemic proportions. Could it be that the research institutions, which use huge members of dogs, prefer to be blind to what is going on?

Violations in Connecticut

The University of Connecticut at Storrs has been charged with 19 violations of the Animal Welfare Act. In two inspections during February, 1983 several animal facilities were found to be unsanitary and structurally unsound, and the pest-control program and

drainage inadequate. Laboratory cats were being kept in a poorly ventilated area and rabbits were overcrowded. Excreta was not regularly removed and animals drank from dirty receptacles. In addition APHIS inspectors were denied access to one of the wolf compounds. A \$10,000 fine and a cease-and-desist order have been requested.

Exerpts from:
MARTITA GOSHEN: THE LADY OF THE DANCE
 Evoking the animals' dance of life

by Leslie Bennetts

As the haunting eerie music begins, she glides onstage into the light. Small and blonde and sinewy, she wears only filmy veils that float behind her, evanescent as whale spume.

The music is the songs of humpback whales, and the dance is *Whale Song*. At first the dancer rolls and slides, smooth and steady as a whale slicing through the water. But suddenly the enemy appears, and the peace of nature is shattered as the gentle creature becomes a quarry. Increasingly frantic, she flees her pursuers, but they are relentless and the harpoon finds its mark. Flopping and gasping in her death throes, the great whale finally subsides, sinking with violent convulsions into the stillness of death.

Conceived and choreographed seven years ago by Martita Goshen, *Whale Song* has been performed all over the world: on the White House lawn and in the emperor's garden in Tokyo, in a cow pasture in Maine and in London's Trafalgar Square, in schools from New York to Copenhagen.

Whales are not Goshen's only concern. "Whale Song" was her first work involving animals — chosen because whales represent to her an international symbol of man's disrespect for nature and the suffering caused by his depredations — but it has since been joined by other dances: about sea turtles, about seals, about wolves, and, in her latest work in progress, about dogs.

Martita Goshen is an anomaly. Straddling the world of dance and that of animal protection and environmental conservation, she has created a unique niche for herself in expressing both concerns. Her work in behalf of endangered species began with her first exposure to whales, an experience so overwhelming it amounted to an epiphany.

On a visit to California while on vacation from the Charles Weidman Company (with which she was dancing), Goshen took a National Geographic-sponsored boat trip in San Diego Bay. There she saw a gray whale — and the whale saw her. "She turned and her eye looked at me, and at that point my life became absolutely different," says Martita softly, "because in that eye was the wisdom of the world. Something drew me right to the pupil, and it brought a sense of utter calmness to my life which before then did not exist. In that eye I saw fear, curiosity, and acceptance. That such a huge creature could be so gentle and so obviously intelligent! I felt my life take on new importance. Within a few days, I heard a recording of the songs of humpback whales and I thought, 'Why don't I do a ballet about whales?' The first time I did it was in

1976, with nine dancers in a company in Bethesda, Maryland, and I knew the night I premiered it that I'd found my home."

Goshen's work has won her the respect of many colleagues in the environmental movement. Jacques Cousteau called her whale dance "more eloquent than any speech and as graceful as the fluid dance of the true whale."

In addition to performing, Goshen has worked extensively with schoolchildren, directing workshops and training teachers as well as children in the use of dance as a tool to promote understanding of environmental issues.

"I think her work is important," says Christine Stevens, president of the Animal Welfare Institute, in Washington, D.C.

"We need to have young people learn about the importance of maintaining these creatures, many of which are in considerable danger of extinction," adds Stevens. "Something like this encourages them to have the right kind of feeling toward other living things, whether they be animals or people. Martita's work is unique."

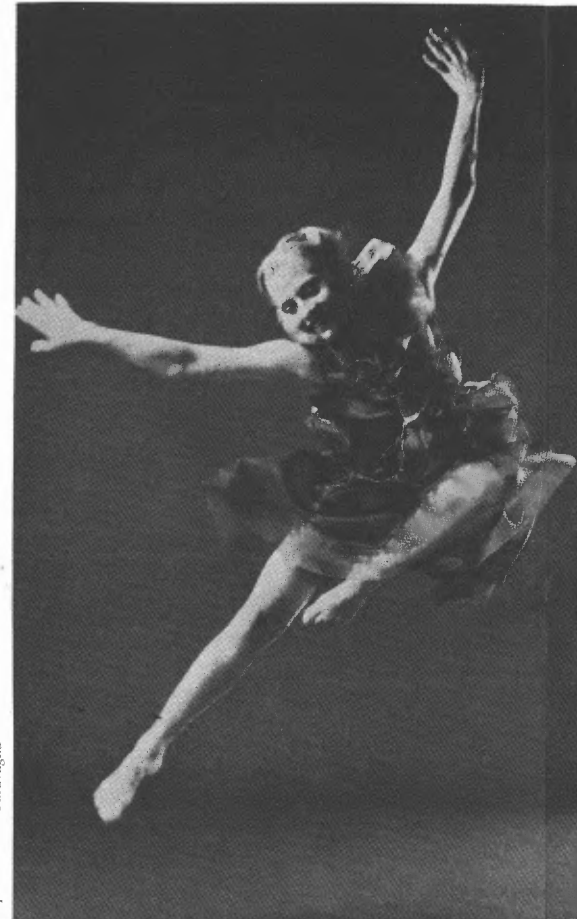
The daughter of an American diplomat who specialized in Latin American affairs, she was born in Uruguay, but the family moved often. "I grew up in the hot steam-



Through dance performances and workshops, Martita brings home to schoolchildren the plight of animals.

ing jungles of Brazil, Paraguay, Colombia, Argentina, and Venezuela," she reports. Her own life was comfortable, but she was shocked by its contrast with the suffering she saw: "As a child, the hardest thing to understand is how you can go to school in a limousine and see such dire poverty around you."

A serious skiing accident when she was a teenager forced her to drop not only dance but virtually all other strenuous physical ac-



photo—Tom Caravaglia

tioned by the frivolity of it. It seemed unreal to me. I had this burning desire to fix, to make the world better — to contribute somehow."

After graduating from Elmira College, in upstate New York, and earning a master's degree in political science at West Virginia University, Goshen worked as a volunteer

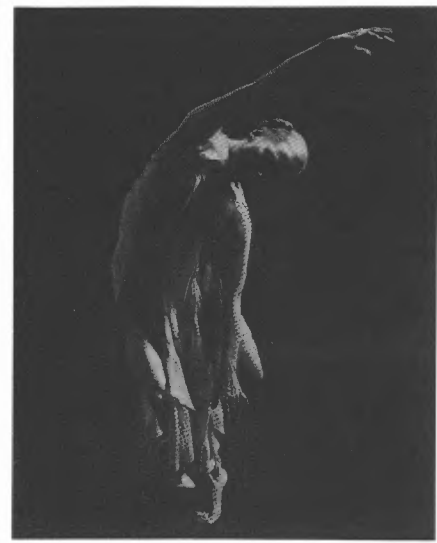


photo—James Ferry

photo—Tom Caravaglia

doing research on the aging and on poverty in Appalachia for Robert F. Kennedy and Martin Luther King. She was shattered by their deaths and began to reassess her goals.

As an artist Goshen is inspired by all kinds of stimuli. Just as the eye of a whale prompted her commitment to that species, when she heard a composition called *Wolf Eyes*, by jazz saxophonist Paul Winter, she was deeply moved. Upon learning that wolves are sometimes run down and cor-



Not interested in performing literal imitations of animals in her dances, Martita strives to evoke the spirits of the whale, sea turtle and wolf.

photo—James Ferry

nered by hunters in helicopters, she was aghast, and created a dance about wolves. She choreographed a sea turtle dance at the request of Christine Stevens, despite considerable difficulties posed by the sea turtle's shape and style of motion. "I took some poetic license," Goshen admits. "After all, you can't just go lumbering around the stage like a jerk."

A couture assistant to Christian Dior saw Goshen perform her seal dance in Paris and offered his services to benefit the cause. The result was a costume with extravagant lavender and green ruffles, which helped put Goshen in the mood to communicate the essence of sea turtle. "I don't want to imitate these animals," she explains. "I want to evoke their spirit in the public's mind."

Her dog dances were inspired by a growing involvement with a pack of feral dogs living on her street. Although they were a neighborhood nuisance, nobody did anything about them. "The dogs looked terrible," Goshen says. "They were mangy and suffering, and I finally said, 'I can't take this anymore.'" She began to stay up late at night and listen to what was going on in the street when the dogs came out to scavenge. Then she started putting out food, and gradually each dog permitted her to approach and finally to feed it. The entire campaign was conducted with extreme caution, since feral dogs can be dangerous.

She now has a whole system worked out. "I get the dog cleaned up and bring it to my ballet teacher, who tries to place it through her students," Goshen says. If no one will take the dog, Martita takes it to the ASPCA — unless she herself has succumbed to its forlorn soulful eyes.

Since embarking on her career as a dog owner, Goshen has choreographed two of three planned dog dances: a trio involving a Springer Spaniel, a Russian Wolfhound, and a Great Dane; and a humorous poignant piece about a stray dog. She is devel-

oping a duet about a stray and "a very leggy elegant Weimaraner." All the dances make delightfully clear each breed's personality and characteristic style of motion, and Goshen's stray — scrappy, tough, and vulnerable — is a surefire crowd pleaser.

Though she choreographs most of the dances she performs, Goshen asked another choreographer, David Anderson, to create a work for her about seals, an elegy for a mother seal whose baby has just been killed. She has performed that work in a number of places, including a Greenpeace benefit in Paris.

Her other travels have been under the auspices of a variety of organizations. During the Carter administration, she danced on the White House lawn at an event sponsored by several environmental and conservation groups to celebrate solar energy and the importance of preserving endangered species.

The Animal Welfare Institute sent her to Tokyo, where she danced in the emperor's garden to show American support for whale protection during the International Whaling Commission conference in Japan. Another IWC conference took her to London; there she danced in Trafalgar Square on behalf of Friends of the Earth.

"Nobody gave me the money to do the art," she says. "I did it because I had a burning desire to make a difference. The whales can't talk. But I'm so poor, I go around debating whether or not I'll use the subway. My mother's family can't understand why I would want to live in New York City and starve. My father thinks it's a scandal. He feels that with my degrees I should be commanding a huge salary or contributing to society as a professor at Smith College or something. I understand how they feel," she adds with a grin. "I sometimes question my sanity too."

But her work has provided an outlet for the feelings that used to overwhelm her. "I am intrigued by the animal kingdom because I find that the rage and frustration I feel about the injustices of the human world, I can resolve in dealing with the animal world," she explains. "I was in a constant state of rage in my 20s — at man's indifference and cruelty and inhumanity to himself and to animals and to Earth. I've calmed down a lot now. Every day, you've got to live as if it were your last. I despise the ordinary; the mundane is fearful to me; because it makes us forget the precious things in life — being alive, honoring life. Animals are beautiful and need to be preserved; they're endangered and oppressed. I'm strong and blessed, one of the privileged, so I feel it's my responsibility to take care of my corner of Earth, no matter how small."

reprinted from *Animal Kingdom*
 copies available
 from the *Animal Welfare Institute*.

agency; their value is "extremely limited". Cellular methods are being assessed as a substitute for the Draize test.

Dr Neil Littlefield, National Center for Toxicological Research: There have been "no requirements for LD₅₀ studies" except under an agreement with the Consumer Product Safety Commission whereby an LD₅₀ is called for if a substance has a toxicity exceeding 5 mg per kg.

Dr Bennett Ellisberg, National Center for Drugs and Biologicals: The Center has "never required that an LD₅₀ be performed."

Dr Robert Osterberg, Bureau of Veterinary Medicine, FDA: "At no time is there any requirement for an LD₅₀ Human food safety does not require it."

Dr Irwin Baumel, Office of Toxic Substances, Environmental Protection Agency: "Death need no longer be an end point." There is a wide variety of alternative testing methods including computer models, bacterial systems, tissue culture and conical cells in culture. They need vindicating with animal tests.

Nor did the LD₅₀ find any favor with the FDA itself. As well as not requiring the test, the agency stated it would be addressing such questions as — "Do FDA procedures in any way indirectly stimulate the perpetuation of the LD₅₀?" and "Is the FDA making maximum use of and encouraging the continued development of reliable *in vitro* testing?"

A dissenting opinion, virtually the only one, came from Mr Randal Shumacher, Chemical Manufacturers Association. His concern was litigation. He spoke of the difficulties of facing a plaintiff in court if there had been "no animal test of the substance as an irritant or corrosive. . . . It was very useful to have animal data." He added "Organized labor may press for additional information in the work place."

Other salvos

This fusillade of fire directed at the LD₅₀ by the FDA workshop has been supported in recent months by bombardment from other bodies, both government and industry. During the past year or so:

■ The government's own chief toxicologist, David Rall, director of the National Toxicology Program, has asserted that the LD₅₀ "is now an anachronism the NTP does not use it."

■ The National Society for Medical Research has said that the LD₅₀ "is no longer

scientifically justified."

■ The Hopkins Center has concluded that "alternative tests would provide sufficient information to ensure human health while using as few as one-tenth the number of animals."

■ The Pharmaceutical Manufacturers Association has asked that LD₅₀ requirements be "revised so that fewer animals are used."

■ Edward Kavanaugh, president of the Cosmetic, Toiletry and Fragrance Association, has said that the organization encourages members "not to use the LD₅₀ test."

■ At a meeting sponsored by Ciba Geigy, scientists working for pharmaceutical companies voted in favor of abolishing the LD₅₀ by a 20-1 majority.

■ The European Commission's expert committee on drug testing has recommended that the LD₅₀ be dropped. And the Common Market's rules forbid LD₅₀s at concentrations that are corrosive at the site of application, while recommending the humane killing of animals that are in distress.

In addition:

■ The US Office of Technology Assessment, which advises Congressional members on scientific issues, has begun an 18-month study of non-animal testing

methods.

■ The National Institutes of Health has granted \$5 million to Battelle's Columbus, Ohio, laboratories to develop advanced analytical instrumentation to support basic cell-level biomedical research programs. And NIH has also contracted with the National Academy of Sciences to conduct a series of workshops on *Models of Biomedical Research*. These workshops will evaluate cell systems, lower organisms and non-biological models.

In a still wider sphere, U.S. multinational corporations must also meet the most cumbersome international regulations. It is thus crucial that there be a rapid international consensus which will upgrade safety testing while reducing animal testing.

On the hopeful side, the German Health Ministry has been emphasizing testing that reduces the number of animals used and there is indication of ongoing informal meetings among regulators of the European community directed toward reduction.

Considering the overwhelming climate of scientific and public opinion calling for the abolition of the LD₅₀ and the review of all routine animal tests, animal organizations, both national and international, can swiftly expand the FDA's precedent, thus saving tens of millions of animals.

Why wait?

Non-animal alternatives are being continuously developed and refined. But there is no need to wait until they have been perfected before putting an end to the LD₅₀. It could immediately be replaced by a test which, for all practical purposes, is just as informative and would *save the lives of some four million animals a year*. This alternative test is known as the Approximate Lethal Dose (ALD). Graduated doses are given, one per animal, with usually fewer than 10 animals used altogether.

Why can't it be introduced tomorrow? No reason at all — except bureaucratic inertia. Some of the regulatory agencies have moved, but some have not. They need pushing. And pushing. And pushing.

One final heave and the battle could be won. Your help, though, is still very much required. For every day that the doomed LD₅₀ lives on, around 10,000 animals die — needlessly and painfully. Help to make 1984 the year in which the LD₅₀, after nearly 60 years of death-dealing life, was finally laid to rest.

Contact the television networks to suggest a feature story on the LD₅₀. Or urge the editor of your local newspaper to give the issue a thorough airing. Or write in similar vein to the editors of such magazines as Time, Newsweek etc. For up-to-the-minute news and any queries, please contact *Henry Spira, Coalition to Abolish the LD₅₀, 234 Fifth Avenue, New York NY 10001*.



LD₅₀s down 75% in Germany

The West German Federal Health Office has said it will accept "approximative LD50" data rather than formal LD50 values in order to reduce animal testing. The number of animals used in acute toxicity tests in West Germany is thus likely to drop by 75% — 130,000 annually.

154

Birth control for wild species is humane and effective

The idea of contraceptives for wild animals may seem difficult to achieve. Yet they are proving an effective and humane alternative to trapping, poison, hunting or relocation — the traditional means of controlling numbers

Capturing and relocating animals without injuring them is expensive and requires the right habitat elsewhere. Both trapping and poisoning are exceedingly cruel and frequently kill non-target species. Furthermore the drop in population may only be temporary: for density-dependent species, notably the coyote, will often use the next breeding season to make good any losses by producing more young than usual.

According to Dr Jay Kirkpatrick, a biologist and Dean of Eastern Montana College, there are far-reaching implications in the use of contraceptives for wild animals. Birth-control compounds, whose effects are reversible and which do not cause death, do not disturb the social order and do not harm non-target animals, can be given orally or, in the case of large mammals, injected from a distance with a tranquilizer gun.

They can also be used with precision to prevent overpopulation in national parks and in residential areas where hunting is forbidden. Effective, humane, flexible, inexpensive and incurring no loss to the gene pool, anti-fertility drugs may well become a standard wildlife management tool.

Although the concept of birth control for non-human species is relatively unexplored, "its application to wild and feral animals is fundamentally sound" says Kirkpatrick. He reminds us that "all compounds available for use in humans were first tested on other animal species."

Since the development of the steroid "pill" in the 1950s, most testing on wild animals has made use of synthetic steroidal compounds. However more recent advances have used hormones, immunizing agents and plant products. Tests on both males and females have involved birds, coyotes, foxes, deer, horses, lions and rodents.

In species which maintain harem-like groups, contraceptives work most efficiently when the male is made sterile. In 1982 Kirkpatrick and others injected several feral stallions with a microencapsulated form of testosterone. Sexual behavior was not affected but a reduced sperm count resulted in a 83% decline in foals born. Since the removal of just one feral horse from overstocked public lands may cost as much as \$1000, the potential saving of such a scheme is considerable.

Another compound which effectively kills the sperm of large mammals is Gossypol, a derivative of cotton seed oil. It comes from one of 50 plant families which have anti-fertility effects in the male and female. These substances may play a significant role in the future management of herbivores.

Hormones can be used to block ovulation in mammals. And immunological

agents can arrest reproduction for from one to three years. Care must be taken, though, to screen for any behavioral effects.



Wild Stallions can be rendered infertile for a year by a single injection without changing their behavior. This birth control method avoids the need for stressful roundups or removal from the wild. Above a tranquilized stallion awakens.

New study

Kirkpatrick will shortly begin an 18-month study on the effectiveness of oral contraceptives given to skunks of both sexes. Future research, he believes, will concentrate on bait acceptance by small mammals and long-acting injections which will release steroids in larger mammals for several years.

Birth-control programs could help resolve highly publicized disputes. For example, a controversy has been raging for nine years at the Great Swamp — a 6000-acre National Wildlife Refuge in northern New Jersey. The problem is one of overpopulation and starvation of deer brought on by a lack of natural predators and an influx of deer as surrounding areas have become developed.

US Fish and Wildlife Service biologists decided the number of deer should be reduced from 600 to 250 — the refuge's estimated carrying capacity. In 1974, amidst fiery confrontations which continue to this day, an annual controlled hunt was instituted. Responding to hunting pres-

sure, reproductive rates have subsequently increased, and each year nearly one-third of the deer on the refuge have to be shot to keep total numbers down to 250.

The very materials used to distribute strychnine and other torturous poisons can and should be used for contraceptive purposes instead. For example, the skunk will readily eat eggs. Lace them with strychnine and they cause an agonizing death *without* controlling population. But inject the eggs with a birth-control drug and the population can be controlled — painlessly. The same principle applies to many other species in the world — from coyotes to prairie dogs — which may locally be causing problems.

Some birth-control programs are already well established. For years pigeon populations in certain cities have been kept in check by a commercial product called *Ornitrol*. And in Britain the Universities Federation for Animal Welfare has helped keep the feral cat population down through both chemical and surgical methods.

But while the concept of contraception for wild and feral animals has been around for years, research funds remain minimal. They should surely be increased. For as Dr Kirkpatrick explains, "Continued encroachment by man upon critical habitat coupled with increased public resistance to traditional control programs will ultimately require new solutions to overpopulation problems." And birth control shows clear promise of being one solution that all sections of society will applaud.

Strychnine banned

Almost a quarter of a million pounds of strychnine baits were used in 1982 to kill prairie dogs. The poisoning continued throughout most of 1983. But no longer. For as from mid-November last year the Environmental Protection Agency has banned the use of strychnine to kill not only prairie dogs but also rabbits, opossums, chipmunks and mountain beavers. Ground squirrels, porcupines and certain species of birds and rats may still be poisoned with strychnine if the products' labels are modified.

The reason for this welcome change of heart of the EPA is the well-documented carnage among "non-target" animals. In particular the agency was concerned for the survival of the near-extinct black-footed ferret which preys chiefly on prairie dogs and which often lives with or close to them.

Predictably in acting as it did the EPA has drawn a lot of flak from the cattle industry and the Department of Agriculture. A year or so ago the agency would probably have been more concerned to draw applause from this direction by ducking out of the issue entirely. Things are looking up!

N.J. continued

said, "I believe this has been the most heavily lobbied bill in the history of the legislature." Lois Stevenson, writing in *The Sunday Star-Ledger*, quoted the Speaker:

"Most lobbying on legislative matters is 99 percent informational; only 1 percent gets as ugly as we've experienced from the trapping interests. Threats were openly made at meetings that anyone voting for the trapping bills would be labeled for life, their careers would be in jeopardy and reprisals would be taken at the polls.

"This kind of nasty pressure only makes many legislators, including me, more determined than ever to stand by our principles. It is reprehensible that people who stand up for animal rights are subjected to such grievous reprisals."

Speaking in support of his bill, Senator Orechio said: "We must join civilized nations and ban this immoral device just as Winston Churchill did some 30 years ago. The issue here is barbarism! There can be no possible justification for the continued use of this barbaric device." However, in order to pass the bill in the Assembly, it was necessary to accept an 18-month delay. Rutgers University was authorized to study alternatives to the steel-jaw trap.

By a vote of 65-5 in the Assembly and 26-6 in the Senate, New Jersey becomes the first state to legislate a total ban on the steel trap.

Animal protection in Mexico

The University of Mexico has just published a 152-page Compendium of Laws and Regulations for the Protection of Animals in Mexico. The principal author, Gonzalo Alcantara, points out that historical antecedents for these laws go back to the time before the Conquest and that during the colonial period many of the pre-Columbian values were lost, among them the respect the indigenous people had for animals and nature.

Senor Alcantara singles out the Animal Protection Law in the Federal District (passed in 1981 by the National Congress) as a model which should be adopted throughout the nation. He recommends educational programs begun in early childhood to develop kindness to animals and an ecological understanding leading to protection of the environment.

Readers who are fluent in Spanish will find much of interest in this first book of its kind in Mexico. The AWI was pleased to be able to supply some of the background information on laws of other nations for the compendium.

Tiger reappears

The Tasmanian tiger has been feared extinct since 1936 when the last of the tigers kept in captivity died. But a Wildlife Service ranger in Tasmania reports sighting one 18 months ago. The sighting was kept secret until now to protect the animal.

Trappers Seek to Invade 12 Million Acres of Park Lands

The "Trappers Alert!" column of the February issue of *FUR-FISH-GAME* touts a bill "which would reopen approximately 12 million acres of prime trapping and hunting lands that were lost when the Alaska Lands Act was passed in 1980."

The column, written by the Wildlife Legislative Fund of America (WLFA), emphasizes that the bill would "establish the nation's trappers and hunters as a strong political force . . . what's more, when Congress casts its vote on this bill, it will be determining the status of hunters and trappers, in Congress and even state legislatures, for years to come."

Under "highlights of the campaign" the Fund notes, "WLFA lobbyists are meeting with every member of Congress to explain the bill and secure votes."

WLFA was founded to oppose the referendum proposal to ban the steel jaw leghold

trap in Ohio in 1979. Polls had shown that the majority of Ohioans (like the majority of Americans) oppose this cruel trap. Nevertheless, the proposal failed due to an expensive media blitz during the last two days. Scare tactics succeeded in confusing the voters when no time was left to prepare and distribute TV tapes to correct the false and misleading information that had been disseminated by WLFA.

Undercover tactics catch poachers



photo — U.S. Fish and Wildlife Service

Three bighorn sheep (*Ovis canadensis*)

"We're the FBI of the wildlife world," said Terry Grosz, head of the Fish and Wildlife Service's Law Enforcement Division in Denver. He was referring to the undercover tactics increasingly used to trap the modern-day poacher with his sophisticated equipment — two-way radios, four-wheel drive vehicles and even helicopters and fixed wing aircraft.

The poaching business (and it is very much a business) has grown as with loss of habitat the animals have become fewer. For scarcity drives up the animals' value. Which attracts unscrupulous poachers. Which makes for greater scarcity. Which attracts still more poachers. And so on. It is a nastily vicious circle.

The poachers regard as "fair game" any animal or animal product on which they can see a profit. And today the list is almost endless — lizards, snakes, raptors, salmon, walrus, cactus, birds' eggs, turtle eggs, bear, elk . . . Newly grown elk antlers can fetch \$120 a pound and an antler may weigh 15 pounds. And \$80,000 (yes, \$80,000!) is not too much for an Arab falconer to pay for just one baby gyrfalcon.

With pay-outs on this sort of scale it is not surprising that law-enforcement agents regard wildlife trafficking as being on a par with drug smuggling. Which is why a former undercover narcotics agent, Richard Leach, heads Fish and Wildlife Service's covert operations.

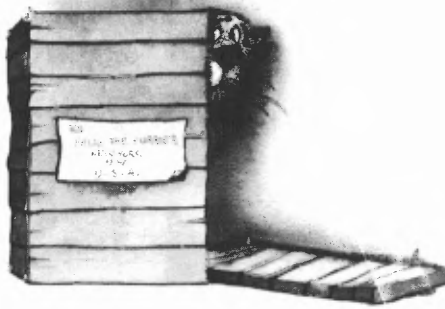
One of the most successful traps the Service has sprung concerned illegally taken reptiles. Posing as pet dealers two agents opened a warehouse in Atlanta and then advertised in magazines. Their purchase of turtles, snakes, lizards and other reptiles led

to a great many arrests.

A very recent and spectacular piece of undercover work has resulted in the breaking of a Colorado-Montana hunting ring in which trophy-sized elk, deer, goats, sheep and bears were being slain in their hundreds for sale to collectors. Hunts were "guaranteed" — meaning a trophy and price were agreed in advance and the hunter, the client, was then led to his prey by guides.

In this particular case the hunter was offering \$7500 for a record (records are very important) bighorn sheep. But what the two crooked guides did not know was that the hunter was not really a hunter; he was an undercover Fish and Wildlife Service agent.

And the two crooked guides? They were a most respectable pair. Or rather they had all the trappings of respectability. One was a Denver police detective and the other a Montana minister.



“The Bollo Caper — A Furry Tail For All Ages”

by Art Buchwald. New York: G. P. Putnam's Sons; 1983.

This is the “tail” of a leopard called Bollo who was living in Africa and had a girl friend called Nefertiti. Unfortunately a movie star in California wanted a leopard-skin coat, and Felix the Furrier was to supply it. Bollo is kidnapped by native hunters — but not before he had made sure that Nefertiti was safely up a tree. He is taken by air to New York, but manages to escape from his crate on the way from the airport: arrived in New York City, he manages to get to the zoo, where the other animals advise him how to get to Washington to have himself declared an endangered species. How this works out, and the ending of the “tail” (and Bollo's reunion with Nefertiti) you will discover. When I read this story I was so delighted I immediately read it again. I should say that the illustrations by Elise Primavera are first class.

—Hugh Gough

Belgium joins CITES

The year 1984 started well. On New Year's Day CITES gained a very significant new member: Belgium. For many years Belgium has been the largest leak in the CITES dam, particularly as an importer of poached ivory. But the regulations of the European Economic Community now oblige all EEC members to ratify CITES or to take equally effective national action to curb trade in endangered species. So — pushed and prodded from many sides Belgium has at last taken the plunge. Conservationists will be watching to ensure that CITES' 82nd member fully abides by the letter and spirit of the Convention.

Mexican Veterinarian Joins A.W.I. committee

With great pleasure we announce that Dr. Aline S. de Aluja has accepted an invitation to join the International Committee of the Animal Welfare Institute. She heads the Department of Pathology of the School of Veterinary Medicine at the National University of Mexico City and has actively participated in the development

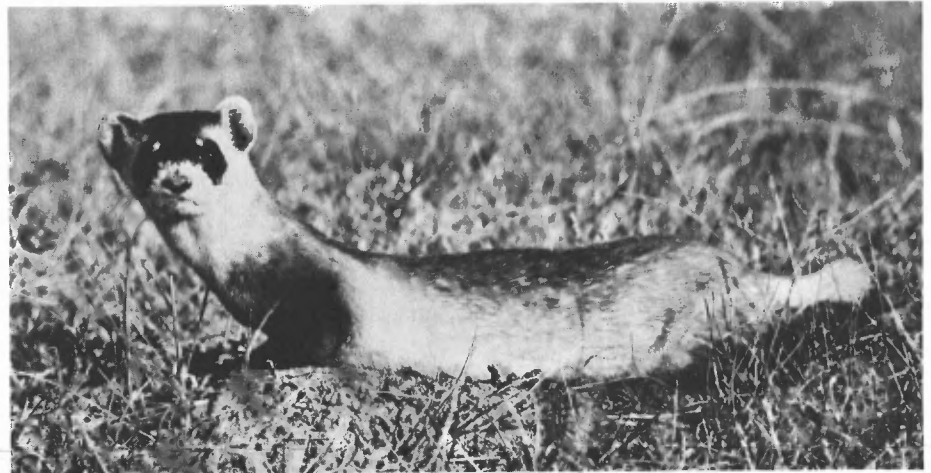


of animal protection laws in Mexico. Her areas of interest are diverse and she has published papers and lectured on animal transport, animal slaughter, laboratory animal alternatives as well as the control of the stray dog population in Mexico City. Her hope is that she has impressed her students with the need to respect animals and “to realize that if the Veterinary profession does not do anything to relieve their suffering, then who will?” She is a member of “Pronatura” to protect wildlife.

The Ferrets' return

Cousin to the mink and weasel and formerly widespread in the western US, the black-footed ferret was recently thought extinct. Then in 1981 one was discovered. In fact at least one more must have been around at the time, undiscovered — and of a different sex. Because two years later a count in the area came up with a figure of 88, all alive and kicking.

The area concerned is near Meeteetse, Wyoming. It is the only place the ferret is known to exist. However it is believed that last year's young ferrets, solitary by nature, may be moving to new areas and perhaps dying en route. To find out just where they are going researchers have fitted radio collars to seven young and three adults. Depending on results, a relocation or captive-breeding program could be the next step.



black footed ferret (*Mustela nigripes*)

photo — U.S. Fish and Wildlife Service

Animal Welfare Institute

Scientific Committee

Marjorie Anchel, Ph. D.
Bennett Derby, M.D.
F. Barbara Orlans, Ph.D.
Roger Payne, Ph. D.
Samuel Peacock, M.D.
John Walsh, M.D.

International Committee

T. G. Antikas, D.V.M. — Greece
Angela King—United Kingdom
David Ricardo—Canada
N.E. Wernberg—Denmark
Godofredo Stutzin—Chile
Simon Muchiru—Kenya
Ambassador Fumihiko Togo—Japan
Aline S. de Aluja D.V.M. — Mexico

Officers

Christine Stevens, President
Cynthia Wilson, Vice President
Marjorie Cooke, Secretary
Roger L. Stevens, Treasurer

Directors

John Beary, M.D.
Madeleine Bemelmans
Gerard Bertrand Ph.D.
Marjorie Cooke
Christabel Gough
David O. Hill
Sue Hunt
Freeborn G. Jewett, Jr.
Christine Stevens
Aileen Train
Cynthia Wilson

Staff

Patrick Allen, Editorial Consultant
Cynthia Bank, Administrative Assistant
Diane Halverson, Research Associate
for livestock and poultry
Louise Wright, Research Assistant

Lynne Hutchison, Whale Campaign Secretary
Cathy Liss, Research Associate
Elizabeth E. Cory, Publications Coordinator
Lynda Power, Administrative Assistant
Susan K. Rehr, Legal Editor

Nell Naughton, Mail Order Secretary
Greta Nilsson, Wildlife Consultant
Adele Schoepperle, Assistant Treasurer

Jettisoned fishing gear menaces monk seal

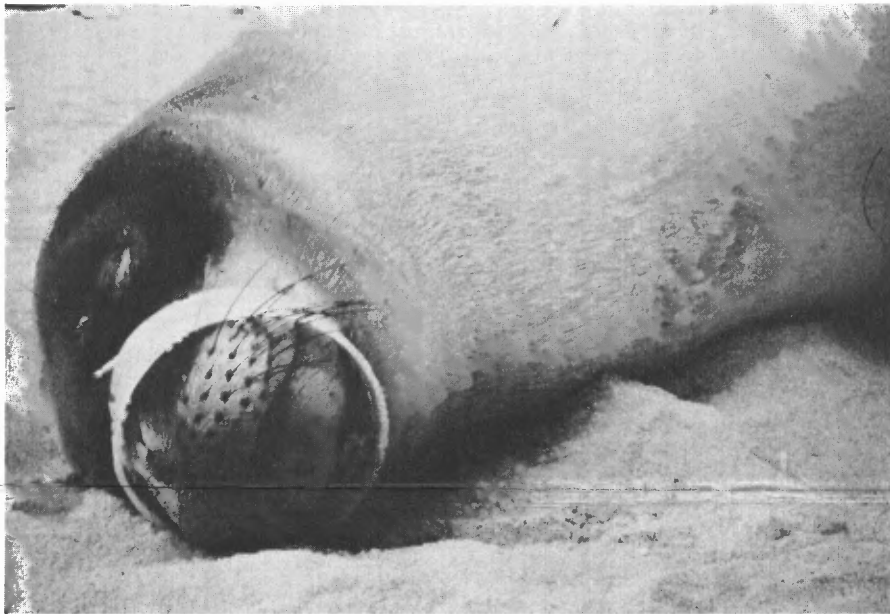


photo — NMFS

This monk seal is unable to free himself from the plastic ring which muzzles him.

The Hawaiian monk seal is a highly endangered mammal. And a prime cause is high-seas fishermen — or rather the gear they so thoughtlessly jettison. During just half of 1982, on one tiny Hawaiian island, Lisianski, 21 pieces of net and line were washed ashore — to add to the 52 items of fishermen's debris already counted on the 7-km beach.

That same year 25 monk seal pups survived to weaning on the island. Of these, 10 were seen to swim in and through pieces of netting, resulting in four entanglements. Fortunately for these pups field personnel were on hand to free them — and to remove a plastic ring around the muzzle of another pup. But entanglements, which are increasingly common the world over, seldom end so happily. Every year hundreds of thousands of birds, turtles and marine mammals are drowned in the gillnets, trawl nets and purse seines of the world's fishing fleets. (For a fuller account of this issue, see The fishermen's accidental harvest on page 10 of the Fall 1983 Quarterly.)

Greystoke

The Legend of Tarzan

A natural wonder, the African rain forest, and a manmade splendor, the country seat of the Earls of Greystoke, make *Greystoke* an unforgettably beautiful film. To see the great Ralph Richardson playing Tarzan's grandfather to perfection is reason enough to go, but there's much more. Christopher Lambert, who gives an elegant portrayal of the heroic Tarzan, visited the signing chimpanzees and their teacher, Dr. Roger Fouts, at Eastern Washington University to observe chimp social behavior and body language.

His performance combines the profound expression of human and chimpanzee emotions portraying passionate sorrow at the death of his chimpanzee foster mother, shot by a poisoned arrow, and later, when his grandfather dies at a magnificent Greystoke party. Conveying the animal nobility of his jungle upbringing, the dashing young peer clashes with Edwardian society in a gripping scene in which he leaves the official museum tour after his appearance at the dedication ceremony and finds dissected apes on the tables of the institution's anatomy laboratory. Pressing on, he reaches a still living, caged chimpanzee with whom he exchanges sympathetic hoot calls, then opens the door and leads him past the Albert Memorial into the park. But the chimp's freedom is short-lived as the authorities shoot him out of a tree.

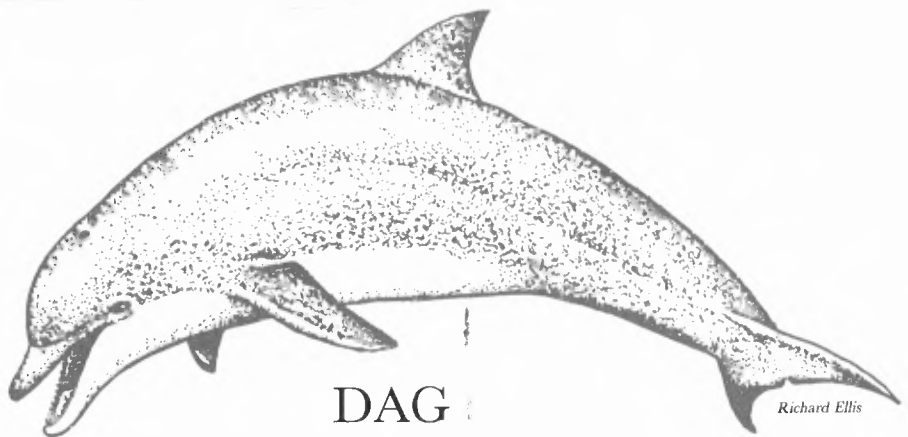
The film is tragic as well as beautiful. Its surprise ending may presage a sequel.

Dolphins win latest round in their fight for life

The latest round in the protracted battle between the dolphins and the tuna fishermen has gone to the dolphins. On 24 January by an 8-3 majority the U.S. 9th Circuit Court of Appeals overturned a 1981 District Court ruling which declared that although the Government could place observers on vessels for scientific data gathering, it could not use their observations in subsequent law enforcement proceedings. As a result, until this most recent

ruling, the Federal Government has been unable for two years to enforce the requirements of the Federal Marine Mammal Protection Act against tuna industry violators.

Environmental Defense Fund attorney Michael J. Bean, who successfully fought to keep the observers aboard, said, "The court's decision will restore the ability of the Government to insure that these graceful mammals of the sea receive the protection that the law requires."



DAG

Greenpeace's *Dolphin Action Group* is asking for help. It seeks members to give not money but time — time to help save dolphins from being drowned in Japanese and American fishing nets by writing letters to newspaper editors and others who can influence public opinion. If you wish to support Greenpeace in their campaign to save the dolphins write to: Greenpeace Foundation, 19 Niolopa Place, Honolulu, Hawaii 96817.