AWI Quarterly

Spring 2004 Volume 53 Number 2

ABOUT THE COVER

Are bears safe anywhere on earth? Not as long as there is a bounty on their heads… or in some cases, on their internal organs. Alaskan bears, including this brown bear photographed by AWI's president, Cathy Liss, are killed for sport by trophy hunters, and are indiscriminately slaughtered for their gallbladders, which are used in traditional medicine in Asian communities in the United States and abroad. Poaching for bear parts remains a nationwide problem exemplified by a recent undercover investigation and series of arrests for bear poaching and illegal commercialization of bear parts in Alaska. Almost simultaneously, a similar wildlife law enforcement operation was announced in the Shenandoah Mountains of Virginia some 4,000 miles away. For some populations, there is just as much risk from the sport hunter. Grizzly bears in British Columbia (BC), for instance, increasingly have become imperiled by hunters' bullets and habitat destruction. Thankfully, the European Union has stopped allowing grizzly imports from BC in an effort to stabilize and strengthen the province's population. (See stories, pages 12-13.)

Bo Derek Fights Horse Slaughter

Film and television star, Bo Derek was recently on Capitol Hill in support of legislation to stop the slaughter of horses. Bo told legislators and the media, "Tens of thousands of horses are cruelly slaughtered in this country every year, just so someone in Europe can have a fancy dinner. It's just plan wrong. Americans don't raise horses for food, and we don't eat them. I want to help end this horrid practice." A long time horse lover, Bo lives on a ranch in California with several of her own Iberian horses and German Shepherds. She volunteered to help the National Horse Protection Coalition (of which we are a member) in its effort to have Congress pass the American Horse Slaughter Prevention Act (AHSPA). During her two day visit to Washington, DC she participated in meetings with legislators, staff and press.


Celebrity Fight Night Foundation

The House bill, HR 857, currently has over 190 bipartisan cosponsors. The Senate version of the AHSPA will soon be introduced by Nevada Republican, Senator John Ensign, one of two veterinarians who serve in the US Congress. To stay up to date on the AHSPA and other legislative issues or to sign up to receive email action alerts, please visit the Society for Animal Protective Legislation website www.saplonline.org.


Susan Tomiak/AWI

SAPL's Chris Heyde meets with Bo Derek and original cosponsor of HR 857, Cong. John Spratt (D-SC).

Animal Welfare Institute
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AS WE GO TO PRESS

USDA has just filed a 108-page complaint against dog dealer C. C. Baird (see Fall 2003 *AWI Quarterly*) alleging hundreds of violations of the Animal Welfare Act including violation of about 40 different regulations. To our horror, thirteen research facilities had continued purchasing animals from Baird; they will have to go elsewhere as USDA is temporarily suspending Baird's license to sell animals for experimentation. Look for a full report in the next issue.


James L. Carroll

Does this golden eagle have to keep an eye out for government trappers? (See story, page 11.)

Contact AWI at: PO Box 3650, Washington, DC 20027, phone: (703) 836-4300, facsimile: (703) 836-0400, email: awi@awionline.org or visit AWI's website at: www.awionline.org

Government Report Confirms Slaughter is *not* Humane

Widespread Animal Suffering at Slaughter

Ineffective stunning of animals is the most frequent violation of the Humane Slaughter Act (HSA) according to a General Accounting Office (GAO) Report released earlier this year. Slaughter of conscious animals, the most inconceivable of atrocities, was the third most common violation. HSA violations including dragging sick and/or disabled animals, excessive use of electric prods, improper stunning and the shackling and processing of conscious animals, were identified at nearly one-third of all slaughter plants in the US.

The abysmal failure of industry to comply with the HSA was first exposed by Gail Eisnitz in her landmark book, *Slaughterhouse*, in 1997. In April 2001 following its own investigation, *The Washington Post* ran a dramatic front-page series reporting that animals at slaughter plants across the country continued to be skinned, scalded and dismembered while still conscious. The GAO has confirmed that the plight of cattle, pigs, sheep and other animals continues unabated.

Basic Facts About Slaughter

More than 125 million cattle, sheep, hogs and other animals are slaughtered for human consumption at approximately 900 federally inspected slaughter plants across the country. Forty-nine of these plants, which are located principally in the Midwest, are responsible for slaughtering about 80% of the animals. The HSA, passed in 1958 and amended in 1979, requires that animals be humanely handled and rendered unconscious prior to being shackled, hoisted up on the production line, bled, skinned or scalded, and dismembered.* The US Department of Agriculture's Food Safety and Inspection Service (FSIS) is charged with the responsibility of enforcing the law and is supposed to stop the slaughter process when serious violations are observed and cannot continue until they are addressed. In some plants, more than 1,000 animals per hour are killed by individual workers, making the likelihood of violations almost certain; if FSIS inspectors stopped slaughter operations every time major violations were observed it would serve as a weighty enforcement tool because of the resulting financial losses to the plant.

Food Safety and Inspection Service, USDA

A cow being stunned with a mechanical captive bolt.

Food Safety and Inspection Service, USDA

Livestock being moved inside slaughter facility.

Food Safety and Inspection Service: Shoddy Enforcement and Shady Behavior

Following Gail's exposé, it has been clear that FSIS suffers from a lack of interest in enforcing the HSA; FSIS inspectors spend the majority of their time conducting meat inspection and HSA enforcement is a mere afterthought. The GAO confirmed the problem, citing ongoing and systemic problems with enforcement of the humane requirements by FSIS. Some inspectors have failed to document violations altogether while other inspection records indicate a failure to provide complete and consistent information regarding the scope and severity of violations that have been witnessed.

The GAO noted that FSIS had somehow "lost" at least 44 inspection records that document violations of the law, and there will be no effort to locate them—forever protecting the identity of the scofflaws.

Inspectors were more likely to stop the slaughter line when there was ineffective stunning of a single animal than when multiple animals were ineffectively stunned the GAO reported. And, *the line was stopped in less than half of the cases of ineffective stunning of multiple animals*. In addition, GAO reported that some inspectors failed to utilize their ability to suspend operations at a plant.

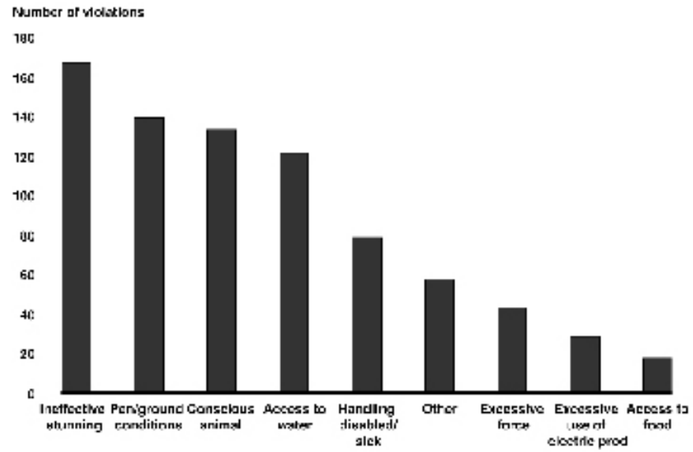
Following an impassioned oratory by Senator Robert Byrd (see Fall 2001 *AWI Quarterly*) FSIS was provided an additional million dollars by Congress to help it better enforce the law. The funds were used to hire 17 veterinarians who initially spent much of their time on other activities such as biosecurity and food safety. When this apparent misuse of the appropriation came to light FSIS shifted responsibilities so that 12 of the veterinarians are now dedicated to HSA enforcement.

Last year Congress, still deeply concerned about enforcement of the HSA, appropriated $5 million to FSIS to hire at least 50 inspectors "solely dedicated" to ensuring compliance with the law. However, it appears that FSIS has failed to hire any new inspectors, and instead merely reapportioned the funds.

In one of its boldest acts of transgression, FSIS provided a report to Congress on its enforcement of the HSA in March 2003 stating that its records indicate "very few infractions were for actual inhumane treatment of the animals (e.g. dragging or ineffective stunning)." FSIS suggested that the majority of violations were facility problems such as slippery floors and failure to provide water or food for animals. Following an analysis of FSIS' own records, the GAO concluded that by far, "the most prevalent noncompliance documented was the ineffective stunning of animals, in many cases resulting in a conscious animal reaching slaughter."

Increased pressure on FSIS over the past few years has led to an increase in the number of violations documented by inspectors, however, *the vast majority of animals handled and slaughtered at plants are not observed by FSIS inspectors until after they have been processed into meat*.

Violations Documented in Noncompliance Records between January 2001 and March 2003



Source: GAO's analysis of FSIS noncompliance records.

What Does the Future Hold?

GAO made a number of recommendations intended to improve FSIS enforcement, but unless there is a change in attitude from within, FSIS will continue finding ways *not* to get the job done. It is time for Congress to take stronger action against FSIS for its failure to do its job.

If FSIS were truly willing to enforce the law, the agency would have done as Congress and particularly Senator Byrd specifically requested and hired no fewer than 50 individual inspectors to serve as permanent fixtures in each of the largest slaughter plants to observe the handling, stunning and slaughter of animals for compliance with the law. All inspectors who spend time on HSA enforcement must receive adequate training about the law and, more importantly, must receive a strict mandate from the Secretary of Agriculture to take strong, immediate action against any violators of the HSA and to document properly the work that they are doing for all to see. This would be a modest step toward protecting the millions of animals who are killed for food from unnecessary suffering.

Gail Eisnitz to Receive Albert Schweitzer Medal

Gail Eisnitz, author of *Slaughterhouse: The Shocking Story of Greed, Neglect, and Inhumane Treatment Inside the US Meat Industry*, will be the 2004 recipient of AWI's Albert Schweitzer Medal for outstanding achievement in the field of animal welfare. Gail's decades of investigative work have exposed much animal cruelty including widespread lack of compliance with the Humane Slaughter Act (recently corroborated by the GAO Report cited above). Joby Warrick, author of *The Washington Post* series on this issue, "They Die Piece by Piece" described Gail as "the most courageous investigator I have ever seen." The presentation will be in Washington, DC later this year. AWI members will be invited, but the ceremony is open to all interested persons. If you'd like to be certain you receive an invitation, please contact us.

* The HSA contains exemptions for poultry and ritual slaughter.

Suzanne Plunkett/AP

In a traditional ceremony, villagers in Bali, Indonesia, kill 2,500 chickens in a huge bonfire intended to send off the evil spirits that they say brought on this year's massive bird flu outbreak.

New Initiative for Global Animal Welfare

This year a virulent bird flu spread across much of Asia killing 22 people. Over 100 million birds, including chickens, ducks, and lovebirds, died or were hurriedly slaughtered and then buried or burned to prevent the disease's spread. Many of these living creatures were burned alive. In February 2003, an avian flu outbreak resulted in slaughter of 11 million chickens in the Netherlands. Fifty Dutch workers became ill and a veterinarian died.

In the United States, avian influenza resulted in the slaughter of 328,000 chickens in Maryland in March, while over 80,000 were killed in Delaware in February. In Texas, a highly virulent strain resulted in slaughter of 6,600 broiler chickens. In 2001 and 2002, over 4.7 million chickens were killed in Virginia when avian influenza struck the region.

In the United Kingdom in 2001, in a prolonged, mass slaughter intended to prevent spread of foot and mouth disease, over ten million animals were killed, perhaps 90% of whom were not infected. Two Cardiff law professors charged that pressure to kill so many animals caused them to be "killed in ways which were almost always unacceptably, indeed criminally, inhumane and very often so horribly cruel as to be an occasion of lasting national shame."

While the numbers of animals affected by disease outbreaks are staggering, the effects on farm animals of illness itself, as well as the fear, distress, injury, and pain to animals associated with collection and transport of millions of birds and other animals to mass slaughter points, are of deep concern. Economists assess the costs of such diseases and disease eradication measures in the billions of dollars, yet it is the animals themselves who pay the highest price, a cost that is too often disregarded.

Against this backdrop, the Animal Welfare Institute welcomes the initiative by Office International de Epizooties (OIE), the World Organization for Animal Health. The 2001-2005 strategic plan mandated OIE to prepare an international guide to good practices for animals. Subsequently, OIE identified an immediate need to address welfare issues surrounding killing of animals for disease control purposes; slaughter of animals for human consumption; and land and sea transport of live animals. Ad hoc expert groups were appointed to advise the OIE Working Group on Animal Welfare and to prepare detailed guidelines and recommendations.

The international standing of OIE places it in a unique position to improve the welfare of farm animals. OIE is the official standards setting organization for animal health and zoonoses under the World Trade Organization (WTO), drafting standards for WTO relating to all "animal production food safety" risks. Animal diseases, noted OIE Director General Dr. Bernard Vallat, "are a major factor affecting animal suffering, poverty and the risk of foodborne diseases."

In fulfilling its new mandate, Dr. Vallat declared, "we have had to delve deeper into the heart of the relationship between animals and humans. The OIE, formerly open only to a circle of experts and specialists, is now moving closer to consumers and citizens." From February 23-25, the OIE convened in Paris an assembly of OIE representatives and scientific advisors and animal welfare stakeholders to respond to reports from the ad hoc expert groups. AWI participated as an animal welfare nongovernmental organization (NGO).

The effort by OIE represents the first time an international organization, having the standing to set definitive animal welfare standards recognized by WTO, has agreed to consider not only the physiological health and disease status of farm animals but also animals' subjective experience of the conditions in which they are raised, handled, transported, and slaughtered. The OIE has selected internationally recognized animal welfare scientists to contribute to the OIE deliberations. AWI is also gratified that OIE seeks continued involvement of NGOs having specific experience and knowledge in the area of farm animal welfare. We look forward to further cooperation with OIE in this important effort for animals.

Farrowing and Weaning Pigs in Deep Straw

A roller over the threshold protects the sow's udder as she enters and leaves her farrowing pen.

In May 2003, West Central Research and Outreach Center (WCROC), University of Minnesota, completed a new housing system for sows and piglets. Formerly a dark, smelly structure for housing pigs over a liquid manure pit, the newly remodeled building underwent a remarkable transformation. Modeled on a Swedish system, it houses pigs in amply lit rooms, amidst an abundance of straw, with plenty of room to roam, socialize, root, and give birth to their young. AWI's Farm Animal Economic Advisor Marlene Halverson contributed to the design.

The 45 foot by 120 foot building is divided into four spacious rooms. Each of three rooms houses eight sows and their piglets, while one room houses gilts (young female pigs) "recruited" from the WCROC pig herd to become breeding sows. At one end of each room, "garage" type doors permit easy cleaning and rebedding with a small tractor.

Individual feeding stalls and a deep straw bed in the gilts' room mimic the layout of the Center's gestation hoop (see Winter 2004 *AWI Quarterly*). Gilts gain experience living in groups and using feeding stalls before joining the main sow herd. Fresh straw added daily provides material for occupation and is consumed by the gilts between meals.

In the farrowing (birthing) rooms, staff set up eight portable farrowing pens, four along each sidewall, with pen entrances facing a spacious area in the middle. They bed each pen with straw. Sows are brought into the rooms a few days before they are due. Soon after, each sow chooses a pen in which she arranges a nest and gives birth. The seven foot by ten foot pens are roomy enough that sows can enter, lie down to nurse, rise, and leave again with a low incidence of injuring piglets. When all piglets can climb out of the pens, the pens are dismantled and removed so piglets and sows can mingle freely.

Sows naturally begin to wean piglets by reducing the number of nursings they initiate. Because feed is continuously available in the farrowing rooms, piglets learn to eat by their mothers' sides. Their digestive systems become accustomed to solid feed. Staff complete the weaning process when piglets are five to six weeks old by taking sows to the gestation hoop for rebreeding. Sows' scents are left behind in the beds, reducing piglets' stress associated with their "loss." A five to six week nursing period allows young pigs' immune systems to develop. Reducing the stress of weaning helped Swedish pig farmers adjust to Sweden's legal prohibition on subtherapeutic antibiotic use. By contrast, industrial production entails weaning piglets abruptly at one to three weeks of age.

photos: Marlene Halverson/AWI

Removing the birthing pens simulates the process in nature, when sows leave their isolated farrowing nests and lead piglets to join the larger, communal group.

WCROC is pleased with the system. Sows farrowing in October 2003 weaned an average of 10.5 pigs per sow. Because the Center remodeled an existing building rather than building new to Swedish specifications, getting the ventilation system to work properly has been a challenge as has learning to manage deep straw beds, but workers are adjusting. If successful, the remodeling can provide an example for farmers who have buildings they would like to convert. The systems elicited favorable responses from farmers attending a November 2003 "open house." AWI applauds this progressive research to improve pig welfare.





Stopping the Barco Asesino

by Ben White

The document I had been looking for came rolling off the fax in the morning of February 25, removing any doubt that the first intense chapter of a new campaign had indeed been closed, and sea life had won an amazing victory. The document was from the Mexican environmental authority Semarnat. In no uncertain terms it cancelled the authorization given to the research vessel RV Maurice Ewing to perform extensive seismic exploration off the Yucatan peninsula of Mexico.

I first heard about the proposed research through an innocuous sounding note in the *Federal Register* concerning an Incidental Harassment Authorization (IHA) application to the National Marine Fisheries Service (NMFS) for a "small take of marine mammals." This phrase is vague in the extreme. In US law, a "take" refers to any human activity that affects wildlife, from changing their behavior to killing them. And "small" does not necessarily mean "few." The notice gave the contact person's name in NMFS for further information. I called and was emailed two massive documents: the IHA and the Environmental Assessment (EA).

Lamont-Doherty Earth Observatory

Mexican whale defenders dubbed the RV Maurice Ewing the Barco Asesino (assassin ship) two years ago after it killed beaked whales in the Sea of Cortez.

In seconds I saw that this study proposed by the Lamont-Doherty Earth Observatory, using a vessel owned by the National Science Foundation, was a monster. The Maurice Ewing was equipped with not only a massive array of twenty airguns but also two active sonar devices. The maximum volume of the airgun array was listed at 255 decibels. For comparison, 146 decibels is the threshold our government has set for the maximum level of sound in the water to which humans can be safely exposed. The decibel scale is logarithmic: 156 decibels is ten times more intense a sound than 146; 255 decibels is almost 100 billion times greater than what human divers can take. And this ship was planning on emitting these sounds every twenty seconds, night and day, for days on end.

Included in the IHA was a list of marine mammals expected to receive levels of over 160 decibels, given their expected distance from the ship:

- 8442 bottlenose dolphins
- 915 Atlantic spotted dolphins
- 404 pantropical dolphins
- 333 false killer whales
- 274 rough-toothed dolphins
- 190 short-finned pilot whales
- 10 each of sperm whales, pygmy sperm whales, and Cuviers, Sowerbys, Gervais, and Blainville beaked whales, orcas, and Risso's dolphins
- 2 each of North Atlantic Right whales, Humpback whales, Minke whales, Brydes whales, Sei whales, Fin whales, and Blue whales
- plus manatees, turtles, hooded seals, etc.

The purpose of the cruise was to study the Chicxulub crater, the mammoth divot on the edge of the Yucatan where a meteorite slammed to earth 65 million years ago and wiped out the dinosaurs. The sonar and airguns were to assist in seeing the ocean floor to surmise the angle with which the meteorite entered and the way it raised the surrounding land. The research sounded intriguing, but not at the risk of harming all of these creatures.

So I cranked up the computer, emailing the IHA and EA files along with an action alert to everyone that I thought might help. Copies went to our Mexican allies. Copies went to our colleagues fighting intense ocean noise. And copies went to officials in the Mexican Embassy. Michael Stocker of Seaflow alerted its members. Sympathetic listserves quickly spread the alarm bells to many thousands around the world.

Time was extremely short. The Maurice Ewing had already set sail from Norfolk, Virginia en route to Progreso on the coast of the Yucatan. The research was set to begin less than a week away—on March 1.

Even though NMFS had not yet granted the permission to "harass" thousands of marine mammals, they were poised to do just that. The fact that the same ship was implicated in the killing of two beaked whales in the (Mexican) Sea of Cortez in 2002 and possibly in the Galapagos a couple of years before that did not appear to be sufficient reason to stop the project. Considering the primary researcher had emailed me that they already had Mexican permission, appealing to the Government of Mexico seemed our best chance, especially since they had declared all of their waters a sanctuary for great whales in 2002.

Word started filtering back from our Mexican colleagues that the documents were raising a stir. Evidently, in applying for permission from Mexico, the US State Department had sent just eight pages of benign information. On that basis, permission had been granted. When Semarnat received our two hundred pages of IHA and EA documents, including the list of creatures for whom the "take" was applied, they apparently felt grossly misled.

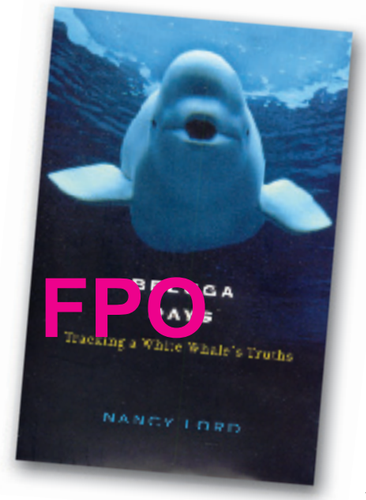
After several days of intense meetings between the Secretary of Semarnat and the Foreign Minister of Mexico, permission to conduct the seismic tests was revoked. The fax I received gave 14 reasons for withdrawing permission including the sanctuary decree and the lack of proper documentation. While writing this, I received a call from Aracelli Rodriguez, my Cancun colleague who worked so hard with me on this crisis. She was beside herself with joy. She had just been called by officials of Profepa, another environmental protection arm of the Mexican government. They told her that they had just boarded the Maurice Ewing upon its arrival in Mexico and had instructed the skipper that the ship could not move until they had filed new transit information that showed them immediately leaving Mexican waters. **We had really won**.

Unfortunately, the sweet taste of victory is tempered by the fact that the ship is still out there, still paid for by US taxpayer dollars, with a full agenda of ocean blasting before it. The ships' next stops are Gulfport, Mississippi, Astoria, Oregon, Sitka, Alaska, and the Queen Charlotte Islands in British Columbia. Now we move into the next phase of this campaign—insisting that the active sonar and airgun devices permanently be removed from the Maurice Ewing.

Across the top: manatees (USFWS), turtles (Ursula Keuper-Bennett/turtles.org), orcas (Center for Whale Research), whales (Center for Whale Research courtesy of Wes Graden) and dolphins (Ingrid Visser/Whale and Dolphin Conservation Society) swim another day off the Yucatan thanks to the Mexican government standing up to the US.

BELUGA DAYS
Tracking a White Whale's Truths

By Nancy Lord
Counterpoint Press, 2003; ISBN 1582431515
Hardcover, 242 pages; $25



Late in her book *Beluga Days: Tracking a White Whale's Truths*, Nancy Lord describes her reaction to seeing 35 beluga whales beached and slaughtered during a native subsistence hunt. She writes, "Later, I would wonder at my lack of emotional response."

So do I. In fact, that absence is to me the primary paradox of the book. On one hand, Lord writes beautifully, especially when evoking the land and waters around Cook Inlet, Alaska where she lives and fishes for salmon. Clearly obsessed by the elusive beluga whales that swirl by her nets, she ably describes their natural history and the struggle to stop the Inlet's declining population from tipping into extinction.

But on the other hand, she takes part in every form of whale abuse considered by some to be acceptable: shooting biopsy darts to pull out chunks of flesh and blood, surgically implanting transmitters into their backs, performing captures by running the whales into the shallows and then jumping on them, watching captive beluga shows in Chicago and Vancouver, and finally participating in a study of the mass slaughter in Point Lay.

How can the author love these whales and care passionately about their protection yet feel so little empathy when they are hurt and killed in front of her? Part of the answer may be in the emotional compartmentalization practiced by some scientists and veterinarians whose credo is: we mustn't confuse the specimen with the species (in other words, individuals don't matter, just populations). Another explanation may be found in regional orientation. Even though the author is a transplant from Virginia, she thinks like many Alaskans: wildlife is a resource to be used—used respectfully, hopefully, but used all the same. And it may be that she is so impressed by the integrity of native communities that she is loathe to criticize them, even if their hunting of belugas to supply the native community of Anchorage with traditional food is the primary cause of decline.

She is not as impressed with either the "green machine" do-gooders trying to save the belugas (including a brief mention of AWI), or the National Marine Fisheries Service officials who she paints as pathetically weak, perennially pushed around by the Alaskan congressional delegation. Her description of how politics stopped "best science" from extending the protection of the Endangered Species Act over these beleaguered belugas is a perfect snapshot of how our dysfunctional government fails to obey the law.

But after the long litany of historic and ongoing brutalities waged against these vocal and gentle creatures, I expected the book to end in an epiphany. It never came. There is never a realization that maybe the paltry information gleaned through biopsy darting, or captivity, or harassing with nets in the name of science contributes nothing to the well being of the ever-fewer whales trying to just live their lives.

The book unsettled me. It was as if the author loved churches but never "got" religion.

—by Ben White

Bequests to AWI

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

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

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

Doug Herr/wildlightphoto.com

Carol McIntyre/National Park Service

Above, a golden eagle in flight and at right golden eagle nestlings huddled together.

Wildlife Services Poses a Deadly Threat to Golden Eagles

The golden eagle struggled to escape the leghold trap, but his foot was held fast by the trap's steel jaws, and the trap was staked firmly to the ground by a long chain. The large, majestic raptor tried to fly away repeatedly, carrying the heavy trap and chain, but when he reached the end of the length of chain he was violently jerked back to the ground. The trap that caught the eagle had been set to catch coyotes and a dead fox had been placed alongside the trap as bait.

The poor victim was discovered by a group of teenagers and their field instructor who were hiking along a trail in the Henry Mountains of Utah. The group had been enjoying the day as part of a wilderness therapy program for at-risk adolescents. However, they ended up severely shaken by the pitiful scene they encountered. The field instructor contacted the Division of Wildlife Resources who conducted an investigation into the incident including a search of the trapper's home. Evidence at the scene included the fox carcass, some eagle feathers and a small pool of blood. Government issued signs were in the area warning pet owners that traps were set in the vicinity.

According to those included in the case, Phillip Taylor, the man who set the trap and ultimately killed the bird, is an employee of the US Department of Agriculture's Wildlife Services (WS) and has worked for them for decades. In apparent violation of the Migratory Bird Treaty Act (MBTA), Mr. Taylor failed to report the incident to authorities. Further, it appears that he did not possess a permit from the US Fish and Wildlife Service for the taking of a golden eagle and therefore may have violated the Bald and Golden Eagle Protection Act (BGEPA) too. In addition, baiting a trap is a violation of Utah state law. Although the incident occurred in the fall, no charges have been filed yet. The case is currently being evaluated by the US Attorney's office.

This is not an isolated apparent violation of the MBTA and BGEPA by WS. Another WS employee is believed to have destroyed a golden eagle nest by setting it on fire. The individual is still working for WS, and no action was ever taken against him.

As we have long known, WS field personnel are under extreme pressure to address wildlife damage related problems reported by some farmers and ranchers by killing as many members of the offending species as possible—regardless of cost, humaneness, and the law. At the same time, WS has been criticized by animal protection organizations including the Animal Welfare Institute for its capture and killing of non-target animals, thus they are loath to report such incidents. "An epidemic of overzealous predator control, wanton killing of animals, and lax attention to the law, all hidden from the public eye," was a recent account given by a state wildlife law enforcement officer.

WS personnel must be held accountable. All instances of capture of non-target animals must be reported, and WS needs to deal very strongly with employees who fail to comply with all applicable laws and/or who fail to report every single non-target capture, whether or not it results in the death of the animal caught. And we would hope that the US Attorney's office will proceed with the prosecution of both of these individuals to the fullest extent of the law.

Virginia's black bear population is stable at the moment, but poachers lurk in the same woods, preying on these innocent creatures.

Bear Poachers Don't Hibernate in Winter

New York Yankees catcher Yogi Berra once famously opined, "It's like déjà vu all over again." And so it is with bear poaching in America.

Three years after a successful operation in the Shenandoah National Park area of Virginia to uncover bear poaching and the illicit trade in bear parts, notably bear gallbladders, another effective sting operation has been revealed in the region. Operation VIPER (Virginia Interagency Effort to Protect Environmental Resources), announced in January 2004, has documented nearly 500 state violations and more than 200 federal violations by 100 or more people in seven states and the District of Columbia for their roles in this illegal trade. Shenandoah National Park Superintendent Douglas K. Morris appropriately noted, "Commercialization of protected natural resources is a nationwide, worldwide problem, and some of it starts right here in Shenandoah National Park as well as other National Park Sites."

Operation VIPER uncovered evidence that the trade in bear parts from the East Coast, West Coast, and Mid-Atlantic region of the US continues unfettered, involving whole bears, bear gallbladders, paws, and other parts being trafficked to Washington, DC, Maryland, West Virginia, North Carolina, New Jersey, New York, and California. Nationals of the Republic of Korea have been implicated in the trade as the destination of the bear parts in this case (and in many other cases as well).

AWI has long warned that the variations in state laws that regulate the trade in bear parts create an unhealthy incentive for poachers to commercialize bears. Colonel Herb Foster of the Virginia Department of Game and Inland Fisheries (VDGIF) concurs, telling an Associated Press reporter, "We've learned over the years what the impact of commercialization is. The temptation is to overharvest. Wildlife species generally can't sustain a commercial market."

In fact, opponents of federal legislation that had been introduced in previous sessions of Congress to prohibit the commercialization of bear parts in America, the Bear Protection Act, regularly argued that the relative health of the US bear population makes such legislation unnecessary.

However, cases such as the Virginia probe are not isolated, and even Alaska, the state with the largest bear population, is susceptible to poaching and illegal trade.

Five Alaskans were indicted in February for illegally killing bears in the state for the purpose of selling their parts, which were reportedly stored in one of the defendant's freezers. Many of the killed bears were first cruelly snared before being shot. Stan Pruszenski, a US Fish and Wildlife Service Special Agent in Alaska told the *Anchorage Daily News* that the danger of such a poaching operation is that it "can make a significant impact [to the bear population] in a small area."

Despite the fact that Alaska has a ban on the commercialization of bear parts, poaching occurs because gallbladders (and paws and other bear parts) can be smuggled out of the state and sold in other states or countries fraudulently. Alaska's Representative in the US Congress, Don Young, has been largely responsible for ending the progress of the Bear Protection Act in recent years. We hope that cases such as this one in his home state will encourage him to change his mind.

photos: VDGIF

Bear gallbladders separated in plastic bags, recovered as part of Operation VIPER in the Shenandoah Mountains. Single galls can fetch hundreds of dollars or more on the black market in Asia.

European Union Comes To Grizzly Bears' Aid

by Wendy Elliot
Environmental Investigation Agency

Grizzly bears have been reduced to less than 2% of their former range in the continental United States, and remaining populations in the lower 48 states and Canada are under increasing threat as hunting, other forms of human-induced mortality and extensive habitat destruction take their toll.

Recently however, concerns about the grizzly's plight have been brought into the international spotlight. On January 15, 2004, the European Union (EU) decided to suspend all imports of grizzly bear hunting trophies from the Canadian province of British Columbia (BC). The unanimous decision by the 15 member states was a result of the BC government's failure to protect its grizzly bear population despite repeated promises of action. Grizzlies are listed as vulnerable or threatened throughout the majority of their range in Canada, yet more than 200 are killed legally in a commercial sport hunt each year. Most foreign hunters who kill BC's grizzlies come from Europe and the United States.

The EU previously had warned the Canadian province that continued imports would be dependent on implementation of a series of important recommendations for grizzly management made by the BC government's own science panel. However, none of the substantial recommendations have been implemented and in some cases, actions have been taken that directly contradict the Panel's advice.

One of the key recommendations was for a network of protected, no-hunting reserves throughout the province. However, despite the fact that the reserves have been part of the government's Grizzly Bear Conservation Strategy since 1995, none has been set up to date. A recent scientific review by five expert bear biologists concluded that, in order to secure a long-term future for grizzly bears in the province, these reserves must be fully protected from all ecologically damaging human activities, contain productive, roadless habitat and be able to support at least 500 grizzly bears. The report notes that "with existing management grizzly bears in British Columbia (BC) are on a long-term slide leading to extinction" and urges immediate action.

However, the BC government is not only failing to implement the recommendations of its own scientists, but is eliminating or weakening the regulations that protect grizzlies' wilderness homes, and continues to allow a sport hunt that scientists have been warning for decades is unsustainable. This all has worrying implications for the neighbouring populations of grizzlies in America's lower 48 states, which are strongly dependent on BC's bears for genetic exchange and population replenishment.

The BC government must now listen to the international community and recognise that if this enigmatic animal is to continue to roam through BC's forests, substantial measures to protect both grizzly bears and their habitats must urgently be executed.

Ian McAllister/raincoast.org

Grizzly bears, the icon of all that is natural and wild, are under threat even in the heart of their remaining range—the Canadian province of British Columbia.

YOU CAN MAKE A DIFFERENCE

You can help save BC's grizzlies! Please write to BC's Minister of Water, Land and Air Protection, Hon. Bill Barisoff asking him to immediately implement the recommendations of his grizzly science panel. Please stress that grizzly reserves must be established that are fully protected from all ecologically damaging human activities, contain productive, roadless habitat and support at least 500 grizzly bears.

His address is: Honourable Bill Barisoff, PO Box 9047, STN PROV GOVT, Victoria BC, V8W 9E2, Canada
email: bill.barisoff.mla@leg.bc.ca; fax: 1-250-387-1365

See www.eia-international.org for a sample letter or for additional information.

Dogs are especially dependent on positive human interaction; Providing a foraging opportunity for monkeys is a means of environmental enrichment (photo: Natasha Down).

Looking After Animals Kept in Research Laboratories

The following discussion took place on AWI's Laboratory Animal Refinement & Enrichment Forum [LAREF] in December 2003. Four animal technicians (AT-1,-2,-3,-4) of different research institutions in North America, one attending veterinarian of a North American research laboratory (V), and two scientists from different research facilities in Europe (S-1,2) posted opinions, which have been edited by Dr. Viktor Reinhardt, moderator of LAREF.

"I think all animals kept in research laboratories need a basic trust of their caretakers. An animal's trust is a tool for me to make her or him feel more at ease during routine handling procedures that would otherwise trigger apprehension, fear and possibly even distress" (AT-1). However, "the pressures of time and money do not allow most laboratories to provide a truly caring, loving environment for their animals. Human interaction is usually limited to relatively brief spells in which the animal experiences a highly aversive, enforced procedure such as capture, gavage, injection or blood sampling. .. Certainly, this does not engender a feeling of 'trust' toward the human" (S-1).

"Categorizing the animals in my charge as either predators or prey helps me interact appropriately with them. Prey animals, such as rodents and rabbits, need to be assured through my behaviors, movements and gestures that I do not intend to attack and eat them, otherwise they will be afraid and hence ready to bite me in self-defense. Usually an animal bites only when there is mistrust" (AT-1). Yes, "the animals we are dealing with 'are' not aggressive, but we 'make' them react in aggressive ways through our species-inappropriate behavior (e.g., looking into the eyes of a macaque), quasi-aggressive approach (e.g., trespassing individual distance), mistrust and/or fear (e.g., you cannot cheat animals; they spontaneously pick up your intentions and feelings) and through the species-inappropriate confinement conditions under which we imprison them" (V). "Predators, such as dogs and cats, tend to have issues with the unknown. They seemingly don't understand why they are in the situation they are in and, therefore, are especially dependent on positive human interaction and/or the presence of conspecifics to feel relatively at ease with the artificial environment they live in" (AT-1).

"Novel objects are quasi-unpredictable and, therefore, often scary for laboratory animals. I have observed in rodents and monkeys that the animals initially shun away from a new toy and only hesitantly dare to touch it briefly over and over again to test its 'trustworthiness'. Therefore, when I give my animals a new enrichment object I first put it out of reach allowing them to 'safely' view it for a few days. Once the animals show signs of curiosity towards the object I place it directly into their cage" (AT-1). It is true, "animals can be habituated to probably almost anything. The problem is whether it is appropriate, perhaps ethical, to habituate them to environmental enrichment objects that we, as humans, think anthropocentrically might be beneficial. Habituation will always involve causing the animal some distress through anxiety or fear. I therefore see little point in having my animals go through a potentially distressing habituating process to a toy or other new object which they find inherently fearful" (S-1). "Unlike most commercial toys, enrichment objects of biological relevance are usually accepted by laboratory animals without noticeable signs of apprehension or fear" (AT-1). "My coworkers and I are disturbed that 'built in' biologically relevant and practical enrichment isn't an industry standard in cage design for all species yet" (AT-2). For example, "each rodent cage should be equipped with a species-appropriate shelter to make it possible for the animals to retreat to a quasi-safe refuge in alarming situations, and each monkey cage should be equipped with at least one high perch to give the animals access to the arboreal dimension to which they are biologically adapted" (V).

"My decisions about what are 'good' enrichment choices and what are appropriate technical procedures are based upon my observations of the animals' behaviors and responses to changes in their environment. From my own experience many of our animal care and veterinary technicians are much more 'in tune' with the behavioral repertoire of the animals in their charge and more knowledgeable about the behavioral and environmental needs than many of the research associates" (AT-2). "Fortunately, not all researchers are out of touch with the animals assigned to their protocols and with husbandry issues related to those animals. The field of research will make it in many cases an imperative for the investigator to keep in close touch with his/her animals. No ethologist, for example, can do valid research without taking the time to get to know his/her animals and take the time to assure that they are properly kept and cared for. The situation can be very different in biomedical research labs. When I worked in such institutions it always struck me that investigators hardly ever showed up in animal rooms. Some of them probably have never seen the animals assigned to their projects. They were familiar with the IDs and the subjects' history, but that was often the end of the 'touch'. A prestigious biomedical scientist conceded in a scientific journal that 'most investigators think only briefly about the care and handling of their animals and clearly have not made it an important consideration in their work'. To work 'under' such researchers can be extremely frustrating for animal care personnel who are sincerely concerned about animal welfare issues" (V).

Animal Care Center, University of British Columbia

Offering treats helps to win the trust of laboratory animals.

"I have experienced both situations, in the ethology research setting where husbandry work is shared between researchers and animal care personnel, versus in the biomedical research setting where most researchers never enter the animal facility and the animals are cared for solely by professional caretakers. My own experience with the do-it-yourself approach isn't entirely positive. Since I'm responsible for the budget, for the experimental design, for data collection and for writing up the results, there is a great conflict of time and attention when I have to do the husbandry work myself. Nevertheless, it is essential that researchers take the time to at least find what their animals look like and how they behave" (S-2). "There should not be a real need for a researcher to do much husbandry work, but he/she has a scientific obligation to verify for her/himself how his/her animals are housed and handled" (V).

"In my experience in a biomedical research setting it is exceedingly rare to have researchers who 'get into the muck.' We have quite a few who don't even want to walk through our dirty side cage area to drop off empty caging. Many investigators don't seem to have much understanding or appreciation of their animals' welfare needs" (AT-2).

"In my facility the researchers also usually have grad students doing research and using the animals. It's not very often that the actual researcher will turn up in the animal holding and treatment areas, while some I have yet to ever see. We had some grad student sent to work with mice or with primates but had been given no training whatsoever. They had absolutely no idea how to work with these animals" (AT-3). "When I was a student, I had to learn by watching others and barely saw the principal investigator. She did not spend any time with the monkeys and was never involved in training us, probably because she was always very busy with preparing grant proposals, teaching classes, and writing papers" (AT-4).

Animal Welfare Awards Granted

The Animal Welfare Institute and the Johns Hopkins Center for Alternatives to Animal Testing (CAAT) requested grant proposals for Animal Welfare Enhancement Awards for studies intended to improve housing, handling and/or experimental conditions for animals kept in research laboratories (see Fall 2003 *AWI Quarterly*). We received a total of 40 applications and are pleased to report that the review committee granted a total of 13 awards, each for $6,000, for the following research projects:

1. *The use of a conditioning technique to reduce the physiological and behavioral stress associated with repeated intra-peritoneal injection in rats.* Investigator: Sylvie Cloutier, Center for the Study of Animal Well-being, Washington State University, Pullman
2. *Response to environmental enrichment during recovery from surgery in mice.* Investigator: Kinta Diven, Institutional Animal Care and Use Committee, Johns Hopkins University, Baltimore
3. *Novel caging trial for long term group housing of rats.* Investigator: Kris Maloney, Procter & Gamble, Mason
4. *The effects of light intensity on fecal cortisol and stereotypic behavior in adult male* Macaca mulatta. Investigator: Babette Fontenot, Division of Behavioral Sciences, University of Louisiana at Lafayette, New Iberia
5. *The effects of desensitization training on reducing stress levels in research dogs.* Investigator: M.J. Hamilton, Colorado State University, Fort Collins
6. *Effects of enrichment devices on stress-related problems in mouse breeding.* Investigator: Chandra Inglis, Department of Viral Immunology, Torrey Pines Institute for Molecular Studies, San Diego
7. *A simple method for intracage mouse environmental enrichment device assessment.* Investigator: Wilma Lagerwerf, Department of Animal Care and Veterinary Services, University of Western Ontario, Canada

8. *Social enrichment in a breeding colony of dogs.* Investigator: Vicki Meyers-Wallen, College of Veterinary Medicine, Cornell University, Ithaca
9. *Improvement of the breeding performance of wild-derived mice.* Investigator: Carol Greider, Department of Molecular Biology and Genetics, Johns Hopkins University, Baltimore
10. *Evaluation of two non-contact infrared thermometers for determining changes in body temperature in mice.* Investigator: Colette Wheler, Animal Resource Center, University of Saskatchewan, Canada
11. *How to assess fish welfare so that stressful situations can be minimized in the laboratory setting.* Investigator: Stephanie Yue, Department of Animal and Poultry Science, University of Guelph, Canada
12. *Reduction of captivity stress in chronically [single-] housed pigeons through an enriched environmental program.* Investigator: Anita Conte, Department of Psychology and Neuroscience, College of Staten Island/Cuny, Staten Island
13. *Ultrasonic sound measurement as an indicator of pain and distress in laboratory rodents.* Investigator: Wendy Williams, Center of Research Animal Resources, Cornell University, Ithaca

We look forward to reporting the findings in the *Quarterly*.

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