



# THE ANIMAL WELFARE INSTITUTE QUARTERLY

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## Lufthansa Announces It Will No Longer Accept Shipments of Wild Caught Birds

A severe blow was struck against the trade in wild-caught birds when Lufthansa, formerly the largest carrier of pet birds to the United States, announced at a press conference in Brussels on November 29 that it would no longer accept shipments of wild birds.

Lufthansa, which carried 41 percent of all birds (189,371) imported to the United States last year, made this decision after reports by the



Dead finches from a Lufthansa shipment discovered September 1990

Environmental Investigation Agency (EIA) and the Animal Welfare Institute together with video footage had been presented to top officials and representations had been made by the Belgian Society for Protection of Birds and the German Committee Against the Killing of Birds who are at the forefront of the campaign to end wild bird imports into the European Community.

Graf Henckel von Donnersmarck, General Manager of Lufthansa stated, "We have a moral obligation to avoid this immense animal suffering caused by the transport of exotic birds". As the largest freight carrier in the world, Lufthansa has set an example.

"Lufthansa has decided to put animal welfare before profit," said Peter Knights of EIA. "We call on all other responsible airlines to follow suit. This should send a clear message to all those who deal in wild birds for the pet trade: their trade is cruel and unacceptable, it must end. If people wish to own birds as pets they should be captive bred."

The question now arises which airlines,

if any, will take over this trade. KLM Royal Dutch Airlines is currently the second largest shipper with 87,296 birds carried to the US in 1989. In December a KLM shipment of over 8,000 birds from Tanzania, including flamingos and lovebirds, was detained at London's Heathrow airport en route to the wife of a convicted animal smuggler in Miami. Over 1,200 birds were dead. Since the animals were repacked in London, the importer could not be prosecuted for violating US humane regulations, but some birds were confiscated by the US Fish and Wildlife Service as the numbers were understated on the documentation. On November 29th a UK court fined KLM \$40,000 plus \$10,000 on 31 counts for this case. They still plan to continue shipping wild birds.

In September 1990, Lufthansa carried another heavily overcrowded shipment from Tanzania. This time the discovery came in Nairobi, Kenya. The Kenyan Society for the Prevention of Cruelty to Animals (KSPCA) investigated a consignment of

*continued on page 13*

## Schweitzer Medalists Recount Adventures

On September 24, 1990 Senator John Heinz (R, PA) presented Schweitzer Medals to Allan Thornton and Dave Currey for their work on behalf of elephants, dolphins and wild birds.

### Remarks of Senator Heinz

It is a great pleasure and honor to be here, Christine, with you and the Animal Welfare Institute today. When I think of the fine work this organization has done and, of course, has yet to do, and I think of the way you approach your commitment to the work of the Animal Welfare Institute, I can't help but feel you are a magnificent inspiration to all the rest of us. I think Christine Stevens approaches--whether it's an ivory ban or it's leghold traps, or it's dolphins, or whatever it may be--she approaches it with the communications power of a brass band, with the energy of the biggest hurricane, the courage of an African lion, the wisdom and memory--don't ever get on her short list, if you'll excuse the expression--of an elephant. And through it all, she carries on with the grace of a dolphin.

Now, those of you who are familiar with the program will understand that I am not Slava Rostropovich. Slava had the honor, and it is a well deserved one, of introducing our two honorees for the Albert Schweitzer Medal that they have, through their tremendous service to the cause of animal welfare, earned this evening. Slava is, unfortunately, incapacitated with the flu.

*continued on page 8*

The 4th edition of *Animals and Their Legal Rights* has just been published. To librarians, chiefs-of-police and humane societies, the book is available free. All others may purchase a copy for \$4.00.

# Behind the Scenes at Carolina Biological Supply Company

A story on inhumane treatment of animals and questionable practices at Carolina Biological Supply Company (CBSC), including shocking footage provided by People for the Ethical Treatment of Animals (PETA), was aired on ABC World News Tonight on October 22nd. CBSC is the largest supplier of animals for dissection in the US with annual sales between \$25 and \$30 million.

Peter Jennings shows how CBSC buys a large number of live cats from a notorious animal dealer, abusively handles the live



People for the Ethical Treatment of Animals



People for the Ethical Treatment of Animals

Al Wise, a principal supplier of live cats to CBSC, has been found guilty under the federal Animal Welfare Act of mistreating cats. USDA is currently investigating authenticity of names he listed as owners who allegedly gave permission for him to take their cats.

The documentary footage shows an ABC News producer attempting to interview Al Wise, and being

chased by Wise who is driving a large tractor. Then as the television crew attempts to get away, a second camera shows Wise ramming the ABC News van.

An information packet including a list of alternatives to the use of animals in the classroom is available for \$2.00 from: PETA, Attention: Dissection Report, P.O. Box 42516, Washington, DC 20015.



People for the Ethical Treatment of Animals

animals it receives and inhumanely kills many of them. Though the president of CBSC, Dr. Thomas Powell, states on camera that animals are "always dead when we acquire them," the television audience witnesses delivery of live cats to the CBSC loading dock. Up to 275 live cats a week were delivered to the facility.

The film shows crates filled with cats taken from the loading dock. The cats are violently forced, through prodding with a long metal hook, into another cage which is put in a gas chamber. Animals are still moving when they are taken to the embalming table after gassing. As the embalming fluid is injected, the camera shows them clenching their jaws.

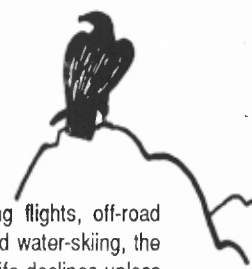
# Careless Use of Routine Computerized Searches Leads to Pointless Repetition of Animal Experiments

*The following letter first appeared in Science magazine in April 1988 (vol. 240, page 587). Its relevance increases with each passing year. It is reprinted here with permission.*

As a research physiologist of 30 years experience and a lifelong animal lover, I am angered by the unwitting, but nonetheless serious, impact that increasing reliance on short-term computerized literature searches is having on the efficient use of animals for research. Studies with live animals were relatively more common 10 to 30 years ago than now and were, not uncommonly, of such high quality that the findings stand to this day. Yet, because routine computer searches typically extend back only 5, or sometimes 10, years and young investigators are increasingly reluctant to retrieve publications "by hand," it is not unusual to come across recent studies that do little more than substantiate older published work of more than 10 years ago. Moreover, because there was then less pressure to publish quickly, many older studies were, in fact, better performed and better controlled, lacking only the glossy trappings of modern computer-assisted presentation. What, then, of those animals that now die needlessly because no one troubles to study the earlier work? And, with the present geometric increase in the rate of publication, will computer searches in the near future be reduced to even fewer years? We can justify killing animals humanely in the course of needed investigations directed towards the betterment of all living things. We cannot justify repeating an already definitive study using live animals for no better reason than that we are unaware that the work has been done already.

Susanne Bennett Clark  
Biophysics Institute  
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# Wildlife Sends an S-O-S: "Save Our Species"



What do the snow leopard, giant panda, whooping crane, green pitcher plant, noonday snail and the Queen Alexandra birdwing butterfly have in

common? They are all endangered species.

But not only do these, and thousands of other plants and animals share the threat of extinction, they also share a common enemy -- the human species. The phenomenal growth in human population is taking its toll as natural habitats are paved over, built on, polluted, lumbered and mined -- all to "benefit" encroaching civilization.

The planet's dwindling biological diversity is of urgent concern, say scientists. Although extinctions have been occurring naturally for hundreds of millions of years, the current rate of extinction is something new. According to Harvard biologist E.O. Wilson, we may be losing as many as 17,500 species each year -- and the trend is accelerating. By the early 21st century, we could witness several hundred extinctions per day. This alarming increase is directly linked to the rise in human population.

Plants and animals represent a pool from which humanity draws from agriculture, medicine and industry. The global food supply depends on a very few species of plants -- less than 20 species per 90 percent of food consumption. About one-half of the pharmaceutical products on the market include ingredients derived from sources in the wild. But biological diversity gives us much more than products. It also provides us with crucial "ecosystem services" -- such as clean water, a breathable atmosphere and natural climate control -- upon which all species, including humans survive.

The estimated number of plant and animal species worldwide ranges to 30 million or more, although scientists have only catalogued 1.4 million species. More than half live in tropical forests. Considering that at least 40 percent of the Earth's tropical forests, have already been destroyed, the enormity of this destruction, in terms of both numbers of acres and number of plant and animal species, is staggering.

But population pressures aren't only destroying habitats in tropical zones; pressures are just as severe in the United States.

"The example that this country sets is absolutely critical," says Thomas Lovejoy, a Smithsonian Institution administrator. "If we cannot proceed to make a strong effort to do the right thing here, how can we possibly hope that the poorer countries -- which have the vast amount of biological diversity -- could possibly undertake similar efforts?"

The clash between humans and wildlife is evident in virtually every part of the country. Consider Florida, where each week some 10,000 people move into the state. It is a rate of growth that is "literally overwhelming everything," says Bill Partington, who heads up the Florida Conservation Foundation.

As man continues to crowd in Florida, the endangered manatee is harder pressed to avoid propeller

blades while looking for vanishing sea-grass beds for grazing. Fifty-one manatees were killed in boats in 1989, more than twice as many as were killed annually during the early 1980s. An estimated 1200 manatees still survive, but more people than that move into the state in any two days. "It doesn't take a real genius to figure that the problems they face today are going to multiply in the future," says Richard Frohlich, a marine mammal biologist with Florida's Department of Natural Resources.

The Florida panther has a much weaker hold on survival. Between 20 and 50 of the cats remain. Highway traffic across the Everglades remains a major threat to the nearly extinct animals. The biggest problem, according to state researchers, is the loss of panther habitat to subdivisions, citrus groves, and other development.

Humans have another devastating influence on wildlife ... pollution. Nowhere was this more graphic than the massive Valdez oil spill, affecting more than 700 miles of Alaskan coastline, and killing thousands of waterfowl, seabirds, bald eagles, otters, seals, and threatening the survival of one of the state's largest pink salmon fisheries.

Our polluting ways continue to threaten wildlife across the nation. The Chesapeake Bay, for instance, is the nation's most productive estuary, and ranks behind only the Atlantic and Pacific Oceans in harvests for U.S. fishermen. But the number of people living close to the Bay grew from 3.7 million in 1940 to 12.5 million in 1985 and is expected to swell by an additional 2 million by the year 2000. The press of population has turned the Chesapeake into a catch basin that collects the refuse of 5,000 pollution sources, including factories, farms and sewage treatment plants. Runoff from lawns, roads, parking lots and farmland carries pesticides, petroleum, and other toxics into the Bay. The wastes produced by the soaring population have reduced the Chesapeake's seafood catch to a shadow of 19th-century levels.

In 1984, in an effort to help save the Bay, a sweeping land-use control measure was introduced. Known as the Maryland critical area program, the legislation aims to prevent the natural lands that remain around the edges of the Bay and its rivers. By linking land use policies with wildlife protection and water quality, the Critical Area Program has broken new ground. In the bill's preamble, the legislature went even further, recognizing that even when traditional sources of pollution are controlled, "the number, movements and activities of persons in an area can create adverse environmental impacts."

As development and agriculture consume an ever-expanding share of the natural environment, wildlife refuges play a key role in protecting the nation's wildlife. But according to a recent report by the General Accounting Office, the birds, fish and other animals in the nation's 452 wildlife refuges are seriously threatened by human intrusions.

Finding that 60 percent of the refuges in the 89-million-acre system are threatened by such human

interferences as military training flights, off-road vehicles, oil and gas drilling, and water-skiing, the report warns of irreversible wildlife declines unless refuges are protected. In Louisiana's 17,000-acre D'Arbonne National Wildlife Refuge, for example, 165 gas wells have been drilled, destroying habitat with salt water used in drilling operations and threatening to drive out the endangered red-cockaded woodpecker.

"We are only kidding ourselves if we think we can protect wildlife resources while at the same time polluting their water, destroying their habitat and harassing their young," said Rep. Gerry E. Studds, chairman of the House Merchant Marine and Fisheries Subcommittee on Fisheries and Wildlife Conservation.

Wildlife in national parks are also at risk as the country continues to be developed at an unsustainable high rate. Nearly all national parks have lost some wild animal species, chiefly because the parks are too small to sustain them or because of encroaching development. Ninety percent of the wading-bird species, the Everglades, prime wildlife attraction, have disappeared from the park in the past thirty years. Yellowstone, the oldest national park, is experiencing an ever tightening circle of mining, oil wells, timber clearcutting, vacation homes and suburban sprawl. This development is threatening the bison, moose, antelope, elk, grizzlies, and other incomparable wildlife that depend upon grazing ranges that extend throughout the greater Yellowstone region.

Wetlands, which support a vast and beautiful array of wildlife, have also become a major focus of concern. Of the list of endangered or threatened species, it has been estimated that about 45 percent of the animal species and about 25 percent of the listed plants use wetland habitat. But the nation's wetland acreage has been shrinking rapidly in recent decades as they are drained for agriculture, industry, shopping malls, housing subdivisions and other development or dredged for transportation or other purposes. The United States has already lost over 54 percent of its original wetlands.

Even the 16-year old Endangered Species Act is racked with problems. This legislation requires the federal government to develop and implement specific programs to aid all U.S. species listed as "endangered" or "threatened". Unfortunately, recent studies show that federal programs aimed at recovering these species -- returning them to nonthreatened status -- fall far short of what the law mandates.

If trends continue, our grandchildren may live on a planet inhabited by less than half the species of plants and animals populating ours. In this country alone, our population is projected to increase by more than 30 million in the next two decades, nearly doubling our 1950 population.

*Reprinted with permission from Zero Population Growth, Fact Sheet, February 1990. Illustrations by Fougasse.*

## Diamonds are for Death

The Okavango Delta in Botswana, nominated as a World Heritage Site for its extraordinary wildlife habitat, will be dredged early next year to provide water to huge diamond mines in the Kalahari Desert. A large part of this unique ecosystem is also being cordoned off from thousands of elephants, water buffalo, zebra and antelopes in order to create more pasture for the millions of cattle that have already denuded most of Botswana's savannahs.

One of the world's premier bird habitats will be severely damaged, if not destroyed. More than 300 species of birds are found in the Okavango, including dozens that migrate as far away as Europe and Asia. Naturalists regard the vast swamp as critical habitat for many species.

Both projects are being carried out with great secrecy by the government of Botswana.

De Beers, which operates the enormous open-pit diamond mines that provide most of Botswana's great wealth, is associated with LTA Ltd., a major South African construction company which has the contract to do the dredging and construction of large earthen dams to store the water. Giant dredge-buckets will begin carving a 60-meter wide channel in early January 1991 at the south end of Okavango. The channel, planned to be 45 kilometers long, will drain much of the water from the delta, ensuring a year round supply of water to flow more than 300 kilometers through the Kalahari to the diamond mines at Orapa.

Massive quantities of water are used by De Beers to wash the diamonds out of the alluvial soil scooped out of the open-pit mines. The three-decade-old mine has already devastated the wildlife of the northern Kalahari. In the 1960s, '70s and early '80s, De Beers diverted the water from Lake Xau, the region's only source of water during the dry season, to a huge, fenced reservoir. Hundreds of thousands of wildebeest, hartebeest and zebras died of thirst or starvation when they trekked to the barren Lake Xau. The bleached skeletons of countless animals drawn by the smell of water still litter the fenceline around De Beers' Mopipi Reservoir.

De Beers operates three of the most valuable diamond mines in the world in partnership with the Botswana government. The mines are so profitable that Botswana has piled up more than US \$3 billion in cash

## Zimbabwe & Botswana Plan Mass Elephant Kill

Zimbabwe and Botswana are planning to kill thousands of elephants in 1991. The slaughter will go ahead despite a rapid increase in elephant poaching in Zimbabwe in the last year, since it refused, to abide by the international ban on ivory trading.

Zimbabwe and Botswana still refuse to release the raw data from the population surveys they claim justify the need to "cull" the elephants. Zimbabwe representatives first promised to release the data over a year ago at the October 1989 meeting of CITES.

Botswana will kill up to 2,500 elephants for commercial benefit, and confirms it will not be for so-called ecological reasons. Conservationists in Botswana are rightfully concerned that the planned elephant kill will result in extremely negative publicity which will damage their successful tourist industry. They say that killing elephants is not in Botswana's national interest.

Zimbabwe intends to kill as many as 4,000 elephants in 1991 and claims it can't live without the \$900,000 earned from its foreign ivory sales. Its wildlife based tourism industry brought in US \$70 million last year, but the economic benefits of tourism are ignored in developing Zimbabwe's elephant policies.

Zimbabwe's determination to maintain commercial ivory trading seems to be the driving force behind its plan to "cull". It is

leading efforts to set up an ivory "cartel" comprised of other southern African nations which refuse to abide by the ban. The ivory from the culls will be sold to Asian traders.

But in supporting an ongoing ivory trade, Zimbabwe is undermining its own efforts to protect elephants and rhinos. One major anti-poaching project, worth US \$200,000 destined for Zimbabwe, was relocated to Uganda when the sponsors discovered plans for the large scale elephant kills. How can anyone justify funding anti-poaching work to protect elephants when the Zimbabwe Wildlife Department plans to shoot thousands of these same elephants?

Does Zimbabwe have something to hide in not releasing its data? A delegation from the US Fish and Wildlife Service recently visited Zimbabwe, but no formal meetings were held with senior conservationists or ecologists who oppose Zimbabwe's plans to slaughter elephants.

Zimbabwe and Botswana host some of the world's most magnificent elephant herds still to be seen in Africa. Why they wish to undermine the basis of their growing and successful tourist industries by these ill considered and unnecessary plans to kill off thousands of elephants remains a mystery; and if elephant poaching is increasing in Zimbabwe, why is the government intent on trying to save the ivory trade?

reserves, a staggering amount for a nation of just 1.3 million people on a continent marked by poverty and economic chaos.

Another secret project recently launched by the Botswana government is a 75-kilometer buffalo fence now under construction on the northeast side of the Okavango. The heavy-duty, double fence is designed to deny access to the rich grasslands and water to thousands of buffalo, zebra and antelopes that now occupy the wilderness area west of Botswana's Chobe National Park. A 150-kilometer extension of the fence north to the border of Namibia in the Caprivi Strip is planned, according to sources in Botswana.

"This fence, which has not been officially announced, will soon begin to devastate one of the last untouched wildlife populations in all of Africa," says one outraged wildlife expert. "Those thousands of elephants and tens of thousands of buffalo

and antelope trapped inside the fence are earmarked for eradication in order to 'sanitize' the area for cattle. The wildlife outside the fence will be cut off from their water supply and forced to migrate to the already-crowded Chobe and Moremi game reserves, or to the poaching grounds to the north in the Caprivi Strip."

### ACTION:

Please write to the president of Botswana and to De Beers to protest the planned destruction of the Okavango ecosystem.

H. E. The President, Quett Masire  
The President's Office  
Private Bag 001  
Gaborone, BOTSWANA

Mr. Nicholas Oppenheimer  
De Beers Head Office  
P.O. Box 916  
Johannesburg 2000, SOUTH AFRICA

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# To Raise An Orphaned Elephant

The task of raising a young orphaned animal is not an easy one. Elephant babies are fragile and delicate, and the milk of a mother elephant is entirely different than that of any other animal. To raise an orphaned elephant still dependent on its mother's milk was once considered impossible. Until Daphne Sheldrick came along.

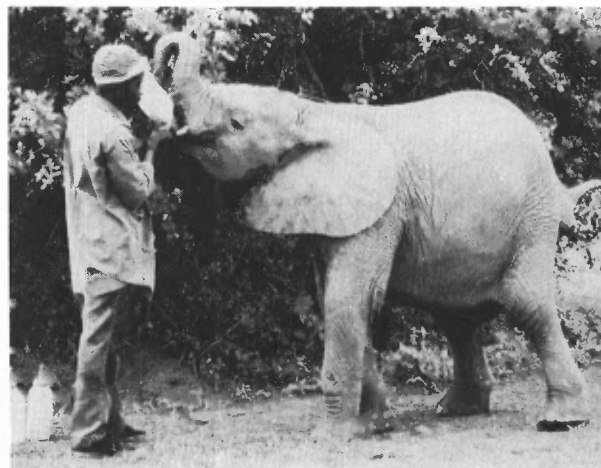
Born and raised in Kenya she learned to raise her first orphaned wild animal at the age of three. For twenty-eight years she lived with her husband in the giant Tsavo National Park. It was here she learned to raise and rehabilitate many species of wild animals. Her successes included buffaloes, rhinos, antelope, zebras, civets, mongooses, warthogs and elephants.

Today Daphne Sheldrick lives with her daughter in a small house in Nairobi National Park where she continues her work. Recently she authored a series "Raising Baby Orphaned Elephants" which appeared in *Swara*, the magazine of the East African Wildlife Society. Following are excerpts from those articles.

◆  
"Aisha was only about a month old when she arrived on our doorstep from Marsabit, and it was with her that I had succeeded in unraveling many of the mysteries of raising infant elephants. I had managed to keep her alive for six months, and I had grown to love her as my own child, for when one is mother to a little elephant, the emotional commitment must be total. But, unwittingly, I had made some cardinal mistakes with Aisha. Firstly, I had allowed her to become too fond of me; so that her happiness and well-being depended upon my physical presence, and when I had to leave her for a few weeks, although I substituted a competent 'elephant-sitter', she simply pined to death. Secondly, I had not appreciated that baby elephants must be fed three-hourly throughout the hours of night, as well as by day, and that they must *never* be left alone... Thirdly, I had yet to understand what a normal stool should look like in an infant milk-fed elephant, mistaking what was normal for chronic diarrhoea, which is what it would have been in any other animal. I did not yet know that baby elephants have no control over their bowels..."

"With elephants, the keepers replace the elephant family that the calf has lost, so they must be in physical contact with the baby day and night. They must sleep in the stable with the calf, initially curled up with it in the hay to soothe the nightmares and grieving that will plague it for many months. Most orphans have been through terrible trauma; some have actually witnessed their entire herd gunned down before them and they have then had to see the tusks being hacked out of the skulls of their loved ones... They always arrive in deep shock, and for many weeks thereafter they don't even want to try and live. Now the real expertise is needed, for the calf *must* be persuaded to make the effort, and take at least ten pints in a 24-hour period simply to sustain life. One cannot force feed a baby elephant - one simply has to plead and coax... The grieving period can last for as long as four months..."

◆  
"...on one occasion when I visited Eleanor, I could sense that she had disturbing news from her wild kind. Swaying backwards and forwards, with outstretched ears, she was miles away and not in the least bit interested in my appearance, which was unusual. And she was clearly very, very upset. What was happening to the elephants was nothing short of genocide, but the appointment of Dr. Leakey had brought renewed hope... I wished I could reassure



A young elephant has to consume 10 pints of milk per day.

Eleanor that there still might be a future for her and her little orphaned herd.

◆  
"Only a day after arrival he lay down, determined to die. He wouldn't stand, wouldn't feed... we truly believed he would be numbered among those we could not save. However, we felt that at least he should not feel alone in death, so we opened up the stable door and allowed the other three babies to come in.

A look of utter disbelief crept into Edo's glazing eyes, and he feebly attempted to stand. We helped him to his feet, supporting him as he surveyed the scene in obvious astonishment. Dika then approached, and gave him a gentle nudge. Out went his ears like two round dinner plates, and in retaliation he gave Dika a push. Then Ndume and Malaika came up to him, and before our very eyes, a miracle took place - Edo, literally, came to life."

## Good News and Bad News

It has been over a year since the the Convention on International Trade in Endangered Species (CITES) voted to upgrade the African elephant to Appendix I (endangered) status, thus banning all international trade in ivory. Since that time the situation facing the world's largest land mammal has improved drastically. According to Mwamba Shete, Assistant Director of the East African Wildlife Society, the price of ivory has collapsed from about \$900 a kilo a year ago to about \$5 today and as a result the rate of elephant poaching has declined considerably.

But the African elephant is not saved yet. CITES will be meeting again in 1992 in Japan. Zimbabwe and some other southern African nations will be fighting to have their elephant populations listed separately from the rest of the continent as Appendix II (threatened) status. This would allow them to once again export ivory. Worst of all it sends a message to poachers that profits can still be made by slaughtering elephants. Unfortunately the United States Fish and Wildlife Service seems to agree and is considering a split listing of the African elephant on the US endangered species list.

## California Voters Ban Gill Nets

Despite failure of the "Big Green" initiative, Californians did show some concern for the environment on election day 1990. The Marine Resources Protection Act of 1990, Proposition 132, passed with 56 percent of the vote. By severely limiting the use of gill nets, this constitutional amendment should make life much safer for whales, dolphins, sea lions, harbor seals, sea otters, birds and most other animals that inhabit California's coastal ecosystem.

Sponsored by Assemblywoman Doris Allen, the new law bans gill or trammel nets in an area extending three miles off the Southern California coast from Point Conception to the Mexican border, effective January 1, 1994. It also makes permanent a current temporary ban on such nets along parts of Northern and Central California.

The gill nets used by California's commercial fishermen are basically a smaller version of the notorious 30-mile-long driftnets used by a pelagic fleet from Japan, Taiwan and Korea. Already banned along much of the west coast from central California north through Canada, these coastal gill nets can stretch from one to several miles. They ensnare anything that swims into their mesh. According to the California Department of Fish and Game, more than 6,500 sea lions, harbor seals and harbor porpoises were killed in gill and trammel nets in 1986-87.

The law also provides for compensation to commercial fishermen for loss of their gill net permits after the ban goes into effect. Funds will come from creation of a \$3 fee required for sportfishing in the Protection Zone through January 1, 1995.

Richard Bucich



The new law means a safer environment for sea lions.

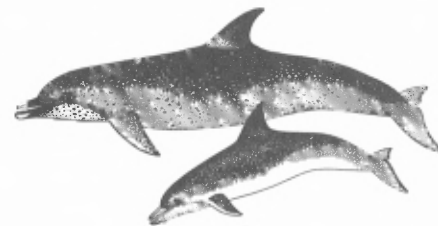
## "Dolphin Safe" Standards Set in Law

*Embargo on driftnet caught tuna will begin in July*

On November 28 President Bush signed a new law that should significantly reduce the numbers of dolphins and other marine mammals killed every year in the high seas driftnet and purse-seine tuna fisheries.

The Dolphin Protection and Consumer Information Act, originally introduced by Representative Barbara Boxer (CA) and Senator Joseph Biden (DE), was adopted as an amendment to the Magnuson Fishery Conservation and Management Act. The law sets the guidelines and enforcement to assure consumers the tuna they are purchasing as "dolphin safe" is indeed, just that. The "dolphin safe" label may not be applied to any product harvested by vessels engaging in driftnet fishing or using purse seine nets set on dolphins.

"In the aftermath of the tuna canners' announcement, passage of a standard definition became all the more important," said Biden. "We had to act to make sure the good intentions of consumers were not taken advantage of through weakened definitions (of 'dolphin safe') or unscrupulous



practices."

However, the law goes even further by banning the importation of all tuna products caught with high seas driftnets as of July 1, 1991. As of that same date no fish product caught in a high seas driftnet in the South Pacific Ocean will be allowed entry to the United States, and beginning July 1, 1992 the same goes for all fish caught *anywhere* on the high seas in these "walls of death".

"Passage of this proposal represents a breakthrough in our approach to reducing the deaths of thousands of dolphins," commented the Senator. "It is a victory for consumers, allowing them to contribute in one small way to the global environment every time they go to the grocery store."

## Representatives Turn Up the Heat on Fraudulent "Scientific Whaling" by Japan and Norway

The House of Representatives this fall turned up the pressure on Japan and Norway to halt their so-called "scientific whaling" programs. The House passed a resolution (House Concurrent Resolution 329) calling on the President to embargo "a significant quantity of fishery products" from any country deemed to be violating the rules and regulations of the International Whaling Commission (IWC).

Since the moratorium on commercial whaling took effect in 1986, Norway has killed over 800 minke whales in the North Atlantic, while Japanese fishermen have slaughtered many times that number in the Pacific, all under the guise of "research". In July the IWC adopted resolutions finding that these were not credible scientific programs and requested Japan and Norway to reconsider their 1990-91 plans.

"The United States has strongly and consistently supported the IWC and the

moratorium on commercial whaling," said Representative Gus Yatron who introduced the Congressional resolution. "Enactment of this resolution will strengthen our commitment of whale preservation by ensuring that the continued killing of whales is unacceptable."

Under the Pelly Amendment, President Bush has the power to embargo any amount of fishery products from a country officially certified by the Secretary of Commerce to be "diminishing the effectiveness" of the IWC. Japan was certified in 1988 and Norway, in October 1990.

Representative Doug Bereuter stated, "Japan's fishing practices--in whaling as well as other matters such as the use of deadly driftnets--has reflected a disregard for international environmental concerns... Resolution 329 sends a very direct message that such actions have consequences, and that the US will not sit quietly by..."

# Aquarium Employees Face Charges From Cruel Capture of Belugas

*Three Whales Kept in Confinement at Vancouver Facility Exhibiting "Abnormal Neurotic Behavior"*

This spring a group of men employed by the Vancouver Aquarium will stand trial in Canada facing charges of causing suffering to a beluga whale under the Beluga Protection Regulations and mischief/dangerous operation of a marine vessel. The charges have been filed by Liferforce, a Vancouver based ecology organization, and the Royal Canadian Mounted Police (RCMP). They stem from an incident that occurred last summer when the aquarium captured three belugas near Churchill, Manitoba, Canada.

After an unsuccessful attempt in court to block the capture, Liferforce sent an "eco-team" to Churchill to document the abusive capture and imprisonment of the belugas and to obtain evidence to lay cruelty-to-animal charges. On the first day they succeeded in preventing any captures. On

the following day the aquarium's three-boat group split up and one boat repeatedly chased and rammed Liferforce's two boats. These more aggressive tactics by the aquarium team eventually led to the capture of three whales.

Liferforce then went back to court, filing charges against those involved for causing suffering to the belugas and cruelty-to-animals. The common method for capturing belugas has been called abusive and inhumane. Speedboats herd the animals into shallow water. Once a particular whale is separated from the others, someone jumps onto the whale's back and several people wrestle the whale into submission. One person then sticks his or her hand into the genital slit of the animal to determine if it is a male or a female. Captured belugas are often exhausted and terrified and a disturbed family group is usually left behind. The cruelty charge was dismissed, however, by the Manitoba Attorney-General. But the other charges still stand and the RCMP is investigating claims that the aquarium's employees shot holes with a 22" rifle into Liferforce's two moored boats (which apparently occurred after the capture had been completed).

The belugas were flown to the aquarium

and have been there since. They are being kept in relatively bad conditions in a 40' by 40' research pool. According to Liferforce, upon inspection they "exhibited abnormal, neurotic behavior (one whale repeatedly thrashed its head from side to side and back and forth), their eyes were irritated by chlorine, they were subjected to repeated blood samplings and other scientific tests, and they were grossly underweight (they didn't eat for the first four weeks and only recently started to eat an unnatural diet...)"

What is especially disturbing is that the aquarium decided to go ahead with the capture and display of these whales despite a joint statement issued in 1988 by the Vancouver Parks Board and the Vancouver Aquarium Association that habitat in this facility was designed for the existing three belugas, no more would be collected.

## **ACTION:**

Further inhumane capture and confinement of belugas should be stopped. Concerned people should write:

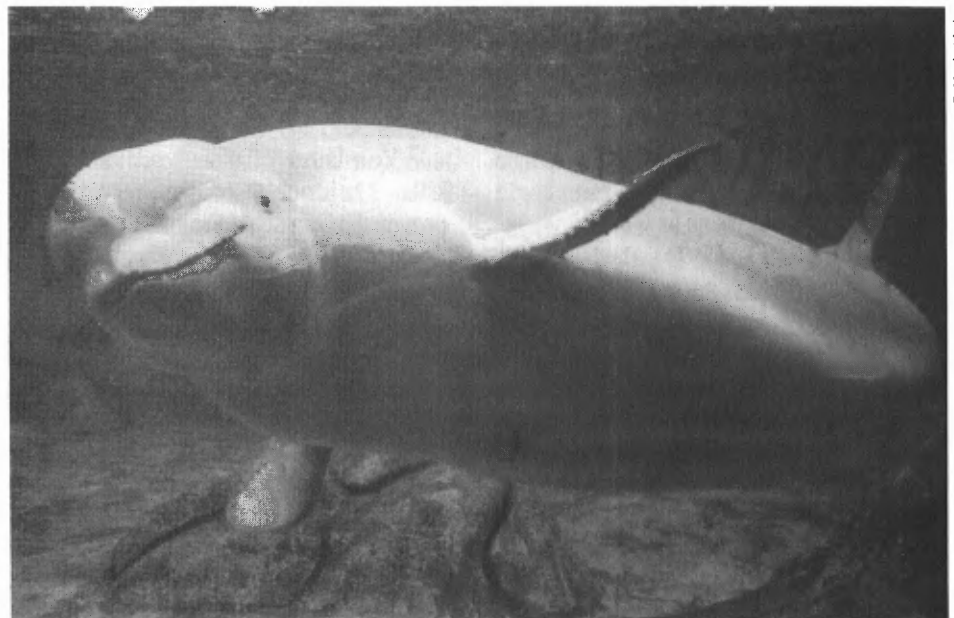
The Board of Directors  
Vancouver Aquarium  
P.O. Box 3232  
Vancouver  
British Columbia V6B 3X8  
CANADA

## In Japan: A New Interest in Whales

A new type of whale industry may be taking root in Japan. This one however, caters to people who enjoy whales and would like to see them survive rather than hunted for food.

The *Japanese Environment Monitor* reported that two large department stores are now carrying a wide assortment of whale character items such as t-shirts, cups, stationery, watches, neckties and bathmats. One store has a display featuring a plastic whale 10 meters long and 4.5 meters around the middle. The display's catch phrase is, "Isn't it great I got to meet a whale!"

*The Big Whale* has sold 35,000 copies and in its first two months *Sea of the Whale* has sold 20,000 copies, and this in a market where books that sell 5,000 copies are considered a "big hit". Whale watching also continues to gain in popularity. Whether or not such a positive public mood will change the hearts of a stubborn Japanese fishing industry remains to be seen.



*Belugas, like this one, do not live very long in captivity. This is not surprising when you consider the stressful means of capture and a radical change of habitat, from a large river to a 40' pool.*

# The Trials and Tribulations of Two Environmental Detectives, Speeches Given at the Schweitzer Medal Ceremony

continued from Page 1

But as Christine mentioned--Slava, whom Teresa and I got to know long before he was forced to emigrate to this country, back in, 1966 when he was, at that point, only a world-famous cello player in the Soviet Union--has indeed dedicated his life to preserving the rights of other species and human beings. His is an advocacy that, in my judgment, has extended to protecting not just human beings, but the entire breadth of life on which we all ultimately depend, which is why I don't think it was anything but a labor of love when he took Saint-Saëns' elephant music and changed it from a major to a minor key. I am no cello player. I cannot possibly lead even a three-piece orchestra, let alone the National Symphony Orchestra, and, therefore, I feel very inadequate introducing you properly to Allan Thornton and Dave Currey. But it is no less a pleasure.

I do, however, want to share with you a cautionary word on any success that the cause of animal welfare may achieve, and that is that while we may all think that we have succeeded with an ivory ban, or we have succeeded with canners of tuna fish going "Dolphin Safe," though there are many people who achieve, there are those who would undo the apparent gains. And even as we speak right now, there are people in the eastern Pacific who, as American tuna fleets move out, move in with foreign tuna fleets to encircle the dolphins that swim above the yellow-fin tuna--and probably kill more because they don't have any inspectors on board as we do on American ships. And there are buyers on the docks of Bangkok who are delighted when someone comes in with driftnets full of fish. Some of them will be tuna fish, some of them will be other kinds of fish, and some that are caught in driftnets are dolphins as well.

We have a long way to go because non-dolphin-safe practices are still the standard in the rest of the world, and we still rely on a lot of things from the rest of the world, including other kinds of tuna. And I say that, I suppose, as somebody who is proud of what the H. J. Heinz Company, with which I have had a long association prior to this life, has done with their StarKist subsidiary, but also would say that we should not rest on our past successes. The past must be, and always will, only a prologue.

Now comes the very special pleasure that Slava's absence has given me, and that



Dave Currey.

is to introduce our honorees. The work that these two men have done as undercover agents for the environment is extraordinary.

Some of our medalists' activities are already legendary in the environmental movement. You know of an investigation in the United Arab Emirates where they penetrated the high security zone to expose a poached-ivory factory. They perched themselves inside a cardboard box on a fork lift--I checked with Dave to make sure this is really true--and they filmed through a hole in the box what the Hong Kong Chinese carvers were doing, and this and other EIA evidence resulted in the closure of ivory factories throughout the United Arab Emirates.

You know of their work on dolphin kills. Their published documentation has proven that over half a million dolphins are killed annually. This year, after publicizing the issue, they achieved a much higher level of international protection for dolphins. EIA has exposed the French Consul for smuggling baboons from Gambia to Senegal, shown how three birds die for every wild pet bird that is kept in the US and in Europe, and has vigorously campaigned for increased protection of all wildlife.

During investigations, both Allan and David have been physically attacked, but they have both steadfastly persevered. They insist that the risks they face don't compare with the environmental abuses that they are

fighting against.

Allan Thornton is a Canadian. He began his campaign for the environment with Greenpeace and the "Rainbow Warrior." In 1983 he raised money to buy a trawler to take to Norway to document the whaling industry there. And on that voyage was Dave Currey, with whom he later co-founded EIA.

Dave Currey is a Briton. He has been a professional photographer since the 1970s. He walked across Oregon, Idaho and Wyoming and gained publicity for environmental issues in 1977, and since EIA was founded, he has been involved in investigations and campaigning full-time. He uses his photography, and beautiful and skillful it is, to document the issues, and his photographs, as you might expect, have appeared all over the world.

As recipients of the Albert Schweitzer Medal, these two gentlemen join distinguished company, which their presence will complement. Previous medalists include Rachel Carson, back in 1962, a native of Pittsburgh, Pennsylvania--Brackenridge, Pennsylvania, to be precise, near where I was born; Russell Train, whose wife is very involved, as I understand it, in this organization; Roger and Katharine Payne, for leadership in the protection of whales; and, among others, Astrid Lindgren for achieving enactment of the world's most comprehensive law against cruel factory farming practices.

I remember when I was at the university back in the late '50s and my roommates and I wanted to do something very special upon graduation, and what we wanted to do above all was to go to Africa and, in the course of visiting Africa, visit Albert Schweitzer. We chose him because he embodied to us what humanity was all about. It was back in 1951 that Schweitzer wrote of the medal in his honor, "I would never have believed that my philosophy, which incorporates in our ethics a compassionate attitude towards all creatures, would be noticed and recognized in my lifetime." Well, such are the changing times that Dr. Schweitzer's philosophy is not only recognized, but it is encouraged and nurtured throughout the world, it is truly embodied today by these new recipients of his medal.

We salute Allan Thornton and Dave Currey. We give them our heartfelt congratulations and warmest wishes. We en-

courage them to keep up their absolutely outstanding and ever more necessary work.

## Remarks of Allan Thornton

Thank you very much, Senator Heinz, and thank you for coming, ladies and gentlemen, friends, colleagues. It is a very deep and moving honor to be here today. It's somewhat daunting and terrifying to be up here in this great room where some years ago we watched the Watergate hearings. It seems somehow appropriate to receive something in response to our investigations.

In being here, I think back to the many years and all the wonderful people that I have had the deep privilege to work with and I would like to pay tribute to two people who, each in their own way, changed the world and who are, unfortunately, no longer with us. They passed along to whatever comes next.

I'm talking about Dexter Cate, a very great Hawaiian environmentalist who, about ten years ago, electrified the world by revealing the massive dolphin kill in Japan. One night he slipped into a little bay in Japan and released hundreds of dolphins that were being held by a net awaiting slaughter, and he served many months in a Japanese jail, and his imprisonment became a *cause célèbre* for the saving of dolphins in Japan. All over the world a campaign developed where people called



Allan Thornton



Senator Heinz presents the Albert Schweitzer medals to Allan Thornton and Dave Currey.

Japan, called the prison and asked that Dexter Cate be released. In South Africa there had been 50,000 calls in a single day put through to that Japanese prison asking them to release Dexter Cate.

Dexter drowned two weeks ago off Hawaii while snorkeling. He apparently went into a blackout. I guess it's appropriate that he died doing something he loved.

The second person I would like to pay tribute to is Clark Bavin, a truly distinguished person who was head of the U. S. Fish and Wildlife law enforcement division. He led what I think is the best service in the world trying to enforce the laws of America to protect endangered species, and, to my mind, was a great success. I think many, many people will miss him and miss Dexter Cate in the coming years.

But of all the people I can think of who I wish were here, I certainly wish they could have been included, and I would like you all to think about them and pay tribute to their memories.

Part of the effort that I have found in my life being involved in this kind of work, being so fortunate to have the opportunity to be part of the global movement to protect wildlife, to protect helpless animals, is to be able to learn new things. And the thing I always keep relearning is that the more I find out, the less I know. One thing I feel that I do know is that the beauty to be seen in animals, wildlife, the environment, is almost indescribable. I have had the opportunity to see fin whales in the north Atlantic, thousands of seals on the ice floes off

Canada's east coast, and that beauty and that pleasure is always marred with a certain pain. Just behind those two whales was a great big whaling boat with a man crouched behind a harpoon gun, his finger on the trigger, trying to kill those whales.

And seeing the thousands of seals on the ice floes of Canada, an eerie and magnificent sight, the newly born pups, an awesome beauty which few people can actually hope to experience. And yet the horror of seeing people cruelly bashing in the heads of these newly born animals, balances out that great pleasure and that great experience. But then, it's part of the struggle, and part of the great opportunity I am able to have--and part of the great horror that myself and other people experience in this line of work.

I would also like to pay tribute to Christine Stevens this evening. I met Christine many years ago in the 1970s when she was one of the leaders of the "Save the Whales" movement in America, which she is still a leader of.

I had been to Turkey to investigate a major dolphin kill there which was occurring in the Black Sea, very close to the Soviet border, and no one had gone there. At that time, Turkey was a police state, and it was extremely difficult to get information. But we were able to get into the eastern part of the country, and we found boats that were shooting dolphins. We came across a couple of boats that had 60 or 70 dead dolphins each piled on the back.

continued on the following page



We got to a processing factory, which was an unbelievably horrible sight. In this factory were hundreds and hundreds and hundreds of dead dolphins. They were stacked high everywhere we looked. We were there posing as a film team that was making a film and a book about the sea . . . But just as we were getting focused to this horrible scene, a scientist came back from his lunch, and he knew what we were doing there. He ran up to the manager's office and complained that we were there to expose to the western world this horrible dolphin kill. 25,000 dolphins were being killed; three species were being hunted. Two of the three species were in a state of collapse from extreme overhunting.

The manager called us back to his office. He wanted to see our official papers that we managed to get from the Foreign Ministry in Ankara. I knew he wanted to ask us for the film that we had in our cameras, but he didn't dare for some reason, thank God. But when we got back to our hotel late that night, the secret police turned up, and they took our interpreter, they took our passports, and they said, "We're coming back for your film." I don't know to this day why they didn't take it, but, fortunately, they didn't, and after a couple of days, we got our passports back, our interpreter was released, and I came to Washington, and I came to see Christine.

I said that we have to stop this, they're wiping out the dolphins. Christine said, "I think we should talk to Senator Percy and ask him to write a letter to the Turkish government." At that time, Senator Percy was the Chairman of the Foreign Relations Committee, and the United States was providing millions of dollars in various kinds of aid to Turkey. Over the next weeks, 35 Senators had joined in signing on this letter, and in mid-January of 1983, that letter was sent to the Turkish Ambassador. Six weeks later, Turkey announced a ban on the hunting of dolphins which continues until this day.

While we were up in our boat in Norway, we were in touch with Christine, telling her about what we were finding out, and later when we undertook investigation into pilot whaling in the Faroes, Christine was always very keen to publish our latest findings and photos in *The Animal Welfare Institute Quarterly*.

In 1985, a very dear friend, a person who has inspired us a great deal, Nick

Carter came to us and said, "I have this report about the trade in live wildlife. It's 485 pages, and we've got a real problem here." Nick had always told me about this issue, but I really couldn't envisage it. But when I saw this report--especially the 50 pages of photos, boxes and boxes of dead animals frozen or suffocated on airlines, stuffed into tubes, hidden in tires, smuggled in all kinds of terrible conditions--I suddenly realized what it was about.

Christine just happened to be in London at that time and suggested that we make a summary report of this rather awesome 485-page document and encouraged us, as our newly formed Environmental Investigation Agency, to do that. We set off a campaign which we hope is leading to a ban on the trade in live wildlife, especially a ban on import of wild-caught birds. That report was distributed at the 1985 meeting of the Convention on International Trade in Endangered Species.

A couple of years later, in 1987, at the next meeting of CITES, as the endangered species convention is known, we were again trying to get a decision on the bird trade when Christine invited Dave and me to dinner with the distinguished elephant scientist, Iain Douglas-Hamilton, and Perez Olindo, who was head of the wildlife department in Kenya. Perez told us how countries are waging economic warfare against his country, against his country's elephants, how countries like the United Arab Emirates were allowing massive amounts of poached ivory to be laundered through the country, using a loophole, to be smuggled into Asian markets and then back to North America and Europe.

After this somewhat bleak dinner, Christine turned to Dave and me and said, "Could you do something about the ivory trade?" Dave and I spent many worrisome weeks after that because we felt we already had so much to do. But, coincidentally, just before we had gone to that meeting, someone had called up--an old friend, the skipper of the "Rainbow Warrior"--and said, "There's someone I think you should meet." The person turned out to be someone who knew a sailor who was working on a boat sailing poached ivory and rhino horn up the coast of Africa to Dubai.

Christine continued to encourage us and raised the money for us to undertake background research into the ivory trade. We had to put some of our other work on the back burner because we were quite a small group then, smaller even than we are today,

to undertake the ivory trade, and that in itself was a very difficult decision.

But we knew elephants were on their way out. Iain Douglas-Hamilton had told us that they had declined by 36 percent between 1981 and 1986. Between 70,000 and 100,000 elephants a year were being killed. It's almost unbelievable--the statistics were mind-boggling.

After nearly eight months of background research, we realized that the ivory trade was a billion dollar a year industry. It involved 50 or 60 countries, dozens of countries in Africa, in Asia, Europe, North America. Where should we start? We decided to start in the United Arab Emirates because we knew poached-ivory factories were there, we knew that the boat was running poached ivory up the coast.

It was with some trepidation in 1988 that we finally did our first on-site investigation into the illegal ivory trade. It changed our world. We crossed the line--a certain threshold that we didn't even know until that time existed. In crossing that threshold, we were able to penetrate the dark and sinister world of ivory traders. But in turn, they penetrated our world, and I would be untruthful not to say that many times, many nights, I personally was very afraid. I took to locking my door at night. Dave was often looking under his car for strange objects.

But it started us on a journey, a journey for which Christine was our greatest supporter. She had the confidence in us which we didn't really have ourselves at that time, and she encouraged us every time when we had doubts about what we were doing or whether we should be continuing.

There were many sleepless nights. We met some of the finest people during the course of our investigations that we could ever imagine knowing. In particular, our great friends in Tanzania whom we worked very closely with, people from the Tanzanian Wildlife Conservation Society, one of whom came to be the director of wildlife, whom we were able to provide documentation which showed that in the previous three years, \$50 million worth of ivory had been taken out of Tanzania, while legal sales in that period by the government had been only around \$2 million, and this information was quite staggering to the Tanzanian government, and provoked them to propose the international ban on ivory trade.

Many hundreds of thousands of people contributed to that ban, and it was a joyous but bitter, frustrating fight to try to achieve it, but we can say with great truth today that

the struggles of so many thousands of people have at least brought a major pause in the extermination of Africa's elephants. It's hard to know how much poaching has declined, but it is somewhere in the order of 80% or so. As Christine said earlier, ivory prices have collapsed, and that has led to an enormous decline in the demand for ivory.

This is only a stop-gap measure. There is a great deal more that needs to be done if the future of Africa's elephants is to be secure. We need to have much greater resources made available to African nations to protect their wildlife, not just the elephants, unfortunately, but all the great animals of Africa.

*Allan Thornton concluded his remarks with warm thanks to those who have been of help.*

### Remarks of Dave Currey

Senator Heinz, Mrs. Heinz, friends, thank you for coming this evening. I guess this is one of the disadvantages of having two medalists--you have to listen to two people talking to you. I'm sorry about that, but I'll try to cover the same ground, but briefly.

This is the first time that Allan and I have ever received such an award, and it is a great, great privilege for both of us that this award has come from the Animal Welfare Institute. I wish I could echo Allan's comments about Christine Stevens. We couldn't have had a greater privilege than to receive an award that we know has come from the Institute that Christine runs.

When you go out into the field to see what's going on out there, one of the things that struck us, unfortunately, is that although we do a lot of research before we go, once you are out there, the situation is usually worse than you thought it would be.

I try to think sometimes what keeps us going. I used to be a wildlife photographer, used to go out and photograph life--wildlife. People now say to me, "Do you still take pictures?" I say, "I do. I'm a dead wildlife photographer." Somehow, when you are out there, there is such an urgency about the situation. This is one of the things that keeps us driven.

When we first learned about the elephant ivory trade, it was obviously a very serious problem. But when you have met some of the people involved in that trade, you realize just how serious it is.

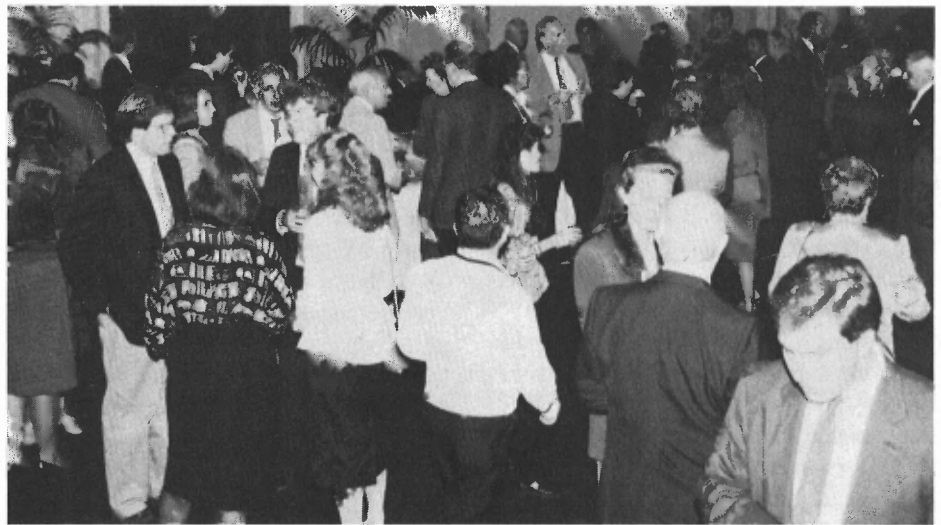
In 1986, we sent a team to West Africa to look into the bird trade. The wild-caught bird trade is worth billions of dollars every

year. It is a trade that is accepted by western society, it is accepted in Japan. You go to the pet shop, you see the bird, you buy it. Every time you buy a bird, three or four birds die back in Africa, in transit, or before it is sold in this country. But we accept it.

Most countries ban the export of their wildlife. The United States won't export its wildlife; European countries won't export their wildlife; Japan doesn't export its wildlife with few exceptions. Even most of the countries you might expect to export their wildlife don't do it any more. Most South American countries have banned the export of their wildlife and, of course, with some still exporting it, those countries that try to stop the flow of their wildlife out of their country find it impossible to prevent it. It is a nasty, illegal trade. I read the other day that the illegal trade in wildlife is worth

fatter. There were only ten of them. There were only ten people making a lot of money in Senegal out of the bird trade. It wasn't a matter of trying to keep people out there in work and then if you follow the trade over to this country, there's not too many people making all those millions of dollars here, either. All that suffering. And it becomes quite incredible to think that as a consumer society, we can't then go out and say, "I don't want a bird. I won't have one. That's a wild bird. Three or four others died for that one to be sold to me."

One of the biggest bird dealers in the world, Amadou Diallo, sometimes has 200,000 birds in his premises at one time. He has been catching birds for about 40 years. He now runs ten fishing vessels. He has a fish processing factory. He exports green beans to France--all paid from the



June Hughes

*The reception for the award ceremony in the United States Senate Caucus Room.*

about \$2 billion in this country alone.

When we went to Senegal, we were there to try to find out what the bird trade was really like. We met with people catching birds, we met with people exporting birds, we just stopped on the road sometimes and watched buses go by with birds on the roof. The conditions were so atrocious, it was quite unbelievable. It was difficult to know where to point the camera.

Having traveled across the country, having watched a bird tied to the ground to act as a decoy so that other birds fly down and get trapped by a net in the bush, to watch that process, to follow those birds through to cages they are then put in and to the buses and the backs of vehicles, to watch the birds dying, suffering. And then to travel to the capital, Dakar, to see the exporters who look so different to the people that we've seen out in the bush. They were

suffering of billions of birds over those 30 or 40 years. Working also in Senegal was another bird dealer, Leon Masfrand, the honorary French Consul. We went to see him, too. If you don't ask the people what they're doing, they won't tell you. That's one of the things that we've found when we go out investigating. It is amazing what people will sometimes tell you. Masfrand told us that the gentleman who had just come to visit him was from Gambia. We were playing the role of a camera crew. We were pretending we didn't know the Gambian man, an exporter, Boundia Cisse. He said, "This guy's coming because he's got baboons. He wants to sell them to me. He catches them. I regularly buy them from him. I'm not sure what he uses them for," he said. "I sell them to laboratories in Europe and the United States. I think they

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cut them up into little pieces or something.” He said this on camera. Monsieur Masfrand is no longer the French Consul in Senegal.

We followed this gentleman back to Gambia, back to the village where he came from, and we took our cameras there, and we filmed the baboons in the cages they had been caught in. Just nearby, about 30 yards away, was a pile of dead baboons, because they kill the ones that are too large for laboratory experiments. Out there in the Gambian jungle, near the Gambian River, I had a few thoughts about, I wonder which are the lucky ones. Is it the ones that are killed instantly, that don't go through the suffering of transport and then end up as an experimental animal?

We are often told that wildlife has to pay. If wildlife is going to be saved, it has to be used sustainably. We got involved in the elephant issue, and that was the dominant thought at that time, that somehow the ivory trade was necessary; it was a necessary way to keep elephants alive in Africa. But I can tell you, having been to Africa, having been to the Middle East, having been to the Far East, it's not a very healthy way of keeping elephants alive by shooting them for their ivory. These traders want to make money. The less ivory around, the more valuable it becomes. The less parrots around, the more valuable they are. The reality of wildlife trade is far from the theoretical ideas of sustainable use of wildlife.

Interestingly, when we started to look into the ivory trade, we decided not to go to Africa. At that time, although there were a few hundred thousand elephants left in Africa, there were also the remains of a few hundred thousand elephants traveling around the world. As Allan explained, we went to Dubai, and I think in Dubai I have seen sackloads of tusks on every visit I have made there and every visit Allan has made there.

Then, going to Hong Kong and seeing the jewelry in Hong Kong, seeing all the large carvings in Hong Kong and seeing the ivory shops in Europe and the States. I've certainly seen a lot more ivory in those countries than I have ever seen in Africa.

It was a very important moment to me in Africa when we went to Tsavo National Park in Kenya and were taken out by friends of ours there to try to find some elephant carcasses that they had seen a week earlier. If you have a look at our report, *A System of Extinction*, you will see on the front cover

the pictures that we took when we found these elephants. They are lying in this great expanse of Tsavo National Park, an area far too large for Kenya to patrol. Two elephants shot down just for their tusks.

Looking across the bush there, you can see the acacia trees, you can see all the shrubbery. The acacia tree cannot grow until the seeds pass through the gut of an elephant. No elephants, no acacia bush. They are a vital part of their ecosystem, and here where we worked in Tsavo National Park, we saw not only dead elephants, but we saw the death of an ecosystem. Wildlife, vegetation, human beings are all tied up in the same planet. It is very few people in this world that are actually profiting out of all this destruction. But we sponsor them in ways that we behave. We were buying the ivory.

I was fortunate enough to travel to the United Arab Emirates with a TV crew... I was doing the filming at the time. We met one of the most notorious ivory traders in the world. I had been watching him, with other people from EIA, for many months, and with the courage of being with an internationally renowned special correspondent from a TV company, we went up and said, “We'd like to meet with Mr. Poon.” George Poon, Hong Kong Chinese, French passport, living in Paris of the Poon family that had been laundering the ivory from tens of thousands of elephants through the Middle East for a few years.

Mr. Poon came to us and shrugged his shoulders and said he couldn't speak English (he speaks English, French and Cantonese very well indeed.) He said he had nothing to do with ivory. We said, “Ivory?” He said, “No, no, no ivory.” Behind him, we could hear the drills used on the tusks in his illegal ivory factory. He started to laugh and danced around a bit. He didn't know I was filming because the camera was held down by my waist.

Just before we were about to leave--we had decided we probably had got enough--he moved back into a group with his workers and folded his arms and looked at us smugly. I pointed the camera at him. He went berserk. He ran after us, we jumped into the car, he jumped on the car. We drove down the street. He eventually dropped off. He was a very angry man. He didn't want the world to see his face.

And that's what we do when we go out to these places, is bring back not only the atrocities that are happening, but the names and details and photographs of the people

who are doing them. And to see George Poon react in such a way, gave me personally a great deal of strength. We felt, this man is weak. He might be able to be responsible for killing tens of thousands of elephants, but he could never stand up in front of a crowd of people and justify it.

We sent people this year to Peru, the Faroe Islands and to Japan to look into the killing of dolphins. In Japan we came across a number of people, Japanese people, who had no idea of what was going on in their own country. They believed the dolphins nowadays in Japan were protected, nothing seriously going on at all.

I remember sitting down with a scientific paper with a special interpreter that we hired. We decided we should hire an interpreter because of the delicate document that we had; we didn't want to implicate any of our friends. At the beginning of the day, she started looking at it. She's saying, “Dolphins. Let's see . . . How dare you come to our country and tell us what to do?” By mid-afternoon, we got to the part of carrying on about how dolphins live . . . about baby dolphins, about the gestation period dolphins go through--11 months--about the suckling period, the fact that they are mammals, the fact that babies needed their mothers. My interpreter started to cry.

It's simply that message of what we all understand in this room, that we have to get out there. We have to get it out to people in Japan, to people in our own country, to people all over the world.

Fortunately, in this country, the tuna industry has begun to realize something about the dolphins. And so the canneries are now working toward trying to make tuna “Dolphin Safe.” I can tell you, in Europe, where most people are pretending to care about making tuna dolphin safe, we've got a long way to go. And the comments that Senator Heinz made at the beginning that we have to be forever watchful, are very true indeed.

There is a powerful environmental and animal welfare movement now. It is very diversified, which I think is one of its strengths--people can work in different ways and operate in different ways, as individuals can. We can write letters that mean something; we can let people know how we feel about things. In Japan, we had a video of dead Dall's porpoises. We took it to a shop, and we copied it. The guy in the shop watched it, started to take notice, asked us where it was that this had been taken. We

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## Breeders: "Ban Wild Caught Bird Trade"

"Now the time has come to come together, breed our birds, and show the world that no birds need to be taken from the wild to satisfy either the pet industry or future breeding collections." Those were the words of Gloria Allen, a prominent California aviculturist, spoken at an international convention of parrot breeders in September 1990.

The words exemplify the new attitude of many parrot breeders. Recently, awareness of the depleted state of wild bird populations and the cruelty of the trade has led many breeders to change their positions from supporting the trade to being opposed to it. At one time most breeders encouraged the trade in wild caught birds, because it was more profitable to begin breeding birds that were caught from the wild.

At this fall's convention, held in the Canary Islands, those in attendance heard a series of lectures on the breeding of parrots in captivity and on the plight of many endangered wild populations. Much of the discussion revolved around the damage the international live bird trade has done to different species. Breeders heard about how habitat destruction, hunting and the ravages of the trade had all but destroyed many species of macaws in Central and South America and had devastated once abundant and unique populations of cockatoos in Indonesia. According to the Convention on International Trade in Endangered Species between 1982 and 1988 over two million parrots were exported for the trade. This figure does not include the large number of birds exported illegally and the trade within the borders of different countries.

Most speakers agreed that aviculture could help wild parrot populations by breeding birds to supply the pet trade and by ending aviculture's reliance on wild caught imports. These speeches apparently had a significant impact on those listening. A show of hands at the end of the conference showed a large majority supported an end to the commercial pet trade in wild birds.

### *Schweitzer Medal Remarks, continued from page 12*

said, "Japan." He was shaking his head; he couldn't believe it. He finished off copying the video for us. It would have cost us about 10,000 yen. We got out the money, went to pay and take our copies away with us. He said, "No, no, no." He didn't want money. He held up the videos. He handed them to us, and he said, "Go use this, stop it."

The strength that we are given by such a privilege this evening, this medal, the strength that I get from working with somebody like Allan, whom I have respected right from when I first met him in 1979 on the "Rainbow Warrior," the team of people we work with that gives us strength. And the fact that people like yourselves, members of the Animal Welfare Institute, will support such causes, that gives us strength, too. I thank you all very much indeed.

*Christine Stevens asked Teresa Heinz to tell about her important role in the initiation of "Dolphin Safe" tuna.*

*Mrs. Heinz gave a most interesting account describing the history of the corporation's decision and modestly summed up her part by saying, "I had one small opportunity, and I used it."*

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## *Lufthansa Halts Wild Bird Shipments*

*continued from page 1*

over 10,000 birds bound for dealers in Europe and the US. They found over 100 crates of birds, ranging from tiny finches to lovebirds to carnivorous hornbills, left on the tarmac, many without water. The birds had been unloaded because they were too light to balance the plane. According to the KSPCA there was little food or water. The birds were crammed into crates too small for them and the smaller birds were severely overcrowded. Many of the birds had been dead for days. Over 800 dead birds were removed. The next day the remaining birds had still not been shipped and 469 more were found dead.

Most major airlines have temporarily suspended shipments from Africa due to the high mortalities and poor conditions. However, the day before the recent press conference, a Sabena shipment of African grey parrots from Cameroon was seized by a Belgian organization,

Veeweyde, in Brussels following an anonymous tip. Twenty-five out of 100 birds were dead shortly after arrival.

### **ACTION:**

Sabena, KLM, Pan Am and other major airlines should be urged to follow Lufthansa's precedent. Please write to the Presidents of these companies. Ask that they end their involvement with the wild caught bird trade.

Mr. J.F.A. Desoet, President  
KLM Head Office  
Amsterdamsseweg 55  
Amstelveen  
THE NETHERLANDS

Mr. Pierre Godfroid, President  
Sabena  
Rue Cardinal Mercier 35  
1000 Brussels  
BELGIUM

Mr. Thomas G. Plaskett  
President  
Pan American World Airways  
200 Park Avenue  
New York, NY 10166



Environmental Investigation Agency

"Over 800 dead birds were removed. The next day... 469 more... dead"

## Overpopulation of Cats and Dogs: Causes, Effects, and Prevention

Edited by Marjorie Anchel, Ph.D.

New York State Humane Association  
(Fordham University Press, New York),  
1990, 260 pages. \$25.00

Dr. Marjorie Anchel has done an excellent job in editing the proceedings of the conference held September 1987 by the New York State Humane Association, which she serves as president. In her Foreword, she stressed the diversity of speakers and added, "... you will know that you are hearing from people who are in the trenches; those who have to and do deal with the day in, day out problems of surplus animals or have studied the problems ..."

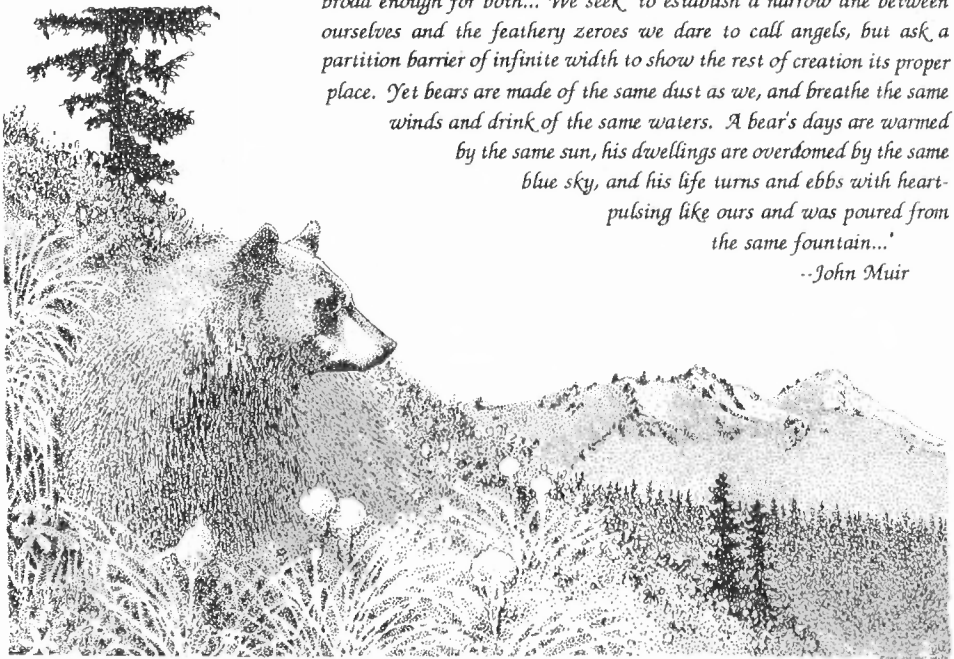
The book begins with a Legislative Resolution adopted by the Senate and Assembly of the State of New York endorsing the conference and stating: "That it is the sense of this Legislative Body that it should encourage all humane measures to reduce the population of cats and dogs; and ... That this Legislative Body favors the surgical sterilization of mature cats and dogs and prepayment or a deposit for this surgery for immature cats and dogs, prior to their being adopted out by animal control agencies and shelters."

Gretchen Wyler told of great progress in Los Angeles. "In 1952," she said, "LA City started selling for research. In May, 1981, it was ended by the City Council vote."

She credited Bob Rush, Director of Animal Regulation, with working hard for repeal and for the spay/neuter program and the computerized lost and found system to help people find their lost animals. "Last year, 225,000 licenses were sold ... Rush contracts it out to the private sector, to help sell licenses. From that contract they netted \$450,000, which represented over 100,000 licenses. It costs \$6.5 million to run LA City animal control, 48 percent is offset by the income."

"In 1971 ... 11 percent of the animals were altered. In '84-'85 ... 39 percent were altered, because licenses were half-price if your animal was altered."

Annabell Washburn of the Ulster County SPCA showed the video on the control of feral cats prepared by the Universities Federation for Animal Welfare (see *The Animal Welfare Institute Quarterly*, Vol. 39, No. 2; Vol 37, Nos. 1 and 2, Vol. 36, Nos. 1 and 2). She described how she went to England to learn about the program and her work with Tufts Veterinary School



Reprinted from the 1991 Bear Calendar of the Great Bear Foundation, P.O. Box 2699, Missoula, MT 59806

*'Bears are not companions of men, but children of God, and his charity is broad enough for both... We seek to establish a narrow line between ourselves and the feathery zeroes we dare to call angels, but ask a partition barrier of infinite width to show the rest of creation its proper place. Yet bears are made of the same dust as we, and breathe the same winds and drink of the same waters. A bear's days are warmed by the same sun, his dwellings are overdomed by the same blue sky, and his life turns and ebbs with heart-pulsing like ours and was poured from the same fountain...'*

—John Muir

instituting similar programs in this country.

Leo Lieberman, D.V.M., who has had extensive experience in the neutering of immature animals, encouraged shelters to have puppies and kittens neutered before adoption at 8 weeks of age. Data continues to be collected on early neutering. Meanwhile, the Medford, Oregon, SPCA survey involving 10,000 pups and kittens neutered since 1973 shows that "The owners like the early neutering. The dogs appear to be more healthy, less aggressive, more intelligent."

Chemical sterilants were discussed by Dr. Wolfgang Jochle, who gave useful technical information on existing methods and those being looked into for the future.

Christine Stevens, in the keynote address, stated: "New York is a major target for the middle western puppy mills that churn out pups and kittens under conditions that require the constant efforts of the U. S. Department of Agriculture inspectors and local anti-cruelty societies to maintain the bare minimum standards. Congress had to act specifically to prevent unweaned pups from flooding the market, the younger the more pitifully appealing to impulse buyers. Before the federal Animal Welfare Act was amended in 1970, pups of five, four, three, or even two weeks old were being shipped off in flimsy crates to the massive eastern market."

She urged that the New York State Legislature "place greater restrictions on

importation of the 'puppy mill' animals that contribute to the shameful 'throw-away' attitude towards companion animals because they are so aggressively merchandised to anyone who will pay the price at which they are sold. And, of course, there is no obligation to have them spayed."

Speaking on the responsibilities of shelters, Dr. John Kullberg, president of the ASPCA, stated: "Sharing our lives with companion animals must be seen as a *privilege*, not a right, and a privilege that should be tightly and ethically regulated according to what's good for these animals, and not what a human argues might be good for humans ..."

"Breeding must be severely discouraged, and spaying and neutering highly rewarded. A \$50 dog license spay/neuter differential is not too high, in my view, and neither is a \$100 breeding permit for individuals, and \$1,000 or more for professionals, with permits available only when the applicant ... can demonstrate that individuals and families are available for all the animals bred ..."

Dr. Kullberg also advocated a 5% wholesale tax on pet industry income to help spay/neuter clinics and humane education. "The pet industry grosses \$7 billion a year. Add into this amount the pet supply industry (Hartz Mountain and others), and this figure approaches \$10 billion annually."

The book is a valuable contribution to a worldwide problem that must be solved.

# Urban Turn-Around in Connecticut

by Mildred Lucas

Pet overpopulation has long been a major problem in Bridgeport, Connecticut's largest and most economically depressed city. The situation has improved dramatically, however, since 1986 when the Foundation for Animal Protection (FdAP), in cooperation with the Bridgeport Animal Shelter, established the "Bridgeport Project". By 1989 in this shelter, 601 fewer dogs were impounded, 764 fewer were destroyed and 249 more were sold as pets than in 1986. Prior to establishment of the Project, this shelter had the highest impoundment and euthanasia rate in the state.

Suffering for companion pets is, not surprisingly, worst in urban and rural poverty areas. Education alone is ineffective among large minority, illiterate or unemployed populations with little exposure to pet care literature.

The Bridgeport Project was created on the basis that low income adopters will cooperate in veterinary care/spaying if guaranteed 100% free coverage. Shelter staff dispense FdAP Adoption Kits at a rate of 60 a month, enough to cover nearly all adoptions with veterinary care. The kits contain bilingual pet care materials, an explanation of the project and an all-important numbered voucher covering all initial veterinary care including: DHLPP\* series and rabies shots for dogs, FVRCP\*\* series for cats, spay or neuter for both, and

minor or major treatment as found necessary by the cooperating veterinarian.

Before FdAP's treatment guarantee it was not uncommon to find newly adopted sick pets returned to the shelter only to infect others and die. Some sick animals were allowed to expire at home if adopters couldn't afford any strain on income, others sought private treatment with resentment. The Project promotes a pet that presents fewer annoyances in already strained households, one far less likely to be abandoned or abused. The Project also involves

promotion of adoptions into high income residential areas coupled with emphasis on the responsibilities of a new pet owner.

By 1988 the Project had already exceeded expectations, namely significant drops in the number of animals impounded or euthanized. This was a tremendous relief for the staff and a savings for the city as well. Shelter Director James McGinnis reported fewer complaints and infractions (roaming, bites), city wide.

By this summer, 2,019 Adoption Kits had been distributed. About 1000 new pet owners have carried through with the all-paid veterinary care. Cost of the four year project has been \$65,767. It is funded from member contributions and grants. Aside from the veterinary care, expenditures also include multi-media education, adoption promotion advertisements, fiberglass resting platforms used in the shelter, dog

leashes and cat carriers.

The reinforcing interaction of spaying, licensing and leashwalking cannot be over emphasized. A rabies shot is mandated for licensing in Connecticut. Spay or neuter certificates cut the annual license fee for dogs from \$10 to \$6. License tags allow wardens to locate owners of lost dogs. Sterilization promotes tractable pets, less likely to lead to complaints from neighbors. Finally, leashwalking prevents harm from

|                    | 1986 | 1987 | 1988 | 1989 | Change '86 to '89 |
|--------------------|------|------|------|------|-------------------|
| dogs impounded     | 1875 | 1710 | 1501 | 1274 | 601 fewer         |
| dogs destroyed     | 1179 | 893  | 703  | 415  | 764 fewer         |
| redeemed by owners | 166  | 209  | 184  | 171  | 5 more            |
| dogs sold as pets  | 406  | 517  | 615  | 655  | 249 more          |

befalling pets, children, cyclists, joggers and property.

With a better-than-50% shelter adoption rate now, FdAP hopes that 1990 and 1991 will show fewer than 1-in-5 or 1-in-7 dogs destroyed. FdAP wants to widen the veterinary coverage, intensify the educational aspects and reach privately owned pets before they are ever abandoned, often pregnant and abused. Eventually, FdAP hopes to offer the project to several other Connecticut cities, as well as to help in more rural poverty pockets, but funds are low and growing more difficult to obtain.

The Foundation for Animal Protection, Inc., is a tax exempt organization with programs in education, resource and advocacy. Deductible contributions for this model project may be sent to FdAP at Post Office Box 5263, Brookfield, Connecticut 06804.

\* Distemper/Hepatitis/Leptospirosis/Parainfluenza/Parvovirus  
 \*\* Feline viral rhinotracheitis/Calicivirus/Pneumonitis/

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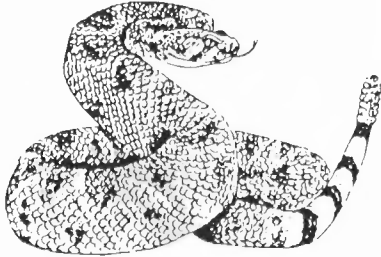
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# Periodical Pleasures

by John Gleiber



I have no idea as to just who thought up the title for the newsletter I have so enjoyed, but I hope the Reptile Defense Fund gave him or her a raise. *Striking Back* is an earnest, but charming leaflet with enough appeal to impress media big shots. Gary Larsen of *Far Side* fame has let them reproduce a cartoon. The serpent, peering down at an obviously environmentally brain-washed Eve and her apple, says "Well, I'm not sure ... I guess it's been washed."

Dez Crawford apologizes for a tardy summer issue, but she is contending with the Okeene (Oklahoma) rattlesnake roundup, the Hershey Corporation's Lone Star Pasta that features a recipe calling for cubed rattlesnake (just what supermarket do they suggest you patronize?) as well as putting together a column called Hugs and Hisses ... No Comment!

Remember the turtle soup of the days before your enlightenment? Here you'll find a recipe for vegetarian mock turtle soup and a recipe for vegan mock turtle soup.

The Reptile Defense Fund is the sort of miniscule-budgeted, hard-working

## Mexico Shuts Down Turtle Slaughterhouse

The Mexican slaughterhouse where more than 30,000 endangered sea turtles were dismembered last year has been shut down.

In 1989 more than 70,000 sea turtles were slaughtered in Mexico, mainly for their skins which are exported to Japan (See *AWI Quarterly* Vol. 39, No. 1). A letter-writing campaign launched by environmental and conservation groups generated tens of thousands of letters and postcards to the Mexican government protesting the killing. As a result, on May 28, 1990 President Carlos Salinas announced a complete ban on the killing of sea turtles in Mexico. Although some poaching continues, it appears that the government is doing its best to enforce the new law.

Japan also appears to be taking positive steps towards ending the slaughter of sea turtles worldwide. In November, Prime Minister Toshika Kaifu told Britain's Prince Philip that Japan will ban imports of sea turtles before the Convention on International Trade in Endangered Species (CITES) meets in Japan in 1992. Japan imports the equivalent of over 25,000 sea turtles every year for hair ornaments, musical instruments, handbags and other items made from turtle shells and skins.

Although it will take many years for turtle populations to recover, scientists were encouraged this October when nearly 75,000 turtles appeared on Mexican beaches to lay their eggs. This was the largest gathering of nesting turtles seen in Mexico in five years.

It is important now that the Mexican government be urged to join CITES. All species of sea turtles are listed as endangered by CITES, and international trade in their products is forbidden. Thus it would be difficult for the Mexican government to allow the slaughter to resume. Mexico has repeatedly announced its intention to join CITES but a definite date has not been determined as of this writing. It is the only country in the western hemisphere that is not yet a member.

dedicated organization that deserves whole-hearted support. You can join by writing to 5025 Tulane Drive, Baton Rouge, LA 70808. And hurry. You don't want to risk missing another news item like this issue's

report about the snake who curled his tail around the trigger of a gun and killed the Iranian hunter who was so intent on his prize that he was a tad careless about just where he placed his firearm.

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## The IWC Must Act Now to Protect Dolphins, Porpoises and Small Whales

Hundreds of thousands of dolphins, porpoises and small whales continue to be brutally slaughtered in the oceans and seas of the world, according to a new report of the Environmental Investigation Agency (EIA). Part Two of *The Global War Against Small Cetaceans* will be published to coincide with the 1991 meeting of the International Whaling Commission (IWC) which convenes in Reykjavik, Iceland on May 27th.

The report appeals for the IWC to take urgent action to protect and conserve the 65 species of dolphins, porpoises and small whales which receive no international protection. Dozens of the species are being lost at an alarming rate. The report seeks immediate measures to protect the striped

dolphin and Dall's porpoise in Japan, the vaquita in Mexico, the eastern spinner dolphin caught in the eastern tropical Pacific, dolphins killed by Turkey in the Black Sea and dolphins killed by Chile for use as crab bait in addition to many other species.

### Driftnets

The report describes the pirate activities of driftnetting fleets from Taiwan, Korea and Japan. The Taiwanese fleet illegally catches dolphins, whales and other animals in British, French and South African waters in the Atlantic and Indian Oceans. The Korean fleet fishes illegally in USSR waters and a Japanese fleet illegally fished in USSR waters by reflagging as North Korean vessels.

Recently completed investigations by

EIA have confirmed tens of thousands of dolphins are killed by Taiwanese driftnetters working in the Indian and South Atlantic Oceans. Although the Indian Ocean is formally classified as a whale sanctuary, as many as 140 Taiwanese driftnetters deploy 60 kilometer nets and kill large numbers of dolphins and other marine animals.

Crew members from one vessel admitted they had caught between 50 and 100 sperm whales in a three month period while driftnetting in the Indian Ocean. Thousands of sperm whales may be dying as a result of driftnetters' activities. Filipino crew members claim they were press ganged onto Taiwanese boats and may lose fingers from frostbite.

*continued on page 6*

## NJ Assembly Votes 66 to 2 for Ban on Imports of Wild Birds

The New Jersey Assembly, in an overwhelming show of support for the preservation of wild birds, voted 66 to 2 for a ban on importation and sale of wild-caught exotic birds for the pet trade.

Assemblyman Ben Mazur is the principal sponsor of the legislation. He is a veteran of the successful bid to end use and sale of steel jaw leghold traps in the State of New Jersey. Senate President John Lynch has pledged his support for the bill.

The Pet Industry Joint Advisory Coun-

cil (PIJAC) tried to scuttle the bill by sending out a release just before the vote claiming "the nation's leading conservation and humane organizations are committed to national legislation to regulate wild bird imports and do not support any proposals for state legislation."

The PIJAC release was issued the Thursday, before the vote scheduled for Monday, March 4, making it difficult to answer the charges in the time available. But the members of the Coalition to End the Wild Bird Trade (American Society for the Prevention of Cruelty to Animals, Defenders of Wildlife, the Humane Society of the United States and the Society for Animal Protective Legislation) pointed out that *all* of the animal protective organizations working on the issue wanted *both* federal and state legislation to protect the birds.

In the Senate, where the bill has been



*Typically overcrowded handling of wild caught birds.*

referred to the Labor, Industry and Professional Committee, a lobbying firm called Public Strategies, Inc. is doing its best to sow confusion. To support its opposition it has reproduced and mailed out an undated statement on World Wildlife Fund letter-

*continued on page 7*

As we go to press, Congressmen Gerry Studds (D,MA) and Anthony Beilenson (D,CA) are about to introduce a bill to ban importation of wild caught birds for the pet trade. The ban would take place immediately on enactment of the legislation.



# IUCN Calls for Increased Protection of Whales and Dolphins

The 18th General Assembly of the International Union for the Conservation of Nature (IUCN), meeting in Perth Australia, November 28 - December 5, 1990, adopted two resolutions calling for greater efforts to end the killing of all cetacean species, large and small. Following is the full text of both those resolutions.

## Cetacean Conservation and the International Whaling Commission Moratorium

The General Assembly of IUCN:

1. Calls on the International Whaling Commission (IWC) to maintain the existing moratorium on the commercial killing of all whale stock indefinitely.
2. Calls on the Governments of Norway and the Soviet Union to withdraw their objections to the moratorium decision, and on the Governments of Brazil, Japan, Norway, Peru, St. Vincent, and the Grenadines, and the Soviet Union to withdraw their reservations to the CITES Appendix listing of cetacean species.
3. Urges the Governments of Japan and Norway to terminate those aspects of their present programs of research that involve the killing of whales.
4. Stresses the need for continuation and expansion of non-lethal research on living whales under the auspices of the Commission.
5. Calls on the IWC to support an indefinite continuation of the Indian Ocean Whale Sanctuary and consider widening its boundaries to include the full migratory ranges of the whale species and populations within it.
6. Calls further for the IWC to consider the creation of other sanctuaries within a comprehensive system for the conservation of whales.
7. Urges the IWC to report to the 1992 United Nations Conference on Environment and Development on the progress it has made in ensuring the conservation of whale stocks, in the light of the resolution adopted at the 1972 United Nations Conference on the Human Environment, which allowed for an immediate 10-year moratorium on commercial whaling.

## Protection of small cetaceans

The General Assembly of the IUCN:

1. Urges that the recommended small cetaceans conservation actions and project outlined in the IUCN/SSC Cetacean Specialist Group's Action Plan for 1988-1992 be implemented and funded as fully as possible, with the highest priority being given to indicated projects relating to species or populations at risk of imminent extinction;
2. Commends the IWC for the practical steps undertaken at its 42nd Annual Meeting in July 1990 requesting its Scientific Committee to commence a process of drawing together all available relevant information on the present status of the stock of small cetaceans which are subjected to significant directed and incidental takes, on the impact of those takes on the stocks, and providing an assessment of the present threats to the stock concerned;
3. Commends also the efforts of the United Nations Environment Program, the Convention for the Conservation of Migratory Species of Wild Animals, the Convention for the Conservation of European Wildlife and Habitats, the North Sea Ministers' Conference, and the Inter-American Tropical Tuna Commission for steps they have taken, and are continuing to take, towards protecting small cetacean populations as appropriate according to their jurisdiction;
5. Calls on the Government of Japan to fully implement the 6 July 1990 Resolution adopted by the 42nd Annual Meeting of the IWC, and to follow the urgent advice from the IWC Scientific Committee to immediately reduce the takes of Dall's Porpoises at least to the pre-1946 levels of approximately 10,000 animals per year, and to consider even further reductions when planned new stock assessments are completed.
6. Calls on all states to eliminate direct commercial kills of small cetaceans conducted in their waters or by their vessels, while recognizing aboriginal rights for subsistence and cultural purposes consistent with conservation;
7. Supports additional actions to end the use of destructive fishing gear and practices which may cause large-scale mortality of small cetaceans;
8. Urges the IWC to utilize the expertise of its Scientific Committee in relation to small cetaceans, to urgently consider its recommendations, and, on the basis thereof, to take appropriate action through resolutions and/or schedule provisions where needed to assure protection for small cetaceans.
9. Urges States and other management bodies concerned with small cetaceans to cooperate with the Scientific Committee of the IWC and to take appropriate actions based on its findings;
10. Urges that further efforts be made towards the development and implementation, at the earliest opportunity, of a comprehensive system of measures for the world wide protection of all cetacean species, covering direct hunting, while recognizing aboriginal subsistence and cultural rights, habitat destruction and pollution, fisheries interactions, and other threats they may face.

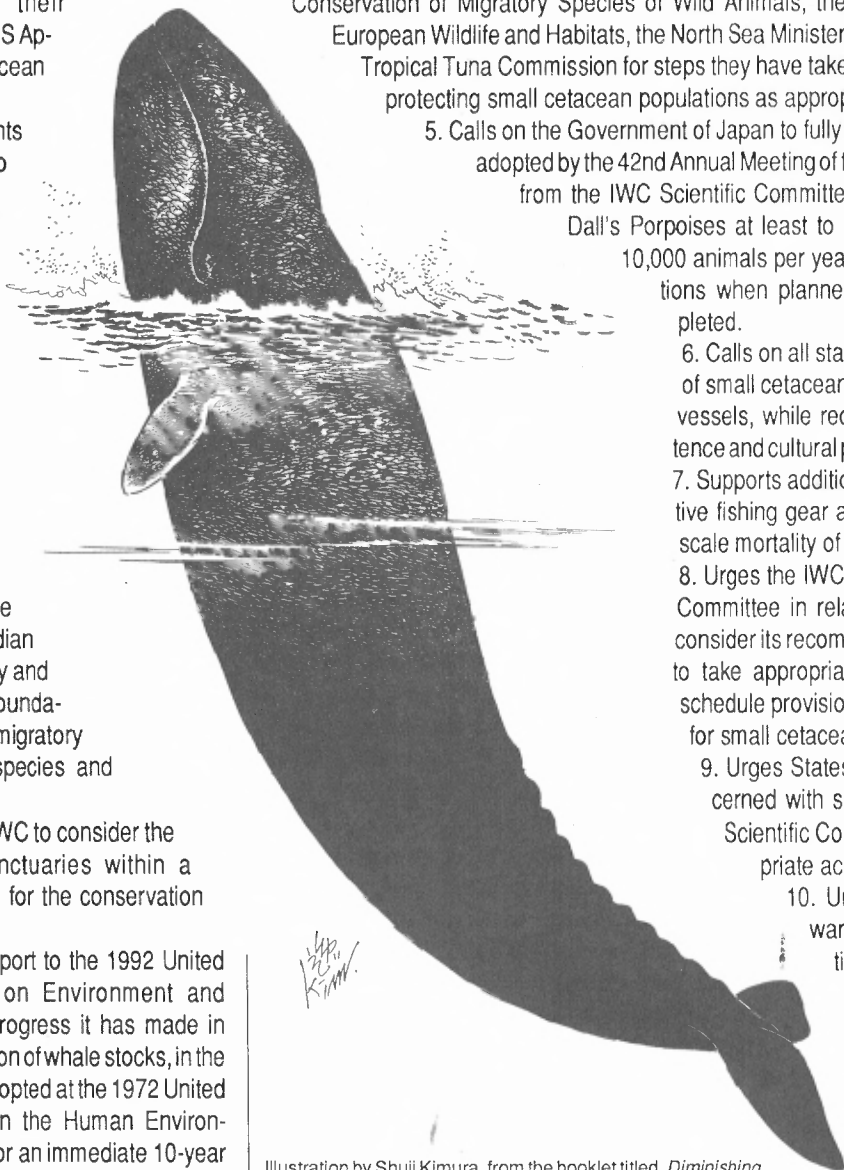


Illustration by Shuji Kimura, from the booklet titled, *Diminishing Animals*. (By Eiji Fujiwara, JIC Corporation, Japan, 1990).

## Congressman Yatron Calls on US to Reaffirm the IWC's Competence Over All Cetaceans

On March 21, 1991 Congressman Gus Yatron (D-PA), Chairman of the Subcommittee on Human Rights and International Organizations, introduced a Resolution calling for the United States to work towards reaffirming the IWC's "competence to regulate whaling on all species of cetaceans both large and small," and to strengthen and maintain indefinitely the moratorium.

"Cetaceans are truly unique," stated Mr Yatron. "They are highly intelligent with distinct emotional features... whales, dolphins, and porpoises should no longer be commercially hunted."

The text of the resolution follows:

Whereas whales, dolphins and porpoises are unique marine resources of great aesthetic and scientific interest and are a vital part of the marine ecosystem;

Whereas the IWC adopted in 1982 an indefinite moratorium on commercial whaling, which was scheduled to go into effect in 1986, establishing zero commercial catch limits for eleven species of whales;

Whereas despite the moratorium on commercial whaling, thousands of whales have been killed since its inception by the commercial whaling nations;

Whereas there remain great uncertainties as to the true status of whale populations due to the difficulty of studying them, their slow reproductive rate, and the unpredictability of their recovery even when fully protected;

Whereas the consequences of removing whale populations from the marine ecosystem are not understood and cannot be predicted;

Whereas whales are subject to increasingly grave environmental threats from nonhunting causes, such as pollution, loss of habitat, increased shipping, oil and gas exploration, oil spills, and the use of driftnets and other non-selective fishing techniques, which underscore the need for special safeguards for whale protection;

Whereas in addition, many of the more than 60 species of small cetaceans known as dolphins and porpoises, are subject to a variety of increasing global threats, which include escalating direct hunts, incidental takes in purse-seine nets, high seas driftnets, and gear used in local fisheries, and also widespread pollution and habitat destruction;

Whereas powerful moral and ethical questions have been raised regarding the killing of whales, dolphins and porpoises for profit;

Whereas there is significant widespread support in the international community for the view that, for scientific, ecological, and aesthetic reasons, whales, dolphins and porpoises should no longer be commercially hunted;

Whereas efforts made at the 1990 meeting of the IWC to overturn the moratorium on commercial whaling were defeated; and

Whereas there is concern that some countries will again press at the 1991 IWC meeting for an immediate resumption of commercial whaling on some stocks; Now, therefore, be it

*Resolved by the House of Representatives (the Senate Concurring), That it is the sense of the Congress that —*

(1) United States policy should promote the maximum conservation and protection of whale, dolphin, and porpoise populations;

(2) toward that goal, the United States should work to strengthen and maintain indefinitely the current IWC moratorium on the commercial killing of whales;

(3) the United States should work to strengthen the IWC by reaffirming its competence to regulate whaling on all species of cetaceans, large and small, and should encourage the Commission to utilize the expertise of its Scientific Committee in relation to small cetaceans, to urgently consider the Committee's recommendations, and, on the basis thereof, to take appropriate action through resolutions and schedule provisions, where needed, to assure global protection for small cetaceans; and

(4) in so promoting the conservation and protection of the world's whale, dolphin, and porpoise populations, the United States should make the fullest use of diplomatic channels, appropriate domestic and international law, and all other available means.

## Watch the Whales in Iceland

Iceland's biggest newspaper, *Morgenbladid*, gave organized whale watching a boost in its March 6, 1991 issue. Last year a feasibility study by Ole Lindquist and Maria Helena Tryggvadottir was published, and already Glacier Tours Ltd. are offering spring/summer tours to view humpbacks, fin whales, blue whales and minke whales off the shores of South East Iceland. A Nordic Conference on tourism being held this April in Iceland is introducing whale watching on 80 - 100 ton boats sailing from Hoefn on trips designed to last nine hours or more. A

group of 40 Swedes were the first to be invited, and American, British and German travel agents have also been approached.

Tryggvi Arnason, director of Glacier Tours, told *Morgenbladid*, "We are optimistic. Whale watching is fun to do, and hopefully we will succeed."

Friends of whales throughout the world wish him well. Seeing the great whales in their element and helping to provide economic incentive for their preservation should attract whale savers on a grand scale.

## "Research Driftnetting"!

### *Japan to Continue Using the Walls of Death After Date of United Nations Ban*

According to Kazuo Shima, Director General of Japan's Fisheries Agency, the Japanese fishing fleet will continue driftnetting after June 30, 1992, the date when the United Nations ban on the deadly practice becomes effective. Shima said driftnetting will continue in the name of science, in the same way as Japan's "research whaling" in the Antarctic.

"Driftnet fishing yields irreplaceable scientific data comparable to the information gained by research whaling in the Antarctic," Shima said.

The Director General's recent public comments on the subject have been both antagonistic and disrespectful. By stating Japan will defy the United Nations ban on driftnets in the same manner as it uses "research" whaling to avoid the

moratorium on commercial whaling, he seems to be inviting severe criticism from foreign governments and conservation groups alike.

In response to New Zealand's outspoken position against driftnetting, Shima stated, "New Zealanders just know about sheep and cows. They don't have a right to raise these problems in the international field. Unfortunately, some American people have echoed the New Zealand feeling."

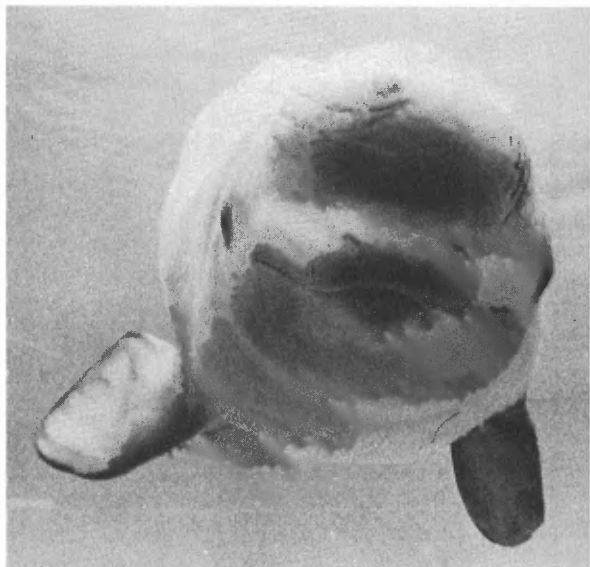
The Japanese Embassy in Washington, DC, in an official response to the *Oregonian* (one of several United States newspapers that published Shima's comments) claimed that Shima's statements were misrepresented but did not deny that Japan would continue using driftnets.

# Mistreatment of Captive Orcas and Belugas Continues

*What will it take to motivate the aquarium industry into finally reversing its abysmal treatment of captive whales?*

## Orca Controversies

In February the orca (killer whale), Hyak, a captive of the Vancouver Aquarium in British Columbia, Canada, for 23 years, died from a perforated lung resulting from a lung infection. Aquarium officials claimed the infection was related to pneumonia, and that it is a common cause of death in cetaceans. However, after veterinary consultations, the eco-group Lifeforce issued a press release stating Hyak's perforated lung was probably "caused by physical trauma resulting from an aggressive attack or repeated attacks by the younger male, Finna." Small aquarium pools do not allow less dominant males to escape the more aggressive ones, as they do in the ocean. This is believed to be one of the reasons why the maximum lifespan of captive orcas is 20 to 25 years compared to 50 to 60

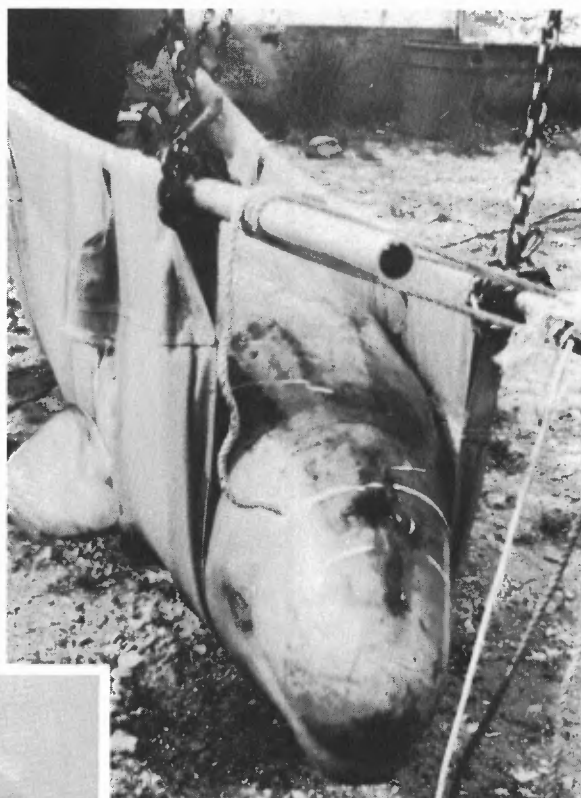


*Above: This beluga is about to be released. He was captured on a Sunday and released that Tuesday; no doubt the aquarium feared bad publicity from the obvious head injuries on the whale. According to a veterinarian who saw this photograph, "the markings are compatible with trauma from ropes applied during capture."*

*Left: This beluga's obvious head injuries occurred sometime within one week after capture.*

years for males and 80 to 90 for females in the wild. An aquarium spokesperson admitted that Hyak had a "little dust-up with another whale, or something like that," but refused to acknowledge any connection between this incident and Hyak's death.

The aquarium conducted a speedy autopsy on the whale and claimed to have given him a "dignified" burial at sea only a few hours after his death. However, a dockworker saw the whale carcass on a barge in North Vancouver the next day. Pieces of



photos courtesy Lifeforce

the water for ten minutes. Two other trainers had been pulled into the pool in 1987 and 1989, but Sealand rejected all warnings.

The five-day inquest heard various theories about what caused the trainer to fall into the pool. The jury deliberated over nine hours before returning with 20 recommendations regarding safety and emergency policies at Sealand. One recommendation was that confinement of the orcas in a small holding pen should be limited to veterinary and husbandry functions only.

Orcas are large mammals that grow to an average length over 20 feet. Yet every night from 5:30 pm to 8:00 am these three whales have been forced into close proximity in a holding pool roughly 20 feet deep and 27 feet in diameter. With

hardly enough room to move around, aggressive confrontations have been common and have resulted in scratches, cuts and bleeding flukes. It is also possible that the whales' confinement pool may be polluted. According to Lifeforce, oil slicks from an adjacent marina are often noticeable and runoff from a nearby sewer poses a potential health risk. Whale expert, Dr. Paul Spong, testified during the inquest that the orcas experienced sensory deprivation when held in the pen overnight and as a result exhibited bizarre behavior.

Bob Wright, who owns both Sealand and Fauna, an Icelandic company that has captured 16 orcas since 1983, has been severely criticized for his involvement in the capture and display of cetaceans. (In 1990 his permit to capture three more whales was revoked by the Icelandic government.) Not only has Wright failed to provide a relatively comfortable habitat for the whales he "owns", he apparently has little concern for aquarium employees. Much of the staff at Sealand are paid minimum wages and are largely uneducated in animal behavior.

the whale were confirmed to have washed ashore shortly after that. No independent observers were present when the autopsy was conducted.

## Trainer's Death

A coroner's inquest was recently conducted on the drowning of a 20-year old trainer at Sealand in Victoria, BC on February 20th. She accidentally fell into a pool with three orcas who dragged her through

## No Improvements for Belugas

The last issue of *The Animal Welfare Institute Quarterly* contained a story describing the capture of three belugas by the Vancouver aquarium and Liferforce's subsequent filing of cruelty to animals charges against it. This winter the Attorney General dismissed the case without even reviewing Liferforce's evidence.

According to Liferforce, the first whale captured exhibited no signs of injuries at the time of capture but severe head wounds were later observed in photographs taken within one week after the whale arrived at the facility. Such wounds may have been the result of "tooth raking," stress-induced aggressive attacks by other whales. Another beluga was released just two days after it was captured. The aquarium claimed they needed a larger whale. But it has been alleged the whale was released to avoid bad publicity from very noticeable head wounds clearly incurred during its abusive capture.

## ACTION

Please write to the Mayor of Victoria, Diane Butler, asking her to close Sealand until the 20 recommendations from the inquest's jury are implemented.

Mayor Diane Butler  
1N Butler and Council  
21657 Oak Bay Avenue  
Victoria, British Columbia  
CANADA V8R 1G2

For more information, write:

Liferforce  
Box 3117, Main Post Office  
Vancouver, British Columbia  
CANADA V6B 3X6



Is this whale trying to tell us something? Belugas have been dubbed 'canaries of the sea' because of their high pitched and musical voices.

# Good Advice for Aquarium Industry

## *Cousteau and His Son Advocate Education Minus Captive Animals*

World famous marine biologist, Jacques Cousteau, and his son Jean-Michel, are experienced keepers of marine mammals in captivity, having spent three decades managing an aquarium at the Oceanographic Institute in Monaco. In a recent interview with the *Boston Globe*, Jean-Michel Cousteau told why he and his father now feel it is wrong to keep marine mammals in captivity.

Originally they felt like other aquarium directors, "we needed to have marine mammals in captivity to make the place more successful," said Jean-Michel. However, those feelings changed radically after an incident with wild dolphins that had just been captured.

The morning after capturing several dolphins from the wild, one of the animals was found dead.

"He ran from one side of the tank to the other as fast as he could. He killed himself voluntarily -- suicide," the younger Cousteau said.

"It was a very traumatic experience and probably marked me for the rest of my life." Soon thereafter, Cousteau and his father decided "we are totally against marine mammals in captivity."

"When it comes to behavior," Cousteau believes, "you cannot learn much from marine mammals in captivity. Animals cannot behave in a normal way in jail. Most of the lifetime of an animal in the wild is spent hunting. In an aquarium animals are fed and are done in no time. The rest of the time they are in between concrete walls bored to death."

Cousteau predicts "aquariums, particularly marine mammal circus acts, are bound to disappear as the public is educated and revolts against it."

Acting on their belief that there are better ways to educate the public, the Cousteaus last year opened the Ocean Park in Paris. The Park contains no captive animals, not even a single drop of salt water. Visitors are taken on a journey through the marine world using life-like models, illusion and sophisticated audio visual techniques.

## *Ralph Munro Speaks Out Against Greedy Aquariums*

Washington's Secretary of State, Ralph Munro, has been a leader in the struggle to stop the unnecessary capture and display of whales and dolphins by the greedy aquarium industry. Following are some of his comments from an Op/Ed to the *Vancouver Sun*, published on February 23, 1991.

"During the last several years, more than 50 whales have been taken into captivity from the waters of British Columbia and Washington state. Some have died while being chased, others have drowned in the nets trying to escape their money-hungry captors. Most of the rest have died -- prematurely -- in captivity in the aquariums of Canada and the United States.

"The marine mammal officials at these public aquariums and amusement parks should be ashamed of their involvement in this disgraceful business. Thanks to expert researchers... we know the truth: these animals should live to be 50 years old or more. In the wild, many do.

"We consistently hear from the marine mammal professionals the orcas are going to breed in captivity, that a second generation will begin soon. They claim they won't have to take whales from the wild.

"Hogwash. Fifty percent of the whales born in captivity are now dead. Whales don't live long in swimming pools, or in marine circus parks, or in zoos, or even in public aquariums.

"In the case of Hyak, rumors abound. Did he really have pneumonia? Has he been sick for 20 years? Why is there such an early death? Why was the necropsy performed on a barge with no one from the public in attendance? Why was the whale dumped in the bay after the necropsy was performed?

"Isn't it time to come to our senses? We all know the days are past when we should keep these magnificent animals in swimming pools. Let's admit it and get on with development of natural parks and whale watching. Let's stop any further capture of orcas, and quit sending our whales to marine circus parks where they charge little kids \$12.50 to get through the door to see what they should be seeing in the wild."

## Federal Court Rules in Favor of Dolphins, Mexican Tuna to be Embargoed

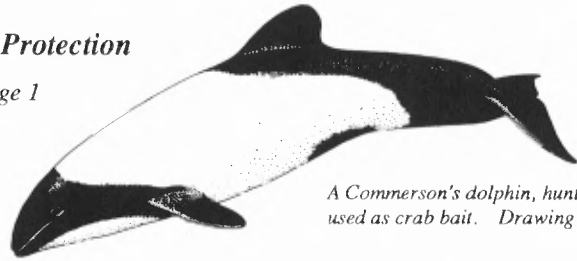
The Mexican tuna fishing industry is finally being forced to accept the consequences for killing hundreds of thousands of dolphins in recent years. On February 20, 1991 a US federal appeals court ordered a one-year embargo of tuna caught by Mexico's fleet. The decision was made in accordance with the US Marine Mammal Protection Act (MMPA) which prohibits imports of tuna from any country whose fleet kills 1.25 times as many dolphins as US vessels. The 1991 embargo is vehemently opposed by both the Mexican Government and the US Department of Commerce.

Last summer a federal judge had ordered an embargo of Mexico's tuna for the remainder of 1990. That embargo was lifted only one day after it was imposed when the US National Marine Fisheries Service (NMFS) mysteriously discovered new data indicating Mexico was, somehow, complying with the law (See AWI Quarterly Vol. 39, No. 3). This series of actions in the federal courts began with a lawsuit originally filed by Earth Island Institute in 1988. The San Francisco based environmental group charged that NMFS was failing to enforce provisions of the MMPA.

By mandating a tuna embargo on other nations who purchase the dolphin-unsafe fish from Mexico for the purpose of resale, strict enforcement of the MMPA could save the lives of thousands of dolphins. Imports from Japan and Italy could potentially be affected. There are rumors that the Bush administration may attempt to amend the MMPA, to remove the embargo provisions during the current session of Congress. If this occurs the welfare of dolphins in the Eastern Tropical Pacific will continue to be in peril.

## Dolphins Need Protection

*Continued from page 1*



*A Commerson's dolphin, hunted in Chile to be used as crab bait. Drawing by Richard Ellis.*

### Purse Seines

The report calls for a global ban on the practice of deliberately rounding up dolphin herds and encircling them with purse seine nets in order to catch tuna and other fish. At least 50,000 dolphins were killed by tuna fishermen in their nets last year despite efforts by the tuna industry to become "dolphin friendly". The report states that few tuna importers have implemented adequate verification systems to substantiate their claims for "dolphin friendliness". Tens of thousands of tons of tuna caught by setting on dolphins is being diverted to Europe and Japan.

### Gillnets

Gillnets were the subject of a special IWC meeting held in LaJolla last year. Extensive new information has been brought to light which shows that gillnets are killing substantial numbers of dolphins and porpoises, including many threatened and endangered inshore populations all over the world.

The harbor porpoise is particularly threatened by gillnets across much of its range. Catches in the St. Lawrence River are much higher than previously suspected, and harbor porpoises are also endangered by gillnet catches in the Bay of Fundy and the North Sea.

### Oil Spills and Pollution

Oil spills and pollution are also a major threat to dolphins, porpoises and small whales, as well as other marine life. Major oil spills by the Exxon Valdez in Alaska, by the Bahia Parasio in the Antarctic, from Kuwait in the Persian Gulf and most recently in the Mediterranean off Italy pose a serious threat to small cetaceans. PCB's, other organochlorines and toxic substances such as mercury, accumulate in small cetaceans and may lead to reproductive failure. Pilot whales killed in the Faroe Islands contain levels of PCB's so high their blubber would be considered dangerous toxic waste in the US.

### World Wide Killings

- In **Japan**, EIA found that at least 20,000 Dall's porpoises were killed by hunters and that almost a thousand of the highly endangered striped dolphins were also killed.

- Tens of thousands of dolphins are still being killed in **Sri Lanka** where such catches are uncontrolled and unmonitored by the government authorities.

- Beluga and narwhal hunting in the arctic territories of **Canada, the United States and Greenland** are endangering several populations of these whales. Most countries allowing aboriginal catches of these whales, especially the US, do not even keep track of the number of animals killed.

- **Mexico** has done nothing to protect the world's most endangered cetacean — the vaquita. Meanwhile, Mexico continues to oppose international efforts to protect small cetaceans.

- **Denmark** still allows massive killings of pilot whales and dolphins in the Faroe Islands. The killings are a sport hunt according to EIA. At last year's IWC meeting, Denmark was the only country in the commission to vote against a resolution calling on Japan to reduce its Dall's porpoise kill.

- **Turkey** has resumed large scale dolphin kills again.

- Italy has banned the use of swordfish driftnets which were thought to be killing tens of thousands of dolphins each year, but unfortunately **Spanish** fishermen are said to be buying up the nets to fish illegally in the Mediterranean.

- **Chilean** crab fishermen are hunting several dolphin species to extinction for use as crab bait. Much of the highly prized crab is then sold to the US and Europe. One species, the Commerson's dolphin may be down to just 3000 animals. The crab fishermen, having all but exterminated dolphins are turning increasingly to sea lions and penguins for use as bait.

## Senator Heinz, Environmentalist

The tragic accident which caused the death of Senator John Heinz is a blow to all humanitarians. His thoughtful remarks which appeared in the last issue of the Animal Welfare Institute Quarterly upon the occasion of his presentation of the Schweitzer Medal gave proof of his devotion to animals and the environment.

Senator Timothy Wirth (D,CO) spoke movingly of his colleague and close friend at the memorial service in Washington's National Cathedral, where a vast crowd of mourners filled the cavernous space.

Senator Wirth began by quoting Robert Lowell on high office in Washington. "The elected," he wrote, "come here bright as dimes..."

"John Heinz," he continued, "left us still shining, still hard at work at the demanding job he loved, still growing as a public servant and as a private man.

"John brought three essentials to this career of public service. He worked hard. He was stubborn and he set the right priorities. I've never known anyone with a more prodigious capacity for work.

He would have breakfast in Pittsburgh and be back on Capitol Hill the same morning for a hearing, knowing his brief thoroughly. His determination to defend and advance the cause for which he cared did not always make him popular. But John willingly took the risk, as a committed politician must...

"It was a direct line from here to his commitment to the environment—he believed the Earth has nurtured us, and it is our obligation to in turn take care of the earth. He developed a depth of knowledge and understanding, and a consequent sense of urgency to solve the problems we are facing...

"Enormous energy and creativity were thrown into the task. 'Get the World Bank up here—they don't understand what they're doing,' he roared. He was outraged that every year fires were destroying areas the size of Pennsylvania in the Amazonian rainforest. But perhaps most basic to his effectiveness was an endearing innocence. He really believed he could make the world a better place.

"For all his sophistication, he had a wonderfully naive, almost little-boy like mischievous commitment to making it better — such a contrast to the jaded resignation of our time."

## Fishermen Taking a Heavy Toll on Albatrosses

A terrible toll on the wandering albatross has been reported by the British Antarctic Survey. These magnificent birds, the largest of their species, have wing spans of 10 feet and are capable of covering 4,500 miles within a week. In the Falkland Islands, the number of breeding pairs of albatross has fallen by 40% since 1957 when the first surveys were conducted. Forty-four thousand are being killed every year by long-line tuna fishermen in the southern ocean.

A recent BBC program which documented the condition of albatross populations throughout the world reminded the viewer of Samuel Taylor Coleridge's "Ancient Mariner":

With his cruel bow, he laid full low,

The harmless albatross  
and whether through divine retribution or a jinx, his ship was becalmed and death and suffering descended upon the crew.

## New Jersey Assembly Votes to Ban Wild Bird Imports

*continued from page 1*



Environmental Investigation Agency

A dying parrot. Another victim of the "legal" trade.

head reiterating that WWF "does not support any proposals for state legislation."

The Coalition to End the Wild Bird Trade with the support of the New York Zoological Society and state organizations including the New Jersey Audubon Society, the New Jersey Animal Rights Alliance and the New Jersey Veterinary Medical Association continue their vigorous cooperative campaign for enactment. A hearing has been scheduled for June 17.

## Bureau of "Minds"?

"I don't believe in endangered species," stated T. S. Ary, head of the US Bureau of Mines, US Department of the Interior. He was addressing a conference of miners, loggers, ranchers, farmers and others who want to develop the federal lands. According to an Associated Press story published in *The New York Times* March 23, he told his audience, "I think the only ones are sitting here in this room." Ary has headed the agency, which has a budget of \$150 million and 3,500 employees, for three years.

The conference was sponsored by the Mountain States Legal Foundation, American Farm Bureau Federation, American Motorcyclist Association, American Petroleum Institute, American Mining Congress and others with a similar bias.

They called it the "International Wilderness Conference," leading Mr. Ary to the mistaken belief that he would be addressing environmental groups. The Associated Press quoted him as saying, "I

thought I was going to come out and be a sacrificial lamb for a bunch of nuts."

He told his audience, "There is this 'Minc-Free by 93 syndrome'...If they find a way to roll us and repeal that mining law, you people are duck soup."

## New Aid for War Against Poaching

Senator Robert Kasten (R,WI) is the author of legislation passed in the closing days of the last Congress to allow the use of surplus US military equipment in world conservation efforts.

Programs for elephant and rhinoceros protection in eight African nations, will now be eligible to receive defense equipment such as tractors and trucks and communications gear which is too outdated for US military usage, but which can be invaluable in the prevention of poaching.

"This effort is a great step forward for the biosphere," said Kasten.

# EIA Uncovers Deadly Bird Trade in Argentina

A team from the Environmental Investigation Agency (EIA) has just returned from a far-ranging investigation in Argentina, the largest source of wild-caught parrots for the international pet trade. Their findings paint an alarming picture of a trade that is to a large extent illegal, involves cruelty and high mortality and is threatening the survival of species. EIA documented the problems of the wild bird trade in Senegal, West Africa in 1986. Five years later and despite international pressure they found that little progress has been made in the conditions for birds, and the failure of regulation is manifest. Once again they followed the trade from point of capture to point of export.



Photos: Environmental Investigation Agency

Above: A trapper grabbing the head of a young parrot, pulls it from its home.



Above: Captured nestlings are often force fed in this manner. When EIA filmed a feeding session, six birds were choked to death when the mixture was squirted into their lungs. Several more were temporarily relieved by violently shaking their heads which can break their necks.



Left: This tree was once a parrot family's home. Birds nest in the hollow trunks of trees known as "quebrachos". A favored method of capture is to chop the tree down, as shown here.



Photos: Environmental Investigation Agency

Right: A beautiful blue-fronted amazon nestling killed during the feeding session described above. Even if this bird had survived, it would almost certainly have died later of pneumonia.

The team arrived at the height of the trapping season for blue-fronted amazon parrots, a popular species of parrot in the U.S. pet trade because of its intelligence, beautiful colors and talking ability. The species has been devastated in Argentina over the last 50 years due to habitat destruction and capture for the pet trade. Up to 46,000 a year have been exported legally. If pre-export mortality and illegal trade are considered, the effect on the population is much greater. The species is the mainstay of the Argentinean trade and though trappers may receive only \$3-4 per bird, exporters charge as much as \$100. The same bird will retail in the U.S. for \$700 to \$800.

The birds nest in the hollow trunks of trees known as "quebrachos" and one of the favored methods of capture is to chop down these trees destroying

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*A dead parrot nestling. Local farmers or "campesinos" and migrant foresters who supply the birds, lack expertise in even basic care of young parrots. Mortality in their hands can be very high. Damage to the species is also escalating. Campesinos take every chick from every nest they find.*

nesting sites and precious habitat. Only when a tree is over 100 years old will it be hollow and suitable for parrots. Migrant foresters cut the trees for charcoal production, and they supply many of the parrots. The hollow trees make poor charcoal as they are very bulky for the weight of charcoal produced, and conservationists have asked that the foresters leave the overmature trees. However, while they can make money from parrots they continue to cut the older trees. Many lack expertise in even basic care of the young parrots and mortality in their hands can be very high.

The local farmers or "campesinos" will not usually chop down the tree. They will open it up by chopping out a section around the nest and remove all the chicks. Some will reseal the tree for the next year. Nevertheless, they take all the chicks, every year, from all the nests they can find. Some of them said that they were finding it more and more difficult to find undamaged nests and that the foresters were destroying their known sites and "stealing" the birds.

This year there had also been very heavy rainfall and 20-30% of the chicks

were found drowned in the nests. In one scientific study of 10 nests, the chicks from three nests had died from natural predation. The other seven were all taken by "human predation" for the pet trade. The study was unable to continue.

After 15 years of relentless exploitation for the pet trade, scientists warn that the species may be on the verge of a population crash in Argentina. When once it was seen in "clouds" now only a few individuals are seen at a time. The flocking is a survival technique for protection from predators and to help in food finding. It may be that small populations in an area cannot survive. In addition, with the constant removal of the chicks, the remaining birds may be all very old with no young birds to replace the breeding population. Peter Knights, EIA wildlife campaigner and team member, assessed the tragedy, "We saw thousands of these beautiful birds crammed in crates and cages en route to the U.S., Europe and the Far East, we saw no more than a dozen flying free in the wild."

Of course many of the birds never reach the pet shop. Mortality with these

chicks can be extremely high at every stage. Birds can die when the tree is felled or due to poor feeding technique as the chicks are too young to feed themselves. The collector picks up the birds from the campesinos and foresters and gathers them together for the exporter to collect. The birds are fed twice a day with a mashed maize and rice mix squirted into their gizzard with ketchup dispensers. EIA filmed one of these feeding sessions for 425 chicks. Six birds were choked to death when the mixture was squirted into their lungs. Several more were temporarily reprieved by violently shaking the bird's head and blowing the air passage clear. It is likely that these birds would die later of pneumonia. Diseases, such as Avian pox and Pacheco's disease are particular problems with the species, and conditions at the collector's premises were unsanitary and overcrowded. The collector related how he had lost over 450 birds in one outbreak of disease.

Two weeks later at the exporter's premises the 425 birds dispatched from the collector were down to 375 and the first 50  
*continued on next page*



were to be dispatched to Taiwan, a journey of two days via Brazil and South Africa. There was supposed to be an official quarantine period before export to prevent disease. This was not observed. Two years ago all the birds were supposed to pass through an official government quarantine. When this was inspected, of the declared 97,418 birds that were supposed to be there, only 197 were found. Birds were flying free, and dead rats were on the floor. The key of the "secure" quarantine was in the hands of an exporter. Though the director of the government quarantine still signs the health certificates, birds are now held at the exporter's premises. At the airport, the health certificate is signed, again without inspection.

The Argentinean parrot trade has supposedly been reformed with a change in administration and the establishment of quotas, but EIA documented illegal dealings at every stage of the trade. A trail of paper is supposed to track the trade, but this bears little relationship to reality. Veterinary certificates are signed without an examination of the birds, the numbers and value of the birds can be substantially underdeclared. Argentinean Customs estimate that only a quarter of the wildlife trade is ever legally declared.

As well as avoiding local taxes and controls, the paper trail is used to launder illegally trapped birds. Corrupt provincial officials provide the necessary certificates of origin for birds trapped in other areas including species that do not occur in their province or even in Argentina.

Argentina's neighbors also lose out to the bird exporters. Bolivia, Paraguay and Brazil have all banned the trade to protect their wild birds, but the "legal" trade in Argentina enables vast numbers of their birds to be laundered into the international market. EIA discovered a principal route for this smuggling via Yacuiba on the Bolivian border. Birds are brought from the north of Bolivia on the train to near the border. They are then smuggled around checkpoints and sent south to Buenos Aires and on to the US and Europe.

While posing as traders, EIA were offered protected species from Argentina, Bolivia and Brazil. They were told that Argentinean paperwork was "no problem". International permits are also forged or used illegally by known dealers who continue to trade even after they have been caught. There is also a host of fictitious companies that have successfully exported large numbers of illegal shipments.

EIA director and team member, Dave Currey, worked extensively undercover on the illegal ivory trade. He said, "The parallels between the trade in wild caught parrots and the ivory trade are alarming. The CITES system is being used in much the same way that it was by the illegal ivory traders prior to the international ban. It gives an illusion of control and a paper legitimacy to smugglers." Just as they did with ivory, the CITES Secretariat has recently asked that all certificates for parrots from Argentina should be verified by them.

Although the new wildlife authorities have attempted to limit the trade in some species, they are powerless to regulate with any great effect and have few resources. They can do little to combat the political influence and international contacts of the wealthy traders, who are hoping to extend the trade to more species of birds this year. Argentinean conservationists that have opposed the trade have faced a series of death threats. Their plea is clear, if they are to protect their birds and those of their neighboring countries they need help. It is the demand from the United States, Europe and the Far East that drives this trade. This must end if they are to stand any chance and it should end now before it is too late for more species and countless individual birds. ■



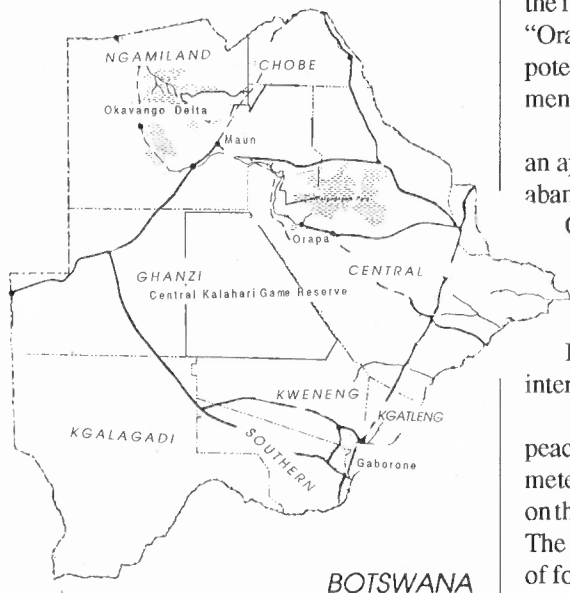
Environmental Investigation Agency

*A crowded cage of blue-fronted amazon parrots. Every year up to 46,000 birds of this species have been exported from Argentina. The international trade in wild caught birds is wreaking havoc on such species. These birds are desperately in need of greater protection by law. An immediate ban on importation of wild caught birds for the pet trade is crucial.*

# Plans to Dredge in Botswana's Okavango Delta Put on Hold

by Allan Thornton

A report by Greenpeace International confirms that the Orapa diamond mine in Botswana is intended to be a major beneficiary of the controversial water development scheme which involves dredging 40 kilometers of the Boro River in the Okavango Delta.



The Okavango Delta is one of the last great unspoiled wilderness areas of Africa which is the home for a variety of endangered species, including the wattled crane and the slaty egret. The dredging is planned to increase the water supply for Orapa diamond mine and for domestic use for Maun.

The dredging plans have provoked intense local and international opposition. The Chief of the Botswana tribe in Ngamiland has led efforts to stop the dredging. Hostility to the plan has resulted in the temporary suspension of the dredging plans. Conservationists threatened a diamond boycott if the destruction of the river went ahead.

Past efforts to dredge the Boro River to provide increased water supply for Orapa were a disaster, resulting in the destruction of the river's plants and fish which are used for food and building materials. Local people strongly opposed the dredging because of this further environmental destruction which would result in a general dying out of the area near the river.

Greenpeace representatives met the

management of the Orapa diamond mine but were unconvinced of their efforts to disassociate themselves from the dredging. The Orapa diamond mine, situated some 250 km southeast of the Okavango Delta envisages an increased water demand from 5 million cubic meters (mcm) per year now to 12 mcm by the year 2004.

According to the Greenpeace report on the findings of an official visit to Botswana, "Orapa is given as the most significant potential beneficiary of the water development proposals."

Greenpeace concluded their visit with an appeal to the Botswana Government to abandon the dredging project and for the Government to join the World Heritage Convention and the Ramsar Convention for Protection of Wetlands in order to nominate the Okavango Delta for protected status under both international agreements.

A further appeal was made by Greenpeace to suspend construction of a 100 kilometer long cattle fence which is being built on the northeast side of the Okavango Delta. The fence is intended to prevent the spread of foot and mouth disease. It is being built across an area which many species of animals migrate. No environmental impact assessment was conducted before the fence was constructed.

Nigel Hunter, the deputy director of the Wildlife Department, who is funded by the British Government's Overseas Development Authority admitted that wild animals would die on the fence but that these would be at "acceptable levels". Mr. Hunter was unable to specify the population levels of animals in the area or how many were expected to be killed on the fence.

Previously, hundreds of thousands of animals died as a result of other cattle fences erected by Botswana. The country's lucrative beef industry is heavily subsidized by the European Community which pays Botswana up to 60% above the world prices.

In the 1980s, over 50% of the national herd of some 2.5 million cows was owned by 2-3% of the population, many of them senior government officials.

"The intensification of cattle rearing has had catastrophic ecological consequences, resulting in serious overgrazing, environmental degradation and the decline

of wildlife populations" according to the Greenpeace report.

Greenpeace called for the immediate suspension of further construction of the cattle fence and for the wire from the portion already completed to be removed. They also demand a full environmental impact assessment of the fence's effects on wildlife and the environment as well as a review of Botswana's livestock and fencing policy.

## US Refuses to List Elephants in Southern Africa as Endangered

In response to a two year old petition, filed by the Animal Welfare Institute and over 40 other organizations, to put the African Elephant on the US Endangered Species List, the Department of Interior has instead proposed a split listing. Elephant populations in South Africa, Botswana and Zimbabwe would remain classified as threatened, while elephants in the rest of the continent would be given endangered status.

Should the proposal become final it would lend greater credence to the arguments of those who wish to force the Convention on International Trade in Endangered Species (CITES) to adopt a similar split listing.

President Bush halted the import of ivory to the US in June 1989. Soon thereafter CITES classified the elephant as endangered, thus ending all international trade in elephant ivory.

"If legal trade is reintroduced, there is absolutely no question in my mind that poaching will resume," said Richard Leakey, who heads the parks and wildlife department in Kenya. "The price will rise and so with it will be the temptation to trade in illegal ivory."

### ACTION

Please let the US Government know your opinion on the proposed split listing. Send your comments, before July 16, 1991 to:

Chief, Office of Scientific Authority  
Arlington Square  
Room 725  
US Fish and Wildlife Service  
Washington, DC 20240

***The Unheeded Cry: Animal Consciousness, Animal Pain and Science***

by Bernard E. Rollin. Oxford University Press. (New York), 1989. 272 pages. \$14.95

Since the publication of Peter Singer's *Animal Liberation* in 1975, an increasing number of academic philosophers have taken on the perplexing issues connected with the moral status of animals. While the quality of debate about animals rose quickly with publications by such philosophers as Singer, Tom Regan, and R.G. Frey, most subsequent work — by these and other thinkers — has been a bit disappointing; not many new ideas have come forward, and the debate seems not to have reached the degree of rigor and depth found in many other areas of philosophical discussion. Too little is done in the way of conceptual analysis, moral epistemology, the philosophy of mind, the philosophy of science, and other areas. One exception is Bernard E. Rollin's *The Unheeded Cry: Animal Consciousness, Animal Pain and Science*. While Rollin's book does not offer new insights in ethical theory, it is the best treatment in the animals literature of the philosophy of mind, certainly one of the best discussions in the philosophy of science.

Like James Rachels' *Created from Animals: The Moral Implications of Darwin-*

*ism* (Oxford: Oxford University Press, 1990), Rollin's new work digs deep into the culture and politics of 19th and 20th century science — breaking with the tendency of English-speaking philosophers to treat problems ahistorically. This cultural probing reveals the changing context in which judgments about the mental life and moral status of animals have been formed, a context that includes logical positivism, behaviorism, and an enormous medical research complex by which many scientists earn their livelihood. Having laid bare these influences on scientific perceptions of animals, Rollin applies some logic and common sense to arguments defending the received view that animals have little or no mental life and, therefore, moral status. It then becomes breathtakingly clear how science could have misunderstood animals so egregiously, and a new perspective — which is fairly close to the unreflective 'anthropomorphic' perceptions of many laypersons — is ushered in.

Although *The Unheeded Cry* is not primarily about the moral status of animals, its overall tone is highly critical of much of animal research though does not call for its abolition. Two major theses reinforced throughout the book are (1) that science cannot be value-neutral and (2) that ethical beliefs turn on scientific beliefs (e.g., regarding the mental life of animals): '...science is not divorced from ethics, but

the two are inextricably bound together, each influencing the progress of the other,' (p.272). Consistent with these theses, Rollin postpones any fine-tuning of our understanding of our obligations to animals:

"... the most basic thing we need to know in setting out such rules is what an animal's life or *telos* is like, both physically and mentally, but especially mentally, because physical needs and their nonsatisfaction or satisfaction result in pain and suffering or happiness and other modes of awareness. Until we know this, we cannot accurately, precisely, or realistically discuss the all-important details of our moral obligations to animals (p.269)."

Rollin offers us a well-written, perceptive and rigorously argued treatment of animal consciousness. One especially welcome feature is his tackling head-on the Wittgensteinian challenge to animal consciousness (though I think this debate can be carried somewhat further than he appreciates). Also helpful is his digestible summary of the recent contributions from psychology, physiology and ethology to our understanding of the mental life of animals.

David Degrazia

*Dr. Degrazia is Assistant Professor of Philosophy and of Health Care Sciences, George Washington University.*

***Environmental Enrichment: Advancing Animal Care***

VHS tape. The Universities Federation for Animal Welfare. (England), 1990. 35 minutes. \$40.00

The Universities Federation for Animal Welfare has produced an excellent videotape, "Environmental Enrichment: Advancing Animal Care," designed to help all those working with animals with useful and practical information.

Millions of animals lead dull, boring and frustrating lives in captivity. The pacing polar bear in the zoo, the bar-biting sow in the intensive farming unit, the wheel-running mouse in the pet shop or the singly housed rabbit in the laboratory animal room, can all benefit from environmental enrichment. Providing the opportunity for animals to behave naturally in captivity has

only recently been recognized as a need, essential for animal welfare.

Animals need interesting space, companionship, privacy and choice. So, places for animals to hide, objects to play with, new ways of presenting food and the chance to "work" all help improve their lives in confinement.

Jeremy Cherfas, the well-known author and broadcaster, gives the commentary. In the first section, he covers animals' basic needs and focuses on the behavioral stereotypies which afflict so many caged animals. The second part explores the principles of enrichment which are common to captive environments. The final section has a practical bias, encouraging viewers to design environments for all kinds of captive animals, which reflect what the animals actually need rather than what their keepers feel is necessary. It also enables

them to assess the effectiveness of any enrichment project undertaken.

An information pack, including copies of UFAW's Environmental Enrichment Reports, a reading list and selection of enrichment research reprints, is available to accompany the video. Teachers and students as well as those responsible for animals in laboratories and zoos, should find this of particular use.

"Environmental Enrichment: Advancing Animal Care" is available in VHS for \$40.00, including postage and packing, from:

UFAW  
8 Hamilton Close  
South Mimms  
Potters Bar  
Herts. EN6 3QD  
UNITED KINGDOM

***Animals and Their Legal Rights,  
A Survey of American Laws from  
1641 to 1990***

(Animal Welfare Institute, Washington, DC), fourth edition, 1990, 441 pages, \$4.00.

This useful reference book demonstrates the growth of the animal protective movement by the very fact of its increasing girth. This fourth edition follows the pattern of earlier editions, but it has more to report on. The Appendix alone is nearly 200 pages in length. There are 16 chapters, 11 different authors. The diverse styles encourage reading of the different chapters for interest in following the history of the legislation or as a source of answers to specific questions about the laws and their enforcement.

Greta Nilsson, a leading expert on legislation affecting birds, describes in considerable detail all the major federal laws, and traces them back to the state legislation which led to federal action.



Left: Rosemary Ames, in Red Cross uniform, with an Air Force Pilot. The fourth edition of *Animals and Their Legal Rights* is dedicated to Rosemary Ames, the gifted and beautiful actress whose generous bequest made its publication possible.

Fay Brisk, initiator of the Washington Animalport, wrote the chapter on animals and airlines. After serving for eight years in the White House during the Kennedy and Johnson Administrations, she became domestic news chief of the U. S. Information Agency. Fay's lively account of the adventures of both animals and Animalport workers shows how legislation can start; she brought Congressman William Whitehurst and Senator Lowell Weicker to see the conditions of the animals arriving at Washington National Airport.

The lengthy history of the Laboratory Animal Welfare Act (after amendment, the Animal Welfare Act) appears in the chapter by Christine Stevens, AWI's president.

The chapter about the many laws affecting the welfare of horses was updated and revised by Valerie Stanley, a leading attorney in the Animal Legal Defense Fund, based on the original chapter by Pearl Twyne, who personally brought numerous cases to court and suffered physical attack from Tennessee Walking Horse trainers.

Right: "Laying down the law" by Sir Edwin Landseer. This picture appears in color on the cover of *Animals and Their Legal Rights*. The original painting hangs at Chatsworth in England.



Reproduction of painting courtesy of the Chatsworth Trust

The chapter on trapping and poisoning, by Cathy Liss, AWI's trap specialist, contains tables analyzing state-by-state trapping regulations, a chart of unprotected and protected species of furbearers and information on anti-predator government actions.

Shirley McGreal, President of the International Primate Protection League, wrote the chapter entitled "The Law and the Non-Human Primate Trade." Dr. McGreal's amazing network of informants makes her the leading authority on illegal trade in monkeys and Great Apes.

Diane Halverson, who worked on the third edition of the book as well as the fourth, updated chapters on fighting and baiting, humane slaughter and anti-cruelty laws which had originally been written by the book's first editor and primary author, Emily Stewart Leavitt.

There are chapters on dogs, cats, marine mammals, international treaties, humane education, and animal protective organizations and law enforcement agencies.

The Animal and Plant Health Inspection Service of the U. S. Department of Agriculture wrote about the first federal law to prevent cruelty to animals.

The cover picture for the book appears above. It has been reproduced in every edition from an engraving, but not until this edition was the color photograph of the painting itself made available by courtesy of The Chatsworth Trust.

The book has been offered to public libraries and chiefs of police throughout the United States, and over 5,000 single free copies have already been sent in response to requests received.

***To Save An Elephant***

by Allan Thornton and Dave Currey. Doubleday. (London, England), 1991.

*To Save an Elephant* is a true adventure story describing EIA's two year investigation into the illegal ivory trade and reveals how the explosive information was used to ban the international trade.

The book follows EIA's undercover investigations around the world - from the killing fields of Africa, to the illicit ivory factories hidden in Dubai, and discovering how the Hong Kong ivory barons moved the poached ivory around the world.

Copies may be ordered from EIA's Washington DC office for \$29.95 postpaid. Allow 4 to 6 weeks for delivery.

EIA, 1506 19th Street Northwest, Suite 4, Washington, DC 20036.

# Respirators for Workers in Hog Confinement Buildings

The cruelty of cramped, narrow sow-stalls in which sows are forced to live for months without even being able to turn around, is familiar to our readers. Less information has been available on the air the hogs are forced to breathe in intensive confinement buildings. A current catalog distributed by Gempler's Direct Agri Supply Specialists, in offering its numerous respirators to farmers, gives us an understanding of what the pigs must endure. There are no respirators for them.

Under the heading, "How to Select a Respirator" the catalog states, "Before selecting from the following six pages, determine what hazard you're protecting yourself from. In agricultural settings it might be 'hog lung', 'toxic organic dust syndrome,' pesticides, moldy grain, silo mold spores, anhydrous ammonia, or welding fumes."

On the next page we read, "Finally, a

dust/mist respirator that will hold its shape in hot, humid situations ... Moldex dust respirators are recommended for hog confinement work and while handling dusty/moldy grains." Referring to the "airborne particles found in hog confinement buildings" the catalog states, "Tired of your glasses fogging up or feeling like you're in a sauna? Then try these light weight MOLDEX government approved respirators with a molded nose bridge that maintains a seal as you work. Their collapse resistant outer shell keeps them from breaking down in heat and humidity."

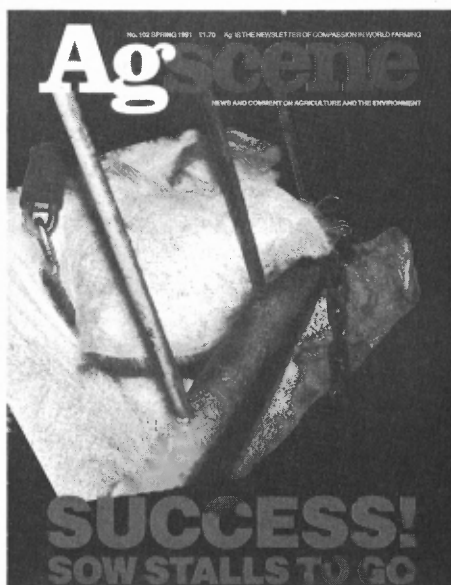
On the following pages readers' are exhorted, "Don't let FARMER'S LUNG slow you down." Different respirators are recommended for "use in the dairy barn and animal confinement structures to guard against farmers lung." Another, "for use in the transportation and application of ammonia and in hog and poultry confinement

operations." Then there are cartridges and pre-filters for various uses. Third on the list is ammonia (anhydrous or from livestock/swine poultry confinement); order pre-filters also." Listed fourth: "Dusts from livestock confinement."

A photograph of a hog farmer "wearing a dual-cartridge respirator that protects him while working against both ammonia gas and feed dusts," shows the pigs in the unit compelled to inhale the dusty ammonia-laden air without benefit of protection.

"YOUR HEALTH and the risks of animal confinement work..." heads the statement. "While your animals may be in confinement for no more than six months, your lungs are subjected to the airborne dusts and gases in these buildings from 2 or more hours per day for a number of years." Does that sound as if the pigs are being protected by a short stay? A quick calculation shows that six months of confinement for them comes to about six years of two hour periods of exposure for the farmer. Not to mention that after each two hour period he is able to escape from the corrosive atmosphere and fill his lungs with fresh air. The pigs are incarcerated until they move to another confinement building or a slaughterhouse.

## Great Britain Will Ban Sow Stalls and Tethers



courtesy: Compassion in World Farming

by the end of 1998.

The Pig Husbandry Bill was recently approved for a second reading before Parliament by a unanimous vote 118 to 0. Too many pigs "are subjected to horrific confinement and deprivation and can spend up to 40 weeks a year in appalling and cruel conditions," commented Member of Parliament (MP) Andrew Bowden during the debate on the bill. Several MPs stated they had received more mail regarding this bill than they had on the Persian Gulf War.

David Maclean, Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, put forward the position of the government including the following statement: "Pigs in stalls showed increased amounts of stereotyped behavior such as licking and biting of the stalls and a higher incidence of aggressive actions. Physiological measurements taken from the pigs indicated that they were showing a chronic stress response as a result of confinement. Sows subjected to this stress were considered by one author to be suffering from clinical neurosis."

To condemn sows to seven years of "appalling and cruel conditions" seems atrocious but it compares favorably with the situation in the US where billionaires continue to build sow stalls for thousands of animals with no end in sight.

Agscene cover story, Spring 1991.

Great Britain is about to take a big, if slow, step forward in the direction of farm animal welfare. On January 10th, Sir Richard Body introduced The Pig Husbandry bill that would phase out sow stalls and tethers in Great Britain by 1996. Just one day earlier, undoubtedly influenced by the timing of Sir Richard's legislation, the Minister of Agriculture had announced that the government would soon introduce regulations banning sow stalls and tethers

### Bequests to the Animal Welfare Institute

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

"I give, devise and bequeath to the Animal Welfare Institute, a not-for-profit corporation located in Washington, D.C. the sum of \$\_\_\_\_\_ and/or (specifically described property)

We welcome any inquiries you may have. In cases where you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.

Animal Welfare Institute  
Post Office Box 3650  
Washington, D.C. 20007

## Periodical Pleasures

by John Gleiber

It is hard to think of any layperson with even a passing interest in the fellow creatures on our planet who would not find a richer understanding and a wider viewpoint in "Humane Innovations and Alternatives in Animal Experimentation," a "notebook" put out by Psychologists for the Ethical Treatment of Animals. Here, you will find page after page of interesting, concisely written articles, blessedly free of jargon and pretension, by academics and researchers who are obviously interested in exploring every facet of animal interaction, and, by animal, I mean us and them.

Volume Four ranges through several disciplines. A typical and interesting example is "The Normal Behavior of Farm Animals — A Starting Point for Better Housing, Welfare and Production." Here, Klaus Vestergaard points to neglect of the study of behavior in the years of technological changes in farm animal housing and management. He shows, by observing, that contented and healthy animals are being subverted in present day practices to neurotic, miserable and unhealthy food machines. A four page article with 36 references is bound to have information you should know. It is typical of the in-depth approach of the contributors.

I have never encountered any publication more heartening for the future of animal welfare on earth than this notebook with its solid scholarship, positive attitude and humane standards. As far as I can

## Abusive Treatment at Minnesota Stockyard Warrants a Demonstration

On Memorial Day (May 27th, 1991) the South St. Paul Stockyard (South St. Paul, MN) will be the site of a major demonstration to protest blatant animal cruelty. For more than a year, horrendous animal abuse has been documented at this facility. Sick and injured animals are prodded and shocked, and when they can no longer walk, they are either dragged with a chain or left to die slowly and painfully, their basic needs completely ignored. It is common for animals to suffer for days without receiving food, water or medical care.

In one particular case several pigs had been left in a pen without food and water. One of the pigs was already dead, and the rest were slowly dying. When the slaughter truck finally arrived, the injured and weak pigs were forced to move themselves. After repeated shocks and blows several pigs managed to drag themselves onto the truck. One pig, however, could not even crawl to the truck. The trucker finally grabbed him by the ear and dragged him up the ramp.

Despite numerous attempts by the organization Farm Sanctuary to work with stockyard officials, conditions have failed



Farm Sanctuary

*A typical scene at the South St. Paul Stockyard.*

to improve. The stockyard's consistent negligence has made it necessary for the public to urge stockyard officials to address humane concerns.

For more information or to obtain a video tape showing conditions at the stockyard contact:

Farm Sanctuary  
P.O. Box 150  
Watkins Glen, NY 14891  
(607) 583-2225

judge, the work is consistently high level, thought provoking and highly motivated. Esoteric it is not, valuable it is.

It is an annual publication, and a year's subscription for non-members is \$20.

Inquiries may be addressed to:

PsyETA  
Box 87  
New Gloucester, ME 04260

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## Brazilian Rancher and Son Convicted of Chico Mendes Murder

Brazilian rancher Darly Alves da Silva and his son, Darcy were sentenced to 19 years in prison after they were found guilty in the 1988 murder of Chico Mendes, the internationally celebrated environmentalist whose murder has become a symbol of the life-and-death struggle involved to preserve Brazil's rain forest.

The jury deliberated for only three hours before presenting the verdict. They found that the two men had conspired to kill Mendes.

An unexpected twist stunned the prosecution barely an hour after the trial began. Darcy Alves confessed to the murder but maintained his father knew nothing about it. Defense lawyers argued that the son was defending the honor and financial interests of his father, whose land-clearing Mendes vehemently opposed. Prosecutors argued that Darcy Alves killed Mendes only after his father instructed him to do so. They insisted the entire Alves family was involved.

The Parana Ranch near Xapuri, of which Darly Alves was foreman, was portrayed by the prosecution's chief witness as a place of total anarchy where disputes were settled by eliminating enemies, the enemies being Mendes and other rubber tappers who organized colleagues to preserve the rain forest and to resist land exploiters from clear-cutting the forest for cattle grazing.

Previous issues of the *Animal Welfare Institute Quarterly* (Vol 39, No 3; and Vol 38, No 1) have covered not only the Mendes murder but also the desperate need for international awareness and response to this escalating dilemma.

## Environment Courts in India

The Minister of State for Environment and Forests, Shrimati Maneka Gandhi, said in New Delhi recently that the Government has decided to set up Environment Courts to deal effectively and quickly with complaints relating to environment. This is the first time such courts are being set up anywhere in the world. It is also understood that the Government proposes to introduce civil liability in environmental cases in

order to enable any citizen affected by pollution to claim compensation from the polluter.

The Animal Welfare Board, which formerly functioned under the Ministry of Agriculture itself, is now under the Environment, Forests and Wildlife Ministry. *Animal Citizen* states, "... There is increasing awareness today that animals are part of the environment. The change in the Ministry is bound to usher in a new era in the animal welfare movement..."

## Felipe Benavides, 1917-1991

Animals everywhere, and all of us at the Animal Welfare Institute, have lost a good friend in the death of Felipe Benavides. A member of an important Peruvian family, including a grandfather who was President of the country, he devoted almost his entire time and energy to animal protection. It is highly likely that there would be no free roaming vicuña, if it were not for Felipe's magnificent campaign in which he battled giant entrenched interest groups and won. The first J. Paul Getty Wildlife Conservation Prize was awarded to Felipe, and he shed luster on that distinguished award. There are whales swimming near Peru and vicuña on distant crags because of him.



*Benavides with a blue whale killed by pirate whalers off the coast of Peru*

*"In my country, I have been a voice crying (some of my detractors would say "bellowing") in the wilderness about the need to look after it and not squander it as has been done tragically elsewhere. To wantonly destroy wilderness is like demolishing a great cathedral in order to grow potatoes on the site. As man multiplies unchecked, thousands of acres of wilderness are being absorbed into his concrete jungle and posterity is robbed of a precious inheritance. Man must stand still, take stock and demand that a halt be called to the genocide of the wilderness - failure to do so will result in him ending up naked, starving and not a little mad in what remains of the wilderness crying out (to whom?) that the remedial action was too little too late."*

Felipe Benavides

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# THE ANIMAL WELFARE INSTITUTE QUARTERLY

STOP PRESS  
General Agreement on Tariffs and Trade (GATT) calls for repeal of dolphin protection in US Marine Mammal Protection Act.  
See page 5.

P.O. BOX 3650

WASHINGTON, DC 20007

SUMMER 1991

VOL. 40 NO. 2

## Governor Florio Signs New Jersey Wild Bird Act

August 12, Paramus, New Jersey. Legislation banning importation and sale for the pet trade of wild-caught birds in the state of New Jersey was signed by Governor Jim Florio in Van Saun Park where a blue and gold macaw and four scarlet macaws observed the proceedings with apparent approval.



HSUS-Gordon

"We can't allow nature to be controlled by market forces," said the Governor as he signed into law A.649, the bill introduced by Assemblyman D. Bennett Mazur and

Assemblyman D. Bennett Mazur who led the fight for passage of the bill, listens with Committee Chairman Thomas J. Duchas as Governor Jim Florio praises the legislation. In the background, representatives of the Coalition to End the Wild Bird Trade who worked hard and long for this moment, (left to right) Jim Wyerman, Defenders of Wildlife; Teresa Telecky and Nina Austenberg, the Humane Society of the US; Rose Marie Gnam, Coalition Coordinator; the Society for Animal Protective Legislation's Sue Russell, chief lobbyist, and Christine Stevens wait to applaud the signing.

Senator John Lynch. "The world will be poorer if these birds are allowed to become extinct," he said. "I want my grandchildren..." [here the blue and gold macaw broke in] so the Governor finished his sentence saying they should be able to hear as well as see the birds. Of special significance to his

audience of bird protectors was the Governor's support for federal legislation to accomplish "exactly the same thing" as the bill he signed. H.R. 2540 and S. 1219 both provide, like the New Jersey law, for an immediate ban on importation of wild-caught birds for the pet trade.

## 26 Airlines Stop Wild Bird Transport

### British Airways Calls for Government Ban

British Airways pulled out of the trade in wild-caught birds July 25, 1991 following vigorous urging by the Royal Society for the Prevention of Cruelty to Animals, Royal Society for the Protection of Birds and the Environmental Investigation Agency.

Delta followed suit August 14 and American Airlines, the 26th. Two weeks before, KLM and Aerolineas Argentinas had announced their decisions to stop wild bird transport.

British Airways was the first, however, to call for government action on the issue. Dr. Hugh Summerville, British Airways' environment chief, stated, "we are now convinced that we can serve the cause of bird welfare better as a high profile international company by bringing attention to the trade with our own ban, supported by a call for the government to stop issuing import licenses."

continued on page 5

## The IWC: Broken Promises Threaten Whales and Dolphins

A report by Dave Currey on behalf of the Animal Welfare Institute and the Environmental Investigation Agency.

The cold Icelandic breeze blew right through this year's IWC meeting in Reykjavik. There seemed to be renewed fighting spirit from countries wishing to block efforts for small whales, dolphins and porpoises, as well as a battle cry from the whalers.

It was a sad year for all whales, dolphins and porpoises. The countries usually expected to fight to save the whales were pushed into a corner and showed their colors. Only New Zealand lived up to the challenge by openly stating it is the will of their people that no whales be killed. Unfortunately, such courage was in short supply

continued on page 6

## "Endangered" Status Sought for All African Elephants

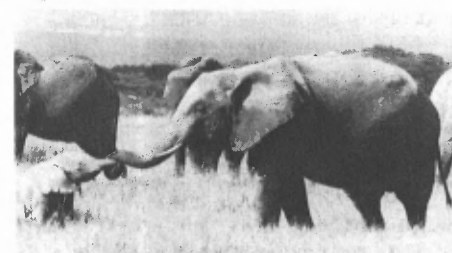
An excellent analysis of a ruling proposed by the US Fish and Wildlife Service on the classification of the African elephant was submitted by Dr. Ron Nowak, among other public comments this July.

At present, the Asian elephant is listed as "Endangered", but the African elephant is only "Threatened". In response to a petition by a number of animal protective organizations, including the Animal Welfare Institute, asking the Service to list the African elephant as "endangered" under the US Endangered Species Act, the new ruling was proposed. Unfortunately, this proposal by the Service is unacceptable because it would allow a "split listing," with elephants in most African countries listed as "Endangered" but retaining "Threatened" status in several southern African countries. The "Threatened" category would encourage international trade to take place, thus opening up the opportunity for the "laundering" of poached and

smuggled ivory which was driving elephants to extinction before the CITES action banning the international ivory trade.

Ron Nowak is the author of Walker's *Mammals of the World*, the fifth edition of which will be published in October. Dr. Nowak is a scientist with the US Fish and Wildlife Service, but his comments are made as a private citizen. He believes that the "Endangered" classification should be extended to the entire species. Following are excerpts from these comments:

continued on page 2





# "Endangered" Status Sought for All African Elephants

*Excerpts from Dr. Ron Nowak's commentary continued from page 1*

"I do not think that a 'threatened' classification should be retained for elephants in Botswana, South Africa and Zimbabwe, or in any other country. The numerical system used to arrive at the proposed classification, while innovative, is arbitrary and has no connection with the legal definitions in the Endangered Species Act. Using the latter criteria, the elephant was classified as threatened in 1978 when its numbers were estimated at 1,500,000. Total numbers are now little more than a third as great, and the numbers in the three countries in which the 'threatened' classification would be retained are only a tenth as great. The adverse trends that jeopardized the elephant in the 1970s have increased in intensity. Legally and logically, if the elephant was threatened in 1978, it is 'endangered' now.

"While I understand the concept of dividing a biological species along political or other lines and assigning different legal classifications to the units so created, such a procedure is not appropriate in the case of the elephant. This species once had a continuous range through most of Africa and was a dominant force in shaping the ecology of the continent. Large herds moved about vast regions, freely crossing what are now national borders. The problems that now confront the elephant, while varying in intensity from place to place, are basically the same throughout its range -- usurpation of its habitat by people and direct killing for ivory. The entire species should be treated as one entity and provided a single classification that best represents its over-all status. It is almost always possible to look at an 'endangered', though wide-ranging, species, and pick out some segments that appear to be relatively stable and safe. But even the long-term preservation of these segments would not mean that the over-all species, as a naturally evolving unit and ecological factor, would be secure.

"...Having a few scattered showcase herds of elephants, their numbers constantly having to be culled and their natural movements restricted, will not mean that we have saved the species. Unfortunately, the proposed rule practically sets up countries where such a situation already has developed as models for the rest of Africa to follow.

"But let us consider the situation simply from a numerical standpoint. If 1,500,000 elephants were 'threatened' in 1978, and 450,000 elephants are 'endangered' now, how can another 150,000 (those in Botswana, South Africa, and Zimbabwe) be threatened now? If nothing else, it seems strange that what is by far the smaller of the

two segments is receiving the less stringent classification. It is especially strange when we consider that the 'threatened' designation would apply in South Africa. There are fewer than 8,000 elephants in that country, almost all of them concentrated in one far northeastern area (Kruger Park). And yet prior to the European occupation of the country, elephants were common all across South Africa, even as far as Cape Town in the southwest. Numbers then would have been many times as great as now. How is it, for example, that the 61,000 elephants of Tanzania are proposed for an 'endangered' classification while the 7,800 in South Africa would be 'threatened'. If Tanzania's numbers also are cut down to 7,800, but are in a seemingly well-protected park, would there then be a reclassification of the group to 'threatened'? Is this a worthy objective? Should we be aiming for the maintenance of a few isolated and artificially constricted herds that appear to be stable for the mo-

*"There is a constantly repeated argument that by giving the elephant (and other wildlife) an economic value we will provide a motivation and means for its conservation. This argument has never been adequately supported. It was used in the development of the US 1978 elephant regulations with disastrous results..."*

ment, or should our goal be the conservation of naturally functioning populations within the greater ecosystems of Africa? If the latter is what is wanted, then the correct classification for the entire species *Loxodonta africana* is endangered. While it is unlikely that all elephants will disappear in the near future, we are in immediate danger of losing the species as it was meant to exist -- in the form of naturally behaving and evolving populations with a continent-wide ecological role. It is this form that is addressed by the first stated purpose of the Endangered Species Act: 'to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved.'

"To be sure, elephant numbers in Zimbabwe and Botswana are larger than in South Africa. However, Zimbabwe's elephants have been greatly reduced in range since pre-European times and are largely in unnaturally defined reserves, where they are regulated by deliberate killing. Botswana's herds are in a somewhat less restricted state, but can be expected to come under increasing pressure from human popu-

lation growth and development. While Botswana has some of the greatest tracts of wilderness habitat remaining in southern and eastern Africa, its wildlife is experiencing severe problems. For example, wildebeest numbers in the country fell from the hundreds of thousands in the 1970s to less than 40,000 today, because access to water was cut off by the expanding cattle industry.

"The total number of elephants in Botswana, South Africa, and Zimbabwe, nearly 150,000, may seem large in and of itself, and it is easy to think that the vast biomass represented would be difficult to eliminate. And yet this number is meaningless if one also considers the recent sharp decline of elephants in the rest of Africa, mainly because of killing for the international ivory trade. For example, when the elephant originally was classified as 'threatened' in 1978, there were estimated to be at least 800,000 in the countries of Tanzania, Zaire, and Zambia. That is nearly six times the number now thought to be in Botswana, South Africa, and Zimbabwe. And yet since that time the number of elephants in Tanzania, Zaire, and Zambia has fallen by about 600,000. The latter number is about equal to the number of elephants remaining in all of Africa. The loss in Zambia alone is nearly as great as the number now estimated for the three countries where the elephant would not be considered 'endangered.' These overwhelming trends demonstrated the futility of trying to split off population segments that might seem, for the moment, to be large and maintaining themselves. The lessons of history, rather than matters of temporary convenience, should serve as the basis for the new treatment of the African elephant.

"... A key problem in this situation is that Zimbabwe and South Africa have avidly participated in the ivory trade and Botswana is considering the same. The United States proposed rule gives the impression that the elephant is safest in the places where it is commercially utilized and that such exploitation should be an objective throughout Africa. I am concerned that while encouraging the value of ivory might indeed help fund programs that temporarily support the conservation of the relatively small and well-protected groups of elephants surviving in Southern Africa, such encouragement also could spell doom for the far larger and more vulnerable herds in the rest of the continent. There are inadequate or no protective or management mechanisms in most countries, and continuation of the ivory trade in one area, even if legal, will stimulate poaching and rampant illegal movement on an international

*continued on next page*



scale. We may save the elephants of southern Africa, for the time being, but lose those in Gabon and everywhere else. By implying that the elephant is in less jeopardy in countries that participate in the international ivory trade, than it is in countries that do not, the US is encouraging the commercial value of ivory and thus the destruction of elephant herds throughout Africa. By suggesting that the apparent maintenance of a few small remnant elephant populations is of equal significance, for conservation purposes, to the continent-wide devastation of the entire species and its habitat, the US is helping to insure that there soon will be only small remnants everywhere.

"...Moreover, the proposed special regulations would allow the continuation of trade in ivory already in the United States. The Service is thus failing to take the critically necessary step of recognizing that the international ivory trade is an inherent evil, and that any suggestion that it can be permitted by society will work to the long-term detriment of wild elephant populations. Also, by allowing any commerce in ivory in our own country, the US government sets a poor example for the world community, especially those African countries that are being asked to forego such commerce.

"The original elephant classification and regulations published by the Service in 1978 also emphasized the idea that the ivory trade was sustainable, socially acceptable, and of value as a conservation mechanism. This line of thinking contributed to the loss of nearly a million elephants in the period that has since passed. Let us learn from this historical experience and not repeat the same mistakes. Let us also consider the fate of other large animals that supposedly could sustain international exploitation and commerce. In this regard, by size, movement over a vast region, slow reproductive rate, presence in remote areas where regulatory enforcement is difficult, multinational involvement, and economic value, the elephant's situation is comparable to that of the great whales. For decades the argument was made that a total ban on whaling was undesirable and that limited controls, together with the whaling industry's own claimed interest in conserving the resource, would maintain large stocks of whales. The result was the near destruction of all major populations of great whales. Year after year the killing and commerce continued; all sorts of limits and regulations were set up, but never the final total ban. Remarkably, this process went on right up into the times of modern conservation, through the 1960s and even into the 1970s and to some extent until the present. Only within the last few years has it become

fully apparent how severe the losses were, and there now is fear that the blue, fin, sei, humpback, right, bowhead, and sperm whales may have been reduced to such an extent that they have permanently lost the viability needed for recovery.

"There is a constantly repeated argument that by giving the elephant (and other wildlife) an economic value we will provide a motivation and means for its conservation. This argument has never been adequately supported. It was used in the development of the US 1978 elephant regulations with disastrous results...

"The ivory trade has demonstrated for centuries that it is detrimental to the elephant and to many people as well. It formerly was associated closely with the slave trade, with people being collected in the course of ivory-hunting expeditions and being forced to carry tusks until both were sold. Have we not learned from history and from the experiences of our own times that

*"... by keeping the elephant improperly classified, unnecessarily, for the purpose of facilitating sport hunting, the Fish and Wildlife Service would be making a mockery of the Endangered Species Act."*

this activity should not be allowed to continue? The people of the United States and the world must accept finally that ivory is not a desirable commodity...

"Only when society in general realizes that ivory is an inherently undesirable item will the elephants have a reasonable amount of short-term security. The government of Kenya recently was able to show an understanding of this principle, when it deliberately burned millions of dollars worth of ivory. Let the United States not now support a reversion to more primitive instincts. Let appropriate government officials here have the wisdom and courage to stand up to personal and political interests and not go along with continued trade in ivory in our own country or with any suggestion that the trade can be beneficial elsewhere.

"Sport hunting of elephants may be another matter... An American hunter on safari to obtain a single elephant trophy in Africa may spend more than \$30,000, most of which would go directly into the economy of the country where the elephant is taken. The killing of a few hundred elephants annually for legitimate sport hunting purposes thus could be expected to yield more economic benefits than the utilization of the ivory of 20,000 dead elephants.

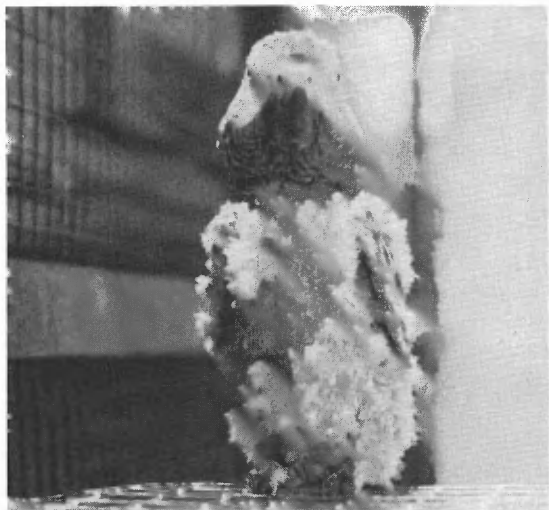
"It of course is vital that there be unquestioned documentation demonstrating that the importation of every elephant trophy into the United States is not detrimental to the overall population from which it was taken (we should be particularly careful to avoid the excessive harvest of old males that are critical to population structure, if not to absolute numerical status) and also that the activity actually yields substantial benefits to the elephant species in general by producing funds that will be applied directly to conservation. Any hunter who is going to such great expense to obtain a trophy, and any foreign government that is benefiting from this expense, should not object to providing the needed documentation. My point is that it would not necessarily be illogical or illegal to have some hunting of a species classified as 'endangered', within the permitting provisions of the Endangered Species Act.

"... I can see no reason why the United States could not allow limited importation of legitimately taken elephant trophies, even if the entire species is classified as endangered. Right now I am very concerned that one of the motivating factors in maintaining a 'threatened' classification in Botswana, South Africa, and Zimbabwe was the desire to facilitate continued potential hunting by American sportsmen. Possibly there was a belief that the more proper course of extending an endangered classification throughout the range of the species would have stopped such hunting and thus brought complaints from influential sportsmen and their associates. Perhaps there also was a belief that, even though the Endangered Species Act provides for permits to import 'endangered' species under the circumstances described above, the preparation of such permits in the case of the elephant might become impractical or too controversial. I think that the reasoned approach suggested above could overcome such concerns. But, in any event,... by keeping the elephant improperly classified, unnecessarily, for the purpose of facilitating sport hunting, the Fish and Wildlife Service would be making a mockery of the Endangered Species Act."

**ACTION:** The comment period on the proposal has been extended until December 15. Please write the Fish and Wildlife Service explaining your opposition to the proposed "split listing" and urging that the African elephant be declared endangered throughout its range. Write to:  
 Chief, Office of Scientific Authority  
 Arlington Square  
 Room 725  
 US Fish and Wildlife Service  
 Washington, DC 20240

# The 20 Airlines Still Participating in the Deadly Wild-Caught Bird Trade

**URGENT ACTION NEEDED:** *Please urge these airlines to stop transporting wild-caught birds. The biggest bird shippers appear in bold type with an asterisk.*



Environmental Investigation Agency

*Wild-caught parrot so severely stressed that he has plucked out his feathers.*

\* **Air Afrique**  
**Yves-Roland Billecart**  
**P.D.G.**  
**Boite Postale 1575**  
**Abidjan 01**  
**Ivory Coast**

**Aero Peru**  
**Alberto Sacio, Pres.**  
**Avenue Jose Pardo**  
**601 Miraslores**  
**Lima, Peru**

**Aeronica**  
**Orlando Chavez**  
**7270 NW 12th St., # 640**  
**Miami, FL 33126**

\* **Alitalia**  
**Michele Principe, Pres.**  
**Al Centro Direzionale**  
**Zia della Magliana**  
**Vecchia No. 886**  
**00148 Rome**  
**Italy**

**Arrow Air**  
**Richard Haberly, Pres.**  
**PO Box 026062**  
**Miami, Florida 33102**

**Caribbean Air Cargo**  
**Peter Look Hong**  
**Grantley Adams Airport**  
**Christ Church, Barbados**

**China Airlines**  
**Peter Bien, Director**  
**131. Section 3.**  
**Nanking East Road**  
**Taipei 104, Taiwan**  
**Republic of China**

**Guyana Airways Corp.**  
**Guy Spence, Chairman**  
**32 Main Street**  
**Georgetown, Demerara**  
**Guyana**

\* **Iberia Airlines**  
**Miguel Aguilo, Pres.**  
**Valasquez 30**  
**Madrid, Spain**

\* **Japan Airlines**  
**Matsuo Toshimitsu**  
**2-7-3 Marunouchi**  
**Chiyoda-Ku**  
**Tokyo 100, Japan**

\* **Korean Air**  
**Choong Kun Cho**  
**41-3 Seosomun-Pong**  
**Chung Gu**  
**South Korea**

**Ladeco Airlines**  
**Jose Luis Ibanez**  
**Ala Meda 107**  
**Santiago, Chile**

**Lineas Aereas Costarricenses**  
**Armando Junes, Manager**  
**Box 1531**  
**San Jose, Costa Rica 1000**

**Malaysia Airlines**  
**Mr. Ahmad Fuaad Dahlan**  
**5933 W. Century Blvd.**  
**Los Angeles, CA 90045**

**Mexicana Air**  
**Ing. Guillermo Martinez**  
**PO Box 12-813**  
**AV Xola 535**  
**Mexicana Building**  
**Mexico City, DF Mexico**

**Pan Am World Airways**  
**Thomas G. Plaskett, CEO**  
**Pan Am Building**  
**200 Park Avenue**  
**New York, NY 10166**

**Scandinavian Airlines**  
**Froesundaviks Alle 1**  
**Solna S-161**  
**87 Stockholm, Sweden**

**Suriname Airways**  
**6485 NW 20th Street**  
**Building 2141**  
**Door N-10**  
**Miami, FL 33152**

**TACA Int'l Airlines**  
**Gloria Granillo, DC Dir.**  
**1010 16th St., NW 4th Fl.**  
**Washington, DC 20036**

**Varig Brazilian Airlines SA**  
**Mr. Rubel Thomas, Pres.**  
**AV Silvio Van Noronho 365**  
**Aeroporto Santos Dumont**  
**Rio de Janeiro 20021**  
**Brazil**

## AIRLINES CALL FOR GOVERNMENT ACTION

In a letter to the Environmental Investigation Agency, Dan-Air, a British airline, noted that it had stopped carrying shipments of exotic birds. Dan-Air is "currently finalizing a series of proposals for the IATA (International Air Transport Association) Live Animals meeting in October. To be listed among our proposals is a total embargo on wild birds."

Meanwhile, on August 30th, Sabena announced a decision to suspend transportation of all birds caught in the wild. In their press release, Sabena stated: "However, the company would like to point out that halting such transportation will not solve the problem itself. As long as there is no strict ban on trading wild animals, the dealers concerned will find other ways of getting their 'merchandise' to Europe. Sabena would therefore welcome a move by the European Commission banning future trade in these animals within the European Community."

It is exceptionally good news that leadership, in calling for unified action to halt shipments of wild-caught birds, is coming from the airline industry.

We hope the US Congress, the European Community and IATA will follow suit.



Environmental Investigation Agency

*A pile of dead birds beside their transport cages.*

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**British Air, KLM, Delta,  
American Say No  
to Bird Trade**

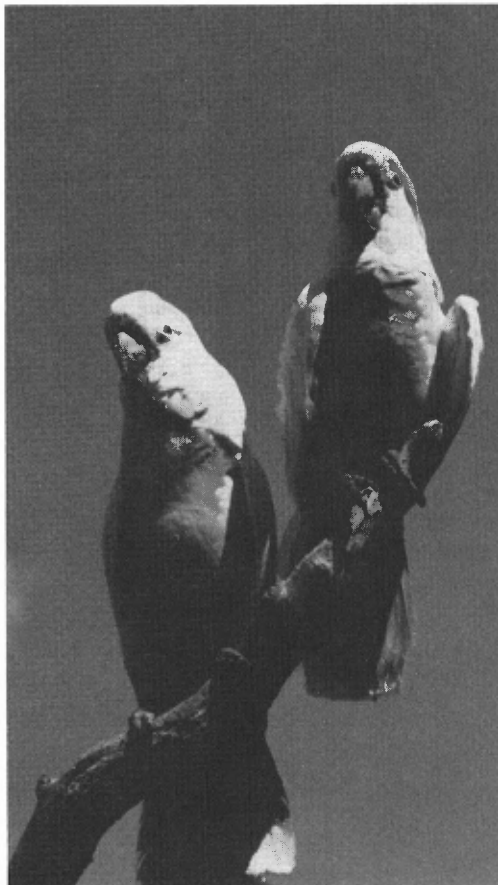
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Letters of commendation may be addressed to:

Dr. Hugh Summerville  
British Airways  
Commercial Services Support  
London Heathrow Airport  
P.O. Box 99  
Hounslow, Middlesex TW6 2JS  
ENGLAND

On July 15, KLM announced an immediate ban on all transport of live, wild-caught birds on the company's aircraft. KLM had become the biggest transporter of wild-caught birds after Lufthansa went out of the business of carrying such birds in November of last year. In Senegal, the world's largest exporter of wild-caught birds, the numbers sent out of the country have already been halved as a result of the airlines' decisions.

In a statement explaining reasons for its decision, KLM said: "Various factors such as methods of capture, the change to a captive environment, transport to an airport



*Moluccan Cockatoos in the wild*

often lasting for days, the change in feed and the transmission of diseases in close captivity can all contribute to a deteriorated condition of the birds making them unfit for the air journey which is in itself relatively brief."

The company also referred to the April 18th symposium it initiated, stating: "In spite of the useful exchange of valuable information at the symposium, it did not prove possible to end with a solution acceptable to all parties. This has led to KLM's decision to stop all transports in this field."

The dealers responsible for both export and import of wild-caught birds for the pet trade are unwilling to relinquish the excessive profits they make. Though few in number, they monopolize the business. That is why "a solution acceptable to all parties" will never be reached.

**The twenty-six airlines listed below have now wisely stopped shipment of wild birds. By refusing to carry wild birds they are making a magnificent contribution towards the elimination of this cruel, destructive trade. They all deserve commendation. Humanitarians should use their services in preference to airlines that still transport wild-caught birds for the the pet trade.**

## The 26 Airlines That Have Stopped Transporting Wild-Caught Birds.

**ACTION:** Please write these companies commending them for their humane decision to stop carrying wild-caught birds.

Aerolineas Argentinas  
9 Rockefeller Plaza  
New York, NY 10020

Air France  
888 7th Avenue  
New York, NY 10106

American Airlines  
Robert L. Crandall, CEO  
PO Box 619616, MD 5623  
DFW Airport  
Texas 75261-9616

Austrian Airlines  
17-20 Whitestone Expressway  
Whitestone, NY 11357

British Airways  
(see address above)

BWIA Int'l Airways Corp.  
PO Box 604, Port of Spain  
Trinidad, West Indies

Challenge Air Cargo, Inc.  
PO Box 523979  
Miami, FL 33152

CSA Czechoslovak Air  
72 Margaret Street  
London W1N 7LF  
England

Dau-Air Services Ltd.  
Newman House  
45, Victoria Road  
Horley, Surrey RH6 7QG  
England

Delta Airlines, Inc.  
1030 Delta Blvd.  
Atlanta, GA 30320

El Al Israel Airlines  
Arieh Abend, Regional Mgr.  
1730 Rhode Island Ave., NW  
Washington, DC 20036

Ethiopian Airlines, Inc.  
405 Lexington Avenue  
Suite 520  
New York, NY 10174

Federal Express Corporation  
PO Box 727  
Memphis, TN 38194-1850

Garuda Indonesia  
3457 Wilshire Blvd.  
Los Angeles, CA 90010

KLM Royal Dutch Airlines  
565 Taxter Road  
Elmsford, NY 10523

Lan-Chile  
Estadro 10 Pisa 21  
Santiago, Chile

Lufthansa AG  
750 Lexington Avenue  
New York, NY 10022

Northwest Airlines  
5101 Northwest Drive  
St. Paul, MN 55111-3034

Sabena World Airlines  
1155 Northern Blvd.  
Manhasset, NY 11030

Singapore Airlines  
Mr. Hwang Teng Aun  
5670 Wilshire Blvd., #1800  
Los Angeles, CA 90036

Swissair  
608 52nd Avenue  
New York, NY 10020

THY Turkish Airlines  
821 United Nations Plaza  
New York, NY 10017

Trans World Airlines  
Carl C. Icahn  
100 S. Bedford Road  
Mount Kisco, NY 10549

United Airlines  
PO Box 66100  
Chicago, IL 60666

US Air  
Seth Scofield, President  
Crystal Park 4  
2345 Crystal Drive  
Arlington, VA 22227

Virgin Atlantic Airways  
96 Morton Street  
Second Floor  
New York, NY 10014

# The IWC: Broken Promises Threaten Whales and Dolphins

*Continued from page 1*

ply. The US and most European countries backed a "Revised Management Procedure" which will lead to the resumption of commercial whaling in the next few years. Their rationale was that it was the best they could get. We disagree. It seems that the representatives from these countries forgot "the will of their people," and they compromised their position.

The "Revised Management Procedure" lays down the parameters for resumed commercial whaling. Perhaps the most disturbing aspect of the position taken by the US and most European countries is that it allows for 46% of the original populations of whales to be exterminated before intervention is required. Then whaling operations are supposed to be "sustainable," i.e. the population should be kept the same with no more kills than births.

vote, many of them did not understand it. Maybe this is the reason they supported it!

This disappointing lack of confidence in public support seems indefensible. The public have shown again and again that they do not want to see whaling or the killing of dolphins. The success of the "dolphin friendly" tuna campaign demonstrates the power of the consumer, and whaling countries should remember this.

Small whales, dolphins and porpoises had a rough time as well. Two important resolutions were withdrawn by the US at the last moment to avoid a vote. Both would have passed with little outright opposition -- countries against the resolution would have abstained at the vote. For some inexplicable reason the Commissioners were looking for complete consensus.

The first resolution to be withdrawn

the Indus river dolphin, and the Yangtze dolphin. No more than 300-400 of each of these species are thought to survive.

Unbelievably, the UK and Australia persuaded the US Commissioner to withdraw the resolution at the last minute despite it having twelve countries sponsoring it. They claim action can be taken next year. For the species it was aimed to help, next year may be too late.

This shift toward seeking consensus on these issues allows one disruptive Commissioner to block progress. This year it was Brazil that stepped in to ensure that no progress was made to help dolphins. Throughout the meeting this Commissioner switched her position as it suited her and damaged some excellent initiatives.

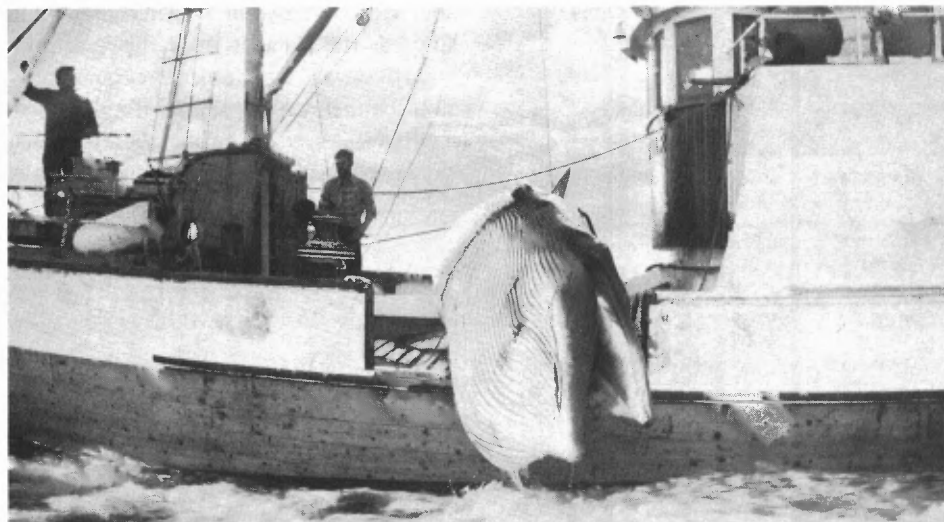
Votes expose the true position of member countries. Brazil's behavior proves that consensus politics at the IWC does not work and will lead to the resumption of commercial whaling and the extinction of one species of dolphin after another.

One resolution on small whales, dolphins and porpoises was adopted by consensus. This asked the IWC Secretary to forward the Scientific Committee report on small cetaceans to those countries named in the report. It also asked that the report be sent to the United Nations Conference on the Environment and Development which is next June in Brazil.

Iceland finally carried out its threat to leave the Commission after years of rhetoric and backdowns. But even now they have until next year's meeting to show if they are genuinely prepared to walk.

However, they cannot resume whaling if they are not members of the Commission unless they are prepared to destroy their most valuable export—sales of fish to the US and Europe. They would also jeopardize their proposed entry into the European Community. "Pirate" whaling would destroy Iceland's economy. EIA released a report at the meeting accusing Iceland of having cheated the US and the IWC by renegeing on their promise to export only 49% of the meat from their "scientific whaling" program. Calculations made from available evidence showed that at least 58% and maybe as much as 77% of the meat had been exported to Japan.

The accusations were immediately dismissed by the Icelandic government but they



*Minke Whale on a Norwegian whaling vessel.*

Sadly, and inexplicably, the "Revised Management Procedure" proposal was supported by many animal welfare and conservation organizations. Like the Commissioners, they were persuaded it was the best they could get. AWI and EIA could not support this position because our bottom line is we do not want more whales to be killed.

We are confident our members and the general public, both here in the US and in Europe, are of the same opinion. Why then were so many people at the meeting prepared to accept defeat so easily and support a measure, the consequence of which is clearly unacceptable to the vast majority of people? The procedure is complex. Discussions with Commissioners revealed that even after the

endorsed the United Nations resolution to ban high seas driftnets by 1992. Unforgivably, this was opposed by the European Community because it highlighted the expansion of driftnetting in the Northeast Atlantic and Mediterranean. The UK was adamantly opposed, which caused a considerable stir in the British press. Coincidentally, four British fishermen had just imported 4 mile long driftnets much longer than the 1.5 mile maximum allowed in other parts of the world.

The other important resolution that was withdrawn broke new ground. Its withdrawal represents a major setback for dolphins worldwide. It focused on five endangered species including the Mexican vaquita,

Environmental Investigation Agency

failed to provide counter-evidence. Iceland claims that it is now carrying out an inquiry.

There is more work to be done by the scientists before quotas could be set, but it is important to point out that the species for which it would be the easiest to set a quota in the very near future is the California Gray whale, should someone want to exploit it again.

Japan and Iceland failed to get interim quotas for whales, under Japan's own category "small type coastal whaling," which is an alternative way of describing commercial coastal whaling. Also, requests for approval of "Scientific Whaling" programs by Japan and the USSR were turned down.

The US succeeded in gaining an increased quota for Bowhead whales. Inuits in Alaska are permitted to strike with a harpoon whether or not the whale escapes. The number they are permitted to actually kill, land and butcher remains the same. It sounds complicated and it is. AWI and EIA see no justifiable reason for the increase in the number of strikes and will be watching to see that this aboriginal kill is not expanded in the future.

Perhaps the most entertaining and prophetic moment came at an evening of opera and light entertainment with the Icelandic Opera Company. The Icelandic Commissioner self-consciously sang his heart out as a member of the chorus, and a good time was had by all. The rendering of "My Way" demonstrated a stubbornness and tenacity that was not equalled by the supposedly whale-friendly countries.

The champagne reception provided an atmosphere of bonhomie that does not bode well for the whales and dolphins. Let's not delude ourselves the killing of dolphins continues unabated, and commercial whaling is set to start up again.

The Save the Whale movement has to make itself heard all over again — but this time the battle cry must include the dolphins, before it's too late.

### STOP PRESS

A General Agreement on Tariffs and Trade (GATT) panel has ruled against the US Marine Mammal Protection Act (MMPA) claiming that its dolphin protection violates GATT's free trade provisions. Mexico challenged the court-ordered US embargo of their tuna which resulted from the killing of dolphins in Mexican purse seines. Now the issue is whether the United States will fight against the implementation of the panel decision. As a minimal first step, the US must block its adoption.

## New Zealand Speaks Against Renewed Whaling

*Ian Stewart, New Zealand's Commissioner to the International Whaling Commission, questions the "Revised Management Procedure." Following are excerpts from his statement.*

"This is a subject of particular concern to my delegation, not only because some of those whales spend part of their lives within New Zealand waters but also because it represents the last great whale stock on earth, in a region where more and more nations are coming around to the view that the resources of the Antarctic should be preserved for all time.

"No matter how scientifically sensible such a management procedure may seem, it will appear to the people of New Zealand that we are repeating past mistakes all over again — playing God, and reshaping the environment. It will also seem that northern hemisphere whaling countries, having ruined the stocks in their own hemisphere by overfishing, are now planning to make massive inroads into the southern hemisphere minke whale population — and all with the blessing of the IWC. This may be a revised management procedure, but it doesn't look like a very

safe management procedure.

"If I am right in my assessment, then I would have to say very bluntly that although what is proposed may seem sensible and acceptable to the majority of the Scientific Committee, in my country, it will not be acceptable. I am well aware that there is more work to be done, but until the proposed procedure is more fully developed and applied to multi-stocks, and we can see more clearly how the system will work out in practice, my delegation has no choice but to attach a reservation. We are not in a position to endorse, even as the core single management procedure, a system which is fraught with such grave implications for the last great whale stock. For this reason, we abstained on the resolution."

*"...it will appear to the people of New Zealand that we are repeating past mistakes all over again - playing God, and reshaping the environment."*

## A Chance To Study Dolphins and Whales

Oceanic Society Expeditions is offering the chance for individuals to participate in an on-going dolphin and whale research project in Monterey Bay, California. The project's focus is on the behavior, ecology, communication and distribution of Pacific white-sided dolphins. These dolphins are often found in groups of over 500 individuals and are one of the most acrobatic dolphins, often engaging in multiple mid-air leaps, flips and somersaults. The project also involves photo-identifying individual blue and

humpback whales, both endangered species, as well as collecting information on other species of whales, dolphins and porpoises encountered. Seven-day trips will be conducted during October and November, 1991. People are needed to help with all aspects of the research, and no prior

experience is needed. Oceanic Society Expeditions is a non-profit organization dedicated to conservation and education about the marine environment. Participants in this



*Pacific white-sided dolphin.*

project will have the opportunity to learn about and observe dolphins, whales, seals, sea lions, sea otters and sea birds while contributing to valuable research. Fee required. **Contact:** Oceanic Society Expeditions, Fort Mason Center, Building E, San Francisco, CA 94123, 1-800-326-7491.

# Primates and Profits

By Shirley McGreal

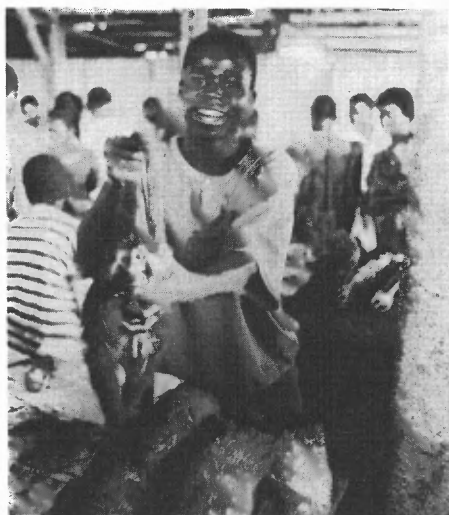
Recently, a German dealer who arranged the shipment of six baby orangutans—caught by the killing of their mothers—was fined a trifling US \$1200 by Singapore authorities for a shipment of animals worth \$200,000 on the international black market. There are profits in primates. But there is nothing but misery for the primates caught in the trade.

There are several levels of primate trade. Legally and illegally primates are sold locally as food and as pets. They are exported for use in medical research and for display in zoos. A recent report by the Centers for Disease Control, and a BBC program "The Ape Trade," throw light on the suffering of these animals.

All over Amazonia, primates are sold on meat markets. The preferred animals for meat are the larger monkeys, the woollies, spiders, and howlers. One of the means of spread of the current cholera epidemic across South America is the sale of contaminated monkey-meat on filthy markets and roadside stalls. Monkeys are also sold on the meat markets of Africa and, to a lesser extent, in Asia.

There is also a limited pet trade in the countries where primates live. Exotic pets have long been popular in expatriate and missionary circles.

Internationally there is heavy trading in primates removed from the wild, including a high-volume trade in monkeys for biomedical research. In 1989, 18,562 monkeys (including 13,866 crab-eating macaques) were imported to the United States. Indonesian animal dealer



*Primates on the meat market.*

Charles Darsono has estimated that two to three monkeys die for each monkey successfully exported.

Monkeys are caught in forest areas usually far from big cities. Sometimes they are

caught by trapping and sometimes by the killing of mothers carrying babies. In the rural holding compounds, animals, some unweaned babies, are kept in improper cages and are fed inappropriate foods. No veterinary care is available. Stressed and often traumatized, freshly-caught primates die like flies, with the survivors being shipped to big city exporters' compounds, which are often filthy.

Efforts to improve overseas holding compounds for primates have recently been spurred by two disastrous disease outbreaks in the United States.



*Above: Bambi.  
Left: Tanya. These orangutans were found with four others in Bangkok airport concealed in crates labeled 'Birds'. All were in pitiful condition; three later died.*

In 1989, an epidemic of a disease identified as simian hemorrhagic fever (SHF) broke out at a New Mexico research laboratory. The epidemic brought miserable deaths to over 400 monkeys. A Centers for Disease Control (CDC) investigating team traced the route of the monkeys from an exporter's compound in the Philippines to the premises of a Miami animal dealer, on whose premises they stayed for one day, before being shipped to New Mexico.

CDC inspectors reported that: "Three hundred and eighty cynomolgus monkeys were received by Importer A from February 6 through March 27. Twenty-four monkeys (5%) were dead on arrival and 120 were shipped to other facilities within 2 days of arrival. Of the 235 remaining cynomolgus monkeys, 182 (77%) died at the Importer A facility within 5 weeks of their arrival... no local, state or federal authorities were notified."

The CDC's remarkable report, which has received no attention in the scientific or lay press, casts a penetrating glance into the suffering and high mortality associated with even the legal primate trade. Free copies of the CDC's full report are available from International Primate Protection League, P.O. Box 766, Summerville, SC 29484.



In 1990, another disease outbreak occurred in primates, this time in monkeys imported by a Virginia firm. Several hundred monkeys died or were killed when found infected with a disease similar to ebola fever, which causes over 80% mortality in infected humans. Several humans in different locations were found to have been infected with the virus. Although no humans have become sick or died, CDC took another close look at the monkey trade and inspected the facilities of registered importers.

CDC closed down many of these facilities after finding sometimes appalling conditions. At one dealer's warehouse in Miami, they reported that: "In some caging, the monkeys in the top tier were observed to defecate, urinate and drop other wastes through to the cage immediately below." Monkeys are clean animals, always grooming each other in the wild. To be exposed to excrement would cause them misery as well as risk spread of disease. Department of Agriculture inspectors had found serious problems at some primate importers' facilities for years, including at the Miami facility, where they once found dead monkeys in a refrigerator also containing animal food. However, the Department of Agriculture's current policy of "leading animal dealers into compliance"

has been an abysmal failure.

The proof that closing down a facility is the best or only way to "lead" animal facilities "into compliance" is evidenced by what happened after CDC actually had the nerve to defy the primate dealers and their lobbyists and close most of them down after finding serious problems of hygiene and sanitation. Most of the dealers fixed up their premises rapidly and were relicensed.

Recently, Charles River Research Primates, the largest US importer, announced that it has hired a veterinarian, part of whose work is to visit the holding compounds overseas and improve conditions. Whether she can succeed remains to be seen.

The sufferings of primates in legal trade are matched and perhaps exceeded by those animals caught in illegal trade.

Over 110 countries are now members of the Convention on International Trade in Endangered Species (CITES). All the great ape and lemur species are banned from commercial trade by being listed on CITES Appendix I. Unfortunately, listing of a species does not stop demand and sometimes even increases it. The result is a ghastly traffic in baby gorillas, chimpanzees, orangutans, and gibbons, all of which are normally caught by the killing of their mothers and any protective adults.

A recent BBC program called "The Ape Trade" provided fascinating insights into the world of this appalling traffic. It is clear that organized international networks exist to move protected animals out of their homelands -- and that they are acting with near-impunity. The BBC's crack investigative team looked at the famous "Bangkok Six" orangutan deal. In February 1991, six baby orangutans were found concealed in crates labeled "Birds" at Bangkok Airport and confiscated. All the babies were in appalling condition and three later died. They had reached Bangkok from Singapore.

Kurt Schafer, a German wildlife dealer living in Bangkok, had smuggled the animals out of Singapore for which he was later fined the equivalent of US \$1200 -- even though Singapore law provides for jail sentences of up to one year for wildlife smugglers. Singapore authorities justified the token fine by claiming that Schafer had refused to identify his accomplices including his Singapore accomplices. How that could be construed as "cooperation" is unclear. Schafer did "name names" for the BBC, at least some of them. He identified Indonesian and Singapore dealers allegedly involved in the transaction. He refused to confirm or deny on camera the possible involvement of a US animal dealer who had

refused the BBC's request for an interview.

The six orangutans were on their way to the Belgrade Zoo in Yugoslavia which had imported two baby orangutans of unknown origin six months previously. One of the caretakers of these two animals was Milka Knezevic-Ivaskovic, who was later sued by Belgrade Zoo Director Bojovic for denouncing the Zoo's role in the illegal wildlife trade. The judge refused to allow the BBC program to be admitted as evidence, and Milka was given a 3-month jail sentence later commuted to 3 years probation, which she is appealing. Such a sentence stands justice on its head. The animal smugglers go free and those who try to stop them pay the price.



*A rescued baby gibbon.*

The BBC also showed how a Thai dealer had set up a non-existent zoo in Cambodia, which had fancy zoo stationery printed up, as a front for smuggling of orangutans and gibbons fraudulently claimed to have been born there. Among the animals that passed along this pipeline, which involved a different German dealer, were:

- two orangutans that ended up at the Leningrad zoo,
- two orangutans that were used in the making of a movie (ironically about endangered species) by the Czechoslovak Film Board,
- twelve baby gibbons shipped to the Wroclaw Zoo in Poland, of which 11 died, the sole survivor ending up in Leena Zoo in Czechoslovakia.

What the BBC team showed is certainly just the tip of an iceberg.

All over the world there is great public concern over the plight of wildlife. Yet the animal dealing networks are operating with near-impunity world-wide. There are many problems:

- CITES has many loopholes, including the one that allows captive born animals to

move in international trade, which invites the use of fraudulent documentation.

- Penalties are ridiculously small in most countries.

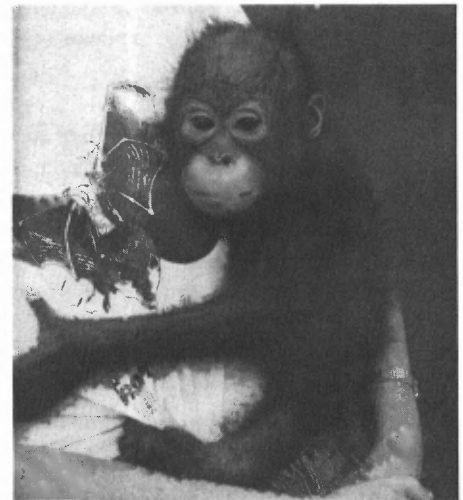
- There are inadequate funds for law enforcement everywhere, including in the United States where less than 200 special agents are supposed to enforce all national laws affecting wildlife as well as the laws and treaties affecting international trade.

- There is no organized data bank on wildlife crime.

- Few countries have "long-arm" laws making animal dealers responsible for their illegal actions outside their home countries.

- Immigration authorities around the world do not appear to black-list even well-known animal smugglers and the smugglers often maintain second passports in any case.

- Wildlife authorities around the world often appear to impede each other's investigations rather than to cooperate. Animal dealers seem to have connections and tentacles everywhere, especially monkey dealers whose clients tend to include powerful government agencies such as the National Institutes of Health, USAID and Department of Defense in the United States.



*Baby orangutan named "Fossey".*

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All photos are courtesy of the International Primate Protection League.

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**ACTION:** Contact IPPL at POB 766, Summerville, SC 29484 for further information and a package of postcards requesting the authorities of Indonesia, Singapore, Thailand and the Soviet Union to take further action against animal dealers involved in the Bangkok Six orangutan shipment.

Watch for a National Geographic Explorer program about the illegal primate trade tentatively scheduled for September 29th.



# Abroad at Home

By Anthony Lewis

## Abusing The Law

American law offers numerous examples of vexatious litigation - abusive, inflated, meritless lawsuits. But my candidate for the prize in outrageousness is a libel suit still making its way through the courts. It is called Immuno A.G. v. Moor-Jankowski.

The case began in 1983 with a letter to the editor of the *Journal of Medical Primatology*, a specialist journal with just 300 subscribers. The letter was from Dr. Shirley McGreal, chairwoman of the International Primate Protection League.

Dr. McGreal criticized a plan by Immuno, a multinational corporation based in Austria, to do hepatitis research in Sierra Leone, West Africa, using captured chimpanzees. She said the plan could greatly reduce the chimpanzee population, because the animals are usually captured by killing their mothers. Dr. McGreal also argued that any chimpanzees returned to the wild after experiments could spread hepatitis to others.

Immuno brought a libel suit in the New York courts against Dr. McGreal and seven others, claiming \$4 million in damages. One of the other defendants was Dr. Jan Moor-Jankowski, professor at the New York University Medical School and the unpaid editor of the *Journal of Medical Primatology*.

Immuno's lawyer, Raymond S. Fersko, questioned the defendants at extensive depositions. He questioned Dr. McGreal about international conferences on endangered species, and asked: "Did you ever perform any sexual acts at any of these conferences to try to persuade delegates to vote a particular way?" Dr. McGreal's lawyer, Henry R. Kaufman, moved to strike the question and said to Mr. Fersko, "They must really be paying you a lot for this one."

Dr. Moor-Jankowski was questioned at depositions lasting 14 days, one of them in Austria. The record in the case grew to thousands of pages - before trial.

The pressure of the litigation was so heavy that all the defendants but Dr. Moor-Jankowski gave up. The Appellate Division of the New York Supreme Court said

Immuno "succeeded in coercing" substantial settlements out of them "for the obvious reasons that the costs of continuing to defend the action were prohibitive." Dr. McGreal's insurance company settled after spending \$250,000 on the case. But Dr. McGreal herself did not retract anything.

Dr. Moor-Jankowski would not give up. His lawyer, Philip A. Byler, moved for summary judgment. In 1989 New York's highest court, the Court of Appeals, decided in his favor. It held that Dr. McGreal's letter was a statement of opinion and therefore not actionable - because only false facts, not opinion, can be libelous.

Then, last year, the United States Supreme Court sent the case back to the New York Court of Appeals for another look. It pointed out that, under Federal law, opinion that relies on facts can be the subject of libel suits challenging the facts.

In January, the Court of Appeals de-

## A top candidate for the outrageous litigation prize.

ecided again for Dr. Moor-Jankowski. Judge Judith Kaye found nothing libelous in Dr. McGreal's letter by Federal standards. She went on to hold for the court that in any event the letter was independently protected by the New York State Constitution's ringing promise that "every citizen may freely speak, write and publish...sentiments on all subjects."

The U. S. Supreme Court has no power to review decisions based independently on state law. Nevertheless, Immuno's lawyers have now filed another petition in the Court, 190 pages long, asking it to hear the case. The petition struggles feebly - preposterously - to avoid the reality that New York law has disposed of this libel suit.

Rule 42.2 of the Supreme Court Rules allows the Court to award damages against a party or its lawyer for a "frivolous" petition. This would be an appropriate case to apply that rule.

But no award now could really cure the injury of this case to our legal system - or to Dr. Moor-Jankowski. His legal expenses so far exceed \$1 million. He has spent most of the last seven years on law instead of medical research. Open debate, crucially important to science, has been chilled.

All that for a letter to the editor. The right way, the American way, to challenge such a letter is to answer it. Dr. Moor-Jankowski in fact asked Immuno to reply. Instead it sued. Somehow our law must make clear - to giant foreign companies among others - that in this country we honor and protect free speech.

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## Cruelty to Animals Increasing in Britain

In a statement to the House of Lords, March 12, 1991, Lord Morris said:

"The RSPCA reports that between 1989 and 1990 convictions increased by 28 percent, including those for malicious cruelty to dogs through sadistic offences like baiting, beating and shooting, which rose by 61 percent. Cruelty to horses and donkeys trebled, and there was a 60 percent increase in abuse of farm animals."

He continued by stressing the need for "mandatory disqualification from keeping an animal upon conviction for cruelty."

"At the moment, bans are imposed at the discretion of magistrates. The RSPCA spokesman recently said that they must ensure that unfit owners are not allowed to cause further suffering..."

"As Richard Davis, head of the RSPCA's inspectorate, put it: 'It is deeply frustrating when convicted cruelty offenders are not deprived of the opportunity to ill treat more victims.' The Bill is shatteringly silent on the whole subject, and it is a silence to be deplored."

## Lawsuit Against Hartz Product Settled

Hartz Mountain will pay \$45,000 to settle charges that it failed to make known that one of its leading products, Blockade flea and tick repellent, was causing pet illness and even deaths. The charges were the result of a 1987 investigation by the Environmental Protection Agency, spurred by complaints from veterinarians and from pet owners who had purchased the product. Hartz has agreed to pay half of the \$90,000 dollars in penalties originally sought by the plaintiffs but in a public statement would not admit liability.

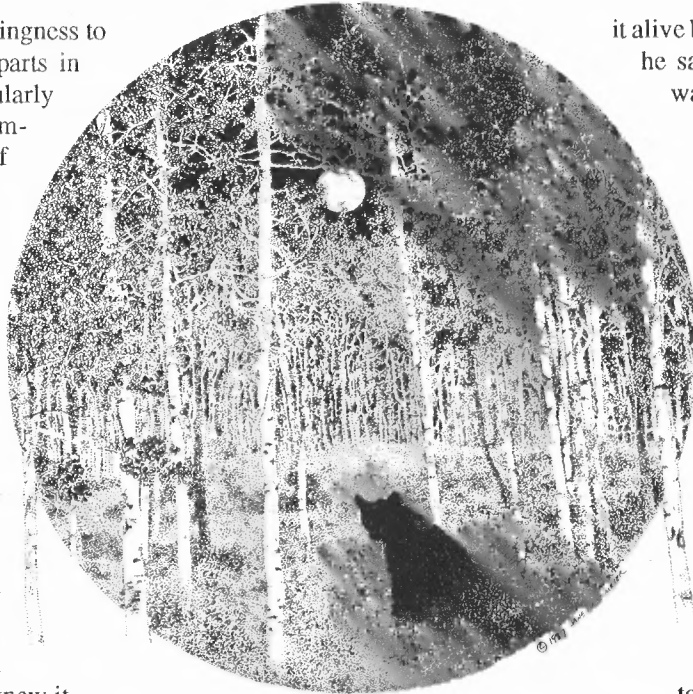
# Asian Markets Foster Uncontrolled Poaching of Black Bears in the US

An unchecked demand and a willingness to pay outrageous prices for bear parts in several Asian countries, particularly South Korea, has encouraged rampant poaching and smuggling of black bears in North America. The illegal trade in bear gallbladders, believed to be aphrodisiacs as well as cures for a variety of physical ailments, has grown especially lucrative.

In Utah, a recent six month undercover investigation by the Division of Wildlife Resources (DWR) revealed that many of the state's citizens with trade connections to Korea, Japan or China have become involved with illegal trafficking in bear parts.

"Many Koreans I approached would readily buy the stuff and knew it was illegal," said investigator Sandy Shephard. "One guy wanted as many gall bladders as I could supply. He said in California he could get \$50 each but in Korea they would sell for \$4000 or \$5000."

"Another Korean wanted a whole bear. Initially he wanted



it alive but I told him that was impossible so he said he would take a dead one. He wanted to ship the whole animal to Korea where he said he could sell it for \$20,000."

Seven years ago, the National Park Service, the US Fish and Wildlife Service, and state and local law enforcement agencies began to cooperate in setting up undercover operations to catch the illegal hunters and smugglers. Poaching and/or trafficking networks have been unveiled in at least 17 states and two Canadian provinces. One particular investigation, carried out by federal and state wildlife agents from Tennessee, North Carolina and Georgia, has resulted in over 30 convictions and fines totalling well over \$100,000. In an-

other investigation, eighteen defendants from Virginia, West Virginia, Maryland and Maine were arrested this February and are facing over 100 charges involving the "commercialization" of bear parts as well as deer meat, fresh water fish and an endangered plant.

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## Utah's New Bear Hunting Regulations Do Little to Curb Cruelty and Poaching

Last August in Utah, the state's five-member Wildlife Board issued a controversial two-year decree permitting bear hunting for five and a half of the seven months bears spend out of hibernation.

The new regulations divide the hunting season into several periods involving different methods of hunting. During seven weeks in the spring, hunters and hounds, or hunters with archery equipment and bait, are allowed to kill the bears. Concurrently there exists a 14 week period for "pursuit-only" hunts in which bears are chased by dogs but no weapons are allowed. Similar hunts exist in the fall. The spring hunt is of the greatest concern to those

interested in the bears' welfare. When first coming out of hibernation in early spring, bears are, "lethargic, eager to find food

and the worst part of it is the limited amount of food available," said Dr. Hal Black, mammalogist at Brigham Young

University. It is the spring fight for survival and the bears' lethargic condition that makes baiting and hounding so deplorable.

"I don't think hounding is much of a sport. These guys just want a trophy. They want to be able to say 'I killed a black bear.'" comments Sandy Shephard of the Utah Division of Wildlife Resources (DWR).

The Board took one positive step in reducing the number of permits issued. However, a shorter season or an outright ban on killing black bears would have had a greater impact on the cruelty of the hunt and the extent of poaching.



Bear hunters at a recent hearing in Utah on bear hunting regulations.

# Local Spay/Neuter Laws Would Help Slow Pet Overpopulation

*A humane and practical substitute for massive euthanasia*

By Kim Sturla

Euthanasia is the single largest cause of death for dogs and cats in the US. Each year 27 million of the animals are born. Ten to twelve million we classify as "surplus," and we kill them. That's about one million a month. And, don't forget these numbers don't include the hundreds of thousands of dead animals our animal control officers scrape off the freeways, or the dogs and cats who are severely neglected or abused.

The 10-12 million figure represents those we "must" kill because they are unwanted. Most of these animals are young and healthy; in fact, it is estimated that the majority are less than one year of age.

The problem is simple; we have too many dogs and cats. Too many for the too few homes available. The solution we have opted for is to kill the extra ones; spending hundreds of millions of dollars every year destroying "man's best friend." This solution has been considered acceptable by default, as though there were no other way to control the crisis.

To truly solve the overpopulation problem we must prevent animals from being born. The measures we have taken thus far include three approaches: humane education programs, low cost spay/neuter clinics, and enforcement of laws pertaining to responsible animal guardianship. These are all important tools to use to combat overpopulation, but we must do more. We must begin to regulate the breeding of our companion animals.

## San Mateo County's Mandatory Spay/Neuter Ordinance

This past December, the Peninsula Humane Society of San Mateo County, California obtained enactment of precedent-setting legislation. They succeeded in doing what others thought was unattainable: Passage of a law requiring people to sterilize their dogs and cats unless they obtain a breeding permit.

The ordinance goes into effect one year after passage, and states that all dogs and cats over the age of nine months must be altered unless their guardians have a breeding permit or their veterinarians state the animals are not physically healthy enough to undergo the surgery. People who do not have their animals spayed or neutered and do not possess a breeding



Jody Bayman/PAWS

*One of the 27 million puppies and kittens for whom there was no home.*

permit are issued a citation. The maximum fine for the first offense is \$100. All first-time violators, however, will receive a "fix-it" ticket. In other words, if someone's dog or cat has bred or is not spayed or neutered, and the guardian does not have a breeding permit, they are issued a citation. The citation fee, however, is waived if they get their animals sterilized within 30 to 90 days (30 days for males and females who are not pregnant and 90 days for pregnant females).

The criteria and fee for the breeding permit is being determined by an advisory committee, which was established by the County Board of Supervisors. This Committee is responsible for developing the guidelines on who will be allowed to breed their animal. It is composed primarily of breeders, veterinarians and others who opposed the legislation. Unfortunately, they have taken an obstructionist posture, trying to sabotage the original ordinance. They are determined that mandatory spaying/neutering never occur. The Peninsula Humane Society and others, however, are committed to keeping the original language.

## Mandatory Spay/Neuter Ordinances Spreading All Over

Within six months after San Mateo County's ordinance passed, more than 100 communities, scattered over 40 states, began working on mandatory spay/neuter legislation. The Progressive Animal Welfare Society (PAWS) in Washington state, in fact, became the second community to introduce an ordinance similar to San Mateo County's.

Activists in states such as New Jersey are exploring the possibility of introducing a state law regulating the breeding of animals.

Many communities are now including the breeding criteria in their ordinance, rather than waiting to develop it afterwards. Others are simply drafting legislation that mandates all dogs and cats be sterilized but allows anyone to breed their dog or cat if they apply and pay for a breeding permit. In other words, there is no criteria a breeder must abide by. Whereas this may not be the ideal ordinance, it is certainly a good starting point.

There are many variations to the San Mateo County ordinance that groups are working with; each effort is being hand-tailored to its own community. The important language that is essential to retain when drafting your ordinance is that all dogs and cats must be sterilized unless their guardians have a breeding permit. The details of the permit (criteria and cost) can easily be adjusted for each community, as well as determining the fine for violators.

The consensus among animal protection organizations is that laws regulating the breeding of dogs and cats are crucial if we are ever going to extinguish this national disaster and disgrace of dog and cat overpopulation.

## Whom to Contact If You Want to Initiate Legislation in Your Community

The Fund for Animals is spearheading a national campaign to persuade other communities to follow in the footsteps of San Mateo County. The Fund is assisting local groups in passing mandatory spay/neuter legislation by providing background material, conducting workshops on the subject, offering free consulting services and publishing the *Overpopulation Bulletin*. Additionally, The Fund has recently completed a 50-page "how-to" booklet, entitled *Killing the Crisis - Not the Animal: Blueprint for a Lifesaving Ordinance*. It outlines the steps to take in getting an ordinance passed in your community. The booklet is \$5 (including postage) and can be ordered from the

California Fund for Animals  
808 Alamo Drive, Suit 306 Vacaville,  
California 95688

## Min Ko vill ha roligt

by Astrid Lindgren and Kristina Forslund. Raben and Sjogren Bokforlag. (Stockholm, Sweden), 1990. 100 pages.

Astrid Lindgren, winner of the 1988 Albert Schweitzer Medal for her magnificent achievement in obtaining enactment of the Swedish law to protect farm animals, has a new book, published in Sweden under the title of *Min ko vill ha roligt*. Astrid has written us to say that the title means, "My Cow Wants Some Fun."

The delightful illustrations by Bjorn Berg, with which the book is profusely decorated, show cheerful behavior among pigs and chickens as well as cattle. Several are reproduced on this page.

Dr. Kristina Forslund, who experienced at first hand so much suffering of factory farmed animals, has emerged from her previous anonymity. She co-signs with Astrid Lindgren the dedication, entitled "Insight Into the Political Debate Over the Animal Protective Law":

"We would like to dedicate this little book to the farmers of Sweden; all those who with love and loyalty have stuck to their soil--despite whatever difficult

agricultural policies they have had to endure, even when these policies have been bordering on the crazy.

"Crazy, for example, was the policy which came from the government in 1967. This was when it was decided that the position on animals should be industrialized, extended and made more profitable. Through an enterprising loan policy, farmers were to be aided in building animal factories. Far more cows, calves and pigs were needed per farm--that is to say there was no longer talk of cows, calves and pigs, but about 'units of production,' a more sophisticated term which now saw the light of day.

"During this time, a traditionally close and friendly relationship with the animals changed. Things changed slowly, but radically. All these units of production became anonymous to their owners; often there was not even time to notice the difference between sick and healthy animals. This is why farmers, as a precautionary measure, gave antibiotics to entire farmsteads, healthy as well as sickly. Many animals became contaminated--in life as



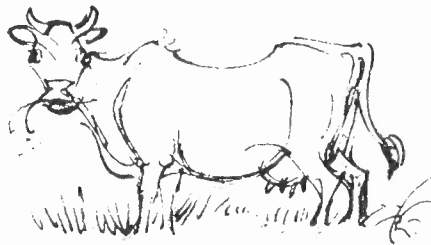
Drawings by Bjorn Berg

well as in death, which they faced in giant slaughterhouses. It was hard, it was not at all fun to be an animal in Sweden under these new conditions...

"'My Cow Wants Some Fun,' a farmer's young son said so convincingly. Maybe it is too much to ask for that our domestic animals should have fun. But a decent life without unnecessary suffering--that they should have the right to during their short time on Earth. Fortunately, most Swedish farmers understand this."

She concludes by writing: "Listen to these wise words from the new animal protective law: 'Animals shall be kept and tended in a good animal environment in a way that promotes their health and allows them to live naturally.'"

The Animal Welfare Institute has published the correspondence and articles by Astrid Lindgren in Sweden's biggest newspaper, *Expressen*, as a booklet. Although it lacks the additional commentary by Astrid and Dr. Forslund, whose veterinary expertise helped Astrid so much in her successful efforts, American readers will find the AWI compilation useful in the campaign for decent treatment of farm animals. It may be ordered from AWI at cost price, \$3.00.



### Astrid Lindgren Continues Her Battle for Farm Animals

In the June 23, 1991 *Berlingske Tidende* (Denmark), Astrid Lindgren asserts: "It is farmers in the European Community who must change their methods of production in order to reach Swedish quality. It is not Sweden who should give up good food in order to get bad products from Central Europe."

## De-Beaking Causes Lifetime Pain

*Chicken's Lib*, the British society which devotes itself to reforming mistreatment of hens, chickens and turkeys, recently published in its newsletter excerpts from *Behavioural and Physiological Responses to Pain in the Chicken*, by Dr. Michael Gentle. Dr. Gentle is affiliated with AFRC Institute of Animal Physiology and Genetics Research in England. These careful scientific observations show that the industry's "beak trimming" or "debeaking," as it is called, causes chronic pain.

"Although acute pain is important to the animal, it is chronic pain which may last for weeks, months or even years which presents a major welfare problem ... Partial amputation of the beak is common agricultural practice and involves the partial removal of the upper and/or lower beak in order to prevent or control feather pecking and cannibalism in intensively reared poultry... It seems likely ... that for the first few hours after amputation the birds experience a pain-free period similar to that sometimes experienced by humans following major trauma (Ty *et al* 1984). By approximately 24 hours after amputation the birds were showing pain related behavioural changes with the birds unwilling to peck at the environment, reduced food and water intake together with long periods of sitting and dozing. The behaviour of the bird changes over the next 6 weeks and food and water intake increases up to the preoperative levels. A number of behavioural patterns do not, however, change and the bird shows a reluctance to use the beak for unessential activities such as exploratory environmental pecking, head shaking, beak wiping, preening (Gentle *et al* 1990). This reduced usage of the beak can be interpreted as guarding behaviour so commonly seen in humans and other mammals following painful injuries. Dozing and general inactivity were observed by Eskeland (1981) in birds OVER A 56 WEEK OBSERVATION PERIOD. (CL capitals) Increases in inactivity are common in humans suffering from chronically painful conditions."

"Dr. Gentle... goes on to describe how, although partially amputated beaks do continue to grow back to something like a normal shape, an extensive scar tissue remains, adjacent to which damaged and regenerating nerve fibres form extensive neuromas. [Neuroma is a painful proliferating mass that may develop at the end of severed nerves, according to the *Concise Oxford Veterinary Dictionary*.] Dr. Gentle concludes: "The close similarity between birds and mammals in their physiological and behavioral response to painful stimuli would argue for a common sensory and emotional experience and it is therefore essential that the ethical considerations normally afforded to mammals should be extended birds."

## Government of India Burns Illegal Animal Furs and Skins

The Government of India has sent a strong message to poachers and smugglers of illegal wildlife products. Last spring Ms. Maneka Gandhi, Minister of State for Environment and Forests set a torch to \$350,000 worth of confiscated animal furs and skins. It was the first time in India that usable, confiscated wildlife items were publicly burned. The following items were destroyed in the bonfire: 548 fur and skin pelts, 321 pairs of fur articles, 38 reptile skins, 268 reptile skin articles, five black buck horns, 48 leopard skin pelts, seven leopard skin articles, one clouded leopard skin pelt, five snow leopard skin articles, one tiger skin pelt, and 26 miscellaneous wildlife items.



*Maneka Gandhi, Minister of State for Environment, sets fire to poached animal skins and furs.*

courtesy: Beauty Without Cruelty

## Lynx Population on Alaska's Kenai Peninsula Decimated by Trapping

Another of Alaska's magnificent animals is being threatened by man's greed. In an area where they should be free from any exploitation, Alaska's Kenai (Kee ni) National Wildlife Reserve, the lynx population has been decimated by trappers. What's even worse is that the US Department of the Interior's Fish and Wildlife Service (FWS) was aware of the situation as it deteriorated but refused to take any action until the last possible minute.

In 1985, despite a recommendation from their own biologists that the lynx population of the Kenai Refuge was being "overexploited" by "an intense persistent and prolonged harvest," the FWS refused to close the area to lynx trapping. A portion of the refuge was closed later in the season, but all this did was to cause the trappers to intensify their efforts in other parts of the refuge.

According to the Alaskan

Wildlife Alliance, the following year FWS biologists specifically recommended the 1986-87 trapping season not be opened because, "lynx are being removed almost twice as fast as they are being added to the population." The staff of the Kenai Refuge also submitted a report concluding, "if more time passes before taking any effective action... on the refuge, the lynx population will probably be seriously impacted".

Still the FWS refused to close any more of the refuge until 28 days into the 1986-87 season. During those 28 days 23 lynx were killed.

The entire Kenai Peninsula was closed to trapping before the next season and it is still closed at the present. It remains to be seen if the lynx population will rebound or forever vanish from the Kenai National Wildlife Reserve and the peninsula. These hardy cats have the FWS to thank for stacking the odds against them.

## United Against the Steel Jaw Trap

On June 13, humanitarians from many nations rallied in Luxembourg to urge the European Community Environmental Ministers to adopt the Regulation against the steel jaw leghold trap. The measure would ban steel traps in the E.C. and stop importation of most wild furs from countries that haven't ended use of these traps.

The day after the rally, the Ministers voted in favor of the Regulation, with the exception of the French Minister of the Environment, Brice Lalonde, who announced his "reservation". A final vote is expected at the next meeting of the Ministers which is scheduled for October first.



courtesy: IFAW

## Soviet Ecologist Stunned by US Forest Abuse

*Vladimir Molozhnikov, a Soviet ecologist and botanist, had these comments after a fact-finding tour of logging operations in the Western Cascade mountains.*

"I am a forest ecologist with 30 years of experience in the forests of Siberia. Not long ago I was able to visit the forests of Oregon. I went to different spots in the forest from the air, and I was stunned by the scale of the logging.

"Earlier I had to refer to the literature describing the way forests in the US are managed. In these sources a bright picture is painted. We in the USSR were often taken by the American approach. You were an example of a progressive country capable of intelligently using your forests. Your example was even used to

cool the heads of our aggressive forest industrialists.

"And now I'm in the US... But what I've seen in Oregon, in my deep conviction, won't make it possible to use your forest techniques as an example. If one of my friends had seen and told me of such, I would have never believed him. But it is not someone else who has seen it. I have seen it with my own eyes: a multitude of bare, forestless cliffs, slope ribboned with roads, intensive erosion of soils, silting of rivers and reservoirs, loss of animal habitat, the disappearance of recreational areas."

*(Reproduced from the US Forest Service's agency wide electronic mail system. Published in High Country News, last December.)*

# Fur Dealers Go To Prison

According to *The Federal Wildlife Officer* newsletter for May/June 1991, successful undercover operations begun in 1986 by the US Fish and Wildlife Service have resulted in the arrest of 14 illegal fur traffickers for conspiracy, smuggling, and federal wildlife violations under the Lacey Act. All counts were felonies and each resulted in a guilty finding.

To quote *The Federal Wildlife Officer*, "A total of 43 witnesses were present to testify that Rusty Wallace, his father, William "Bill" Wallace Jr., Jack Ivey and other employees of the D&W Fur Company of Hallettsville, Texas, had set up and operated an elaborate smuggling pipeline for illegal furs from Mexico. These low-cost, high-value wild animal pelts were stored in Hallettsville before being shipped to the fur district in New York City and then on to big money fur markets throughout the world..."

"Wallace and Ivey were sentenced on November 26, 1990, by Judge Bunton. Sentences for the four counts against Wallace totalled 13 years in prison and \$15,200 in fines. Ivey was sentenced to eight years in prison and \$5,150 in fines on three counts. Both men will face three years of probation upon their release from prison, and are restricted from further involvement in the fur trade.

"Texas Parks and Wildlife officers have filed over 85 counts for violations encountered during this investigation. A substantial number of additional state charges are to be filed.

"This series of state and federal prosecutions came as a result of the largest

undercover investigation conducted so far by USFWS. It came about only after other enforcement efforts failed to provide a lasting fix to the smuggling problem. It was clear that fur smuggling would remain as long as there were illegal fur dealers in the US who were offering big cash incentives to smugglers. The first of these early enforcement efforts took place about a dozen years ago.

"On January 24, 1979, Customs and FWS agents seized a tractor-trailer rig entering illegally into the US ... in west Texas. Inside the trailer were 17,500 furs which weighed two-and-a-half tons and were valued at \$1.2 million. The big money business in smuggled Mexican furs was coming of age.

"During the next ten years, numerous illegal fur smuggling businesses flourished along the entire border despite increased law enforcement pressures. Unlike drugs, fur smuggling promised a high profit margin, little risk of getting caught, and almost no chance of going to jail.

"Conventional law enforcement methods have proven ineffective in stopping the smuggling so an undercover approach was initiated. USFWS conducted its first operation in the area around Presidio, Texas, in 1984-85. Seven illegal fur traffickers were charged with violating the Endangered Species Act. All entered pleas of guilty. None received jail time, and the fines were considered within reason as business expenses..."

"In July, 1986, Project Van Horn, a joint state and federal law enforcement investigation, was begun.

## Bequests to the Animal Welfare Institute

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

"I give, devise and bequeath to the Animal Welfare Institute, a not-for-profit corporation located in Washington, D.C. the sum of \$\_\_\_\_\_ and/or (specifically described property).

We welcome any inquiries you may have. In cases where you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.

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Post Office Box 3650  
Washington, D.C. 20007

"The agents conducted as much business as their time and funds permitted, but were dwarfed by the established illegal dealers. One Manhattan fur buyer placed an order with the agents for 20,000 Mexican bobcat pelts. A Mexican fur buyer complained that he found more US fur buyers in Mexico than there were pelts.

"The present ecological problems faced by wildlife are massive. Additional pressures brought on by illegal wildlife dealers will certainly cause many species to become extinct during our lifetimes. The aggressive prosecution work by Assistant US Attorney McHugh, the meaningful sentences passed down by Judge Bunton, and the cooperative law enforcement work by so many people and agencies should provide a stern warning to other illegal wildlife traffickers."

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# The Origins of the Steel Jaw Leghold Trap

*The Cruelty of Christian Perfectionists* . By Reverend J. George Butler

John Humphrey Noyes, whose steel jaw leghold trap became the standard trap of the world, was a Christian perfectionist. Not once did it ever enter his head that his Oneida Community, which he thought was a sinless society, was perpetrating such heinous sins against the animal kingdom.

Noyes was born in Brattleboro, Vermont in 1811. After Dartmouth, he went to Yale Divinity School. There he had a vision of his own sinlessness. If one could abolish selfishness, he could achieve perfection. That became his life's mission.

Noyes was a charismatic figure, a magnetic man who quickly gathered a loyal band of followers. Setting up first in Putney, Vermont, above Brattleboro in the Connecticut River valley, Noyes met violent opposition from the good people of Putney. Noyes applied the New Testament doctrine of 'having all things common' to marriage. The ultimate selfishness, said Noyes, was the ownership of wives. Hence he devised 'complex marriage.' In reality this became the first scientific experiment in stirpiculture -- selective breeding for the improvement of the race. Noyes himself sired over forty progeny. Dolts, on the other hand, were allowed only one child.

Noyes' radical ideas did not sit well in Vermont, so Noyes took his band of a couple hundred followers to the wilderness of Western New York and settled on the shores of Oneida Creek. There, his Oneida Community became America's most successful communal society of the XIXth century.

At first, Noyes and his followers tried agriculture. They nearly starved to death.

In 1849, however, the fortunes of the Oneida Community changed. Noyes converted Sewall Newhouse to his brand of Christianity. Newhouse was a blacksmith and a trapper who had invented the perfect trap, the steel jaw leghold trap. He made it in six sizes, small ones for mink, the largest for bear. And it worked in all conditions; hot or cold, under water or on dry land. Noyes immediately saw the potential of this trap for his community. He built a factory on the shores of Oneida Creek and harnessed its waters to mass produce the Oneida-Newhouse trap. So successful was Noyes as a businessman in marketing this trap, that for seventy years the Hudson Bay Company would sell no other. When Secretary of State William Seward purchased Alaska from Russia in 1867, Noyes sent him a specially polished trap in appreciation, because of the vast market this opened for his traps.

Back in the XVIIth century, Rene Descartes posited his animal machine theory. Animals are simply machines. They can't speak: therefore, they can't think. Hence they feel no pain. In short, they were just machines. Unfortunately, this sophistry obtained not only in Noyes' day, but is still rampant in our day. In the XIXth century, Henry Bergh, the founder of the first humane society in the United States, failed to see the dichotomy of his stopping a teamster for abusing his horse, while clad from head to toe in furs from animals tortured in steel jaw leghold traps.

It is still amazing to witness the callous indifference of so many to the outrageous cruelty of this fiendish device. In 1975,

Congressman Glenn Anderson of California, and Senator Birch Bayh of Indiana tried to obtain legislation to outlaw these 'Jaws of Hell.' Hearings were finally held, but the bill died with the end of that session of Congress.

Once again, Congressman James Scheuer of New York has introduced Federal legislation to ban the leghold trap. What can you do to make America a 'kinder, gentler' nation? Over sixty countries have already outlawed this cruelty. Why not the United States? In 1975, *The Christian Century* published my article, 'The Jaws of Hell.' I sent a copy to Pierpont T. Noyes, President and Chairman of Oneida Ltd., Silversmiths, the successor corporation to the Oneida Community. I said, in part:

'... the Christian Perfectionists of the Oneida Community saw no incompatibility between manufacturing their trap, and their Christian beliefs, but neither did anyone else, then.'

Noyes responded immediately. '... I never even thought that there might be a moral issue about game traps made by a 'sinless society' ...'

The time has come for America to open its eyes to the outrageous cruelty these traps inflict.

*Reverend J. George Butler has contributed many articles for the religious and secular press and is the author of the popular book, How to Build and Operate Your Own Small Hydroelectric Plant. Mr. and Mrs. Butler now live on their farm in Jacksonville, Vermont, where they are active in community affairs.*

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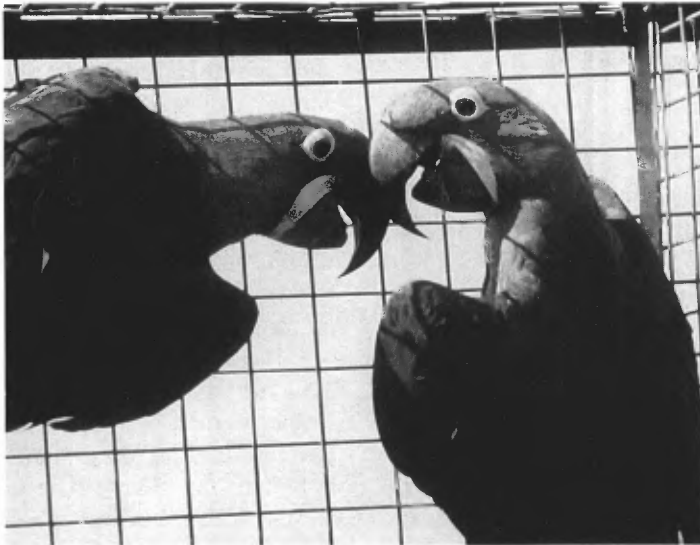
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Environmental Investigation Agency

*Hyacinth Macaws endangered by the bird trade.*

## Pressure Mounts in Europe and U. S. to End Wild Bird Imports

In October, a Resolution was passed unanimously by the European Parliament to end wild bird imports to the European Community. Although this has no binding effect (see box on page 2), it increases pressure on the European Commission to act on the issue. Ministers from the United Kingdom have promised that they will be raising the wild bird issue at the Council of EC Ministers following a major campaign by the Environmental Investigation Agency (EIA), the Royal Society for the Prevention of Cruelty to Animals (RSPCA) and the Royal Society for the Protection of Birds (RSPB). Conservation and animal welfare organizations in other European countries are now gearing up campaigns on the issue.

The EC Scientific Committee has already banned imports of many species still traded internationally, but known to be suffering from overexploitation, such as Fischer's lovebird. They recently banned all trade from Indonesia due to poor control of the trade there. However, a more comprehensive solution to the problems of the wild bird trade is called for.

In the United States, the Wild Bird Protection Act, H. R. 2540 and S. 1219 are pending in both Houses of Congress. They have the support of over 200 environmental and animal protective organizations. Hearings are expected in the 1992 session. The bills would place an immediate ban on importation of wild-caught birds for the pet trade, only allowing imports for captive breeding and zoos under careful restrictions. Industry interests support a weak

*continued on next page*

## European Community Bans Steel Jaw Leghold Trap

Despite hard lobbying by the United States and Canada for still further delay, the European Council of Ministers adopted the Regulation against the steel jaw leghold trap at its meeting November 4, 1991. The Regulation has the force of law in all 12 nations belonging to the European Community (EC).

Use of this trap is prohibited from January 1, 1995 onward, as is importation of fur from 13 animal species originating in a nation "where the leghold trap is still used or where trapping methods do not meet the internationally agreed humane trapping standards."

The French hunting lobby is credited with preventing the EC from outlawing the devices at home before the import ban was in place.

Fur imports from the U. S., Canada and the Soviet Union amounted to approximately \$100 million last year, reports the EC's Statistics Office.

The animals whose fur may not be imported from a country still employing the cruel steel jaw trap are: beaver, otter, coyote, wolf, lynx, bobcat, sable, raccoon, muskrat, fisher, badger, marten and ermine.

The Regulation cites the Bern Convention of 1979 which prohibits "indiscriminate means of capture and killing." Legislation pending in the U. S. House of Representatives and Senate to end the use of steel jaw leghold traps was introduced by Congressman James Scheuer (D, NY) and Senator Daniel K. Akaka (D, HI). The bills have a total of 113 co-sponsors.



Dick Randall

*Bobcats caught in steel jaw leghold traps. European Community regulations will ban importation of their skins if the U. S. doesn't ban this cruel trap.*



compromise bill which would give them five more years to "phase out" this unnecessary and unjustifiable trade.

**Argentina Update**

Dr. Enrique Bucher, one of Argentina's leading ornithologists, has issued a report on the status of the Blue-fronted Amazon parrots confirming EIA's investigation -- reported in *The AWI Quarterly*, Vol.40, No.1 -- which reveals that the pet trade in Argentina evades local laws, decimates wild bird populations, and abuses and kills birds in transit. Dr. Bucher's report notes that:

- The range and abundance of species continues to shrink.
- As a result of catching methods, around 100,000 mature nesting trees have been destroyed or damaged between 1981 and 1989.
- Conditions are building for a sudden crash in the remaining population.
- The species is trapped illegally in Paraguay to supplement the Argentinian supply.
- The trade provides limited benefit to the local people at considerable cost in terms of loss of resources. Latest reports suggest that some trappers receive as little as \$1.50 for birds that retail for hundreds of dollars in the U. S.



*These Blue-fronted Amazon chicks were force-fed and nearly choked to death. Then they were shaken violently to clear their lungs. For the moment, they have survived.*

Environmental Investigation Agency

airlines that have stopped carrying commercial shipments of wild-caught birds to convince them to rescind their ban. Please commend these airlines for their strong humane position and thank them for standing firm against short-sighted commercial interests. An updated list is available on request from AWI.

**Senegal Revisited**

For over 20 years, Senegal has been one of the largest exporters of wild birds for the international pet trade in the world, exporting a minimum of over 1 million birds annually. In 1986, EIA produced a detailed report and film documenting high mortality, appalling conditions and the failure of the regulatory system, showing that the trade was completely out of control. In 1991, EIA returned to find that little has changed despite international pressure.

Although dealers claim a great decline has occurred in their business over the last five years, official statistics do not reflect this.

Though Senegal sets quotas both for the numbers of each species that may be exported and the allocation of these quotas between the 12 registered

exporters, these quotas are completely ignored and have never been enforced. According to official statistics, quotas were exceeded for 13 species by as much as 576.6% of the permitted number. Four of the exporters exceeded their allocation of birds in 1990. The Senegalese official now in charge of the trade summed up the situation accurately when he stated at an international meeting, "We [the government officials] are at the mercy of the exporters." Certainly, officials seem powerless to enforce their own regulations.

Senegal has no Scientific Authority, as is required by CITES. It is, therefore, unable to make the "non-detriment findings" required under the Convention. In fact, no scientific surveys have been conducted on wild bird populations or how they have been affected by the trade. "Quotas" simply reflect existing trade levels; Senegal sets a quota (which was exceeded in 1990) for African Grey parrots

Following publication of the Bucher report, and as a result of international pressure, the Argentinian government announced that there would be a zero quota on the Blue-fronted Amazon in 1992, probably saving around 40,000 birds. EIA, though delighted by the news of the zero quota, had some reservations. "We are concerned that once international scrutiny is lifted from the Blue-fronted Amazon, the government will open up a quota and it will be business as usual," commented Peter Knights.

The U. S. government has a proposal to place the species on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) next year. (Appendix I listing confers "endangered" status.) Peter Knights of EIA commented; "The U. S. should continue with its proposal, even though the Argentinian government has announced a zero quota. Such a quota can be changed at any time. If the species is not really in trouble, as the Argentinian authorities are claiming, when they have evidence, they can apply to have the species downlisted in 1993. Though the Argentinian government is conducting a study of the species, it has no concrete plans to solve the problem of nest site destruction, high mortality and illegal trade."

**Airlines Stop Carrying Wild-Caught Birds**

Before it went out of business, Pan Am, the last US carrier still accepting shipments announced an embargo of wild bird shipments. The trade has been severely limited as a result of this, with traders unable to transport birds. For example, only Gulf Air, Kenya Airways, Aeroflot, Uganda Air and Air Tanzania accept birds from Tanzania, and these airlines do not have routes to reach many destinations. From Guyana, only Guyana Air and Caricargo will ship birds, so traders can only export to Miami.

The Pet Industry Joint Advisory Council is bringing pressure on

**The Government of the European Community is made up of three parts:**

- 1) The European Parliament consisting of elected representatives from the 12 member countries is an advisory body which makes recommendations. It also has powers to withhold the European Community budget.
- 2) The European Commission, which is the watchdog of the Treaty of Rome, is headed by commissioners of ministerial rank with powers of initiative. It is supported by the established bureaucracy of the European Community. It provides drafting and research services to
- 3) The European Council of Ministers. The councils are made up of cabinet members of the 12 nations. They make final decisions on matters that have been considered by the Parliament and Commission. Their decisions are binding on the EC nations. Some decisions must be unanimous; others on a qualified majority. The Ministers of the Environment will make decisions on wild birds. They recently approved the Regulation banning leghold traps.

(*Psittacus erithacus*), though this species does not occur in Senegal. The birds are shipped from countries such as the Ivory Coast which do not subscribe to CITES. African Grey parrots account for an estimated 65% of the value of Senegalese bird exports.

In 1991, nothing has changed in methods and conditions of the trade. Birds continue to be held and transported in unhygienic and overcrowded conditions, with up to 2,000 birds kept and transported in one box. Birds die from the shock of capture and the stress of confinement. Some species fight in close confinement, pecking out feathers to the point of baldness. Glossy starlings often peck at each other's eyes, blinding each other. The transfer from a wild to a captive diet is recognized as a big killer. Mortality in captivity appears to be around 3% per day under normal circumstances. Dehydration and heat exhaustion are common because birds are trapped throughout the hottest periods of the year.

Most of the birds were being trapped in the remote Kedougou area of Eastern Senegal. The only route to the capital, Dakar, is a potholed dirt road through the National Park. This is one of the hottest areas of Senegal, and the rough road ensures that any water provided for birds would soon be spilt. Though many birds are transported on the notoriously unreliable public transport, Amadou Diallo, the largest exporter, has his own van. His driver was interviewed on tape, about to leave on the 605 km (363 miles) journey to Dakar. For every 100 live birds delivered to Dakar, he would have to transport 150, and even then there might not be 100 survivors. According to his estimate, a 33% mortality rate for transport alone is routine.

Birds also die at exporters' premises. There they are often mixed with birds trapped in other areas, and disease can easily spread. Birds are sometimes treated with an anti-stress agent, which may reduce transport mortality, but in other cases, they are dispatched for export straight away.

Mortality in air transport and quarantine into the U. S. was 23% in 1989. Species that persistently suffer high mortality, such as fire finches (*Lagonostica senegala*) and cordon bleus (*Uraeginthus bengalus*), continue to be exported in large numbers.

Although trappers are required to be licensed, officials do not know how many licenses are granted annually. Many trappers catch birds without permits, under the noses of local officials, who leave all control of the trade to the head office in Dakar. Inspections usually only involve paperwork; few officers have the knowledge to identify species, and licenses often only state "parrots" or "small birds."

Exporters themselves stated that many of the birds are trapped in neighboring countries and not in Senegal. For example, Cape parrots (*Poicephalus robustus*) are trapped in Gambia, though Gambia prohibits capture of its native wild birds.

Trappers state that they catch protected species and hide them from officials. Species that cannot be exported legally can be seen on exporters' premises. Fifteen species not listed on the government authorized quota system are known to have been exported to the U. K. and the U. S. between 1986 and 1989.

Health controls for birds exported from Senegal are meaningless. There is no pre-export holding requirement, therefore no chance for an incubating disease to develop and be identified. Health certificates can even be granted before birds have been purchased, in which case not even cursory inspections are conducted.

One of the most startling aspects of the Senegalese bird trade is its concentration in the hands of a few exporters. In 1990, the three largest exporters were responsible for 81.7% of all birds exported. The next 3 largest shared 13.8%, leaving the remaining six exporters only 4.5%.

The distribution of value obtained by multiplying export statistics



Environmental Investigation Agency

*Local community transport sometimes waits a whole day till the bus is full. Birds on the roof are bound for Dakar, a two-day journey.*

by price list values shows an even more monopolistic situation. Amadou Diallo enjoys 68.2% of the value of the entire Senegalese trade. This domination is mainly due to the numbers of African Grey parrots re-exported by his firm from other countries. The top four exporters receive 93.9% of the value of the trade.

In 1990, the trade was worth an estimated \$4,951,795 (excluding discounts, dead birds that importers don't pay for, and underdeclaration of value). Sixty-five percent, or \$3,231,652, was derived from African Grey parrots that were all re-exports (some illegal) from other countries. The total, including these re-exports, was less than 0.1% of Senegal's GNP and 0.65% of total exports.

Traders claim that all species exported from countries such as Senegal are agricultural pests and that they are "saving" birds that

*continued on next page*



Environmental Investigation Agency

*Senegalese trapper keeps birds in a small net bag before transferring them to a crate. Up to 40 birds can be caught in one set.*

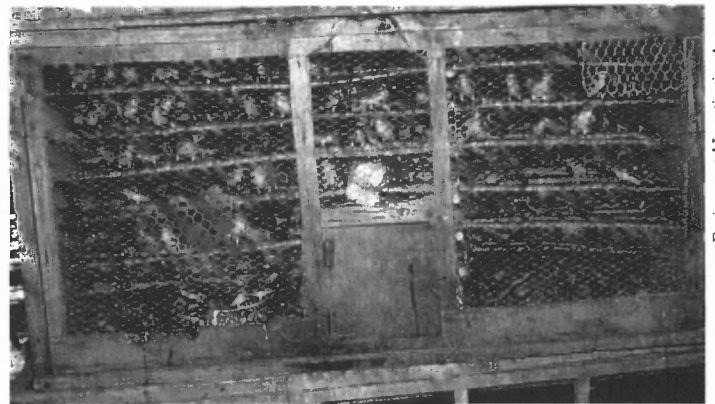
## An End to the Wild Bird Trade Draws Closer

### Transport Deaths Remain High

On August 29, 1990, a Lufthansa plane carrying over 10,000 birds from Tanzania stopped at Kenya's Nairobi Airport on its way to a United States importer, Frank Curic. Airport employees notified the Kenya Society for the Protection and Care of Animals (KSCPA) when they noticed that many of the birds were without water and in apparently poor condition. The Executive Officer of KSPCA inspected the shipment and found many of the birds "in a very bad state." Delicate rollers, turacos, hornbills, along with finches, lovebirds and starlings, were packed in overcrowded cages, with inadequate or inappropriate food, and often no water; some crates had been nailed shut and had to be pried open to care for the birds; over 800 dead birds were found; the following day still more birds had died.

Two days later, Lufthansa transported a shipment of 16,232 birds from Tanzania to the Illinois quarantine station of Frank Curic. These were, in all likelihood, the survivors of the first shipment with more birds added. In any case, this shipment had the highest number of birds dead on arrival of any shipment arriving in the United States in 1990: 4,541 birds. Of these, 95 were lovebirds, 10 large parrots, 26 "softbills," and 4,410 were waxbill finches.

Crystallized in these tragic circumstances is the total inadequacy of existing international regulations and acceptance by airlines of birds in crowded crates without food or water, some even nailed shut. Such shipments have rarely been prosecuted, and have resulted in the deaths of literally hundreds of thousands of birds in the past decade.



Environmental Investigation Agency

*Up to 2000 finches may be packed in these crates in a dealer's premises in Senegal.*

But the beautiful turacos, iridescent starlings, graceful flamingos and other delicate birds may not have died in vain. Within months, in November 1990, Lufthansa, the largest transporter of birds in the world, bowed to pressure from conservation and humane organizations and agreed to cease carrying birds. U. S. statistics compiled by AWI for the U. S., and European transport mortality data researched by the Environmental Investigation Agency in London, were then presented to KLM Royal Dutch Airlines, the second largest carrier of birds, in April 1991. Lufthansa began a trend with its withdrawal from the bird transport business, a business that has become synonymous with callous disregard of animal welfare. *The AWI Quarterly*, Vol. 40, No. 2, reported on this phenomenon, and, at present, approximately 40 airlines, including all the major U. S. carriers, have withdrawn from the transporting of

would otherwise be destroyed by horrific methods. In fact, Senegal classes five species as pests, allowing them to be freely exported without restriction. This unrestricted export trade has not prevented the mass extermination of species like the red-billed quelea in the past. Such methods of control are currently suspended and are under review. The trade has never been used as a management tool for these species. In terms of numbers of birds, these species made up 11% of 1990 exports. However, in terms of value, they accounted for only 1.7% of the trade, with trappers receiving as little as 25 CFA (8 cents) per bird.

A few large dealers dominate the trade and disregard national and international regulations without restraint. Some measure of how out of touch the Senegalese government is with the realities of the wild bird trade can be seen by recent announcements to clean up the trade. These measures have only been put forward as a result of international pressure and principally as a result of airline embargoes. The International Air Transport Association Live Animal Regulations (IATA LAR) have stipulated since 1989 that no more than 50 birds should be shipped in each container. In October 1991, the Senegalese government announced that in future it would only be allowing 100 birds per container, instead of the 200 previously permitted.

The most encouraging news was that traders complain that airline embargoes had cut their trade by 40-50% in the last few months.

### Comments on the Wild Bird Trade by Leading Ornithologists

The American Ornithologists Union (AOU) is the largest and oldest organization of professional ornithologists in the United States, representing over 5,500 scientists. The AOU "believes strongly that current numbers of wild-caught birds being imported to the U. S. are indefensible and that sale of these wild birds must be stopped as soon as possible."

Dr. Charles Munn is one of the world's leading experts on parrot ecology. He has conducted field work in Brazil, Peru and Bolivia. In a letter to Congress, he stated, "These birds naturally have such low reproductive rates and low population levels that they cannot withstand any harvest whatsoever for the pet trade without declining to local, then global, extinction... Rainforest people who occasionally catch and sell large parrots usually receive only 0.5-1% of the final retail sale price... There exist absolutely no documented examples of sustainable harvest of parrots from the wild."

Neil Baker is a leading ornithologist and International Council for Bird Preservation representative in Tanzania. In a letter to the ICBP U. S., having listed a series of abuses of regulations, he states: "We are actually naming a species that is new to science from a bird dealer's aviary in Dar Es Salaam. What chance of survival does this species have under present conditions? ... It has proven impossible to regulate the trade within Tanzania, and it must be stopped at the consumer end."

Ornithologists Philip Desenne and Stuart Strahl, in a paper on "Trade and the Conservation Status of the Family Psittacidae [Parrots] in Venezuela," state that "International trade involves illegal export... the majority of such birds (65,000-75,000) are destined for Guyana (a country that still allows exports)."

The Venezuelan Audubon Society stated, "We are fed up with Guyana especially... bleeding us of our birds for the North American and European markets."

Answering claims that the wild bird trade is necessary and beneficial for the inhabitants of third-world nations, their president stated: "For once and always we wish to repudiate this myth publicly ... [those] who benefit from the traffic of birds... are the international traffickers and not the citizens of the country of origin. Far from benefiting our countries, this traffic is the cause of extinction of neotropical avifauna."

birds. A few continue to transport captive-bred birds and birds to zoos.

The fear that those airlines still transporting birds would fill the void by shipping the birds refused by other airlines, has been borne out to some extent. Japan Air Lines, for example, is now carrying many more birds than previously. It is vital, therefore, that people write airlines still in this business and demand that they stop the transport of birds for the commercial cage bird trade.

**1990 U. S. Imports**

Total bird imports declined from over 460,000 birds imported in 1989, to approximately 291,000 in 1990, according to USDA quarantine forms analyzed by AWI Wildlife Consultant, Greta Nilsson. Over 12,000 birds were dead on arrival at U. S. ports of entry, and almost 25,000 died in quarantine or were euthanized, for an overall mortality of 12%. As we have seen, however, transit mortality statistics may represent only that final leg of a journey that brought them from vine-hung tropical forests of Southeast Asia to a renovated garage in downtown Miami. These birds, arriving in the holds of planes at U. S. airports, may have been repacked and reloaded at any of many stops between the country of origin and the import country, with large numbers of birds dying at each stopover.

Most of the mortality in transit to the U. S. occurred in relatively few shipments: 11 shipments had over 100 birds arriving dead on arrival, with a total of 10,034 birds, or 83% of all Dead on Arrival(DOA) in 1990. The highest DOA was the shipment discussed above from Tanzania, in which 4,541 birds arrived dead; a shipment from Argentina with 1,497 birds arriving DOA was the second highest mortality. All of the shipments with high transit mortality had a high average number of birds per crate, as listed on the quarantine forms. The average for these high mortality shipments was 188 birds per crate, while International Air Transport Association Live Animal Regulations stipulate a maximum of 50 perching birds per crate, and 25 large parrots. Had these regulations been strictly enforced by import officials, it is likely that thousands of birds' lives would have been saved.

None of the airlines that transported shipments with 100 or more birds DOA is still carrying birds. The biggest former offender

**AIRLINES STILL CARRYING LARGE SHIPMENTS OF WILD-CAUGHT BIRDS**

Please write to the following airlines, urging them to stop transporting wild birds for the pet trade. If you would like the list of all 19 airlines still carrying wild-caught birds please write to the Animal Welfare Institute.

- Aero Peru
  - Alberto Sacio
  - Ave. Jose Pardo
  - 601 13th Floor
  - Lima 27, Peru
- Aeronica
  - Mr. Orlando Chavez
  - 7270 NW 12th Street
  - Suite 640
  - Miami, FL 33126
- Caribbean Air Cargo
  - Peter Look Hong
  - Grantley Adams Airport
  - Christ Church, Barbados
- \* Garuda Indonesia
  - 3457 Wilshire Blvd.
  - Los Angeles, CA 90010
- Japan Airlines
  - Matsuo Toshimitsu
  - 2-7-3 Marunouchi
  - Chiyo-Daku
  - 100 Tokyo, Japan
- Kenya Airways
  - Mr. Phillip Ndegwa
  - Box 19002
  - Nairobi, Kenya
- \* Shipments have come in from this airline despite a purported ban.

was Lufthansa; in the past this airline transported 117,501 birds, or 40% of imports, with a total DOA of 7,147 birds. KLM was second, with 26,984 birds, and 197 DOA--a far lower total than in previous years, and caused probably by a decision not to transport birds from Africa to the U. S. directly.

In 1990, 20 shipments had an overall mortality (transit and quarantine) of 30% or more and these are described in the boxed table. Causes of transit mortality--crowding, inadequate food and water, stress--can result in later mortality in quarantine stations because birds become weakened. Since U. S. Department of Agriculture regulations currently in force do not require knowledge of aviculture and the proper care of many of the rare and delicate species imported, many quarantine station operators fail to give proper care to the birds in their stations. These importers often had extremely high

mortality in fairly common species in shipment after shipment. In some cases, viruses and infections, such as salmonella, can spread throughout a station, killing hundreds or even thousands of birds captured for the commercial pet trade.

**1990 HIGH MORTALITY SHIPMENTS**  
(Shipments in which mortality in transit and quarantine was 30% or more)

| Export Country | Number of Birds | Dead on Arrival | Dead in Quarantine | Mortality Percentage | Importer         |
|----------------|-----------------|-----------------|--------------------|----------------------|------------------|
| Argentina      | 598             | 20              | 378                | 67%                  | Lawson, Willy    |
| Argentina      | 600             | 0               | 189                | 32%                  | Mohilef, David   |
| Argentina      | 3,259           | 1,497           | 57                 | 48%                  | Brown, Ronald    |
| Argentina      | 736             | 6               | 522                | 72%                  | Lawson, Willy    |
| Belgium        | 290             | 0               | 119                | 41%                  | Pare, A.A.       |
| Belgium        | 175             | 0               | 71                 | 41%                  | Pare, A.A.       |
| Guyana         | 250             | 5               | 156                | 64%                  | Giergenti, A.    |
| Guyana         | 135             | 0               | 51                 | 38%                  | Pare, A.A.       |
| Guyana         | 727             | 29              | 238                | 37%                  | Giergenti, A.    |
| Honduras       | 100             | 0               | 90                 | 90%                  | Mohilef, David   |
| Hong Kong      | 2,804           | 19              | 2,785              | 100%                 | Lawson, Willy    |
| Ivory Coast    | 337             | 3               | 109                | 33%                  | Perrinelle, Alex |
| Ivory Coast    | 650             | 11              | 196                | 32%                  | Block, Matthew   |
| Peru           | 141             | 35              | 16                 | 36%                  | Clear, Val       |
| Peru           | 1,458           | 462             | 158                | 43%                  | Lawson, Willy    |
| Peru           | 1,162           | 84              | 522                | 52%                  | Lawson, Willy    |
| Senegal        | 1,031           | 26              | 354                | 37%                  | Lawson, Willy    |
| Switzerland    | 2               | 0               | 1                  | 50%                  | Atlanta Zoo      |
| Togo           | 414             | 8               | 405                | 100%                 | Beatrous, A.M.   |
| Togo           | 45              | 2               | 29                 | 69%                  | Alentado, A.     |
| <b>TOTALS</b>  | <b>14,914</b>   | <b>2,207</b>    | <b>6,446</b>       | <b>58%</b>           |                  |

**PET CHAINS GOING OUT OF THE WILD-CAUGHT BIRD BUSINESS**

Petland, which boasts 150 stores in 33 states, will no longer buy wild-caught birds for sale as pets. The ban begins December 31, 1991. Regional chains that now only sell captive-bred birds include PetsMart, with 23 stores in Arizona, Colorado and Texas; and Jerry's Perfect Pets, with 19 stores in New Mexico and Texas.

*(Information courtesy of Defenders of Wildlife)*

# Wild-Born Chimps Shuttle Illegally Through Seven Countries

The adventures of four infant chimpanzees, born in Uganda and, finally, brought back to their native land by the government of Hungary, are worthy of the extensive recording of their travels compiled by Geza Teleki of the Jane Goodall Institute and Shirley McGreal of the International Primate Protection League.

The little chimps' odyssey illustrates vividly the violations of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) by unscrupulous animal dealers. Wild-born chimpanzees are classified on CITES' Appendix I and should have been refused entry by every country. They were captured by wildlife traffickers who managed to smuggle them from country to country for an entire year. The first stop was Dubai in the United Arab Emirates, famous for its "free port." After a series of exports and confiscations, the four young chimps were taken by wildlife trafficker Ingemar Forss to the Entebbe Airport, where he tried to board Kenya Airlines but was prevented by Customs officials because he lacked an export permit. However, only a week after that, he flew on Ethiopian Airlines on a flight bound for the U.S.S.R. via Kenya and Belgium. A letter of "endorsement" from Ugandan officials allowed him to proceed.

The four little chimpanzees were delivered in Moscow to an American citizen who owns the Soviet American Arts and Entertainment Company (SAAEC).

The Ugandan Minister of Tourism and Wildlife, Samuel Sebagereka, publicly confirmed that the young chimpanzees were born in the wild and held in Entebbe Zoo since they were confiscated. There was no question that they were Appendix I. Nevertheless, SAAEC then transported the young chimps to Yugoslavia and Italy, with no difficulties about permits. A reporter, posing as a dealer, sought information from a competing Soviet circus. He was offered \$14,000 apiece in hard currency for five more infants less than 2 1/2 years of age. He was assured there would be no problem with U.S.S.R. Customs.

In August 1991, Italian authorities seized the chimps, together

with two gibbons, but weaknesses in Italian laws to enforce CITES caused the court to return the primates to the circus. The CITES Secretariat, the U. S. Fish and Wildlife Service, the U. S. State Department and the Ugandan government all sought in vain to intervene. In September, a convoy of SAAEC trucks left Italy via the Tarvisio Checkpoint to enter Austria, where they passed, unimpeded by any request for permits.



*Dr. Rodics hands over chimps to Ugandan ministry officials at Entebbe.*

Dr. Katalin Rodics, of the CITES Management Authority in Budapest, Hungary, learned from the CITES Secretariat that the chimpanzees might be entering the U.S.S.R. Five of the six SAAEC trucks were intercepted at the border, but the one carrying the four chimpanzees and two gibbons had fled unobserved during a change of guard. Dr. Rodics personally drove across Hungary in pursuit of the lorry, which she intercepted on the Soviet border. Dr. Rodics seized the chimpanzees and gibbons, who were transported to Debrecen Zoo for a 15-day waiting period required before formal confiscation.

The Animal Welfare Institute joined the Committee for Conservation and Care of Chimpanzees and the International Primate Protection League in underwriting air fare for Dr. Rodics to accompany the chimpanzees and gibbons to Uganda. On October 11, 1991, the Ugandan Minister of Tourism and Wildlife, accompanied by numerous other government officials, met the flight to welcome the four young chimpanzees and Dr. Rodics, who represented the Hungarian government. The chimpanzees expressed high excitement when they were released into spacious new quarters at the Entebbe Zoo after their long confinement to traveling crates.



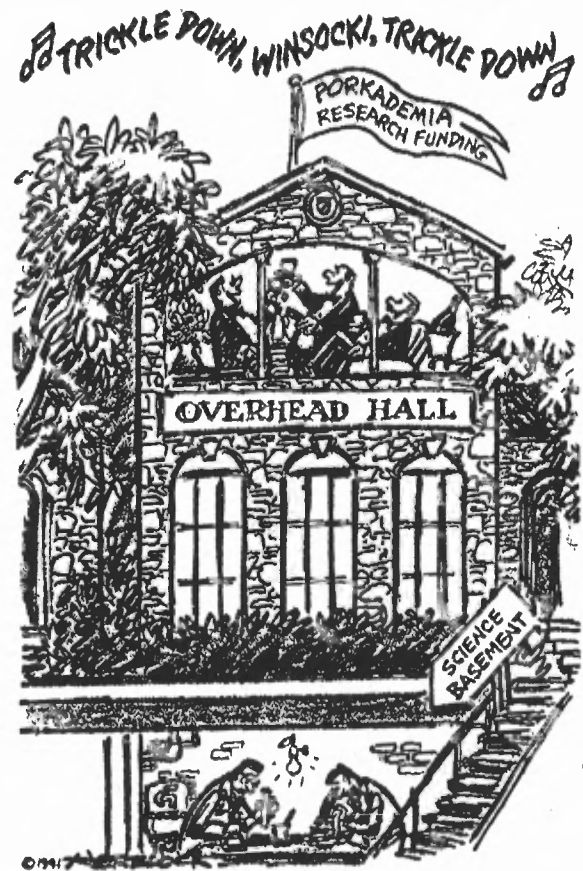
*Katalina Rodics and one of the "Ugandan Four" at Debrecen Zoo in Hungary.*

## What Stanford Did With Its Research Funds

When Stanford University was first asked about the yacht kept for the president's use, the comptroller denied that they had such a craft. When Stanford University president Donald Kennedy felt the need for a bigger (seven feet wide) bed, Stanford's research funds were charged for this "overhead." The extra big sheets were also part of the taxpayer supported "research" budget. This expense dovetailed nicely with the reception the research budget paid for in celebration of Donald Kennedy's wedding. Though somewhat reminiscent of the style of the Roman Emperors as described by Suetonius, Dr. Kennedy's personal desire for plenty of space might be seen as a mere foible were it not for the stark contrast of Stanford's stinginess with space for its experimental dogs.

Few of Stanford's dogs see the light of day. They live underground in small cages, and the veterinarian in charge of the animal colonies argued against regulations proposed by USDA in 1989 because of the cost. In particular, he objected to enlarging the cages for dogs undergoing experimental heart surgery (heart transplants). Now that the 1989 proposed regulations have been scrapped and "performance standards" plans decided by each research facility substituted, the dogs' future looks bleak.

Stanford was a leader in the five-year-long campaign to undercut the Improved Standards for Laboratory Animals amendments to the Federal Animal Welfare Act. Together with the pharmaceutical industry and other devotees of the National Association for Biomedical Research (NABR), it succeeded in scuttling clearly stated standards for the Congressionally mandated exercise for laboratory and, to quote the statute, "a physical environment adequate to promote the psychological well-being of non-human primates." It doesn't cost much to keep animals comfortable, but an organized uproar orchestrated by the NABR and its allies arose at the thought of following Congress' mandate for laboratory dogs and monkeys. They said it would cost too much, and they saw to it that the alleged costs were inflated beyond recognition. Agriculture gave in by instituting "performance standards." These simply hand over to industry and academia, the responsibility for setting their own standards.



"Trickle down, Winsocki, trickle down" — COPYRIGHT 1991 BY HERBLOCK IN THE WASHINGTON POST

Stanford has handed half a million dollars back to the federal government, and other major beneficiaries of National Institutes of Health largesse are also making restitution now that Congress is asking hard questions about expenses charged off to "research."

Herblock's cartoon of Porkademia (reproduced here with his permission) shows scientists working underneath a mansion. The underground animal rooms housing the massive numbers of animals used by Stanford for experimental purposes could well be included underneath the basement housing the researchers. The trickle down of money is considerably more tortuous for the animals.

### Good News on Alternatives

Marrow-Tech Inc. now has a commercially available alternative to animals for testing. This product, Skin<sup>2</sup>, is advertised as "the only completely human, living three-dimensional tissue available for ocular and dermal *in vitro* testing. Now, with Skin<sup>2</sup> you can quickly and accurately screen your cosmetic, household or chemical products for toxic effects." The company further states that "Skin<sup>2</sup> is a realistic and relevant alternative to *in vitro* testing. Since Skin<sup>2</sup> is a completely human *in vitro* tissue system, no cross-species extrapolations are needed. In fact, a recent study of shampoos showed a 94% MTT endpoint correlation of Skin results to historical Draize eye scores 1." This testing system is easy to use and "With its standardized test protocols validated for numerous compounds, Skin<sup>2</sup> gets you into production faster..." Marrow-Tech Inc. is located at 10933 North Torrey Pines Road, La Jolla, CA 92037, phone 619.450.5730.

### Carolina Biological Supply Company Charged Under Animal Welfare Act

The Administrator of the Animal and Plant Health Inspection Service (APHIS) has issued a complaint against the Carolina Biological Supply Company (CBSC) on five counts.

The complaint states that CBSC was licensed and operating as a dealer under the federal Animal Welfare Act. It further states that on five separate dates, from April through July 1990, CBSC failed to provide adequate veterinary care, and that it "improperly euthanized a total of at least ten cats and began embalming the cats while they were still alive" in willful violation of the Act and its regulations.

APHIS inspections in September found that records on the acquisition and identification of animals were not complete, in violation of the regulations. APHIS also found three alleged violations of sanitary requirements during the inspections.

On another inspection, They found rabbits unprotected from "atmospheric temperatures in excess of 90 degrees Fahrenheit."

The APHIS complaint asks for a Cease and Desist Order, civil penalties and suspension of CBSC's license. A hearing date has not been set.

# The Mental Health of Primates

*We're Still Needlessly Cruel  
to Research Animals in Our Labs*

By John Melcher

Reprinted by permission of *The Washington Post*

Imagine a small cube of a cage three feet high. Within this cube lives a primate -- often a baboon or a rhesus monkey -- that could weigh as much as 55 pounds.

Baboons usually stand on all four feet, but in such a space they cannot walk anywhere. They cannot stand upright or stretch their arms in such a cage. Yet this common caging for the animals used for scientific and medical research in the United States today. Is this humane?

In 1985, Congress refined the Animal Welfare Act with the aim of improving conditions for the thousands of laboratory animals now used in the United States for experimentation and research. As part of that new law, I sponsored an amendment calling for changes in the care of primates -- chimpanzees, baboons, rhesus and other monkeys -- to enhance their "psychological well being."

I had insisted on the amendment after visiting a research facility of the National Institutes of Health's outside the Washington metropolitan area. To my shock and dismay, I found that the primates were confined to individual cages about the size of a small shower stall.

These well-built steel structures were to be the "homes" of individual animals for several years. I also learned that the "minimum" cage size was commonly used in most research facilities around the country, and that only a few facilities routinely provided even limited exercise out of the cages for the animals.

Neither the researchers nor the animal caretakers viewed the cages as humane care for primates. They believed they could provide better care and freedom for the primates if permitted to do so. They felt it would neither interfere with the projected research nor dent their budget.

The US Department of Agriculture (USDA) has now promulgated regulations to enforce the law, but, unfortunately, has failed on two important issues: primate cage size and the exercise of dogs. We apparently have a distance to go before the intent of my amendment is fully realized. The new USDA regulations specify exactly the same cage sizes for primates that weigh up to 105 pounds: The cage must be 25.1 square feet of floor area and seven feet high. Envision a small cell three and half feet wide and eight feet long with a seven-foot ceiling and you have the picture. The smaller cages of three feet on a side are deemed suitable for primates weighing up to 55 pounds.

One of the regulations requires provision in the primate cages for "normal postural adjustment" by the animals. Apparently, NIH and USDA believe "normal" adjustments are met as long as the baboon confined in one of the three-foot cubes can stand on all four feet, turn around and sit down. But what about standing upright, lying down stretched out or stretching their arms out to the side or overhead? Before being caged, the baboons could make all of these "postural adjustments" whenever they felt like it.

Some labs view periodic release from the small cages to larger ones for exercise as essential in caring for their primates, but unfortunately most research facilities only meet the minimum requirements, which make no special provision for exercise. In some research institutions animals live in their cages for years and are only occasionally let out. On the rare occasions when they are taken out of the cages, the animals almost always are sedated--so exercise is out of the question.

A few hours or days for transportation purposes in such cramped quarters might be considered acceptable, but is it humane for the animals to be so confined for months, a year, 10 years?

During the five years of regulation-drafting, many research facilities were voluntarily upgraded. That is a fairly normal occurrence, so it is mystifying that USDA would leave the cage size requirements exactly where they were prior to 1985 (with the exception of primates over 105 pounds).

Congressional intent on exercise for dogs is also not met in the new regulations. Christine Stevens, co-founder of the Society for Animal Protective Legislation, pursued for more than a decade a requirement that laboratory dogs be released from their cages daily for exercise. Senate Minority Leader Robert Dole (R-Kan.), myself and others agreed that this would be specifically required in the 1985 amendments. Dole stated on the Senate floor that the language meant release of the dogs from their cages.

But the new regulations require only that individually caged dogs be released. This excludes dogs that are confined two-at-a-time in a double cage system or in other groupings.

USDA officials offer as a rationale for this that dogs in double cages can exercise all the time and thus need not be released. But the regulations also set cage sizes for such widely used lab animals as beagles that exclude true exercise: Double cages for two beagles confined together need not be longer than double the length from the nose to the base of the tail, plus six

inches. That is not enough room for exercise.

The USDA veterinarians add that since another regulation provides for daily cleaning of the cage, in the case of a double-size cage with two beagles, the only feasible method would be to remove the beagles to clean the cage. In other words, while the dogs are out of the cage they can exercise as they wish.

But the National Association for Biomedical Research complained that the dog exercise provision was an expensive added cost. And although it would be easy for USDA regulators to require a 15-20 minute daily exercise period out of the cage for dogs when their cages are cleaned, the voluminous document ignores the issue.

There is an axiom that the best medical research is performed on normal, healthy animals and that some research results may be questionable when abnormal animals are used. Indeed, the "psychological well being" amendment has resulted in improvements and innovations at a significant number of research facilities.

Keeping a primate alone in a small cage for years degrades psychological well-being, according to many primatologists, including Jane Goodall. Although some primatologists in NIH and



*Macaque bites the bars in vain.*

Photo courtesy LifeForce

other institutions argue that cage size is not important to psychological well being, I side with Goodall and others, who speak of the emotional distress of confined primates and identify the symptoms of those animals severely damaged.

Does a degraded psychological condition also degrade the research conducted on the animal? Generally that is a question for the medical research community to evaluate. But on the matter of humaneness, it is an easy call for me.

There is a lawsuit in federal court to address the inadequacies of the regulations. As a former legislator, I would be disappointed



Photo courtesy LifeForce

*Frightened baboon trying to hide in cramped cage.*

if the issue cannot be settled without leaving it for a court decision.

My amendment specified that steps be taken in primate care to "enrich" the animals' lives. Inordinately small cages and lack of access to exercise do not constitute life enrichment for primates, or for any animal.

University research institutions tend to brush off criticism from animal rights activists as an effort to limit medical research. To the contrary, we support their work. Look at the record. Most medical research is federally funded and vote after vote in Congress shows stout support for medical research grants.

However, when confronted with efforts to improve lab animal care, many institutions assert that they know better. We are neither scientific know-nothings nor are we out to smash laboratories. There is plenty of room for improving both the care of animals and advancing research. These dual causes do, in fact, mesh and complement each other.

The quest continues for better understanding of psychological well-being of primates and for ways to translate that knowledge into more humane care. There is no expectation nor requirement that laboratory animals have a great amount of freedom. But can we provide less than humane care to those primates that are giving their lives for us?

John Melcher practiced veterinary medicine for 20 years before being elected to Congress in 1969. A Democrat from Montana, he served eight years in the House and 12 years in the Senate.

### ***Wildlife Protection, Enforcement of Federal Laws Could be Strengthened,***

United States General Accounting Office, Report to Congressional Requesters, April 1991, 48 pages, free on request, (202) 275-6241.

This analysis by the General Accounting Office was requested by Congressmen Gerry Studds (D, MA) and Sten Gundersen (R, WI). The U. S. Fish and Wildlife Service (FWS) "Generally Has Sufficient Enforcement Authority," according to one of the report's headings. Another heading, however, reads, "Responsibilities Are Up, but Staffing Is Down," and a third says, "Funding Limitations Have Resulted in Special Agents Being Deskbound for Months." That's putting it mildly.

The GAO investigators interviewed state government employees who often work cooperatively with federal enforcers on preventing wildlife crime. The report notes: "According to most state wildlife management agency officials we talked with and reports we reviewed, FWS special agents do an effective job when provided the funds for travel, up-to-date equipment, and support services needed to do their jobs. These funds have not always been forthcoming, however, and some FWS special agents have used their private vehicles, stayed with friends, or slept in their vehicles to save per diem costs and have used other means to ensure that resources for investigations are stretched as far as possible."

It's plain that funding restriction is seriously hampering law enforcement. According to the report: "... allocations for operating expenses per agent decreased from \$24,100 [in 1984] to \$11,800 [in 1990]. One result has been that special agents are able to perform only limited fieldwork, which represents a significant portion of their work under normal circumstances.

"For example, an FWS special agent in Louisiana stated that realistically speaking, all special agents in region 4 were deskbound

with a full 5 months left in fiscal year 1989. This agent went on to say that this phenomenon had occurred almost annually over the span of his 19-year career with FWS and that operating funds had never been adequate to genuinely protect wildlife, as the Agency is mandated to do by the Congress."

Another headline states, "FWS Must Turn Down Many State Requests for Assistance." The FWS' own Law Enforcement Advisory Commission recognized that "this lack of cooperation could have serious adverse short - and long-term consequences on the agency's effectiveness throughout the nation."

Major adverse effects have already surfaced. The GAO report states, "... state law enforcement directors in 10 of the 11 northeastern states in region 5 have advised FWS that they will not be renewing cooperative law enforcement agreements with the agency in the future." Examples involving the states of Colorado and Utah are given: "Utah's state game agency had proposed to equally split the estimated \$3,000 cost to investigate alleged caging of cougars for release when parties arrived for the hunt, illegal trapping and killing of bobcats after the season and shipping their furs out of state, and exceeding the limit on the number of cougars that can be killed by a given hunter."

The Law Enforcement Division of the Fish and Wildlife Service has been deliberately starved of funds through the assiduous efforts of lobbyists for vested interests and through prejudice of some Interior Department officials.

Direct line authority has been denied the Law Enforcement Division despite the recommendation, made June 1990 after a thorough study by the FWS Law Enforcement Advisory Commission, that such authority was essential.

Wildlife crime is expanding while federal law enforcement agents are shackled by needless bureaucratic diversionary tactics and bound to their desks for lack of funds to pursue the criminals.



# Bogus Elephant Claims of South Africa and Zimbabwe

By Allan Thornton

Claims by South Africa and Zimbabwe that they have well-managed herds of elephants which are culled to finance conservation programs have been shown to be false. On the strength of such bogus and unsubstantiated assertions, the two countries are spearheading efforts to overthrow the Appendix I (endangered) listing for African elephants at the forthcoming meeting of the parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in March 1992.

Zimbabwe claims to be overpopulated with elephants as a result of highly successful conservation measures and says it must cull elephants to protect their habitat. Moreover, it has repeatedly told journalists all over the world that the money from sales of ivory and elephant hides resulting from these mass culls is used to fund elephant conservation in Zimbabwe.

There is no truth in Zimbabwe's claims. Ivory from elephant culls is sold by the government and the money is paid to the Central Treasury, not to elephant conservation programs. In a submission to the US Fish and Wildlife Service, the Zimbabwe Department of National Parks and Wildlife Service finally admitted that "All revenues attributable to elephants from the Parks and wild life estates in Zimbabwe were returned to the General Treasury."

Zimbabwe has simultaneously claimed a soaring elephant population. According to their statistics, in 1988 there were 43,000 elephants, but by 1989 the estimate jumped to 51,700. In 1990 the figure increased to 60,000, and by January 1991 to 66,000. By July it increased again to 70,000 and two months later to 75,000.

But Zimbabwe had not even counted its elephants since 1989, except for those in Hwange Park. The figures were only extrapolations of the areas counted in 1989 and dramatically inflated previous lower estimates. Even the 1989 estimates included as resident animals thousands of migrating elephants which cross into Zimbabwe from Botswana, Zambia and Mozambique.

Despite repeated requests, Zimbabwe, like Botswana and South Africa, has never submitted information on elephant numbers for peer review by independent foreign scientists.

Zimbabwe's largest elephant population is in Hwange Park, where thousands of elephants temporarily cross over from Botswana to obtain water at more than 90 artificial watering points. These watering holes were built by the Park authorities close to the main roads of Hwange to provide easy viewing of elephants by tourists. The artificial watering holes attract migrating elephants from adjacent countries.

Now Zimbabwe is planning the largest state sanctioned elephant slaughter in history. The massive slaughter of 15,000 elephants will wipe out elephant herds from Angola, Botswana, Zambia and Mozambique.

The culls of so many elephants are part of an increasingly desperate strategy which aims to overturn the international ivory ban by accumulating vast stocks of ivory.

Zimbabwe has flooded CITES with proposals to reopen international trade not only in ivory, but in cheetah and leopard skins, and even in rhino horns. This last comes in the face of escalating rhino poaching which betrays the plummeting enforcement capability of the increasingly demoralized Department of National Parks and Wildlife Service. The proposals are being used as a lever to overturn the ivory ban.

South African efforts to overturn the Appendix I listing are even more disturbing than Zimbabwe's, given the extensive illegal ivory trade that continues to flourish in the country, and their justifications for their actions are equally suspect. Claiming a population of 8,000 elephants, mostly in Kruger National Park, South Africa states they, too, have to cull elephants. However, most of the elephants originated in neighboring Mozambique before the construction of hundreds of miles of electrified fences forcibly prevented them from migrating back to their home territory.

Most of Mozambique's remaining elephants have been poached during the civil war in which South Africa armed, trained and funded the Renamo insurgents. The poached ivory flowed and continues to



Herd of elephants at a natural waterhole.



At left, the author at an artificial waterhole in Zimbabwe which attracts thirsty elephants from Botswana.



Baby elephant temporarily leads the herd.

flow from Mozambique to South Africa.

South Africa's illegal ivory trade remains unchecked despite concerted efforts by the police Endangered Species Unit. Ivory from adjoining countries like Mozambique, Zambia, Zaire, Malawi and Zimbabwe continues to move through South Africa.

In Botswana, businessmen interested in obtaining contracts to carry out an elephant kill are lobbying the government to ensure that kills of thousands of elephants proceeds in 1992. One company wants to build an elephant processing factory near the world famous Chobe National Park to process elephant skins for export to the United States. If the company succeeds, thousands of elephants will have to be killed every year to keep the processing factory open.

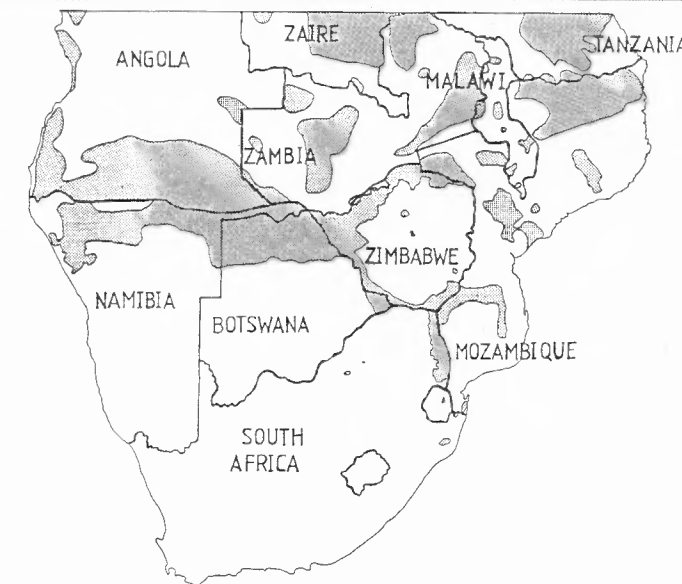
Botswana will host the headquarters for the Southern African Centre for Ivory Marketing (SACIM) which will be a gigantic elephant slaughterhouse, trading both legal and poached ivory from Zimbabwe, Zambia, Namibia and Malawi. The legal resale of confiscated ivory

from poachers was a huge loophole exploited by ivory smugglers to "legalize" hundreds of tons of poached ivory in the pre-1989 CITES regulations.

Botswana, despite being one of the richest countries in Africa due to its diamond exports, has no enforcement or investigative ability to check the illegal ivory trade operating in and through its territory.

In 1988, a truck belonging to South Africa's most infamous ivory dealer, Cheong Pong, was seized at the Botswana border filled with hundreds of ivory tusks and many rhino horn. The "penalty" was a fine of less than \$2,000 US!

Most people in Botswana oppose the proposed elephant kill. There is no economic benefit for them. Tourism provides significant local employment and local people fear the "cull" would lead to a tourist boycott. Botswana also do not eat elephant meat. But powerful



Map of the southern African region. Shaded areas denote the range of the elephant.

economic interests, notably shooting teams from Zimbabwe, are lobbying hard to obtain the rights to the ivory, skins and the culling contracts.

Many people in Botswana are concerned about the planned elephant killings because many elephants have migrated across the northern borders with Angola and Zambia to escape intensive poaching. These highly endangered populations stand to be killed by Botswana merely for economic gain.

People in Botswana who oppose the cull have been subject to threats from the government. Expatriates have been threatened with expulsion if they speak out against the elephant kill and Botswana's efforts to overturn the ivory ban.

The efforts by South Africa, Zimbabwe and Botswana to carry out the largest elephant slaughters in the history of Africa depends on overturning the international ban on trade in ivory and skins. If the Appendix I listing of CITES is weakened, tens of thousands of elephants face imminent execution. The endangered elephant populations of Mozambique, Angola and Zambia will be pushed even closer to extinction.

A total Appendix I for all populations of African elephants remains the only way to ensure the long-term survival of Africa's elephants.

At left, Three generations of elephants; females maintain strong family bonds in their matriarchal society, teaching the young over a long period of years.

All photos courtesy of the Environmental Investigation Agency.

## "FREE TRADE" VS. DOLPHINS

by Craig Van Note

An international trade body has ruled that the Marine Mammal Protection Act's (MMPA) provision for reducing dolphin mortality in tuna nets is illegal. Fortunately, an outcry by conservation and animal welfare groups and overwhelming opposition in Congress has blocked demands by the Bush Administration to comply with the ruling and cripple the MMPA.

The ruling, by the General Agreement on Tariffs and Trade (GATT), also threatens other environmental laws protecting wildlife and natural resources, such as the tropical forests and atmosphere, beyond the borders of the United States. For example, the African Elephant Conservation Act of 1988, which led to a U. S. ban on ivory imports, would be illegal according to GATT.

The rush to remove non-tariff barriers to "free trade" could sacrifice the regulation of protected wildlife under the Convention on International Trade in Endangered Species (CITES).

The crisis between "free trade" and the environment resulted from the long-running battle to save dolphins from the tuna fishermen operating in the eastern tropical Pacific, where yellowfin tuna swim below schools of dolphins. More than 7 million dolphins have been drowned since 1958 in the purse seine nets set around the air-breathing marine mammals.

In 1988, the U. S. Congress amended the Marine Mammal Protection Act to set dolphin kill-rate standards for foreign fleets if they wanted to export their tuna to the U. S. Older regulations under the MMPA had drastically reduced the kill by the U. S. fleet, from more than 100,000 per year to less than 20,000. But foreign fleets were killing more than 100,000 annually, and at a much higher rate per set. The new regulations were intended to encourage the foreign fleets, particularly Mexico's, to adopt better dolphin-protection techniques and to accept independent observers on their boats.

When the Bush Administration refused to enforce the "comparability standards" on the foreign fleets, several environmental groups sued in federal court. In 1990, the court ruled that Mexico and four other nations had failed to meet the standard of two times the U. S. fleet kill rate. Their tuna exports to the U. S. were embargoed under court order.

Rather than comply with the U. S. law by ending practices that result in high dolphin mortality and accepting observers on their boats, the Mexican government filed a complaint against the U. S. at GATT. The 110-nation organization has operated for the past 44 years as an international agency to break down trade barriers and to attempt to adjudicate trade disputes between countries.

A three-man panel of trade experts from Hungary, Uruguay and Switzerland was appointed to hear the Mexican case. Because GATT operates in great secrecy, the hearing was held behind closed doors in May. The legal briefs are classified. The actual ruling against the U. S. was released only after outraged public protest. GATT and the Bush Administration are still resisting demands by Congress and environmental groups for full access to the documents in the case.

"What we have is a panel of obscure trade bureaucrats, unelected and accountable to no one, making an arbitrary decision under arcane trade rules that environmental protection cannot intrude into the sacrosanct world of 'free trade,'" comments Lori Wallach, staff attorney for Public Citizen, a consumer and environmental advocacy group based in Washington.

Not only did the GATT panel rule against dolphin protection,

but it ruled that no nation may set standards on how products are produced beyond its own borders. U. S. standards on pesticide residues in imported food, or the ban on goods produced by prison labor in China, would be illegal under the GATT ruling.

Strangely, the GATT decision cannot be appealed by the U. S. or any other nation. A ferocious international outcry against the panel ruling has forced Mexico to repeatedly take the ruling off the monthly agendas of the GATT Council, which gives final ratification. But the decision against the protection of the environment and public health and safety cannot be erased. Even more strangely, the Bush Administration has refused to denounce the GATT attack on one of America's most important conservation laws. Indeed, some high-level officials in the State Department and Commerce Department actually encouraged Mexico to file the complaint against GATT.

Several congressional oversight hearings revealed that the Bush Administration is willing to allow many of the hard-won environmental and public health laws of the United States to be tossed out the window in the name of "free trade." It was learned that under the terms of the Uruguay Round of negotiations for new GATT rules, the Bush Administration is supporting changes that would make all GATT panel rulings legally binding on all nations. In effect, Congress would be forced to strike from the books any U. S. laws that the GATT bureaucrats deem to be against "free trade."

Fortunately, the Congress has refused to comply with the GATT ruling on Mexico's complaint. Repeated attempts by the Bush Administration to amend the MMPA, to remove the embargo provisions on dolphin-unsafe tuna, have been rejected by both the House and Senate. Last October, 64 of the 100 U. S. senators sent a letter to President Bush demanding that the U. S. reject the GATT ruling and warning the White House to abandon attempts to gut the MMPA.

Commented Senator Ernest Hollings (D, SC), Chairman of the Senate Commerce Committee: "Many of our most far-reaching and forward-thinking environmental policies could be consigned to the trash heap should the U. S. fail to fully exercise its rights or fail to stand up to this challenge. We cannot sacrifice the future of this planet on the altar of free trade, nor can we ignore our responsibility to conserve world resources in an effort to appease our trading partners."

H. Con. Res. 246, introduced in the House in November by Representative Henry Waxman (D, CA) and Majority Leader Richard Gephardt (D, MO), declares that Congress does not intend to approve any trade agreement that jeopardizes U. S. environmental, labor, public health or consumer safety standards.

Senator Bob Packwood (R, OR), the leading defender of whales and dolphins in Congress, warned: "The pursuit of free trade cannot run roughshod over preservation of the world's natural resources."

In May 1991, President Bush sent to Congress an "Action Plan" on trade that promised that no trade agreements would be allowed to undermine U. S. environmental laws.

### ACTION:

You can help save the dolphins and our laws for the protection of the environment and public health and safety by writing a letter to President Bush, reminding him of his promise. Tell him that the environment cannot be sacrificed on the altar of "free trade."

The President  
The White House  
Washington, DC 20500

And tell your friends and colleagues about this outrageous assault on our laws. Write a letter to your local newspaper.

## Logging Affecting Orcas' Habitat

by Henry Herbermann

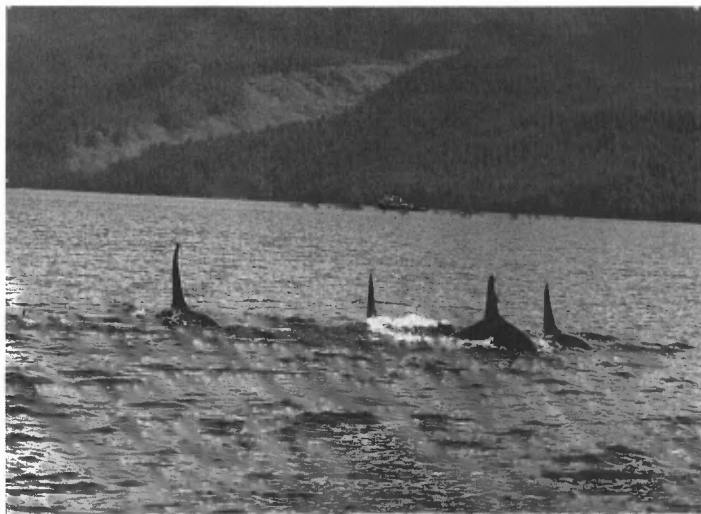
Robson Bight is a small bay on the northeast coast of Vancouver Island. It lies within a larger body of water known as Johnstone Strait. Every summer up to 190 killer whales enter the Strait to feed on migratory salmon. Almost all will frequent Robson Bight to socialize, rest and, in a unique behavior not yet fully understood, rub themselves on the pebbles of several small underwater beaches. Many consider this area the best location in the world to view and research killer whales in the wild.

Unfortunately the future of the whales at Robson Bight is being jeopardized by the actions of logging company MacMillan Bioedel.

Last year, in the face of tremendous public opposition, Macmillan Bioedel began logging in areas of the lower Tsitika, just 2.5 miles behind Robson Bight.

To study the impacts of human activities on the whales, the federal and British Columbian governments have formed a joint Johnstone Strait Killer Whale Committee. This fall the Committee will recommend what actions are necessary to protect the whales.

Potentially, the effects of logging so near to Robson Bight could force the whales to leave the area and the surrounding parts of



Paul Rescliffe

Orcas rising. Note clear cutting in the Tsitika behind Robson Bight.

Johnstone Strait. Clear cutting leaves large tracts of land devoid of forest, thus greatly increasing the rate of soil erosion. Logging in areas of the lower valley would substantially increase the amount of mud, silt and debris already flowing into Robson Bight from the upper forest via the Tsitika River, thus making the Bight virtually uninhabitable. The completion of logging roads is also a major concern. These roads will significantly improve access to Robson Bight. Studies have shown that whales will leave the area if people are present on nearby shores.

### ACTION:

If you are concerned for the welfare of the killer whales inhabiting Robson Bight, write to the Premier of Victoria, British Columbia. Ask that no further logging occur in the entire Tsitika watershed.

Premier Rita Johnston  
Office of the Premier  
Parliament Building  
Victoria, British Columbia, V8V 1X4  
CANADA

## SONGS OF THE HUMPBACK WHALE AVAILABLE AGAIN

Paul Winter, whom we have to thank for so much music celebrating animals and the earth as a whole, has reissued *Songs of the Humpback Whale* on compact disk and cassette tape.

Writing about these strange and wonderful songs, Paul Winter tells us: "The poignant voices of the humpback whales, which I first heard in a lecture by Roger Payne in 1968, changed my musical life, and opened the door for me to the entire symphony of nature. *Songs of the Humpback Whale* is a timeless classic of the earth's music, and it deserves, I feel, a place in our cultural pantheon alongside the music of Bach, Stravinsky, and Ellington.

"Roger eloquently describes the uniqueness of this album:

"These are the classic recordings of the golden, 'Bel Canto' age of whale singing. Humpback whales change their songs every year, and none from recent years have been so beautiful as those they sang in the 1960s. No one knows why. I have wondered whether it was the Muse, who in that golden era, blew her magic dust over whales and Beatles alike.

"When I think of what grand arias, cantatas, and recitatives have filled the sea, echoing through its vast vaults, only to disappear and be lost forever, I am keenly grateful for recordings such as those included here, made by sound-pioneer Frank Watlington, who captured what I consider to be the greatest of all humpback whale performances, 'Solo Whale.' It was recorded at a depth of 1500 feet, using an extraordinary array of deep-water microphones, part of a cold-war experiment of the U. S. Navy costing tens of millions of dollars, and now claimed by the sea. That project will never be repeated. And such songs may never be heard again."

When 93 nations met in the U. S. State Department auditorium for three weeks to write the text of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Animal Welfare Institute successfully requested that part of the *Songs of the Humpback Whale* be played to the entire gathering over the public address system at the opening to a morning session. We presented a copy of the recording to the head of each delegation. CITES now lists all the great whales on Appendix I (endangered), prohibiting trade in their parts and products.

You may order the recording by calling The World of Living Music: 800-437-2281, or writing: Box 68, Litchfield, CT 06759. Tapes are \$9.95; CDs \$16.95; shipping \$3.00. A catalogue, including such favorites as "Common Ground," "Wolf Eyes" and "Missa Gaia/Earth Mass," is also available.

## Japan Agrees to Cease Drift-Net Fishing

Bowing to international pressures, Japan is announcing that it will stop 50% of drift-net fishing by mid-1992 and 100% by December 1992. The 1989 United Nations resolution calls for a moratorium on drift-net fishing after June 1992.

After Japan, South Korea and Taiwan are the world's largest drift-netting nations. In October, Taiwan agreed to the UN resolution, its decision coming in the face of economic sanctions worth millions of dollars of seafood exports to the United States.

The South Korean Embassy in Washington said that its government has no immediate plans to follow Japan's lead. Continued pressure on Korea and Taiwan must continue.

**Replenish the Earth**

by Lewis Regenstein, Crossroad (New York), 1991,  
304 pages, \$14.95

Lewis Regenstein's scholarly analysis of the relationship of the major religions to the treatment of animals provides a treasury of quotations calling for kindness and consideration of other species.

"There is nothing in the Bible," Mr. Regenstein writes, "that would justify our modern-day policies and programs that despoil the land, desecrate the environment, and destroy entire species of wildlife."

Chapter 2, "Animal Sacrifices: Condemned by the



Prophets," and Chapter 3, "The Early Christian Saints: Compassion and Love for Animals," prepare the reader for the cruelty which followed. Chapter 4, "The Middle Ages and the Renaissance: The Church Sanctions Cruelty to Animals," is followed by the fifth

chapter entitled "Changing the 'Animal Hell of Merry England,'" and the sixth, "The Settling of America: Religious Reverence, and Hatred, for Animals."

Mr. Regenstein shows that we are now recovering from these callous attitudes, which he describes in "Contemporary Western Religion: Its Successes and Its Failures."

The "Religions of the East" conclude the work, an excellent reference book for everyone seeking humane treatment of animals.

**The End of Nature**

by Bill McKibben, Random House (New York), 1989,  
226 pages, \$19.95

"We have built a greenhouse, a *human creation*, where once there bloomed a sweet and wild garden," writes Bill McKibben. A frequent contributor to *The New Yorker*, Mr. McKibben's book is readable and even cheerful, despite his thesis. Irrefutable documentation of the enormous damage our species has already done flows from his pen. An admirer of John Muir and Edward Abbey, he takes a friendly view of animal life.

Published in 1989, when ignoring the greenhouse effect was in full spate, McKibben's objections to "management" of nature and to

the defiant determination that every problem can be solved by technology, has been strengthened by the passage of time.

Towards the end of the book, the author adds a small note of hope now that nature, he believes, has ended. "Though not in our time, and not in the time of our children, or their children, if we now, *today*, limited our numbers and our desires and our ambitions, perhaps nature could someday resume its independent working. Perhaps the temperature could someday adjust itself to its own setting, and the rain fall of its own accord."

*The End of Nature* is worth reading for its references alone and its clear understandable explanations of the events that have led to the terrible dangers we now face.

**Euthanasia Guide for Animal Shelters**

by Ronald L. Grier, D.V.M., Ph.D., and Tom L. Colvin. Third Edition, 1991. \$12 (1-5 copies), \$9.50 (6 or more copies).

According to New York State Law, injectable sodium pentobarbital solution for euthanasia may be administered only by a veterinarian or by animal control and shelter personnel who fulfill requirements mandated by the NY State Department of Health. These requirements include successful completion of an approved course in proper euthanasia procedures.

Grier's book has been used for several years as the text for an approved euthanasia course sponsored by the New York State Humane Association and the New York State Animal Control Association. Grier is Professor in the Department of Veterinary Clinical Sciences at the College of Veterinary Medicine, Iowa State University. The third edition of the book is co-authored by Tom Colvin, Executive Director of the Black Hawk Humane Society, in Waterloo, Iowa.

The *Euthanasia Guide* discusses all types of euthanasia and their advantages and disadvantages, and situations in which they should or should not be used. It provides technical information on the components and the action of available injectable agents as well as on inhalants for euthanasia. It lists suppliers for restraint and euthanasia agents. It explains humane pre-euthanasia handling of an animal. It provides detailed, illustrated instructions for use of the

most humane euthanasia methods, including intravenous, intraperitoneal and intrahepatic injection of the euthanasia agent. It stresses that intracardiac injection should not be attempted unless the animal is tranquilized. It discusses slip-ups that may occur, and how to handle them. It suggests methods to verify death. There are clear diagrams for every phase of the procedure.

Throughout, *Euthanasia Guide* deals not only with providing a humane death for the animals, but also with handling the stress on the euthanasia technician.

Grier and Colvin's book is outstanding from a technical and tutorial point of view. It includes also, what is perhaps at least as important and certainly more rare in a technical manual: remarks on the tragedy of overpopulation, and on possible solutions. It endeavors to instill a humane attitude, and to face the reason for the present necessity of large scale euthanasia. References are not only to technical papers, but also to discussions of the overpopulation problem. A sentence in the Introduction reads: "To humanely end the life of healthy unwanted animals, the stray and the sick, requires a high degree of compassion, skill, and emotional stamina. When done correctly, animal life can be ended in a painless way with dignity and kindness." The last sentence reads: "Euthanasia training must be balanced with aggressive shelter and grassroots community action in attacking the fundamental causes of pet overpopulation: profit, ignorance and indifference." — *Marjorie Anchel*

***Animal Revolution, Changing Attitudes Towards Speciesism***

By Richard D. Ryder, Basil Blackwell, Inc. (Cambridge, MA), 1989, 385 pages, \$24.95

Richard Ryder, psychologist, long-time board member and erstwhile Chairman of the Royal Society for the Prevention of Cruelty to Animals (RSPCA), is best known for his book, *Victims of Science*, which first used the word "speciesism," a key to animal rights philosophy. In *Animal Revolution*, he presents a fascinating history of human domination of other animals and the slow changes which have occurred over the centuries. "The time has come for a revolution in our attitudes," he says, because of our ever increasing ability to shape and to destroy our environment.

Ryder's compact historical analysis, starting with the ancient world and continuing through the Middle Ages and the Renaissance, begins its more detailed analysis in Chapter 7, "Victorian Consolidation." Everyone interested in the history of the movement will find much of the historical research fascinating. The changes that have occurred in Britain are staggering. Queen Elizabeth, a leader in making sadistic occupations fashionable, objected to occasional performance of plays in preference to baiting of bears and bulls! According to Ryder, "With the support of the Lord Mayor, she prohibited the performance of plays on Thursdays, which were reserved for baiting." In contrast, Ryder notes the "example set by the young Princess Victoria who had honoured the SPCA with her patronage in 1835 and, after she became Queen, with the royal prefix in 1840."

As Ryder's history enters into recent times, some of the reporting becomes less than complete. For example, the US Marine Mammal Protection Act (referred to in one place, as the "Marine Mammal Act,") is said to be the result of increased pressure on the U. S. Administration, whereas, in fact, the legislation was the result of hard-fought Congressional action. Since its enactment in 1972 it has prohibited importation into the United States of any part or product of a nursing marine mammal.

The European action against the clubbing of the Canadian whitecoats took place later; the ban on baby seal skins finally being adopted by the European Community in 1983. This campaign is described in great detail taking, up page after page in contrast to the short shrift given the 1972 ban by the United States.



*"Queen Victoria played a highly significant role in promoting the social respectability of animal welfare in the nineteenth century and in making Britain the leading country of reform in this field. Her opposition to cruelty was sincere and passionate. She is pictured here with her dog Sharp at Balmoral in 1867. (BBC Hulton Picture Library)"*

The discussion of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) likewise suffers from too great brevity. Characterizing it as "probably the best enforced of all conservation treaties" betrays a lack of familiarity with its serious administrative failings. And while Bill Jordan and Peter Scott deserve much credit for good CITES guidelines on the transport of wildlife, these were never enforced and have now been eliminated. Enormous loss of life, accompanied by severe suffering, has characterized international wildlife transport, especially the massive shipments of wild-caught birds for the pet industry.

These examples illustrate the uneven treatment which occasionally mars this otherwise admirable work. The author knows intimately the workings of the world's largest humane organization, the RSPCA. In attempting to deal with international wildlife issues, he is on less solid ground, but he must be credited with gathering, as no one else has done, so much information and for presenting it in so civilized and lively a fashion. The book should be much more widely read than it is in the United States.

Ryder deserves particularly high marks for his fearless commentaries on sadism, a subject from which most psychologists retreat in silence. He writes, "The inherent urge to dominate is as widespread as are the natural surges of compassion; sadism and sympathy can co-exist and neither is uncommon. Sadism is usually concealed because it is recognized as being unacceptable in a civilized society."

As a clinical psychologist, he writes knowledgeably, too, about squeamishness. He begins by saying: "It is strange that we have no other word for this phenomenon; so ashamed have we been to admit that the sight of our own or another's blood or injury may make us feel ill or

cause us to become 'medically shocked.' Yet various writers over the centuries have described this reaction, and today it is taken for granted (and widely joked about) in medical circles."

After discussing the phenomenon further, he says: "What does all this mean? It means, surely, that there is something inherently disturbing in seeing another creature injured, impaled, dismantled or killed---particularly if this is done cold-bloodedly; that is to say when the observer is not already aroused by fear, anger or other extreme emotion. Leo Tolstoy saw humankind's aversion to all killing as both strong and natural, and so do I."

## SENATE EXPOSÉ

### 400% INCREASE IN BACTERIAL CONTAMINATION OF MASS-PRODUCED CHICKENS

The big Senate hearing room was packed, and a long line of people waiting to get in extended down the corridor. The subject: Conditions in chicken slaughterhouses. The date: June 28. Senator Howard Metzenbaum (D, OH) was in the chair to hear testimony on the bill he had introduced nine days before, S. 1324. He focused on the bacterial contamination spread in the giant plants which results, according to the Senator, in the death of 2,000 people plus 4 million cases of illness, costing \$2 billion in medical and lost work bills each year.

When he introduced his bill, he stated on the Senate Floor, "USDA entrusts the old-fashioned inspection program to poultry producers themselves..." But, he insisted, "I want real enforcement of real regulations, and I want it now."

He pointed to research by the industry that has made chickens 50% larger on 15% less food and in 20% less time than 20 years ago, "but reports indicate that the same chicken carries 4 times as much bacteria as 20 years ago."

There is extreme concentration of ownership of the chicken business. Senator Metzenbaum said: "Today 4 companies produce 41% of all poultry. Twenty companies produce 79%." According to *The Arkansas Democrat*, April 22, 1991, "More broilers currently are produced in a single day than the entire annual output in 1930."

#### Chickens treated like inanimate objects

What of the individual birds that make up this enormous stream of brief lives? Three newspapers did their own investigations and ran numerous articles on the packing plants, which were inserted in *The Congressional Record* by Senator Metzenbaum. Excerpts from these articles follow. Footnotes indicate their source.

The chickens' sufferings begin in the "throwing room" where "To keep up with the hundreds of thousands of chicks that hatch each day, workers in this room literally scoop up large handfuls of chicks every second, throwing them several feet through the air onto conveyor belts.

"The fluffy yellow chicks, no bigger than baseballs, are inoculated, in some plants debeaked (beaks blunted on hot plate to reduce

danger), and transported to grow-out houses."<sup>11</sup>

After a few weeks in the "grow-out houses," the chickens are caught to be sent to slaughter. The "hazard to the catchers' lungs" is described, hazards which the birds undergo day and night. "Air in the chicken houses is thick with the stench of ammonia and feces, making it difficult to breathe. The litter the chickens walk on traps ammonia and other gases, as well as organic dust that contains excrement, insect parts, microorganisms and microbial toxins."<sup>12</sup>

Here's how the frightened chickens are caught: "Overhead lights switch off, faint red lights switch on, and in the dim hue Steve Crawford, 26, wades into a white sea of 25,000 chickens. Bending over, he sweeps his right hand under a chicken, grabs its scaly foot between his fingers, then grabs another the same way.

"He stands and switches the two birds to his left hand, shoving them between the pinkie and ring fingers. He bends again, grabs two more, rises, and slides them between the next two fingers. Within a few seconds he has 10 chickens hanging by their feet, wedged between the fingers on his left hand. He bends again to grab three more birds between the knuckles of his right hand.

"Mr. Crawford walks over to a freezer-sized metal cage and throws them into one of 15 small compartments. Seven other Seaboard Farms 'catchers' work with him in the 400-foot-long chicken house.

"Every night, thousands of chicken catchers like Mr. Crawford fan out in the nation's grow-out houses and begin their nightlong harvest, seizing chickens by their feet."<sup>13</sup>

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**According to *The Arkansas Democrat*,  
April 22, 1991, "More broilers currently are  
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annual output in 1930."**

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Describing the slaughterhouse, the article states: "(a) Chickens are dumped from their cages onto a conveyer belt; (b) workers hang the birds upside down by hooking both feet into moving shackles at about one bird per second; (c) the chickens are sprayed with water and stunned by an 18-volt electric shock; (d) a mechanized blade draws a quick, long slash across each chicken's neck and blood begins pouring onto the floor and into drains; (e) after the blood has drained, the birds are dragged through a tank of scalding water to loosen their feathers..."<sup>14</sup>

Another article notes: "The live chickens, leaving a trail of white feathers, arrive about a dozen to each 3.5-square-foot cage loaded on tractor-trailer rigs."<sup>15</sup>

The abusive treatment of the birds takes its toll, as noted in an article in the April 23 *Arkansas Democrat*: "When Betty Smith comes home after eight hours of trimming the cuts and bruises from chicken carcasses, she tends her own injuries." She soaks and bandages her arms, but they're still swollen and painful when she wakes up to go to work.

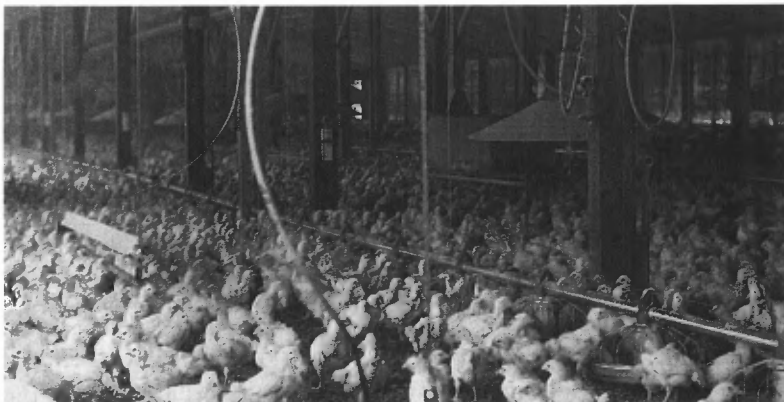
Many workers suffer repetitive motion injuries, such as carpal tunnel syndrome and tendonitis. Occasionally, OSHA (Occupational Safety and Health Administration) intervenes. For example: "In 1989, the Empire Kosher Foods poultry plant in Mifflintown, Pa., was fined \$1.36 million by OSHA for 'knowingly and willfully' exposing workers to cumulative trauma injuries. It was the first such fine in the country but not the last.

"That same year, Cargill's plant in Buena Vista was fined \$242,000 and also cited for 'knowingly and willfully' injuring about half its workers."<sup>16</sup>



Cathy Lis

Left behind; A catcher's face-mask, used for protection against the ammonia fumes, dust and stench, lies next to a chicken skeleton.



Cathy Lis

A "Grow-out House" on a Factory Farm.

**Consumer Beware**

People who eat chicken are at risk of contracting various diseases. For example, *The Arkansas Democrat* reports, April 21: "Estes Philpott, the retired inspector, also cited an incident that occurred Nov. 23, 1990, at the Simmons Industries plant in Siloam Springs when a load of chickens infected with the respiratory disease air sacculitis arrived.

"As Philpott was sorting the sick birds, he said the plant's chief inspector told him not to condemn any. But Philpott said he condemned more than 915 birds from an estimated 80,000. Each of the other five inspectors also condemned dozens of birds.

"Many plants use 'lung guns' to suck the infection from the lungs and salvage such birds. But Philpott and other inspectors say the infection is not limited to the lungs, but that pus and material that 'looks like phlegm' spreads throughout the bird's body.

"That's one of the worst things people can eat," Philpott said.

"He stopped eating chicken about 15 years ago."

The article continues with a subhead, "*Maggots Found.*"

"A former worker at the Tyson plant in Neosho, Mo., described what happened when another worker found maggots on a chicken being processed. The plant processes chicken for products such as soups and stews.

"The worker recalled a plant supervisor arriving. The manager picked the maggots off the bird and flicked them from his hand.

"The chicken continued along the processing line.

"He didn't make no effort to check the meat," the worker said.

"The former Tyson worker no longer eats chicken. 'Once I seen how their quality control was, I don't eat their product anymore.'"

USDA studies that demonstrate major contamination somehow never get published. For example: "A 1988 USDA study of five

processing plants in the Southeast found contamination levels of 58 percent before the chickens went into the chill tank, where further cross-contamination can occur.

"That study has never been published.

"Another USDA study showed washing even 40 times does not control or remove bacteria.

"Another USDA study found the rate of salmonella contamination increases by as much as 28 percent in the chill tanks, where birds are cooled after processing."<sup>7</sup>

After the chickens are killed, their feathers must be plucked. Here is a description of modern methods: "...thousands of rubber 'fingers' pummel the birds to remove their feathers. Here critics contend the picking equipment spreads contamination among the birds while it pounds the dirt, feces, bacteria and other contamination into the skin

and meat...

"The chickens whiz past the inspectors and workers at rates of 70 to 91 birds a minute...

"With two or three inspectors per processing line, the system allows between 1 and 1.5 seconds to look at each bird."<sup>8</sup>

USDA "reduced the number of federal inspectors on each line under its so-called streamlined inspection system, relying heavily on company employees to catch processing defects.

"A better name for it would be streamlined infection system,"<sup>9</sup> asserts Mr. Devine of the Government Accountability Project, a whistleblower group based in Washington."

1. Bronstein, Scott, "A Well-Bred Bird Begins in the Lab," *The Atlanta Journal-Constitution* (May 26, 1991).
2. Bronstein, "There's a Catch to Catching Birds: It's Hazardous to the Health," *The Atlanta (GA) Journal-Constitution* (June 2, 1991).
3. *Ibid.*
4. Bronstein, "A Well...", *The Atlanta Journal-Constitution* (May 26, 1991).
5. Fullerton, Jane, "Faster Processing: More Contaminated Birds?" *The Arkansas Democrat* (April 21, 1991).
6. Bronstein, "For Workers, Price Can be High--Pain, Crippled Hands," *The Atlanta Journal-Constitution* (June 2, 1991).
7. Fullerton, "Consumers Have Bone to Pick on Product Safety," *The Arkansas Democrat* (April 21, 1991).
8. Fullerton, "Poultry Industry: Success at a Price," *The Arkansas Democrat* (April 21, 1991).
9. Ingersoll, Bruce, "Fowl Process: Faster Slaughter Lines are Contaminating Much US Poultry," *The Wall Street Journal* (Nov. 16, 1990).

**Kuwaiti Sheep Dying from Oil Fires**

John Walsh, international projects director at the World Society for the Protection of Animals (WSPA) removes ear tags from the carcasses of sheep discovered in a Kuwaiti stockyard after the Gulf war. Autopsies disclosed that thousands of sheep had died from dehydration, heat prostration, and possibly of smoke inhalation from oil fires polluting the Kuwait atmosphere. Walsh used the tags to trace the thousands of dead sheep to an Australian shipment last April. WSPA is demanding a full investigation and a halt to live sheep shipments from Australia to the Middle East.



World Society for the Protection of Animals

# CONTRACEPTION: THE HUMANE CHOICE FOR CONTROL OF OVERPOPULATED SPECIES

By Jay Kirkpatrick, Ph.D.

Dr. Kirkpatrick is Professor of Physiology at Eastern Montana College and a Senior Staff Scientist at Deaconess Research Institute. His research in fertility control is recognized internationally and is being successfully used by the U. S. Park Service to regulate the population of feral horses on Assateague Island.

The effectiveness of his skunk birth control work has been confirmed by the second year of data collection. AWI has contributed to this humane research (see *The AWI Quarterly*, Vol. 38, No. 2). He is currently working on fertility control for deer and is seeking funds for contraception in raccoons. Dr. Kirkpatrick presented two papers at the Second International Conference on Wildlife Fertility Control in Melbourne, Australia.

Here he reports on the way feral herbivores in Australia and the United States are controlled at present and outlines the potential for a humane solution.

Australia, like the United States, has large populations of feral horses, or brumbies. In the U. S. we have reasonable estimates for the number of feral horses on public lands, and it now stands at about 45,000. Australia, however, can provide only approximations, and the number of horses ranges between 200,000 and 600,000, depending upon the source of the information. The number of burros there is simply a mystery. In both countries there is concern over unbridled population increases, potential damage to native flora, displacement of native animal species, and, of course, competition with domestic livestock for range grass.

The two countries provide an interesting contrast in their approaches to the problem of feral horses, and despite dramatic differences in these approaches, they also provide some evidence that federal agencies are remarkably similar in their shortsightedness. The U. S., under substantial pressure from public interest groups, passed the Free-Roaming Wild Horse and Burro Act in 1970, providing complete protection to our feral equids, most of which live in ten western states. The intent behind the passage of this law was to bring an end to the often inhumane treatment of feral horses--rounding them up and shipping them off to dog food plants--but complete protection soon resulted in dramatic increases in population size. It was estimated that between 1970 and 1980, the U. S. herd increased from 17,000 to near 80,000 horses.

Even Adopt-A-Horse, sponsored by the Bureau of Land Management (BLM), was unable to reduce populations in significant ways. As time passed and it became apparent that Adopt-A-Horse was failing, BLM started wholesale roundups and impounded the horses in corrals in Nevada and Nebraska. At one time it was estimated that almost 25,000 horses were crammed into corrals, at a cost of over \$35,000 a day. The horses were forced into small areas which prevented them from assuming their natural harem social structure. Stallions, unable to stay separated, fought constantly and inflicted severe damage upon one another.

As public awareness grew about the fate of these horses, still another concept arose from within BLM--the Sanctuary. In this scenario, the horses are carted off to privately-held lands where the owners are paid a fee to care for the horses. It sounds better than either Adopt-A-Horse (where inadequate care often resulted) or the corrals, but it might be compared to spreading a virus. Unless some action is taken to prevent breeding, we have only succeeded in enlarging the problem of too many horses on public lands to too many horses on private lands as well. Finally, BLM learned a lesson that most biology majors learn in their freshman year: the faster we remove horses from their ranges, the faster they breed, and the problem goes on ad infinitum.

The Australians, on the other hand, have no protective legislation for their feral equids, and despite substantial opposition from the public sector, they destroy their horses. Where the terrain permits, horses are rounded up and shipped off to slaughterhouses, or, alternatively, they are simply shot from helicopters. In western Australia, private burro hunters are contracted, who in turn shoot the burros, dress them out, and sell them for consumption. In the Victoria River District, between 1981 and 1984, 83,000 donkeys were shot. Wounded animals abound with each control cycle and, if that were not bad enough for the creatures, the cyclic pattern of Australian drought kills the animals by the tens of thousands periodically. But, horses and burros in Australia reproduce and populations rebound with the same vigor they demonstrate in the U. S., and in the area of Alice Springs, growth rates sometimes approach 25%.

Are there any common characteristics in the two countries' approaches to the control of feral equids? One is apparent. Until very recently, neither country has been able to grasp the concept that overpopulation (which, of course, means different things to different people) is only the symptom of the problem, and that reproduction is, in reality, the source of the problem. It is here that current thinking about the management of the horses in these two countries diverges.

The concept of controlling America's feral horse populations through contraception originated in the early 1970s. It took several years of unfunded research and the efforts of several middle-management BLM officials--for whom feral mares struggling with the elements are not so abstract--to convince BLM administrators to invest in contraceptive research. The earliest experiments centered about contraception of the stallion because of the social behavior of horses. One or, on rare occasions, two sexually mature stallions control bands of mares and juveniles, which range in number from 2 to 20. In field tests near Challis, Idaho, stallions were immobilized from a helicopter and injected with a slow-release form of the male sex hormone testosterone. This caused a dramatic decrease in sperm counts and sperm motility, and foal production was reduced by 83% among mares bred by these treated stallions. While the experiments demonstrated that contraception of stallions could reduce foaling, the need to capture the horses made this approach unworkable because of the stress placed upon the animals.



Dr. Kirkpatrick readies anti-fertility injection for remote delivery.

Karen Ains

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With the arrival of James Watt as Secretary of the Interior, feral horse contraception came to a temporary halt. In 1985, with no solutions in sight, the BLM initiated contracted research on mare contraception. Researchers from the University of Minnesota developed hormone implants, not unlike the Norplant<sup>R</sup> implants used in humans today (except they were many times larger), which they placed surgically in mares. These implants suppress fertility in mares for about three years, but, once again, the need to capture horses and to perform surgery in the field makes this approach unattractive. Indeed, in the course of this research, over 50 mares were accidentally killed. Another worry is that the steroid hormones can be passed through the food chain to scavengers which might feed on the carcass of treated animals which die a natural death. Despite these shortcomings, this approach is under consideration for a management tool for western horses at the current time.

**All that is required is the desire, on the part of US and Australian officials, to take this bold and new step forward and provide a humane solution to the control of feral equids**

At the same time, the National Park Service (NPS) funded horse contraceptive research in order to slow reproductive rates of the famous Assateague Island horses, off the coast of Maryland. This research took an entirely different approach: immunocontraception and mares were immunized against their own eggs by means of a vaccine. The vaccine was delivered remotely, with barbless darts, and the mares were never touched. The initial year, not a single foal was born to treated mares, and since 1988, the mares receive an annual booster inoculation. Four years of research indicate the vaccine is greater than 95% effective as a contraceptive, is safe to give to pregnant mares, won't affect behavior, can't be passed through the food chain, can be delivered remotely, and annual booster inoculations prolong the contraceptive effect. Since the successful studies with horses, this vaccine has been successfully tested in white-tailed deer for possible control of urban deer populations, and several species of captive exotic ungulates for the control of "surplus" animals in zoos.

There is much more research to be carried out before we have a workable management solution for feral equids. The vaccine must be engineered into a one-inoculation vaccine (it now requires two

inoculations during the initial year), and we must learn more about the long-term effects of this vaccine on ovarian function. However, the U. S. is now fairly well committed to fertility control as a management tool for its feral horses. Australia is aware of this research in the U. S., and there is a small but growing government effort--driven largely by pressure from ANZFAS (Australian and New Zealand Federation of Animal Societies) to develop their own contraceptive strategies. There is also substantial governmental opposition to taking this path, and it is strikingly similar to the opposition we once witnessed here in the U. S. in the 1970s.

Although it is still relatively crude and in the prototype state, the wildlife contraceptive development described here has reached the point where it can be applied to feral equids in a variety of settings. Large numbers of horses could be rounded up, inoculated and returned to their home ranges even with the present requirement for two initial injections. On some ranges, where the terrain permits, large numbers could be remotely inoculated from helicopters. All that is required is the desire, on the part of U. S. and Australian officials, to take this bold and new step forward and provide a humane solution to the control of feral equids.

**Bequests to the Animal Welfare Institute**

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

*I give, devise and bequeath to the Animal Welfare Institute, a not-for-profit corporation located in Washington, DC the sum of \$ \_\_\_\_\_ and/or (specifically described property).*

We welcome any inquiries you may have. In cases where you have specific wishes about the disposition of you bequest, we suggest you discuss such provisions with your attorney.

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## New Law Makes Dog Theft a Felony

Pet theft is a common problem in this country, and there is increasing awareness of the role of the research industry in the theft of dogs and cats. The case of Don Johnson and his dog, Sosha, illustrates the problem well.

In January of 1986, Don Johnson of Bellevue, Washington was realizing that his long absences from home because of a busy work schedule were making it impossible for him to care for Sosha, a dog he had rescued from abusive owners. When his landlord told him that Sosha could not stay in the apartment, he placed a "free to good home" advertisement in the local paper. Don's ad was answered by a middle aged couple who lived in a rural area. In their forty-five minute interview with Don, they painted a glowing picture of Sosha's life on their farm, running through fields with horses. He expressed his relief at not having to worry about Sosha going to a research laboratory. Don made it clear that Sosha was to be returned to him if for any reason the placement did not work out.

Don first became concerned when he could not reach the Peters, Sosha's adopters, on the telephone. They had told him that he could visit at any time, yet did not answer his letters.

When Johnson's parents read in a Progressive Animal Welfare Society (PAWS) newsletter of Judee and Don Peters acquiring dogs through deception for resale to laboratories, they alerted him. With PAWS's help, Don traced the sale of Sosha through the Department of Agriculture's records and the University of Washington's records. The records told him that Sosha had been sold to the University three weeks after they acquired her, on February 8, 1986, and that sixteen days later she was killed after being infected with pneumonia and other lung diseases.

He has turned his anger into productive action by actively helping PAWS's successful effort to make dog theft a class C felony in Washington. His testimony was invaluable for the first hand

evidence of the theft and the anguish it caused. He decided to pursue correcting the problem still further by pressing suit against the dog thieves, again with PAWS's assistance.

His suit against the Peters was decided on 27 December, 1990. They have been ordered to pay \$10,000 for selling Sosha to the University of Washington for research. The judgment awarded

**The new law requires each facility to maintain a public file on each dog or cat, including certification of its origin, a photograph and physical description of the subject.**

Johnson \$1,000 for false statements, \$1,000 for breach of contract, and \$8,000 for "severe anxiety and emotional distress." The decision was a default decision, the couple not having responded to court summons and not having appeared in court. The current difficulty in locating the Peters makes it unlikely that Johnson will ever actually be paid.

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The judgment is a significant victory for dogs. The high dollar value placed on the dog will attach greater significance to the crime of dog theft and may change the handling of veterinary malpractice cases. Mitchell Fox of PAWS says, "Veterinarians sometimes have solved the problem by buying a purebred or giving the person money for one. Now if a veterinarian is threatened with a malpractice suit over an 8-year old pet that was loved by a family, he can't settle it with a new puppy from the pet store." Sosha may not have died in vain as her death has made the legislation and the courts re-evaluate the crime of dog theft and the value of a non-human animal.

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