

## Feds funding egg industry effort to defeat California anti-

**SAN FRANCISCO**—U.S. Agriculture Secretary Ed Schaefer personally approved giving \$3 million collected from egg producers for co-promotions by the American Egg Board to the agribusiness campaign against the California Prevention of Farm Animal Cruelty Act, alleges a lawsuit filed on August 13, 2008 by Californians for Humane Farms.

The California Prevention of Farm Animal Cruelty Act, Proposition Two on the 2008 California state ballot, would reduce the stocking density for caged laying hens by 2015, and after 2015 would prohibit raising pigs and



Hen at Pasado's Safe Haven. (Kim Bartlett)

veal calves in crates that prevent them from turning around and extending their limbs.

The American Egg Board money would more than double the campaign fund in opposition to Proposition Two, which had raised \$2.16 million as of August 12, 2008, according to the California Secretary of State's office. Supporters had raised \$4.3 million, \$3.5 of it from the Humane Society of the U.S. and individual HSUS employees. The United Egg Producers Association has predicted that animal use industries will need to spend about \$50 million to defeat Proposition Two.

Californians for Humane Farms is the umbrella for the Yes on Proposition Two committee, whose major funders are Farm Sanctuary and the Humane Society of the U.S.

"As reported in *Egg Industry* magazine," explained a Yes on Proposition Two committee media statement describing the lawsuit, "the American Egg Board 'unanimously passed a motion at its 2007 fall meeting in California that \$3 million be held in reserve to assist the state if necessary in the industry's current battle with animal activists [concerning] a referendum on the November 2008 ballot that would eliminate cage production in California.'

"As a federal commodity promotion program," the Yes on Proposition Two committee statement continued, "the American Egg Board is strictly prohibited from expending any

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## No big Olympic wins for animals—but some quiet gains

**BEIJING**—Political stress over Tibet and controversies arising from the aftermath of the May 12, 2008 Sichuan earthquake appear to have deferred expectations that China would introduce a national humane law as a goodwill gesture just ahead of the 2008 Olympic Games in Beijing.

The anticipated introduction, all but promised by state media for several years, did not happen. Instead, as the 2008 Olympics approached, speculation about the possible content of a national



Animal Rescue Beijing volunteer. (Kim Bartlett)

humane law and reportage about controversial animal issues nearly vanished from state media—except for warnings that Beijing restaurants should not serve dog meat during August and September, while visitors filled the city to attend the Olympics and the Paralympics for handicapped athletes, to be held afterward.

But the Beijing Pet Dog Management Office, a branch of the police department, in mid-July summoned Animal Rescue Beijing founder Wu Tianyu and China Small Animal Protection Association founder Lu Di "to discuss the situation of pet dog control in Beijing," Animal Rescue Beijing volunteer Irene Zhang told **ANIMAL PEOPLE**.

Joining the delegation, Zhang described a positive atmosphere and outcome. "The police promised that if there are any complaints about a dog," Zhang emailed to **ANIMAL PEOPLE**, "they would not take the dog away, but would

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# ANIMAL PEOPLE

News For People Who Care About Animals

**July/August 2008**  
**Volume XVIII, #6**



## European Commission proposes a seal product import ban—maybe

**BRUSSELS**—The European Commission on July 23, 2008 adopted a proposal "for a regulation banning the trading of seal products within, into, and from the European Union," said the EC press agency, "to ensure that products derived from seals killed and skinned in ways that cause pain, distress and suffering are not found on the European market. Trade in seal products would only be allowed," the EC announcement continued, "where guarantees can be provided that hunting techniques consistent with high animal welfare standards were used and that the animals did not suffer unnecessarily."

The caveats may set animal advocates up for another disappointment like the one that followed a 1991 proposed European ban on imports of leghold-trapped furs. Enforcement, originally to start in 1995, was repeatedly delayed by U.S., Canadian, and Russian diplomatic pressure. In July 1997 the ban was amended by the European Union General Affairs Council into a mere agreement to establish "humane" trapping standards.

"After certain leghold traps and even drowning sets, illegal in many countries, were included in the standard" that was eventually adopted by the International Standards Organization, "the whole exercise lost impe-

tus and credibility," summarized World Animal Net founder Wim de Kok.

Insisted European Union environment commissioner Stavros Dimas, "Seal products coming from countries which practice cruel hunting methods must not be allowed to enter...The EU is committed to upholding high standards of animal welfare."

Acknowledged the EC press statement, "Seals are sentient mammals who can experience pain."

But the statement added, "European Food Safety Authority scientific opinion indicates that seals can be killed rapidly and effectively by a number of methods without causing avoidable pain, distress and suffering...In countries where seal hunting continues, a certification scheme would be established, coupled if necessary with a distinctive label or marking, which will ensure that seal products traded are clearly certified as coming from a country meeting strict conditions.

"The proposal will now be submitted to the European Parliament and to Council for their approval," the announcement concluded.

Added Dimas at a news conference, "The images of seal hunting that circulate around the globe every year are a reminder of

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The Convention on International Trade in Endangered Species on July 15, 2008 authorized China to buy 119 metric tons of elephant ivory from the official government stores kept by Botswana, Namibia, South Africa, and Zimbabwe—and touched off an explosion of poaching and culling. (Page 15.)

(Photo by Kim Bartlett)

## 2001 anthrax attacks that killed five are traced to animal researcher

**WASHINGTON D.C.**—The Federal Bureau of Investigation on August 7, 2008 released investigation reports that identify U.S. Army Medical Research Institute of Infectious Diseases anthrax researcher Bruce E. Ivins as the probable mailer of anthrax-contaminated envelopes that killed five people and sickened 17 others in October 2001.

After learning of his impending indictment for murder, Ivins, 62, on July 29, 2008 took a fatal overdose of Tylenol mixed with codeine.

John W. Ezzel, who hired Ivins to work at the Army institute in Fort Detrick, Maryland, told Scott Shane and Eric Lichtblau of *The New York Times* that Ivins had conducted "experiments in which animals were exposed to anthrax to test vaccines."

The animal research gave Ivins access to anthrax spores and the equipment needed to turn them into a weapon.

"Because the notes in some of the letters mailed to news media and two senators included radical Islamist rhetoric, investigators initially believed the letters might have been sent by Al Qaeda," Shane and Lichtblau recalled. "But the F.B.I. quickly settled on a different profile: a disgruntled American scientist or technician, perhaps one specializing in biodefense, who wanted to raise an alarm about the bioterrorism threat.

Added *Los Angeles Times* staff writers David Willman and David C. Savage, "Ivins was the sole custodian of the unique strain of anthrax that caused the deaths, and had started working late in his laboratory the nights before the letters were mailed, according to a federal affidavit from Thomas F. Dellafera, a postal inspector who was part of the investigation team. When asked for samples of the anthrax he was working with, the

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**THE HUMANE SOCIETY**  
OF THE UNITED STATES

Editorial feature

Updated expectations of animal charities

If for just 15¢ you could ensure that every donation you make to animal charity goes to a charity that does what it claims to do, and does it well, would you spend the 15¢?

The ordering price of the newly published 10th annual edition of the **ANIMAL PEOPLE Watchdog Report on Animal Charities** is \$25.00—about the same as the average donation to any type of charity these days. Divide the *Watchdog Report* price by the 165 succinct reviews of prominent animal charities that it contains, and the average price per review is 15¢, barely a third of the cost of mailing a donation.

The **ANIMAL PEOPLE Watchdog Report on Animal Charities** helps you to target your donations and bequests to accomplish more for animals. The **ANIMAL PEOPLE Watchdog Report** gives you an informed independent investigative perspective on the 117 U.S. animal charities that you are most likely to hear from by direct mail or through e-mailings, or hear about in the news, and on 48 foreign animal charities whose work is of particular note. People who make large donations, frequent donations, or are planning their estates will find the **ANIMAL PEOPLE Watchdog Report** especially helpful.

There are free online resources to which the *Watchdog Report* may be compared—but only superficially.

The most recent available Internal Revenue Service Form 990 public accountability filings for all U.S. charities may be downloaded from <www.GuideStar.org>. Similar web sites provide the filings of British and Canadian charities. We use these sites intensively and highly recommend them, but average donors often find nonprofit accountability filings quite difficult to interpret. The *Watchdog Report* abstracts the most important data for donors to know, as a single line of type, including both the ratio of program-to-overhead spending that each charity claims, and the ratio as we believe it actually would be, if no direct mail expense is claimed as a “program” cost under the heading of “public education.”

The web site Charity Navigator is increasingly popular with donors to U.S. charities of all sorts, but tends to be hugely misleading, because the Charity Navigator ratings are based on mere mechanical crunching of Form 990 data, with little if any attention paid to individually evaluating each Form 990 to make sure the numbers are correctly reported, and none of the assessment of major programs, policies, administrative activity, and changes of direction that make up most of each *Watchdog Report* entry.

Donors might presume that since most Form 990 filings are made by chartered accountants, they will be accurate. Yet the IRS itself estimates that about 25% of all IRS Form 990 filings are incorrectly completed, sometimes through simple error, often from seemingly deliberate efforts to conceal or misrepresent information. Very few such errors are flagged by the IRS, because the IRS relatively rarely audits nonprofit filings: that is not where the IRS generates revenue. A correctly completed Form 990 is hugely important to charity donors, but since charities don't pay taxes, this tends to be of little concern to the IRS—except when the charity turns out to be a front for tax evasion.

The other major charity reviewer, the Wise Giving Alliance, does line item financial analysis, to its credit, but it also applies standards of governance to all charities, across the boards, that tend to be impractical and self-defeating for any small charity, any charity of highly specialized purpose, and any charity still controlled by the founders. While the Wise Giving Alliance financial standards are reasonable, the Wise Giving Alliance governance standards are basically appropriate to universities, hospitals, and other old and large charities, but inappropriate for most of the rest of the charitable spectrum, animal charities most of all.

The 2008 **ANIMAL PEOPLE Watchdog Report** is prefaced, like each edition since 2003, with simple explanations of the most common methods by which experts evaluate nonprofit financial data, so that each reader can use the same tools to assess any charity. A second preface includes the 10-point **ANIMAL PEOPLE** codes of ethics for animal charities and fundraisers. This year we have amended the code of ethics for animal charities for the first time since 2003, because the ongoing leadership transitions at the World Society for the Protection of Animals, detailed on pages 16-18 of this edition, illustrated to us that our original standard for integrity of purpose was insufficiently clear.

The original standard stipulated that, “The activities of an animal protection charity

should verifiably endeavor to help animals, committing the overwhelming volume of resources raised to animal protection work other than fundraising, administration, and the maintenance of reserve funds.

“a) **ANIMAL PEOPLE** believes that all fundraising and program literature distributed by an ethical animal protection organization should be truthful, accurate, and up-to-date, and should be amended or withdrawn, as is appropriate, when circumstances change or new information emerges. If a project, campaign, or program is announced but fails to be developed, for whatever reason, donors should be told what happened and what was done instead with the resources raised in the name of that project, campaign, or program.

“b) **ANIMAL PEOPLE** believes it is inherently unethical for board members and executives of animal charities to simultaneously represent organizations, businesses, political parties, or other entities whose activities or goals conflict with the activities and goals of the animal charities.”

To the above we have added, “**ANIMAL PEOPLE** believes that board members and executives of animal charities should explicitly, personally, and on the public record endorse the goals and policies of the animal charities they represent. In the instance that a board member or executive opposes or seeks to amend the goals and/or policies of the animal charity he/she represents, the position of the board member or executive should be clearly articulated, and on the public record.”

Until WSPA elected a board president and board members who have refused to personally endorse some of the founding policies of WSPA on the public record, we never imagined that this could become an issue.

Additional points of ethics

Among the other major points in the **ANIMAL PEOPLE** code of ethics for animal charities, we believe that under all except the most unusual circumstances, which should be clearly, fully, and prominently explained to donors with solicitations for funds, an ethical animal protection charity should hold fundraising and administrative cost to less than 35% of total expense within a calendar or fiscal year. **ANIMAL PEOPLE** considers “fundraising costs” to include any use of telemarketing to solicit funds, as well as any direct mailings which solicit funds, include envelopes for the return of donations, and would probably not have been mailed if postal rules forbade the inclusion of the donation envelopes. (This standard parallels the guidelines of the Wise Giving Alliance.)

Twenty-three of the 117 U.S. charities listed in the 2008 *Watchdog Report* flunk this standard, including seven that are included only because the high volume of direct mail sent on their behalf tends to bring inquiries from recipients far more often than their program service would appear to warrant. The 2008 **ANIMAL PEOPLE Watchdog Report** also includes what may be the last listing for an apparently defunct charity, once internationally prominent, which collapsed into debt as result of a bad contract with a direct mail fundraiser.

**ANIMAL PEOPLE** believes, in general agreement with the Wise Giving Alliance and Charity Navigator, that under all except the most extraordinary circumstances, which should be clearly, fully, and prominently explained to donors, an ethical animal protection charity should avoid keeping more than twice the annual operating budget of the charity in economic reserves, including investment accounts and the reserved assets of subsidiaries.

Of the 23 U.S. charities in the 2008 **ANIMAL PEOPLE Watchdog Report** that appear to flunk this standard, several came by their wealth recently, through receipt of huge bequests, and are now expanding their program service. But several others appear to have forgotten that they received their wealth from people who expected them to work much more vigorously to relieve and prevent animal suffering, not just sit on their assets.

A few may still be actively fundraising chiefly to avoid having the IRS reclassify them as private foundations, meaning their revenues would no longer be tax-exempt.

Among the standards unique to **ANIMAL PEOPLE** are that we believe an ethical animal charity should behave in a manner which considers the welfare of all animals. Just as it would be unethical for a human welfare charity to sacrifice the well-being of some people in order to benefit a chosen few, so **ANIMAL PEOPLE** believes it is inherently unethical for an animal charity to cause some animals to suffer on behalf of other animals.

For example, **ANIMAL PEOPLE** finds unethical any policies which promote the well-being of some animals, including endangered species, by encouraging the killing of predators or competitor species. We likewise find unethical any policies which encourage the release or return of animals to habitat where the animals are unwelcome and may be at high risk of enduring human cruelty or extermination.

**ANIMAL PEOPLE** recommends that all food served for human consumption by or on behalf of animal charities should be vegetarian or, better, vegan. This recommendation was controversial when **ANIMAL PEOPLE** first editorially advanced it, in 1995. It is now widely echoed, including in the food policy of the Humane Society of the U.S.

**ANIMAL PEOPLE** believes that an ethical animal charity should take into consideration the well-being of the whole of the animal-related nonprofit sector.

**ANIMAL PEOPLE** views as inherently unethical the involvement of an animal protection charity, or the officers, directors, and other management of the charity, in any form of crime except for occasional acts of open civil disobedience undertaken in connection with nonviolent protest.

**ANIMAL PEOPLE** believes that animal protection charities should not be directed or managed by persons of felonious criminal history involving theft, fraud, or violence against either humans or nonhuman animals. Though this might seem almost to go without saying, criminals have several times seized control of animal charities, exploiting them for personal gain.

**ANIMAL PEOPLE** believes that even beyond the requirements of law, an ethical animal protection organization must discourage racism, sexism, sexual predation, discrimination, and harassment, and that even beyond the requirements of law, an ethical animal charity must maintain facilities which are safe, clean, and physically and emotionally healthy for animals, visitors, and staff.

**ANIMAL PEOPLE** believes that if and when an ethical animal charity finds itself to be in violation of any of these standards, even if accidentally and unintentionally, it must immediately work to resolve the problems.

**ANIMAL PEOPLE** views as inherently unethical the use of legal action to attempt to silence criticism, a trend we noted in the U.S. several years ago and are now beginning to see in other nations. **ANIMAL PEOPLE** believes that charities and their officers, directors, and management should view themselves as operating under public scrutiny, for the public benefit, and as being therefore public figures, who are subject to the same kinds of observation, criticism, commentary, and satire as elected officials and candidates for public office.

This includes us.

**ANIMAL PEOPLE** believes that an ethical animal-related charity, if it employs an outside fundraiser or fundraising counsel, should hire only fundraisers or fundraising counsels with no conflicts of interest, such as simultaneously representing organizations or political candidates with goals opposed to those of the animal-related charity.

The complete **ANIMAL PEOPLE** standards for ethical charities, along with our standards for fundraisers, are accessible at <www.animalpeoplenews.org>, as well as in the *Watchdog Report*, or will be sent on request by e-mail.

The 2008 **ANIMAL PEOPLE Watchdog Report on Animal Charities** may be ordered for \$25 per copy from P.O. Box 960, Clinton, WA 98236; 360-579-2505.

SEARCHABLE ARCHIVES: www.animalpeoplenews.org

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### LETTERS

#### Saving turtles

In your July/August 2000 edition you mentioned that I had put up \$2,500 worth of turtle crossing signs at my own expense, with an under-cost contribution of materials by Western Signs Inc. For an update of how much this project has grown, please visit our web site.

—Michele Andre-St. Cyr  
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#### Editor's note:

The original project has expanded into an organization that has now placed several hundred turtle crossing signs in nearly 50 communities

#### "No need to apologize for

Just wanted to thank you for yet another amazing editorial, "No need to apologize for helping animals," and say that there are certainly those of us out here who are deeply disturbed by the trend many animal advocacy groups and individuals are taking. Michael Mountain and the Best Friends Animal Society represent me and mine, and I'm sure many other advocates as well. Those groups that seem only to value animals for their use to humans will not get my support.

I really appreciated the editorial perspective on the Noah story. I have always thought that the Creator of all life certainly values EVERY life—as is abundantly evident in nature and in most major religions' holy writings—and that, as all species have been created and must serve a useful purpose for the whole, any neglect or abuse of members of other species by humans must not be in accord with natural and spiritual laws.

—Jamaka Petzak  
South El Monte, Calif.  
<jmuhjacat@att.net>

I think Best Friends Animal Society cofounder Michael Mountain put it most beautifully in your June 2008 editorial "No need to apologize for helping animals," when he said that there is no question of what comes first—helping people or helping animals—and that each complements the other.

To almost every person in the animal welfare movement, it is not a question of people or animals, and has always been people and animals. We certainly do not apologise for helping animals.

—S. Chinny Krishna  
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#### Boycotting snow crabs to

I want to thank you for the article on Environment Voters' founder Stephen Best. His strategies and advice have guided the current anti-seal hunt campaign, created the Canadian Seafood Boycott, and have assisted less experienced colleagues in gaining political savvy. The seafood boycott has brought a 22% reduction in the value of sea-food exports from the sealing provinces, after factoring out rising fuel costs and the increase in the value of Canadian dollar relative to the U.S. dollar. The last figure I have for the snow crab industry—snow crab being the #1 export of Newfoundland and Labrador, where most of the seal slaughter takes place—is that the value of snow

crab exports to the U.S. has decreased by \$465 million since the boycott was started in March 2005. The Animal Alliance of Canada has partnered with the Humane Society of the United States to spread the boycott. More than 3,700 restaurants, grocery stores, resorts, casinos and seafood companies have stopped purchasing some or all Canadian seafood.

—Karen Levenson  
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#### The value of attending conferences

In reply to John Dalley's letter about fundraising, in the June 2008 edition of **ANIMAL PEOPLE**, Animal Refuge Kansai, like the Soi Dog Foundation, started from grass-roots in an Asian country. At first we too lived hand to mouth rescuing animals and spending any money we raised to feed and care for them, with the help of volunteers. Eighteen years have passed and ARK has grown. We now have 30 paid staff, including four in a Tokyo office who primarily do public relations, education and fundraising. Although we do not have a shelter in the Tokyo area, many animals are flown there from Osaka, kept in foster homes, and adopted out from there.

We felt that the move to Tokyo was justified, despite the high prices there, because that is where all the big corporations, including foreign companies, are based, and is where the opportunity for fundraising is greatest.

I think it was **ANIMAL PEOPLE** editor Merritt Clifton, whom I first met at the International Companion Animal Welfare conference in Sofia nine years ago, who said "If you are unable to leave your organization and take time off once in a while to attend conferences, too busy or with nobody to manage the place while you are away, then something is wrong with your organization."

At that time it was difficult for me to leave, worrying the whole time that the place would fall apart in my absence. However, I have subsequently reaped the benefit of conferences in many ways. First, they enable me to get away from the day to day stress of my own organization to see the forest through the trees.

If you know someone else  
who might like to read  
**ANIMAL PEOPLE**,  
please ask us to send  
a free sample.

Second, they enable me to learn how other organizations are coping, many in far worse circumstances than us, and to network. Third, I bring back new ideas into my own organization. As just one example, ARK was able to pioneer early neutering eight years ago, despite the skeptical opposition of many Japanese veterinarians, as a result of learning about it at a conference.

Conferences are not fundraising opportunities, but we can learn at conferences how to raise funds more successfully. Our objective is not to make money but without it we cannot help the animals.

—Elizabeth Oliver  
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# Devastating Supreme Court Decision in New Jersey

## Cruel and Abusive Factory Farm Practices Ruled "Humane"

The highest Court in New Jersey has recently issued a grave decision. It is one that will be regretted by humanitarians and suffered by farm animals for years to come.

Rather than striking down the horrific practices embraced by the state's agriculture department, the Court has instead unanimously ruled to uphold those practices as "humane."

Incredibly, the group Farm Sanctuary is heralding this Court decision as a "precedent-setting victory."

Precedent setting, yes. But for all the wrong reasons. It is perhaps the most damaging decision regarding farm animals in U.S. legal history.

We encourage people to read the actual New Jersey Supreme Court decision at <http://lawlibrary.rutgers.edu/courts/supreme/a-27-07.opn.html>. There you can see for yourself that the meat industry has effectively exempted itself from the state's animal cruelty laws.

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**"The regulations as a whole are consistent with the meaning of the term 'humane'."**

*– Supreme Court,  
New Jersey*

### Spinning, Out of Control

*"This is a major victory for farm animals and will pave the way for better protections of farm animals nationwide."*  
– Gene Baur, FS

If you have been confused by Farm Sanctuary's claims about the Supreme Court decision in New Jersey, you are not alone.

Rather than condemning the Court's decision to shield animal abusers from prosecution, FS has instead been distributing celebratory press releases and other materials.

To better understand why Farm Sanctuary is so intent on misrepresenting the facts, please see our report on Page 7.



# Turkish cities not observing 2004 neuter/return mandate, says author

I want to share with you my worries about the future of stray dog management in Turkey. Most municipalities have not understood the meaning of neuter/return [required by law in Turkey since 2004]. They are thinking that stray dogs have to be taken away from human contact and think that the easiest way to do this is to put them into shelters.

I am not sleeping well since I received an e-mail about the opening of a shelter in Osmangazi, Bursa region, on July 5, 2008. Their plans include keeping impounded dogs in a fenced area after they have been neutered. There is no mention of returning them to the street. The dogs will be kept there for the rest of their lives. This is directly against the articles of the law.

In the law it is stated that municipali-

ties have to create a temporary shelter, to keep dogs safely for a few days before and after neutering. The law also states that each dog must be returned to the place of capture.

Since we have had the law, some municipalities have adopted a neutering program, but are keeping dogs indefinitely in shelters. Soon the number of dogs in the shelters will be a big burden to the municipalities, resulting in secret killings, as we saw a short while ago in Cankaya Municipality in Ankara.

Other municipalities are releasing dogs into forest areas, far from human habitat.

Dogs are companion animals, or urban scavengers, and like to live close to humans. Dogs are not wild animals like foxes and wolves who can survive in a forest—but releasing dogs into a forest will harm wildlife,

as the dogs hunt for food in competition with wild predators and scavengers.

It is frustrating that municipalities do not or will not understand that the dogs are territorial animals. If they have been taken away and not returned, then their places will be taken by un-neutered dogs who come from elsewhere. Removing dogs and not returning them ensures that their will be no decrease in the numbers of stray dogs on the streets.

Unfortunately, the government that enacted the policy of neuter/return has not used its powers to properly enforce the implementation regulations.

I know of only two places in Turkey where stray dog management has worked successfully: Denizli and Fethiye.

In Fethiye, where Fethiye Friends of Animals began sterilizing dogs in 2000, there are no more stray dogs to neuter. Whilst Fethiye is small in comparison to other large cities, there is no reason why larger cities cannot also be successful in stray dog control if their programs are properly managed.

Our problems in Fethiye are unfortu-

nately not finished yet, because we have too many irresponsible dog keepers who bring their unwanted newborn puppies and dogs to us. We take them so that they will not be abandoned on the street.

The responsibilities of private dog keepers, according to the law, are quite heavy, but have not been publicized by the authorities. Fethiye municipality and FHDD have agreed on a program we are going to start soon to sort this out.

—Perihan Agnelli

Fethiye Friends of Animals Assn.

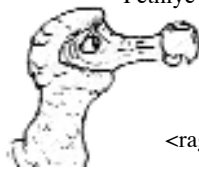
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## Editor's note:

*Perihan Agnelli was the principal author and motivator behind the passage of the 2004 Turkish law mandating that neuter/return replace traditional poisoning and catch-and-kill dog control.*

## ANIMAL PEOPLE

*thanks you for your generous support*



—Wolf Clifton

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## CORRECTIONS & UPDATES

Scottish SPCA chief inspector John Carle objected to a March 2008 mention of the "Royal SPCA of Great Britain," as distinguished from the Royal SPCAs of several other nations, that "The RSPCA does not cover the whole of Great Britain. Scotland is covered by the Scottish SPCA and Northern Ireland is covered by the ISPCA."

The April 2008 **ANIMAL PEOPLE** article "Enviros expose lab monkey business" stated that "An especially dramatic indication of the recent rise in laboratory demand for monkeys was disclosed in February 2008 by Dave Howden of Students for Transparency in Animal Research and Testing at McGill University in Montreal." Howden wrote to clarify that while he helped to share the findings with Jennifer Markowitz of *The McGill Daily*, who first reported about them, he was a relatively new member of START and did not wish to appear to be claiming credit for the investigative work of the senior members.

The May 2008 **ANIMAL PEOPLE** article "Bard of rescue" Jim Willis convicted

of dog theft" stated that "A pre-dawn fire on January 25, 2004 killed nine dogs and four cats at Willis' former home in Avella, Pennsylvania." The fire actually occurred in the afternoon. Willis says 10 dogs were killed. Willis later lived at the home of a woman who operated a private animal rescue, who was in September 2005 convinced of mass neglect. The article transposed the name of the investigating agency, Animal Friends, with the name of the rescue, which was not incorporated and may not actually have had a name.

The October 2007 **ANIMAL PEOPLE** article "*Future of Hunting* TV show and future of hunting itself in question" mentioned that show host Kevin M. Hoyt, 37, of Bennington, Vermont, pleaded innocent to felony charges of lewd and lascivious conduct involving a nine-year-old girl in 2005. "According to a court document, the charge against Hoyt was dropped," on June 24, 2008 "because the now-12-year-old girl was unable to testify," reported *Rutland Herald* staff reporter Patrick McArdle.



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## Supreme Court Decision in New Jersey *(continued)*

### The Truth About SB 713: A Toxic Industry Measure Takes Root

Responsible activism on behalf of farm animals *begins* with a clear recognition that state and federal *Agriculture Departments are extensions of the livestock industry*. And no responsible animal activist would ever want the industry itself to determine what legally constitutes the “humane” treatment of farm animals. This, of course, is fundamental.

These fundamentals, however, were discarded in New Jersey with disastrous results. Here is what happened:

#### A Toxic Seed Is Planted

In 1996, agribusiness interests in New Jersey passed legislation known as *SB 713*. This law gave the state’s Agriculture Department jurisdiction over farm animal cruelty issues and authority to adopt regulations governing the treatment of farm animals.

At that time, New Jersey was among states that did *not* exempt factory farming and other cruel livestock industry practices from the state’s animal cruelty laws.

Contrary to absurd claims made by the group Farm Sanctuary, *SB 713 was never intended to result in the elimination of factory farming or other cruel livestock rearing practices*. It was intended solely to protect the *status quo* and to shield farm animal production facilities from cruelty charges.

SB 713 was written and supported by the agribusiness lobby.

\* \* \*

The passage of SB 713 was a setback for farm animal protection. *But the damage for many years was minimal*. Although it instructed the Ag Department to adopt regulations within six months, it soon became clear that this was not going to happen. Thankfully, *years* passed with no harmful regulations whatsoever.

After seizing the jurisdiction it wanted, the industry was pleased to have the authority to dictate “humane” farm animal standards. But it saw no pressing need to actually produce them. In short, the directive that the Ag Department promulgate regulations as per SB 713 was *ignored*. And that was a good thing.

With no harmful regulations being adopted *—no harmful precedents were being set!*

Then something unfortunate happened.

#### Opportunism Knocks — A Toxic Seed Is Watered

Farm Sanctuary (FS) was never involved with SB 713 while the bill was in the legislature. Years after the fact, however, *FS decided it would launch a campaign demanding that the Ag Department create farm animal regulations as per SB 713*.

With no regard for the obvious consequences of asking this industry-controlled agency to adopt “humane” standards — getting the Ag Department to do just that became a focal point of Farm Sanctuary fundraising mailings, grant proposals, and other promotional efforts.

FS never informed supporters about the true history and industry intent behind SB 713. Instead, it created its own story. FS would claim that the New Jersey legislature had actually done something *wonderful*.

According to FS, by passing this “*landmark legislation*,” the state now had “*a leading role toward improving farmed animal welfare in the United States*.”

“*Now it is up to us*,” FS Director Gene Baur claimed in nationwide solicitations, “*to force New Jersey to adopt humane treatment standards as mandated by law — and for the first time ever, ban cruel factory farming in the U.S. Your contribution to Farm Sanctuary is urgently needed*.”

Using SB 713 for organizational gain, FS repeatedly emphasized, “*We urgently need you to play a vital role in the historic campaign to ban factory farming in New Jersey — and set a precedent for farm animal welfare nationwide....*”

This became one of Baur’s most successful misrepresentations. One foundation alone gave Farm Sanctuary \$135,000 to: “*Establish humane standards for farmed animals in the state of New Jersey*.” And that was just the beginning.

“We call upon the Department of Agriculture to fulfill its legislative mandate....” Mary Tyler Moore, New Jersey rally

Like other well-intentioned people persuaded to jump on the bandwagon, Mary Tyler Moore wasn’t told that the “legislative mandate” featured in the statement given to her by Farm Sanctuary was an *industry drafted* mandate designed to perpetuate factory farming.

The hoopla had its effect. Following FS’s celebrity events, letter-writing campaigns, and lobbying, the Ag Department did, in fact, issue regulations as per SB 713.

This was precisely what responsible activists had hoped would *never* happen.

#### The Toxic Seed Sprouts — The Ag Department Does Exactly As Expected

Eight years after the passage of SB 713, the Agriculture Department issued its “humane” standards. And, as expected, it approved and codified just about every cruel and abusive livestock industry practice imaginable. [Details on page 5.]

Without missing a beat, FS revised its materials. Now, instead of soliciting for the purpose of “forcing” the Ag Department to issue humane standards, *FS would now solicit for the purpose of having those very standards overturned*.

Of course, the former proved much easier than the latter. And, in July 2008, the Supreme Court ruled unanimously *against* FS and other plaintiffs and in *favor* of the insidious factory farm practices contained in the Ag Department’s “humane” standards.

Farm Sanctuary is now attempting to paint this fiasco as a “monumental victory.” In reality, what we now have for the first time ever, is a state Supreme Court decision that not only codifies the very worst forms of farm animal cruelty — but also one which redefines the very meaning of the word “humane.”

For the sake of farm animals and responsible activists everywhere, let us hope that these lessons are learned once and for all — and that we will never again be subjected to such a disastrous “victory.”



Gains in most regions against cat & dog surplus, but no sudden miracles

	Animals killed per 1,000 people	YEAR	1,000s of people	Animals killed		Animals killed per 1,000 people	YEAR	1,000s of people	Animals killed		Animals killed per 1,000 people	YEAR	1,000s of people	Animals killed
New York City	2.0	2007	8,143	16,489	Broward County	7.3	2006	1,788	13,000	Mason County, MI	3.9	2007	30	116
CONNECTICUT	0.6	2007	3,502	2,282	Richmond, VA	7.9	2007	193	1,516	Terre Haute	4.6	2005	169	780
NEW HAMPSHIRE	2.3	2007	1,316	2,696	West Palm Beach	9.5	2007	1,351	12,820	Milwaukee	4.8	2005	1,700	8,162
					VIRGINIA	12.7	2007	7,643	97,011	Chicago	6.7	2006	2,833	19,000
NORTHEAST (39%)	1.6		33,562	54,972	St. Johns Cnty, FL	13.0	2007	169	2,201	Porter Cty, IN	6.8	2007	160	1,081
NEW JERSEY	4.4	2007	8,866	38,742	Atlanta area	16.9	2005	5,138	87,000	Macomb County, MI	7.2	2007	833	6,000
Pr. George Cty, MD	7.1	2007	841	6,000	Alachua Cty, FL	18.2	2006	224	4,071	Oakland County, MI	8.2	2006	1,214	10,000
DELAWARE	15.8	2005	854	13,500	Orlando/Orange Cty	18.6	2005	1,023	19,000	MICHIGAN	11.7	2006	10,096	117,919
Philadelphia	19.9	2006	1,448	28,774	Lee County, FL	19.1	2007	571	10,907	Sangamon Cty, IL	14.4	2007	194	2,800
					Tampa area	19.9	2006	2,489	49,557	Columbus/Frnkln Cty	14.6	2006	1,096	16,000
MID-ATLANTIC (40%)	7.8		27,782	217,540	Buncombe Cnty, NC	21.6	2007	222	4,800	OHIO	14.9	2004	11,467	170,638
Mission Viejo, CA	1.0	2005	166	113	Duval County, FL	23.5	2007	838	19,662	St. Clair Cty, MI	15.3	2007	170	2,600
San Juan Capistrano	1.3	2007	37	48	Columbia, SC	23.5	2007	468	11,000	Indianapolis	16.7	2007	866	14,470
San Francisco	1.6	2007	744	1,411	Charleston, SC	24.1	2007	332	8,000	Oklahoma City	28.0	2007	691	19,365
Huntington Beach	2.5	2006	194	485	NORTH CAROLINA	25.5	2006	8,856	226,000	Independence, MO	29.7	2006	113	3,361
Los Angeles city	3.7	2007	4,018	15,009	York county, SC	37.7	2006	199	7,500	Tulsa	39.2	2006	383	15,000
Orange County, CA	4.3	2007	3,002	13,000	Polk County, FL	40.3	2005	511	20,566	River Rouge, MI	129.4	2007	9	1,165
San Diego	4.0	2007	2,942	11,700	Rome/Floyd Cty, GA	42.3	2006	95	4,034					
WASHINGTON	6.6	2006	6,132	40,722	Macon, GA	42.3	2007	94	3,970	MIDWEST (41%)	13.0		70,006	910,078
Los Angeles total	6.8	2007	9,503	64,457	Volusia County, FL	42.3	2007	497	21,000	Salt Lake City	6.0	2005	1,016	6,094
Tehama County, CA	6.8	2006	62	421	Alamance Cty, NC	42.4	2007	143	6,067	Reno	6.6	2007	396	2,622
Portland/Multnomah	7.8	2007	682	5,332	Clay County, FL	44.7	2007	179	8,000	COLORADO	9.1	2007	4,753	43,000
OREGON	8.4	2006	3,641	30,528	Orangeburg Cty, SC	49.5	2006	91	4,500	UTAH	14.4	2005	2,352	33,854
Los Angeles County	8.5	2007	5,082	43,373	Stokes County, NC	60.9	2007	46	2,792	Phoenix/Maricopa	15.5	2007	3,768	58,531
Santa Clara County	8.5	2005	1,668	14,097	SO. ATLANTIC (67%)	19.6		48,976	957,262	Cascade County, MT	18.3	2005	79	1,446
Anchorage	9.1	2007	275	2,490	Dallas	10.8	2005	2,306	25,000	Las Vegas/Clark Cty	22.1	2007	1,997	26,500
San Bernardino Cty	11.3	2007	2,028	22,900	Dallas/FtWorth rgn	14.2	2005	5,753	82,000	Albuquerque	23.8	2007	505	12,029
Merced Cty, CA	12.2	2006	246	3,011	Austin/Travis Cty.	15.2	2007	921	14,000	NEW MEXICO	33.7	2007	1,978	66,709
Long Beach	13.0	2007	469	6,075	Shelby County, AL	16.9	2007	178	3,000	Santa Fe, NM	38.2	2005	130	5,000
Lodi, CA	13.9	2005	57	788	Houston	18.4	2007	3,886	71,395					
Monterey County, CA	14.4	2006	412	5,912	San Antonio	23.1	2006	1,300	30,000	WEST (72%)	16.0		21,361	341,111
Lindsay/Porterville	14.6	2005	56	817	Birmingham	23.8	2005	818	19,438	TENNESSEE (prjctd)	25.1	2006	6,039	151,329
Visalia, CA	16.4	2006	420	6,896	Fort Worth	24.9	2005	603	15,000	Knoxville	29.9	2006	405	12,090
Santa Cruz Cty, CA	20.0	2005	251	5,000	Conroe area, TX	26.8	2006	378	10,120	Kanawha/Charleston	34.1	2007	192	6,553
Kern County, CA	23.3	2006	802	18,669	Baldwin County, AL	28.7	2007	129	3,700	Louisville	42.9	2005	700	30,000
Spokane	22.1	2006	447	8,991	Mobile	30.1	2005	401	12,071					
Stanislaus Cty, CA	23.4	2007	512	12,000	Tuskaloosa, AL	30.1	2006	169	4,982	APPALACHIA (46%)	27.1		15,045	408,439
Douglas County	24.0	2005	104	2,519	Gulfport	31.8	2006	194	6,160	U.S. TOTAL	13.8		301,212	4,165,340
Valley Oak, CA	25.4	2005	210	5,336	Baldwin County, AL	33.3	2006	163	5,432					
Bakersfield, CA	26.2	2005	644	16,904	Blount County, AL	38.6	2006	56	2,153					
Clovis, CA	28.0	2006	90	2,524	LOUISIANA	38.6	2005	4,288	157,070					
Madera County, CA	35.2	2005	144	5,071	Shreveport/Caddo	48.0	2005	250	12,000					
Kings County, CA	27.2	2005	147	4,013	Longview, TX	70.8	2005	114	8,070					
Tulare Cty, CA	40.3	2005	154	6,203	Tupelo, MS	55.4	2006	78	4,320					
Fresno, CA	40.9	2006	787	32,147										
PACIFIC (73%)	9.3		48,736	453,340	GULF COAST (52%)	23.0		35,744	822,598					

U.S. shelters killed 2.3 million cats & 1.9 million dogs last year. Nearly

Six of the eight major geographic regions of the U.S. show continuing declines in shelter killing, but two have gone backward according to the 15th annual ANIMAL PEOPLE review of recent shelter exit data.

Newly received data from shelter polls in Ohio and Louisiana, covering the years 2004 and 2005, respectively, show that the headline “U.S. shelter killing toll drops to 3.7 million dogs & cats” above publication of our 2007 analysis was much too optimistic.

The Ohio survey was directed by Ohio State University graduate student Linda Lord. The Louisiana survey was done by Garo Alexanian of the Companion Animal Network. Lord et al found that the Ohio rate of shelter killing was within 1.5 animals per 1,000 of the 2007 ANIMAL PEOPLE projection, but Alexanian found that the ANIMAL PEOPLE projection for Louisiana was 3.2 animals low. Together, the Ohio and Louisiana findings pushed a recalculation of the mid-2007 national shelter killing toll up to 4.0 million animals, at a rate of 13.6 per 1,000 Americans.

As the increase was chiefly among dogs, the recalculation returned the cat/dog balance from by far the most lopsided tilt toward cats that ANIMAL PEOPLE had ever reported (63%) to a more modest 58%—which remained well beyond the previous norms.

The remainder of the 2007 ANIMAL PEOPLE findings are unchanged: The rate of shelter killing per 1,000 Americans both last year and now is still the lowest since data collected by John Marbanks in 1947-1950 suggested a rate of about 13.5—at a time when animal control in much of the U.S. was still done by private contractors, who often simply killed strays or sold them to labs instead of taking them to shelters, and unwanted puppies and kittens were frequently drowned.

The rate of 13.8 found by the 2008 ANIMAL PEOPLE analysis is not enough higher than the 13.6 rate found in recalculating the 2007 findings to be statistically significant.

The 2008 and revised 2007 ANIMAL PEOPLE analysis both project 2.3 million cats per year killed in shelters, mostly classed by shelter staff as “feral.” This is about 300,000 more cats killed per year than early in the present decade, but the increase has occurred at just a fifth to a sixth of the rate of increase of both the U.S. human population and the pet cat population, and has coincided with intensified intolerance of feral cats by U.S. government agencies and organized birding groups. The numbers suggest, in short, not more feral cats, but rather more aggressive cat catch-and-kill policies. The ANIMAL PEOPLE analysis continues to indicate that the U.S. feral cat population is stable at about 6.9 million in winter, 11.5 million at the summer peak, 9.2 million on year-round average.

The dog toll in U.S. shelters has two components showing distinctly different trends: admissions and killing of all breeds and breed types other than pit bull terriers continuing a long decline, while pit bull admissions and killing have climbed for more than 20 years, with the most marked increase coming since 2001. The advent of temperament testing has somewhat lowered the pit bull toll in recent years, from a peak of about 1.2 million a year, by allowing shelters to adopt out pit bulls with greater confidence.

However, ANIMAL PEOPLE single-day surveys of the dog population in dozens of animal control and open-admission shelters around the U.S. found that pit bulls made up 23% of the shelter dog population in January 2008, and 22% in June 2008—about the same as in 2003. The numbers indicate that about 825,000 to 920,000 pit bulls were killed in U.S. shelters last year, with little likelihood of killing fewer until the volume of surrendered and impounded pit bulls drops closer to their proportion—about 5%—of the total U.S. dog population, as indicated by classified ads for dogs available for sale or adoption.

The ANIMAL PEOPLE projection of regional and national shelter killing tolls each year is based on compilations of the tolls from every open admission shelter handling significant numbers of animals in specific cities, counties, or states. The sample base each year is proportionately weighted to ensure regional balance. Only data from the preceding three fiscal years is included—with the exception, this year, of the 2004 Ohio data.

Using a three-year rolling projection tends to level out flukes that might result from including different cities, counties, and states each year, but has the disadvantage of sometimes not showing changes in trends until a year or two after

they start. Thus, the complete 2005 Louisiana data projects a higher shelter killing toll in the Gulf Coast region before Hurricane Katrina than ANIMAL PEOPLE anticipated, but it is not yet possible to predict the cumulative impact of Katrina. Several of the disaster relief missions mounted by national humane societies after Katrina have evolved into ongoing commitments to improve humane services throughout the Gulf region. This may be lowering the shelter death toll, but we do not yet have the data to assess the effect.

A new projection of the toll in the Appalachian region shows an apparent drop of five animals killed per 1,000 humans, after the projected toll rose to 30 per 1,000 in 2007. But 23 of the 95 counties in Tennessee have no animal shelter. A lack of shelters also afflict the more remote parts of Kentucky, Arkansas, and West Virginia. Homeless animals are often killed in these states by traditional methods such as shooting and drowning—and never enter a shelter to become part of the statistical record. The new Appalachian data, incorporating a new count and projected estimate from Tennessee, hints that shelters in the Appalachians may be killing fewer animals than earlier projected simply because they receive a smaller share of the regional homeless animal population than earlier surveys indicated.

### U.S. progress vs. shelter killing

Year	Millions of dogs & cats killed	Killed per 1,000 Americans
1950	2.0	13.5
1970	23.4	115.0
1985	17.8	74.8
1997	4.9	21.1
1998	4.9	19.4
1999	4.5	16.6
2000	4.5	16.8
2001	4.4	15.7
2002	4.2	15.3
2003	4.5	14.8
2004	4.9	17.4
2005	4.4	14.8
2006	4.0	13.6
2007	4.2	13.8

### Cat/Dog shelter killing by region

Region	Cats	Dogs	Ratio
NORTHEAST	36,282	18,690	66/34
MID-ATLANTIC	137,050	80,490	63/37
SO. ATLANTIC	497,777	459,485	52/48
APPALACHIA	220,557	187,882	54/46
GULF COAST	444,203	378,395	54/46
WEST	156,911	184,200	46/54
MIDWEST	491,442	418,636	54/46
PACIFIC	308,271	145,069	68/32
U.S. TOTAL	2,292,493	1,872,847	55/45

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(According to the tax law effective January 1, 2005, if the claimed value of the donated vehi-



# Anthrax attacks that killed five traced to animal researcher (from page 1)

affidavit said, Ivins purposely provided the wrong or unusable material until an FBI agent marched into his secure lab and seized a flask of the lethal bacterium.

“As described by authorities Wednesday, Ivins may have perpetrated the attacks in an effort to create fear that would, in turn, spur greater federal spending and overall support for biodefense.”

That was the short-term effect of the anthrax offensive, which came less than a month after the September 11, 2001 Al Qaeda attacks on the World Trade Trade Center and the Pentagon. But the Ivins episode and many other hazardous breaches of lab security have opened the question of whether the markedly increased funding and resultant rapid expansion of biodefense studies using animals have actually made the U.S. safer.

“More than \$20 billion has been spent on biodefense research since 2001,” recounted Center for International & Security Studies senior research scholar Elisa D. Harris in an August 12, 2008 *New York Times* guest column. “At the National Institutes of Health, research on bioweapons agents has increased from \$53 million in 2001 to more than \$1.6 billion in 2008. The Department of Defense has more than doubled its investment in biodefense, to more than \$1 billion,” producing “an unprecedented expansion of research facilities,” Harris continued.

For example, the Department of Homeland Security is reviewing five possible sites for a new National Bio-and-Agro-Defense Facility, to replace the Plum Island Animal Disease Center, built by the Army in World War II, transferred to the USDA in 1954. Pressure to replace Plum Island escalated after New York City attorney Michael C. Carroll argued in his 2004 book *Lab 257 - The Disturbing Story of the Government's Secret Plum Island Germ Laboratory* that accidents at Plum Island might have introduced Lyme disease and West Nile fever to the U.S., in 1975 and 1999, respectively.

Biodefense research advocates responded that accidental releases of deadly disease from top security laboratories are

extremely rare, and that investigations of diseases which might pass from animals to people, called zoonotic diseases, often produce vaccines and other treatments that ultimately benefit both animals and people.

But as Harris noted, “More than 14,000 scientists have been approved to work with so-called select agents like anthrax that usually pose little threat to public health unless they are used as bioweapons,” and are seldom used as bioweapons because—until now—few people have had the knowledge and facilities to produce them in a form useful as a weapon.

The Ivins case was the first post-9/11 alleged deliberate misuse of U.S. biodefense research, but in 2004, Harris recited, “live anthrax was accidentally shipped to a children’s hospital research lab in Oakland, California, and three lab researchers at Boston University developed tularemia after being exposed to the bacteria that causes it. In 2006, researchers at Texas A&M were exposed to brucellosis and Q fever.”

“As an investigator for the Government Accountability Office reported to Congress last fall,” Harris emphasized, “the greater number of researchers handling bioweapons agents has increased the risk of such accidents.”

Between the cases Harris mentioned, three lab mice who were infected with deadly strains of plague as part of a federal biodefense project disappeared in September 2005 from separate cages at the University of Medicine & Dentistry in New Jersey. The loss was disclosed two weeks later by Josh Margolin and Ted Sherman of the *Newark Star-Ledger*.

A mouse who was infected with Q fever vanished from a Texas A&M lab shortly before the brucellosis event came to light.

“In 2002,” coinciding with the rapid expansion of biodefense research beyond government laboratories, “new federal rules required biodefense researchers to register their labs with the CDC or USDA, and pass a Department of Justice background check. They were also required to devise safety plans and report accidents to the government,” recounted *Los Angeles Times* staff writer Jia-

Rui Chong in October 2007.

However, Chong learned, “A 2006 report by the inspector general of the Department of Health and Human Services found 11 out of 15 universities did not fulfill all the federal requirements. Several universities kept sloppy inventory records, and inspectors could not identify who was gaining access to the [human] pathogens. Institutions working on animal and plant pathogens did worse. None of the 10 institutions described in a 2006 report by the USDA Inspector General met all standards. Many had not updated their lists of people with access to the pathogens and had failed to fully train their staffs.

“All told, there have been 111 cases involving potential loss of bioagents or human exposure reported since 2003,” Chong wrote.

## Agricultural labs

At that, Chong understated the situation, citing the Army lab at Fort Detrick—where Ivins worked—as an example of a safe institution, and neglecting to note that the 10 sites that failed USDA audits in 2005 and 2006 were operated by USDA Wildlife Services. The agency is familiar to animal advocates as the official U.S. government exterminating company, often hired by local governments other branches of the federal government.

Wildlife Services killed 2.4 million animals of 319 species in 2007, chiefly on behalf of agribusiness. The toll included more than a million starlings, 307,622 black-birds, 90,326 coyotes, 19,584 feral pigs, and 14,463 Canada geese, mostly by deploying poisons and fumigants.

Relatively little of Wildlife Services’ work involves biological agents—but “All ten of the Wildlife Services sites audited by the Inspector General were found to be out of compliance with bioterrorism regulations,” the Colorado wildlife advocacy group Sinapu and Public Employees for Environmental Responsibility disclosed after obtaining the reports in July 2007.

“The Inspector General repeatedly found USDA Wildlife Services to be in violation of the Bioterrorism Preparedness and

Response Act for failing to secure ‘dangerous biological agents and toxins.’” elaborated Wendy Keefover-Ring and Carol Goldberg of Sinapu. Violations included “not keeping accurate inventories whereby theft, unauthorized sale or other losses of these toxins could be detected, regular access to toxins by unauthorized persons, distribution of chemical agents to untrained individuals, and inadequate security plans.”

Biodefense research and studies of human disease have traditionally been done with greater security than animal research associated with agriculture—even when the agricultural threat is well-recognized, as in Britain, where 10 million animals were slaughtered in 2001 to contain an outbreak of foot-and-mouth disease, at cost of £8 billion. Between August and October 2007 the Department of Food & Rural Affairs fought apparent repeated outbreaks of foot-and-mouth in the vicinity of the Institute of Animal Health and Merial laboratories at Pirbright. The outbreaks were eventually traced back to Pirbright—initially to a faulty drainage system, identified by Merial in November 2007, but another possible source turned up.

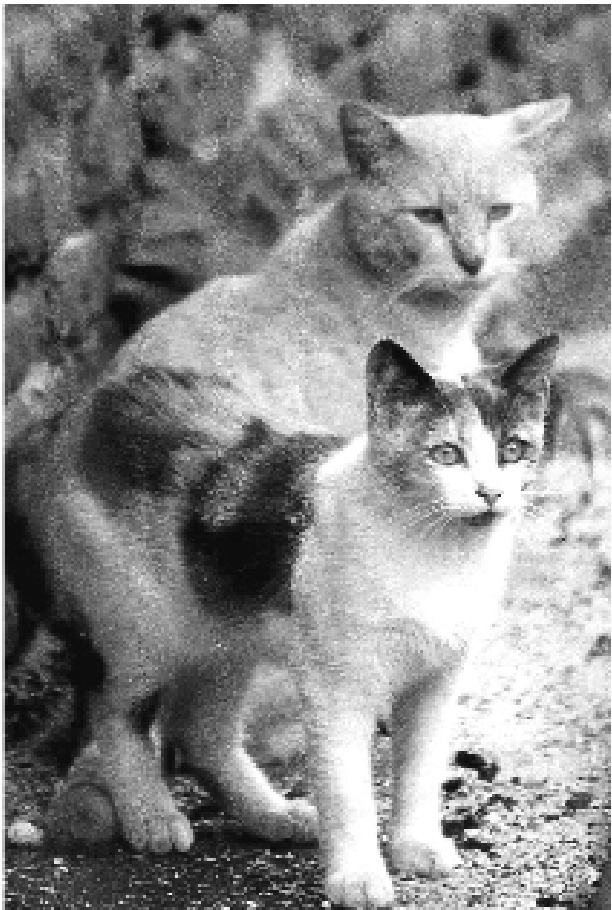
Summarized *The Times* of London countryside editor Valerie Elliott, after a December 2007 government inquiry, “It is alleged that contractors working on a £121 million modernisation program at the laboratory collected soil contaminated with live virus at the site and sold it as top soil. Some of this was spread on land next to a farm where animals were later identified with the disease. Under government guidelines, waste from any site dealing with live disease viruses requires a disposal licence from the Environment Agency, but DEFRA, which took charge of the modernisation works at the laboratory, appears to have overlooked the need for such a licence in this case.”

The inquiry also found that the appearance of repeated outbreaks resulted from DEFRA underestimating the spread of the first outbreak, which continued to develop after it was believed to have been contained.

—Merritt Clifton

# HOW TO TRAP-NEUTER-RETURN

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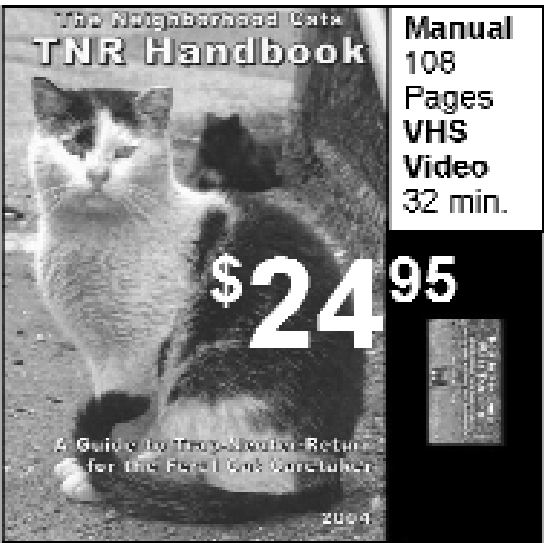
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## Feds fund egg industry effort to defeat Calif. anti-

checkoff program funds 'for the purpose of influencing governmental policy or action,' according to the Act of Congress that created it. "The USDA is required to approve all American Egg Board expenditures, and ensure that AEB activities are limited to non-political advertising, education, research and marketing," continued the Yes on Proposition Two committee statement.

Alleged the Yes on Proposition Two committee, citing several examples, "Internal agency documents show that USDA officials are aware of the unlawful purpose for which

the AEB set aside the \$3 million, and that AEB intends to give federal funds to private individuals or trade industry groups to spend in opposition to the ballot initiative. The Yes on Proposition 2 campaign contacted the USDA and the AEB directly to try to resolve this matter. The group requested that the USDA disallow any AEB activities in California intended to influence voter opinion on the ballot initiative. These requests were denied."

Charged HSUS president Wayne Pacelle, "Expending these funds within 90 days of the election is a transparent attempt to

influence the vote on Proposition Two...and that's unethical and illegal."

Battery caging of laying hens is the pivotal issue for agribusiness, since political trends in California, the most populous state, often go national.

"Since there is no [crated] veal production in California and farmers are voluntarily phasing out confining pigs in breeding crates by 2008," which in California affects just 20,000 of the 121 million pigs raised for slaughter in the U.S. each year, "the initiative primarily targets the state's 19 million egg-laying hens," assessed Aurelio Rojas of the *Sacramento Bee* in April 2008, when Proposition Two qualified for the November 4 ballot. Needing 434,000 signatures from registered voters to to on the ballot, and expecting many attempts by agribusiness to invalidate signatures, Californians for Humane Farms submitted more than 800,000 voter signatures to the California Secretary of State's office.

Farm Sanctuary and HSUS have had previous success with similar measures. A 2002 Florida ballot initiative banned gestation crates for breeding pigs, passing with 55% of the vote. Arizona voters in 2006 banned crates for both breeding pigs and veal calves, winning 62% of the vote. The Oregon legislature banned gestation crates in 2007.

California, however, is the first state in which intensive confinement farming is practiced on a major scale where animal advocates have pursued a ballot initiative against intensive confinement methods. California egg production has declined from nine billion per year circa 1971 to just five billion a year in 2007, but the value of California egg sales in 2007 was a record \$337 million.

Agribusiness anxiety about the precedent that the passage of Proposition Two could set was whetted in July 2008 by Daniel A. Sumner, director of the Agricultural Issues Center at the University of California in Davis. Sumner predicted in a report entitled *Economic Effects of Proposed Restrictions on Egg-laying Hen Housing in California* that if Proposition Two passes, the entire California egg industry would be lost to eggs brought from elsewhere.

"If a shift to non-cage production

were to be imposed nationwide," Sumner concluded, "we could expect consumer costs to rise by at least 25% and perhaps much more. Under this scenario, lower-cost eggs produced from caged hens would not be available to supply U.S. consumers, unless it was possible to expand low-cost egg production in Canada or Mexico for shipment to U.S. markets."

The Agricultural Issues Center board consists of prominent representatives of agribusiness, but Sumner stipulated in the last two lines of his executive summary, "This research was supported with University of California funds. AIC did not seek or receive any outside financial support for this project."

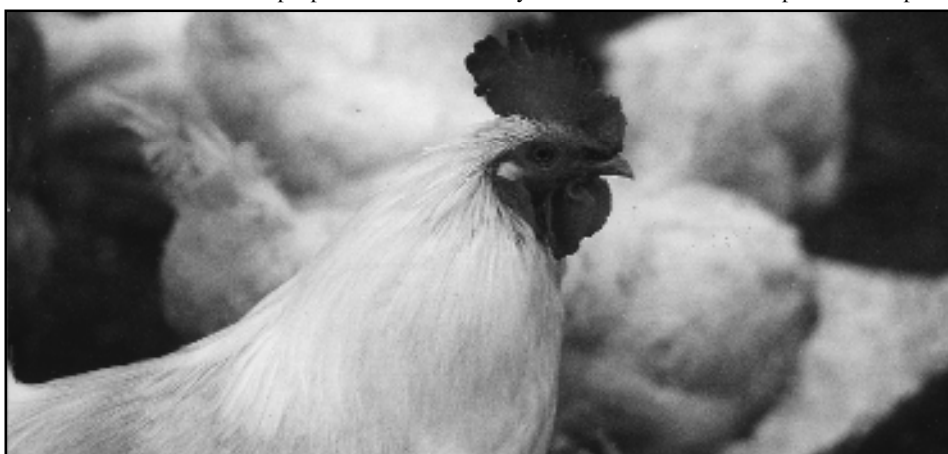
Global trends also worry U.S. agribusiness. The European Laying Hens Directive 1999, if not amended under industry pressure, will ban the sale of battery cage-produced eggs in Europe after 2012. The opinion research firm Mintel in August 2006 reported to the British Department of the Environment, Food and Rural Affairs that caged egg producers had already lost 40% of the British market.

Proposition Two is endorsed by the California Veterinary Medical Association, in a break from American Veterinary Medical Association policy. Endorsements have also come from the California Democratic Party, Defenders of Wildlife, Greenpeace USA, and the California chapter of the Sierra Club.

An especially telling endorsement came in July 2008 from two-time Pulitzer Prize-winning *New York Times* human rights columnist Nicholas Kristof, who has not written favorably of animal advocacy in the past.

"The law punishes teenage boys who tie up and abuse a stray cat," wrote Kristof. "So why allow industrialists to keep pigs in pens barely bigger than they are? Defining what is cruel is extraordinarily difficult. "But penning pigs or veal calves so tightly that they cannot turn around seems to cross that line. More broadly," Kristof finished, "the tide of history is moving toward the protection of animal rights. The brutal conditions in which they are sometimes now raised will eventually be banned. Some day, vegetarianism may even be the norm."

—Merritt Clifton



Leghorn hens at Pasado's Safe Haven sanctuary. (Kim Bartlett)

## Does the Balluch arrest have anything to do with the price of free-range eggs in Austria?

VIENNA—Arrested on May 21, 2008, Association Against Animal Factories founder Martin Balluch and nine other Austrian activists remained in jail three months later, on charges described by Balluch in a July 7, 2008 arraignment statement as "seven butanoic acid stinkbombs, seven cases of broken windows, three cases of sprayed graffiti or paint-daubing, two cases of damage to hunting platforms and to an empty, deserted pheasant enclosure; two rescues of pigs and pheasants without any damage to property; and one threatening letter."

The incidents occurred from 2002 through 2007. Fifteen of the 22 incidents targeted a single furrier. Balluch and supporters have alleged that the arrests, originally detaining 13 activists linked to seven organizations, were timed to prevent the launch of an initiative campaign seeking passage of an amendment to the Austrian constitution that would incorporate a guarantee of animal welfare.

According to an update posted on August 7, 2008 to the European Vegetarian and Animal News Alliance web site, "The main animal protection organisations in Austria joined together in the 1990s to form a free range egg inspection project. This project takes the form of a small private limited company. The egg producers pay to use a free range logo and to have their eggs inspected in supermarkets by people working for the inspection company. The police now claim that this inspection company is being used to finance a supposed criminal organization."

The EVANA cited a police document asserting that the criminal organization "under the pseudonym Animal Liberation Front, carries out attacks" against targets of animal advocacy. According to EVANA, the police document alleges that "the three organisations managing the company supply a direct flow of money from the inspection company to the criminal organisation in the following breakdown: Wiener Tierschutzverein approximately 30.5%; Verein gegen Tierfabriken approximately 30.5%; Vier Pfoten approximately 30.5%; European Egg Consortium Ltd. approximately 8.5%."

Said EVANA, "Charges are being prepared against police for, amongst other things, defamation."

Vier Pfoten campaign director Jürgen Faulmann, 39, was among the persons arrested and still held in detention as of mid-August. "Until this day, nothing substantial was brought forward against Jürgen Faulmann," Vier Pfoten representative Johanna Stadler-Wolffersgrün said after his arraignment hearing.

"We send him every day a work package and visit him every week," Vier Pfoten president Helmut Dungler told ANIMAL PEOPLE.

"The interim report presented by the police documents, e-mails, and [covertly recorded] phone conversations can only establish limited alliances among the persons concerned," said a Vier Pfoten press release. "Particularly in the case of Jürgen Faulmann the investigation record appears to be a collec-

tion of citations bearing no reference to elements of an offense."

But Dungler indicated to ANIMAL PEOPLE that the EVANA version of events was substantially garbled. "Police investigated in April the auditing/inspection company Kontrollstelle für artgemäße Nutztierhaltung, which is an animal welfare inspection company for alternative hens and eggs," Dungler confirmed. "But the police didn't say that WTV, VgT and Vier Pfoten are 'responsible' [for any wrongdoing]. The police stopped their investigations of this company in May," Dungler said, "having cleared up that there is no financial support from this company to the criminal organisations."

"I think there is no connection between the Balluch arrest and the former investigation of the egg auditing company," Dungler said. "The egg-auditing company Kontrollstelle made the defamation case against the police official," Dungler added. "Vier Pfoten is a 30% shareholder in the company. Therefore it doesn't make sense for us to make our own defamation claim."

Balluch in the 1990s was a vocal ally of Barry Horne, a British activist who was convicted at least three times of property offenses undertaken in the name of animal advocacy, including of multiple arsons. Sentenced in 1997 to serve 18 years in prison, Horne died in 2002 after his fifth prolonged hunger strike.

Unlike Horne, Balluch has emphasized tactics bringing public notice to legislative goals. Notably, Balluch in March 2003 conducted an "open rescue" of seven seriously ill battery-caged hens that led to the farmer being fined and ordered to reduce his caging density. Balluch was convicted of theft, but the Austrian High Court in June 2004 reversed the conviction, two weeks after the Austrian parliament banned battery caging.

The Austrian Supreme Court in January 2008 rejected Balluch's last appeal in a year-long attempt to have an ex-laboratory chimpanzee declared legally a person. The case was intended to prevent the possibility that the chimp might be sold outside Austria, where laboratory use of great apes is now prohibited, and be returned to lab use. The chimp had been retired to a sanctuary, but the sanctuary went bankrupt.

While Balluch's lawsuit was unsuccessful in Austria, publicity about it appears to have boosted a resolution passed on June 26, 2008 by the environment committee of the Spanish Parliament, asking the Parliament to ban the use of great apes in invasive experiments, as many other nations have already done, especially in western Europe.

"Using apes in circuses, television commercials, or filming will also be banned," if the resolution becomes law, explained Lee Glendinning of *The Guardian*. "While housing apes in Spanish zoos will remain legal, supporters of the bill have said the conditions in which most of them live will need to improve substantially."

Spanish zoos presently house about 315 great apes.

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Life's Better



WASHINGTON D.C.—A mix-up by Eggology liquid egg white company founder Brad Halpern and publicist Amy Dunn about the relationship between the Humane Farm Animal Care “Certified Humane” program and the Humane Society of the U.S. led to late-summer headaches for both HFAC and HSUS, after the web site [www.HumaneMyth.org](http://www.HumaneMyth.org) alleged that HSUS had endorsed Eggology despite opposing debeaking hens, which HFAC allows.

The HumaneMyth web site was launched in June 2008 by Tribe of Heart sanctuary founders and video producers James LaVeck and Jenny Stein in response to “An idea propagated by the animal-using industry and some animal protection organizations that it is possible to use and kill animals in a manner that can be fairly described as respectful or compassionate or humane.”

A series of July and August 2008 postings extensively quoted the first press release that Halpern and Dunn issued on March 31, 2008, after Eggology won HFAC certification. Two of the first three lines of the first release, corrected later the same day, erroneously described “Certified Humane” as an HSUS program.

The release went on to strongly endorse Proposition Two, the anti-battery caging ballot initiative that qualified for the November 2008 California ballot with HSUS support. At the time the release was issued, the petitioning procedure to place the initiative on the ballot had just begun.

HSUS is among the major HFAC funders, but altogether 27 national and regional humane organizations formally support HFAC in various ways. Most—including HSUS—stipulate that the HFAC standards are an attempt to improve the conditions for farm animals here and

now, not the ideal to which they aspire.

“To be clear, HSUS never endorsed Eggology or any other egg company,” wrote HSUS factory farming campaign director Paul Shapiro to LaVeck on August 2, 2008. “By no means am I asking that you stop criticizing HSUS. I’m only asking that you limit the criticism to things we actually do.”

HumaneMyth responded that Dunn had repeatedly reissued the original erroneous claim of an HSUS endorsement, claimed that the “content of the original” press release “including the mention of the HSUS endorsement” remained on the Eggology web site as of August 2, 2008, and continued to argue that the incident involved “conflicts of interest.”

ANIMAL PEOPLE found mention of the purported HSUS endorsement on the Eggology web site only in the context of a correction.

## “Crush video” law

PHILADELPHIA—The U.S. Court of Appeals for the Third Circuit on July 18, 2008 held unconstitutional the 1999 federal law that forbids selling videos of cruelty to animals. Passed in response to videos depicting women and transvestites crushing small animals with their feet, the law was used just once, to convict Robert J. Stevens of Pittsville, Virginia, for selling videos of dogfighting and “hog/dog rodeo.” His conviction was reversed by the 10-3 verdict.

“Usually, videos and photographs are protected as free speech, even if they show illegal or abhorrent conduct,” explained *Los Angeles Times* staff writer David G. Savage. “But in 1982, the U.S. Supreme Court ruled that sexual depictions of children could be prosecuted as a crime despite the 1st Amendment. Government lawyers said the animal cruelty law should be upheld on the same basis.”

However, wrote Judge Brooks Smith for the majority, “Preventing cruelty to animals, although an exceedingly worthy goal, simply does not implicate interests of the same magnitude as protecting children from physical and psychological harm.”

## Events

**Sept. 3: Japan Dolphin Day** embassy/consulate protests. Info: <[www.SaveJapanDolphins.org](http://www.SaveJapanDolphins.org)>.

**Sept. 6: Animal Acres Gala**, Acton, Calif. Info: 661-269-5404; <[info@animalacres.org](mailto:info@animalacres.org)>; <[www.animalacres.org](http://www.animalacres.org)>.

**Sept. 10-13: 4th Intl. Workshop on Assessment of Animal Welfare at the Farm & Group Level**, Ghent, Belgium. Info: <[www.wafl2008.com](http://www.wafl2008.com)>.

**Sept. 14: Fundraiser for Romanian Animal Rescue & Afghan Animal Rescue Lg.**, Pleasanton, Calif. Info: <[romaniadogs@sbcglobal.net](mailto:romaniadogs@sbcglobal.net)>; <[www.romaniaanimalrescue.com](http://www.romaniaanimalrescue.com)>.

**Sept. 17: Food Safety & Animal Welfare** conf., Washington D.C. Info: 202-401-5362; <[rreynells@csrees.usda.gov](mailto:rreynells@csrees.usda.gov)>.

**Oct. 2: Walk for Farm Animals**, many cities. Info: 607-583-2225 x229; <[walk@farm-sanctuary.org](mailto:walk@farm-sanctuary.org)>.

**Oct. 4: World Animal Day**. Info: <[info@worldanimalday.org.uk](mailto:info@worldanimalday.org.uk)>; <[www.worldanimalday.org.uk](http://www.worldanimalday.org.uk)>.

**Oct. 4: Animal Control, Shelter & Veterinary Leader Forum**, Corvallis, Oregon. Info: <[www.oregonvma.org](http://www.oregonvma.org)>.

**Oct. 16-19: Spay USA**

(continued on page 10)

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The Pet Rescue Foundation





**BOSTON**—The Supreme Judicial Court of Massachusetts on July 16, 2008 allowed the Committee to Protect Dogs, co-chaired by Grey 2K cofounder Christine Dorchak, to place on the November 2008 state ballot an initiative that would ban greyhound racing and would put the last two tracks in Massachusetts out of business by January 2010.

The first Grey 2K effort to ban greyhound racing in Massachusetts failed by 1% of the vote in 2000. In July 2006 the Supreme Judicial Court of Massachusetts rejected as overbroad a proposed ballot initiative that would have prohibited greyhound racing and would have provided stiffer sentences for dog-fighting and harming police dogs.

The greyhound industry may have less money this year for campaigning. The city of Revere, Massachusetts in July 2008 foreclosed on the Wonderland Greyhound Park over \$789,293 in unpaid taxes, and is owed \$16,674 in water and sewage bills, reported Kathleen Conti of the *Boston Globe* on August 1. "Wonderland is the city's eighth-largest taxpayer, and now its largest tax delinquent," Conti wrote. "In 1994, Wonderland paid \$1.6 million in back taxes. The city placed a lien on the property in June 2007."

The track is expected to pay the current bills and keep operating—at least until after the election.

Greyhound tracks are often now

quasi-casinos, making more money from slot machines, card tables, and off-track betting than from racing. Unable to obtain a Kansas Lottery permit to keep up to 800 slot machines, the 20-year-old Woodlands track near Kansas City in July 2008 laid off staff and threatened to close permanently within 60 days. The Mile High Greyhound Park near Denver, the last in Colorado, had closed just a month earlier.

The Wichita Greyhound Park closed in October 2007, two months after voters declined to allow the track to keep slots.

Grey 2K USA in November 2004 appeared to have defeated a Florida ballot proposal to allow greyhound tracks to operate slot machines—but Broward County found 70,000 miscounted absentee votes in favor of the slots. However, greyhound track owners have been unable to push further enabling bills through the Florida legislature. The Tampa Greyhound Track closed after 75 years in August 2007.

Greyhound racing evolved from British-style hare coursing after U.S. promoter Charles Munn invented the mechanical rabbit in 1912. Introduced to Britain in 1926, greyhound races drew 17 million people per year by 1933, when the Walthamstow track in east London opened. Fewer than three million people per year attend British greyhound races now. In mid-August 2008, Walthamstow closed. Fewer than 30 greyhound tracks remain in Britain, down from 77 in 1948.



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**BANGALORE**—Unpaid by the city in four months, Krupa Loving Animals, Karuna, and Compassion Unlimited Plus Action have suspended doing Animal Birth Control program surgeries for Bangalore municipality, and the Animal Rights Fund will stop on September 1, 2008, Afshan Yasmeen of *The Hindu* reported on August 15, 2008.

A fifth animal charity, Ahmedabad-based Animal Help, has sterilized more than 5,000 dogs recently in outlying parts of Bangalore, demonstrating the efficacy of same-day release of dogs after surgery, in lieu of the multi-day holding periods for post-surgical recovery that are practiced by most ABC programs. The Animal Help approach, abbreviated as CNVR, requires using high-speed, small-incision surgery under much

more strictly aseptic conditions than is the ABC norm.

"According to the city government, there has been a rise in the number of stray dogs in the city since the ABC program began—from around 70,000 in 2000 to 183,758 in 2007," wrote Yasmeen. But a June 2007 door-to-door census of 3.2 million Bangalore households found just 24,491 street dogs, estimated to be about half the probable number at large, along with 17,480 pet dogs.

The Bangalore human population has increased from about 4.1 million to 5.7 million since 2000, producing a parallel increase in the amount of refuse and rats available for street dogs to consume.

The Bangalore ABC programs predicted in early 2007 that street dog numbers would rise if the city did not stop aggressive catch-and-kill activity that followed two fatal maulings of children in January and March 2007. The dog purges killed thousands of dogs who had already been sterilized and vaccinated, and were soon followed by the reappearance of rabies in inner Bangalore, after an absence of several years coinciding with the ABC work.

**More events**

(continued from page 9)

**conf.**, Chicago. Info: 1-800-248-SPAY; <alwayspay@aol.com>; <www.spay-usa.org>.

**Oct. 16: Natl. Feral Cat Day.** Info: <www.alley-cat.org>.

**Oct. 17-19:** Animal Law Conf., Portland, Ore. Info: <melemire@lclark.edu>; <www.animalawconference.com>.

**Oct. 18: Protests at Turkish diplomatic missions** worldwide to urge enforcement of the law mandating neuter/return instead of catch-and-kill. Info: <bevhill1956@aol.com>.

**Oct. 20-22: Cultural & Religious Issues in Animal Welfare** conf., Cairo, Egypt. Info: <jmr9@cornell.edu>.

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**MILWAUKEE**—Southern Wisconsin ClearChannel radio stations on August 20, 2008 unleashed 14 hours of “Beaglemania” broadcast from the Wisconsin Humane Society to help Wisconsin Humane find adopters for the first 300 of more than 1,100 dogs acquired from the former Puppy Haven Kennel in Markesan.

Wisconsin Humane bought Puppy Haven from breeder Wallace Havens in July 2008 for an undisclosed sum that WHS board member Tony Enea told Jackie Loohavis-

Bennett of the *Milwaukee Journal* was “pennies on the dollar.”

Selling about 3,000 dogs a year at peak, Puppy Haven owner Wallace Havens was suspended and fined by the American Kennel Club in 2006 for record keeping and care violations.

“I’m ready to retire,” Havens said.

The Puppy Haven buy-out might have been controversial just a few years ago. The humane community has traditionally believed that puppy millers cannot be bought out of business, and that paying breeders to quit may encourage others to start puppy mills with the hope that animal rescuers will help them recoup their losses if sales decline.

But humane societies in communities with successful sterilization programs and low shelter killing rates are often scrambling now to find enough puppies and purebreds to meet adopter demand—and to keep breeders from reclaiming market share that has shifted to rescue groups since the PetSmart and Petco chains began giving humane societies, no matter how small, the chance to offer animals for adoption from attractive, convenient, heavily advertised locations.

The changing economics of adoption helped to make aggressive bidders of Southern Comfort Maltese Rescue, the North Shore Animal League America, and the Humane Educational Society of Chatanooga at the April 2006 probate auction that settled the estate of the late Katherine Culbertson, of Cartersville, Georgia. Other breeders who hoped to buy some of Culbertson’s dogs were shut out.

The Best Friends Animal Society increased the ante in October 2007, using an undercover intermediary to buy Dogwood Kennels from Ivan Schmucker Jr., of Byrnes Chapel, Virginia. Best Friends acquired 178 dogs—and appeared to put Schmucker out of the dog business, six months after a fire at Dogwood Kennels killed 167 dogs.

“Fairly often, we get requests from folks who want us to help ‘rescue’ animals from puppy mills by buying the animals. Our policy has always been to advise against it,” Best Friends chief executive Paul Berry told **ANIMAL PEOPLE** after the Dogwood Kennels deal. Beyond not wanting to reward malefactors, Best Friends is as aware as any other humane society of the risk of potentially becoming a target for extortion.

On the other hand, no one wants to see more cases like that of Elmer and Ammon Zimmerman of E&A Kennel and A&J Kennel, next door to each other in Kutztown, Pennsylvania. “After receiving a poor inspection report on July 24,” wrote Harrisburg bureau reporter Amy Worden of the *Philadelphia Inquirer*, “Elmer Zimmerman shot his 70 small-breed dogs and threw them onto a compost pile, according to officials with the state Bureau of Dog Law Enforcement. His brother Ammon shot 10 dogs at about the same time, they said.”

“This act disgusted and shocked citizens all over the commonwealth,” commented Pennsylvania Governor Ed Rendell. Rendell has for months urged the Pennsylvania legislature to pass a bill that would double the mini-

mum floor space for dog breeding cages, prohibit stacking cages on top of other cages, require solid flooring, require that dogs receive outdoor exercise and regular veterinary checks, and allow only veterinarians to kill dogs kept by commercial kennels.

“If that bill had been in effect, it’s more than likely that those 80 dogs would be in rescue societies awaiting adoption,” Rendell told Associated Press.

“Every humane society in the state would have taken those dogs,” agreed Pennsylvania SPCA chief executive Howard Nelson.

Ammon Zimmerman told Worden that killing the dogs was “none of your business,” but Elmer Zimmerman apologized to some of the attendees at an August 15 vigil for the dogs, Associated Press said.

A more typical outcome of law enforcement efforts against alleged puppy mills is the protracted saga of Pennsylvania dog breeders Joyce and Raymond Stoltzfus, of Lancaster County.

“The focus of legal action dating back almost two decades,” recalled Worden, the Stoltzfus operation is “one of the largest dog sellers in the state,” and as of mid-August 2008 was subject of an investigation by the Pennsylvania attorney general’s office into allegations that the Stoltzfuses have violated a 2005 court order “to identify their kennel in all classified advertising either by name or as a licensed kennel,” Worden wrote.

“The agreement settled the largest Pennsylvania consumer fraud case involving pet sales,” said Worden. “The provision was included so that consumers could fully research the kennel, which has a history of selling sick dogs and misrepresenting them as healthy. An *Inquirer* review found that scores of classified ads placed with *The Inquirer* and at least four other newspapers and Internet sites failed to identify the business. The Stoltzfuses could face penalties of up to \$5,000 per violation. In *The Inquirer* alone, the fines could exceed \$200,000,” Worden added.

The *Inquirer* quit accepting the Stoltzfuses’ ads upon learning that they did not meet the requirements of the court order, Worden said.

The 2005 court order was supposed to have ended litigation that began in 1997 when then-Pennsylvania attorney general Mike Fisher filed an injunction seeking to close the Stoltzfuses’ breeding business. An ensuing series of lawsuits and countersuits produced the 2005 settlement, requiring the Stoltzfuses to pay \$75,000 in costs and restitution to 171 consumers who had bought sick dogs—but they continued to sell more than 2,000 puppies per year, and the Pennsylvania attorney general’s office received another 58 complaints about their kennel in the next two and a half years, Worden wrote.

In theory, buying Joyce and Raymond Stoltzfus out of the dog business might have cost less than all the legal work. But in view of their determination to continue breeding dogs, an attempted buyout might merely have recapitalized them to set up elsewhere.

Stoltzfus is a common name in Lancaster County. In unrelated cases before local courts in February 2008, dog breeder Emanuel Stoltzfus was fined and put on probation in for allegedly neglecting 24 dogs, while district justice Isaac Stoltzfus fined breeder John E. Esh of Ronks \$300 for multiple violations of the Pennsylvania dog law that Governor Rendell hopes to stiffen.



[ADVERTISEMENT]



Hope and Grace (left) enjoy watermelon at Primarily Primates

## Celebrating With a Watermelon Party

The hoots and expressions of delight continued for half an hour. Champ, Tina, Carmen (who’s now in her 50s), Buffy, April and Uriah wobbled around with their 20 lb. watermelons, smashed them open, or dribbled them like basketballs for the full length of the outdoor living area.

It was a festive way to bring the chimpanzees into our celebration of the official merger between Friends of Animals and the Texas-based sanctuary Primarily Primates. A truck brought the 80 watermelons—plenty to go around for 65 chimpanzees. The hours-long watermelon party was, we can reveal, a smashing success. Baby Grace jumped up and down on one to crack it open. We wish everyone could have seen her little feet fly!

The first six chimpanzees, the group living in one of the Air Force enclosures beside the pond, rushed out of their bedrooms to discover seven watermelons displayed high in their resting platforms, perched on climbing structures, or nestled in the grass. How wonderful!

When Amy, 11-year-old Hope and one-year-old Grace found their watermelons, Hope carried hers high to the top of the climbing structure, and pounded the whole melon while Grace danced on top of it, hanging from the enclosure’s peak by one arm. Twenty-seven-year-old Amy sounded off with happy grunts, eating each piece of watermelon to the rind.

Ten year-old Thomas never disappoints. Thomas took ample opportunities to fling pieces of watermelon back at the

staff before devouring most of an entire watermelon before afternoon arrived.

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# Quiet gains in China (continued from page 1)

persuade the pet owner to take care of the dog according to the law, such as keeping a big dog out of the downtown, or registering a small dog. If elderly people have a big dog as a companion, they will not take any action.

"Animal Rescue Beijing asked the police to propose to the government to strictly control professional dog breeders," Zhang continued, "with no new registration of dog breeders and no cross-breeding permitted; to close the local roadside dog meat markets in Liyuan Tongzhou, Gaoliying Shunyi, Daxing and Changping, to maintain food safety and prevent rabies; to control roaming pet dogs in the suburban and countryside areas; to ban private dog breeding with a heavy fine; and to punish the dog owner instead of the dog if there are any complaints against a pet dog."

"The police agreed with our opinion," Zhang wrote, "and said that they would work with other government agencies to take these actions."

The Beijing Catering Trade Association distributed the initial "strong advisory" to restaurants against serving dog meat, reported Xinhua News Agency editor Bi Mingxin.

Beijing Tourism Bureau vice director Xiong Yumei several days later issued recommendations to restaurant staff about how to firmly but politely dissuade thrill-seeking foreign visitors who might ask for dog meat.

The Beijing Food Safety Administration followed up by formally prohibiting 112 officially designated Olympic restaurants from selling dog meat during the Olympics.

"Non-designated restaurants, especially those serving Korean, Yunnan, and Guizhou cuisine, have also been encouraged not to serve dog meat," reported *China Daily* staff writer Wang Zhuoqiong. "All meat transported into Beijing during the Olympics will be checked to prevent violations, the notice said." The dog meat ban was presented "as a mark of respect for foreigners and people from ethnic groups," Wang Zhuoqiong continued.

Beijing restaurateurs questioned by various reporters mostly said they had never served dog meat in the first place. Dogs are often eaten in parts of southern and coastal China, but barely 100 of the more than 14,000 restaurants in Beijing have been found to serve dog meat in more than 15 years of surveys.

Western reporting teams sent to the Olympics typically consisted of one or two sportswriters plus a "lifestyles" reporter, much to the annoyance of reporters from other beats who had hoped to get the coveted assignment.

"Let's be honest. We came to China for the food, in all its bizarre, exotic glory," wrote Garry Linnell of the *Victoria (Australia) Herald Sun*. "Scorpion kebab? Roast dog leg? Deep fried worm? Welcome to Guolizhuang,

a Beijing restaurant specialising in animal penises and testicles." Linnell's reportage, and similar from others who tended to visit the same places, played into expectations whetted by warnings from western animal advocacy groups.

Humane Society of the U.S. policy director Teresa Telecky, for example, cautioned Olympic visitors that "Although it is legal to sell ivory in China, it is illegal to bring ivory back to the U.S. Don't buy items made of or trimmed in fur or leather. Wild animals as well as dogs and cats are killed for their fur in China. The methods of killing them include skinning them alive." Telecky mentioned seeing "cat trinkets covered in real cat fur" in China, which have appeared in U.S. stores as well, imported from China and several other parts of the world.

"Don't order shark fin soup," Telecky continued. "Sharks are in decline worldwide, largely because of the demand for their fins. Shark fins are cut off and the sharks are thrown overboard to die. Be mindful of what else you eat. Massive numbers of snakes,



turtles and small mammals are captured in other Asian countries [and in the U.S., in the case of turtles] and transported alive under cruel conditions to China, decimating wild populations. Bird's nest soup, another delicacy, is made of swiftlet nests. Removing the nests deprives birds of places to breed.

"Be careful about pharmacy purchases," Telecky finished. "Traditional Chinese medicines may contain parts of endangered animals, which are believed to have potent

*(continued on page 15)*

## SHARK wins a round in court re

CHEYENNE—U.S.

District Judge William Downes on July 29, 2008 dismissed a lawsuit filed by Romeo Entertainment Group Inc. against Showing Animals Respect & Kindness, better known as SHARK.

The case alleged that SHARK used "false and misleading information" and "threats of negative publicity" to influence singer Carrie Underwood and the band Matchbox 20 to cancel shows at the Cheyenne Frontier Days rodeo in 2006 and 2008.

Downes ruled that while the case could not be pursued in Wyoming, due to lack of jurisdiction, it could be refiled in either Illinois or Oklahoma. Romeo Entertainment attorney J. Kent Rutledge told Associated Press writer Bob Moen that either the ruling would be appealed or the case would be refiled in another state.

SHARK founder Steve Hindi sent videos of animals being electroshocked and otherwise injured at past Cheyenne Frontier Days rodeos to Underwood and Matchbox 20. The Romeo lawsuit was filed nine days before Cheyenne Frontier Days banned the use of the hand-held electric prods shown in the SHARK videos "except in emergency situations."

The Professional Rodeo Cowboys Association meanwhile pressured YouTube into removing 13 SHARK videos and canceling the SHARK account—but the videos were soon back online, along with new videos from rodeos more recently monitored by SHARK. The Electronic Frontiers Foundation, founded in 1990 to protect freedom of communication, in June 2008 sued the PCRA on behalf of SHARK.



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# Quiet gains

(continued from page 14)

healing properties. Demand for these products has pushed rhinos and tigers to the edge of extinction. In China, endangered Asiatic black bears are trapped and kept in small cages so their bile can be extracted.”

“I don’t think people need to be worried too much about consuming tiger, bear or other endangered species parts, whether in traditional Chinese medicine or restaurants,” responded Animals Asia Foundation founder Jill Robinson, whose China Bear Rescue Project has freed more than 250 bears from bile farms and has won hugely favorable publicity both in China and worldwide, inspiring a parallel project in Vietnam.

“They would be paying significantly more for these [wildlife products], having had to ask for them, being aware that this is what they are consuming. These parts are not hidden for consumers to munch on in oblivion,” Robinson explained, “for the obvious reason that the traders want to exploit these poor animals for a goodly return.”

Robinson emphasized to animal advocates who demanded an Olympic boycott, with little visible response, that within China “Targeting is happening. Peaceful protests in the streets in Beijing at the Korean restaurants have grown, and in the major dog and cat eating capitals too,” notably Guangdong, the

# South Korea begins regulating dogs as livestock under new pollution law

**SEOUL**—The South Korean Ministry of Food, Agriculture, Forestry and Fisheries in mid-August 2008 announced that it will start regulating dogs as livestock for the purpose of enforcing a newly revised Livestock Night Soil Disposal Act, effective on September 28.

The South Korean dog meat industry has long sought to add dogs to the list of designated meat animals, to overturn the unenforced 1991 law that was promoted to the world as a ban on selling dog meat, but only prohibits the public sale of “disgusting foods.”

Dog meat advocates typically argue that it is necessary to recognize dogs as a meat animal in order to introduce hygienic inspection of dog meat markets and restaurants. Federal legislation or regulatory amendments to identify dogs as a meat animal was in April 2008 formally requested of the Ministry of Food, Agriculture, Forestry and Fisheries by the city council of Seoul, the South Korean capital city, and by the government of Gyeonggi Province, which includes Seoul.

“Dog farms have been a major source of pollution,” an unnamed environment ministry official told *Korea Times* reporter Kim Tae-jong. “We have received a lot of complaints from local residents in areas where dogs are raised.”

Wrote Kim Tae-jong, “The revised Livestock Night Soil Disposal Act requires dog farmers with facilities of 60 square meters to have proper waste disposal facilities and report them to local authorities by September 27. Violators can face a maximum penalty of a one-year jail term or 10 million won fine,” worth about \$10,000 U.S.

“Given the serious pollution issues, we cannot simply oppose the move to regulate

the night soil from dog farms,” Coexistence of Animal Rights on Earth director Jun Kyung-ok told Kim Tae-jong. “But we will keep an eye on how it will affect other issues, such as recognition of dog meat as food or legalization of the dog meat trade.”

“Do not trust the Ministry of Food, Agriculture, Forestry and Fisheries,” cautioned Korea Animal Protection Society founder Sunnan Kum.

Kim Tae-jong of the *Korea Times* was told by the ministry that about 720,000 South Korean farms raise 2.3 million dogs per year for slaughter. The numbers are easily questioned, since according to current ministry statistics, the total number of farms of any type in South Korea is about 720,000, and the total number of humans living on farms is 2.3 million.

only region where cats are commonly eaten, and the scene of several major anti-cat eating demonstrations within the past two years.

Robinson cited the rising popularity within China of dog therapy, beginning with the Dr. Dog program she started 14 years ago.

“The motivation and change is coming from within China,” Robinson said, “from those who understand the issues and arguments, and intelligently articulate the concept of healing without harm.”

Halfway through the Olympics, the only demonstration in support of any cause to have attracted much note was a pro-animal press conference held on August 6 by U.S. swimmer Amanda Beard, 26, a four-time Olympian who won a gold medal at the 2004 Olympics in Athens.

Warned by eight plainclothes Chinese security officials the previous evening against holding a scheduled press conference at her hotel to decry the Chinese fur industry, Beard instead “unveiled a demure nude photograph of herself urging ‘Don’t wear fur,’” Reuters reported, “in front of reporters and TV cameras outside the heavily fenced

Olympic athletes’ village. Security guards watched the media scrum from the south gate of the village, but did not intervene. The German Olympic cycling team, heading out for training in hot, muggy weather, stopped for a look.”

“Beard, who has posed nude in men’s magazines, said she decided to participate in the PETA [‘I’d rather go naked than wear fur’] campaign because she loves animals and was horrified to see how fur was produced for fashion in some places,” added Associated Press sportswriter John Pye. —Merritt Clifton

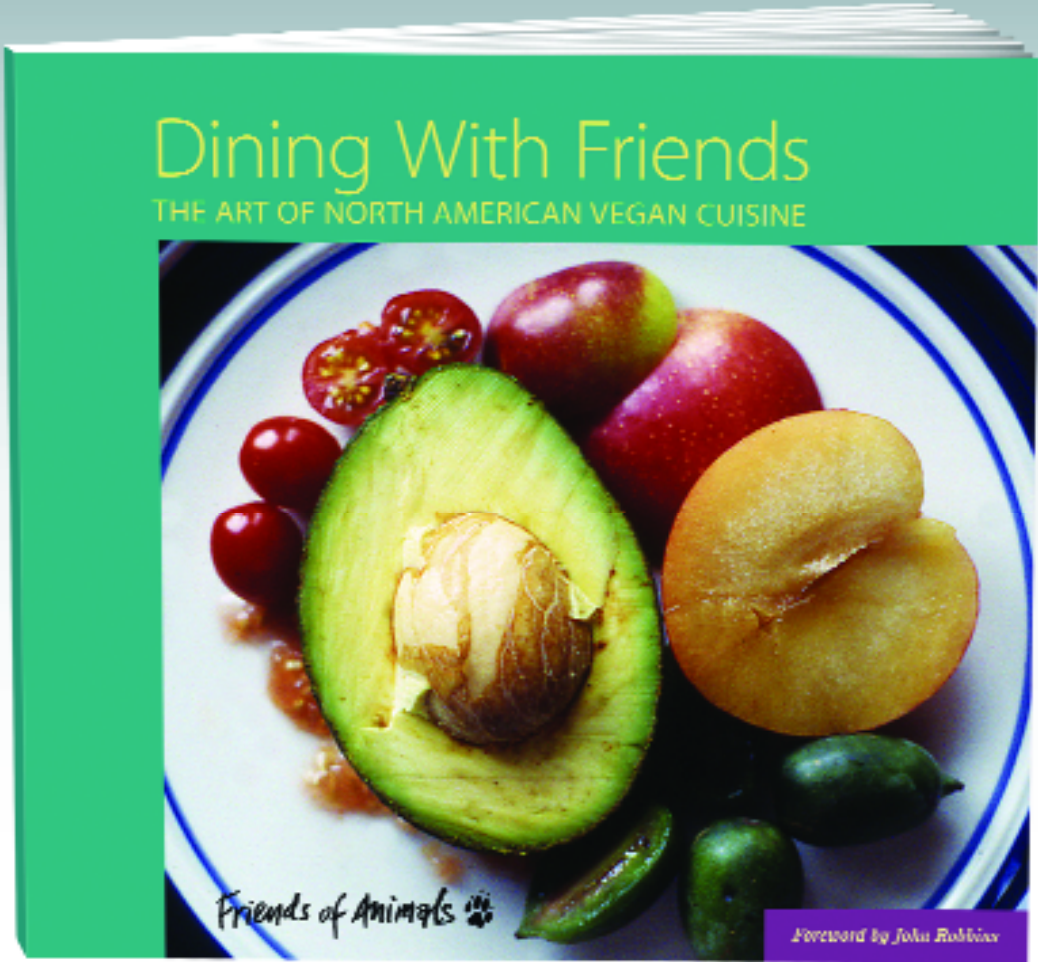
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# CITES okays China to

**GENEVA**—The Convention on International Trade in Endangered Species on July 15, 2008 authorized China to buy 119 metric tons of elephant ivory from the official government stores kept by Botswana, Namibia, South Africa, and Zimbabwe.

The stockpiles include ivory from elephants culled in the name of population control or to protect crops and human life, as well as ivory taken from poachers and illegal traffickers.

“Poaching has already reached a level surpassing that before the 1989 ban on the ivory trade,” said former Kenya Wildlife Service director Michael Wamithi, now heading the International Fund for Animal Welfare elephant program.

“A little legal ivory is sufficient to launder a lot of illicit ivory,” warned the French conservation group Robin des Bois, “and there is no doubt the price of ivory will skyrocket after China’s entry into the ivory stock exchange,” in competition with Japan, the only other approved bidder.

“South Africa and their neighbours applaud,” Robin des Bois continued, “but 27 other African states fear an upsurge of poaching. Moreover the Zimbabwean dictator Robert Mugabe will exchange more ivory with China for munitions, as he has already done.”

Robin des Bois’ cynicism soon appeared warranted. Reported Zimbabwe Conservation Task Force chair Johnny Rodrigues on August 13, 2008, “According to sources, the Department of National Parks & Wildlife Management has embarked on an elephant population management program. Around 1,800 elephants have already been shot in Hwange National Park alone. They plan on shooting another 1,000. National

(continued on page 16)





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### CITES okays China to buy ivory -- elephant poaching and culling explode

Parks allegedly contracted South African hunters to shoot the elephants. Elephants with big tusks are being especially targeted," but the tusks were not sent to the official Zimbabwean government ivory stockpile, Rodrigues' sources told him.

"Not only are elephant bulls being shot," Rodrigues said, "but cows as well, leaving orphaned calves behind. We have been informed that they intend to capture the orphans to be domesticated for elephant rides.

"National Parks have apparently issued permits to clients to shoot other animals for rations," Rodrigues added, "not only in Hwange, but in other national parks. In addition to elephants, the ration animals include buffalo, lion, kudu and impala."

The CITES decision to allow China to buy ivory came just after the British-based Environmental Investigation Agency claimed to have obtained "a confidential, unpublished Chinese government document" admitting that "110 metric tons of ivory—equivalent to the tusks of 11,000 elephants—has gone missing from the Chinese government-controlled ivory stockpiles."

Animal Rights Africa cofounder

Michele Pickover estimated the actual Chinese loss at 121 metric tons over 10 years. "Vast amounts of illegal ivory are on sale [in China]," Pickover said, "despite the existence of a registration system which appears to be widely abused and manipulated. The Chinese government has legalised ivory trade by dozens of companies thought to be implicated in illicit trade. Registered traders buy ivory from and sell to illegal dealers, as well as illegally exporting ivory."

Added Pickover, "Animal Rights Africa notes with disquiet that the CITES Monitoring of Illegal Killing of Elephants program is not sensitive enough to immediately detect and report on poaching that takes place as a result of this sale. Thus, the effect of this export on elephant poaching will not be officially known for years.

"South Africa should not be considered by CITES as a legitimate trading partner either," Pickover alleged. "South Africa has been given permission by CITES to sell ivory on condition that the proceeds of the trade are used exclusively for elephant conservation and community conservation and development programs within or adjacent to the elephant

range. This has not happened in the past and is not likely to happen now."

South African environment minister Marthinus Van Schalkwyk earlier in 2008 formally ended a 13-year moratorium on elephant culls. "Observers expect this to be based on a plan drawn up in 2000 that recommended culling between 400 and 1,000 elephants a year for at least five years," wrote Fiona Macleod of the Johannesburg *Mail & Guardian*.

"We can definitely expect culling to take place this winter," Pickover told Macleod. "To date," Pickover added, "neither the minister nor any of the pro-culling lobby has been able to produce one shred of evidence to show that there is an ethically or ecologically defensible reason to kill even one elephant in South Africa."

John Grobler of the Windhoek *Namibian* on July 31 disclosed that Namibian director of wildlife management Ben Beytell had allegedly issued permits "to six conservancies in the Kunene region for shooting three elephant bulls." These may be the last three breeding-age desert elephant bulls in the nation, Elephant-Human Relations Aid director Johannes Haasbroek told Grobler.

"The conservancies, controlled by the local communities, typically sell their rights to professional hunting companies, earning on average about sixty thousand Namibian dollars per elephant," Grobler wrote. "The professional hunting firms sell the permits to wealthy hunters willing to pay up to \$60,000 U.S. to bag such a rare trophy.

"Desert elephants, so called because of their smaller stature and physical adaptation to their arid environment, range in the dry riverbeds of southern Kunene," Grobler said, "where they feed primarily on Ana tree pods. Regarded as a keystone species in the local eco-system, they are also a key attraction in Namibia's tourism industry," which is currently about 20 times the size of the Namibian hunting industry.

The Namibian trophy hunting industry has grown at about 12% per year for the past 10 years, Namibian Professional Hunters Association president Diethelm Metzger recently told Wezi Tjaronda of the Windhoek *New Era*. The growth has paralleled the decline of trophy hunting in Zimbabwe during a decade of heavy poaching and "land invasions" by Mugabe supporters.

## Victory for the Horses!

**After SHARK placed relentless pressure on the Cheyenne Frontier Days rodeo by exposing their cruelty, the rodeo chair announced that from now on, horses will only be shocked in cases of an emergency.**

**This is a great first step, but the cruel and deadly events of steer roping, calf roping and wild horse race still have not been addressed by the CFD officials.**

**Incredibly, the booking company for Cheyenne Frontier Days has filed a *federal lawsuit* against SHARK that is an outrageous slap in the face to the First Amendment, asking that SHARK be barred from informing entertainers about the facts of what REALLY happens at the Cheyenne Rodeo.**



To view the shocking documentation for yourself and to get more information on this cruel and deadly rodeo, please visit [www.shameoncheyenne.com](http://www.shameoncheyenne.com)

Please help SHARK fight this frivolous lawsuit, which if successful, will silence animal activists everywhere! Help us continue to fight the remaining cruel and deadly events at Cheyenne Frontier Days that include steer roping, calf roping, and the wild horse race.

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# The Watchdog

*The Watchdog monitors fundraising, spending, and political activity in the name of animal and habitat protection—both pro and con. His empty bowl stands for all the bowls left empty when some take more than they need.*

## What does leadership transition mean for WSPA?

LONDON, MONTREAL—Whatever future direction the World Society for the Protection of Animals takes, it will not be for much longer under Peter Davies, the WSPA director general since September 2002.

ANIMAL PEOPLE on July 17, 2008 obtained a copy of a WSPA document entitled “Chief Executive Search,” which WSPA board members have apparently distributed to prospective applicants. Stating that “The current Director General is due to retire from office in June 2009,” the document outlines the qualifications that the WSPA board hopes to find in potential successors.

Among 15 enumerated attributes of “an ideal chief executive,” according to the “Chief Executive Search” criteria, only two even mention animal advocacy.

Point #9 is that the “ideal chief executive” will “have a developed belief in animal advocacy and citizen involvement in the public arena as a force for change.”

Point #15 is that the “ideal chief executive” will “genuinely believe in the cause of animal welfare and the work of

WSPA (experience in animal welfare is not a prerequisite, but would be an asset).”

“Expressions of interest should be in English and forwarded by e-mail,” the document stipulates, to WSPA board president Dominique Bellemare and WSPA board secretary Peter Mason.

Bellemare, elected to the WSPA board presidency on June 5, 2008, is a Montreal attorney and Conservative Party of Canada candidate for Parliament. His campaign web site when ANIMAL PEOPLE went to press appeared to make no mention of his involvement with WSPA, but endorsed pro-sealing and pro-fur Conservative prime minister Stephen Harper.

Mason heads the Royal New Zealand SPCA.

WSPA annual revenues approximately doubled during Davies’ tenure, from about \$17 million per year to \$34 million. Program spending increased proportionately. The number of WSPA member societies doubled, to more than 850, representing 144 nations. WSPA was restructured during Davies’ tenure to make London the head office for the 10

WSPA subsidiaries and two affiliates worldwide.

In addition, Davies in 2004 announced the first major evolution in WSPA philosophy since WSPA was formed in 1981 by merging the World Federation for the Protection of Animals, founded in 1953, and the International Society for the Protection of Animals, founded in 1959. Instead of advocating

the traditional catch-and-kill approach to dog and cat population control, WSPA followed the direction of most other major humane organizations to “advocate a combination of extensive neutering/spaying, rehoming, education into responsible pet ownership, and compulsory registration.”

This change immediately preceded several years of rapid acquisition of new member societies whose leaders had perceived the old WSPA position as obsolete.

Davies’ successor as director general will inherit a much stronger and more influential organization—but whether it will uphold the same values after the impending change of leadership appears to be by no means assured.

The earliest World Society for Protection of Animals campaign packet that ANIMAL PEOPLE has on file, mailed more than 20 years ago, was headlined “Fur: A Moral Issue.”

The WSPA position statements pertaining to fur and sealing, then and now, were that “WSPA is opposed to the taking from the wild of animals for their fur or skins, and to the farming of animals for the same purpose. It considers it morally indefensible to subject animals to suffering and death for fur or skin products, which are non-essential luxury goods. WSPA is opposed to the manufacture, sale, possession and use of any snares and traps which cause suffering or death...WSPA opposes, on both ethical and humane grounds, the harassment, capture or killing of marine mammals for commercial and sport purposes.”

These were in essence also the policies of the predecessor organizations. Their opposition to the fur trade was incorporated into several drafts of the proposed Universal Declaration on Animal Welfare that were circulated for decades

(continued on page 19)

## WSPA president objects to coverage

World Society for the Protection of Animals president Dominique Bellemare responded as shown at left to the print edition of the June 2008 ANIMAL PEOPLE article “Rise of Quebec politician to WSPA board presidency raises questions.”

ANIMAL PEOPLE of course regrets that we did not learn earlier that Bellemare’s former legal partner Harry Bloomfield was eventually acquitted on appeal of the alleged offenses for which he was convicted four years earlier. Bellemare could have provided that information before the press date in response to our questions, but he did not do so.

Neither did Bellemare take the opportunity before the June edition of ANIMAL PEOPLE went to press to inform us that “I stopped being a partner or even worked for Bloomfield Bellemare in 1998.”

Bellemare in later correspondence asserted that “The CV that you suppose to be mine and put together by me, was never done by me, but by the CBC. What they clearly did was to put together what they already had on me in 1997, and added ‘defeated in 1997,’ as I had done much more between 1997 and 2004.”

This would indicate that Bellemare is currently making his third run for Parliament without [yet] correcting a CBC campaign biography that was already outdated when he made his second run four years ago.

Regardless of when exactly Bellemare and Bloomfield ended their partnership, which began in 1991, and regardless of Bloomfield’s eventual acquittal on appeal, the questions for Bellemare about the matter remain the same, and are the same questions that are usually asked of public figures whose close associates are involved in ethical issues: What did he know? When did he know it?

Bloomfield was convicted in the U.S. in November 2002 “for using corporations and bank accounts in secrecy havens such as Belize and Liberia to facilitate securities fraud schemes orchestrated by their New York clients,” recounted Stephanie Ayers of *Financial Crime News* in an April 2005 special report.

Wrote Gretchen Morgenson of *The New York Times* of the April 2001 indictment, “Stuart Creggy, a senior partner at Talbot Creggy in London and a former Queen’s Magistrate, and Harry J. F. Bloomfield, a lawyer and Queen’s Counsel in Montreal... were charged with conspiracy, criminal possession of forged instruments and falsifying business records. Beginning in 1993, according to the indictment, the two lawyers began creating dummy corporations and bank accounts to help three principals in a New Jersey brokerage firm manipulate

shares in a handful of small companies.”

The Bloomfield case was further described, as ANIMAL PEOPLE reported, by New York County district attorney’s office investigations division bureau chief Arthur D. Middlemiss in testimony to a March 29, 2006 hearing on “Offshore banking, corruption, and the war on terrorism” convened by the U.S. House of Representatives Committee on International Relations Subcommittee on Oversight & Investigations.

The Bloomfield case appears to have concluded in June 2006. According to Anthony Lin of the *New York Law Journal*, “Bloomfield and Creggy were both convicted on charges of conspiracy and falsifying business records, but the Appellate Division, 1st Department ruled that the prosecution had not proved that Bloomfield possessed the ‘intent to defraud’ required for conviction. Even though Bloomfield had been ‘instrumental’ in getting [a former Liberian diplomat] to sign 16 letters claiming his ownership of offshore companies, the appellate panel said prosecutors had not shown the lawyer knew these letters’ purpose was to mislead the Securities and Exchange Commission... While [the court] found that Bloomfield’s conviction was against the weight of the evidence, it concluded the evidence supported Creggy’s conviction.”

Bloomfield’s conviction was in February 2006 upheld on an earlier appeal. Summarized the New York Court of Appeals, “The issue presented... is whether there is sufficient evidence that fraudulent letters kept in the files of an enterprise’s legal counsel, rather than at the company’s headquarters, were ‘business records’ as defined by penal law... We conclude that the location where a document is maintained is merely a factor, not determinative, of its status as a business record under the statute.”

This appears to put the documents occasioning the case in the offices of the former law partnership Bloomfield, Bellemare.

Wrote Bellemare in response to further questions, “The Bloomfield problems happened in 2002, 4 years after I left. I always made clear that I did not know about this matter (until Bloomfield was charged), was never involved with it, and was not even questioned by reporters or investigators about it.”

ANIMAL PEOPLE asked, “How and when did you make this ‘clear’?”

Responded Bellemare on June 19, 2008, “I received several calls following the news in 2002, and this is when statements were made. I already told you that this matter of Bloomfield was part of a Bloomfield bellemare file, and I was not part of it, nor aware of it.”

Me DOMINIQUE M. BELLEMARE, AVOCAT

5311 Sherbrooke St West, Suite 102  
Montréal, Québec  
H4A 1V3

June 16th, 2008

Sent by email (2 pages)

**WITHOUT PREJUDICE**

Mr Meritt Clifton  
Animal People  
USA

**DEMAND LETTER**

Re : Your recent article in animal people regarding me

Sir :

I was sent a copy of your article in your June 2008 edition, where you are questioning both my involvement in animal-welfare and my professional integrity.

I have know about you for years, I indeed received your rag for quite a few years, and I know full well your pattern: you say all sorts of things, usually bad about people involved in animal welfare, that “magically” end once these “victims” purchase publicity in your rag. So much for your “independent” integrity.

I am not here to complaint about your numerous mistakes and ommissions regarding your own interpretation of my involvment in animal welfare, nor the role I played in the HAS-HSUS conflict, nor your own interpretation and assumptions regarding my “involvement” with Ducks Unlimited. Whatever I could say will only fuel more of your dysfunctional hatred of just about everyone, but it seems you have a particular hatred for Québec and French-Canadian.

What I am making a strong objection to and take great offense of, is your insinuation that I was either part of, or partnered with, or associated with, the problems that my former law partner Harry Bloomfield encountered in the USA.

If you would have read my political CV from 2004 with the same zeal that you so amusingly quote regarding DU, you have noticed that I stopped being a partner or even worked for Bloomfield Bellemare in 1998. After my departure, the firm changed its name to Bloomfield and Associates. Your article is clear that I was involved at the time of the 2002 problems, and even indicated ‘after that’.

The trial of Harry Bloomfield clearly indicated that the law firm had nothing to do with it, was not involved, and my name was never mentioned.

But the most important point that you overlooked, and this clearly indicate how little research you do or that you blindly omitted this, showing on your part a complete lack of professionalism, is that the US Court of Appeal, not only fully acquitted in the end Harry Bloomfield, but annulled his indictment! Therefore, if you know anything about law, you should know that the end results was that Mr Bloomfield was never charged! There are ample internet articles on the subject, and what you did is completely unprofessional, irresponsible, libellous and defamatory.

Unless you immediately publish a complete retraction of that portion of the article, or even the whole article, I will not hesitate to institute legal action anywhere in the world where your rag is distributed, and seeking damages for not less than \$1,000,000, as well as proper complaint to your professional body.

I would therefore appreciate if you would communicate to me the name of your legal advisor. I will not accept less than a quarter page of full apology, on either page 1 or 3 of your next edition and will request to approve its text.

I will not talk to you directly, nor entertain email discussions. You either agree to my terms, or face the music. I was successful against other people who did what you did!

I am sure that you will even try to make fun of my english, but unlike you, I am bilingual, undertsand other cultures and refrain form making any type of public statements in order to be “talked about”.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Me Dominique M. Bellemare, B.Sc (biology), L.L.B., M.B.A.



## WSPA board role of Danish wildlife researcher Bjarne Clausen

World Society for the Protection of Animals board president Dominique Bellemare is not the only WSPA board member whose history of associations with prominent defenders of the Canadian fur and sealing industries has caused **ANIMAL PEOPLE** to ask questions. Board member Bjarne Clausen, a Danish biologist, spoke in 1981—the same year that WSPA was founded—as part of the Northwest Territories Department of Renewable Resources’ “Fish, Fur, & Game for the Future” program.

Like Bellemare, Clausen appears to have no public record of speaking or writing against the fur trade, either in Canada or Greenland, a Danish protectorate where Clausen formerly did studies of otters and other wild furbearing mammals.

The Northwest Territories are now called Nunavut. The “Fish, Fur, & Game for the Future” program preceded an ongoing Canadian government effort to encourage indigenous fishing, trapping and hunting, and to use the involvement of indigenous people in trapping and sealing as an image to counter European opposition.

Historically, indigenous people have accounted for less than 10% of Canadian fur trapping and sealing, but have several times

been able to persuade members of the European Parliament to retreat from proposed bans of imports of products made from trapped fur and clubbed seals.

Asked about his involvement with pro-fur and pro-sealing organizations, Clausen responded through WSPA director general Peter Davies, “I have been working with ‘the health of the fauna’ for [the United Nations Food & Agricultural Organization] and the Danish government from 1967 to 1996, and participated in hundred of conferences, covering all aspects of management of the fauna including hunting, and I still represent the Danish Animal Welfare Association, in the Game Council giving advice to the Ministry of Environment regarding administration of the laws concerning the management of the fauna and hunting.

“In 1981,” Clausen continued, “there were 2 conferences in Yellowknife and Banf where the Canadian government wanted to improve the dialog between the hunters-trappers and the scientists and the civil servants, and further to the politicians (Banf). I participated giving a lecture in Yellowknife about ‘Marked and subsistence hunting in Greenland.’ By the way it was five years before I had any position within the national

and international animal welfare world.”

Asked **ANIMAL PEOPLE**, in view of Clausen’s advisory role to the Danish government, “What is your personal position on whether Greenland should be allowed to kill 10 humpback whales, as Denmark requested of the International Whaling Commission in June 2008, acting on behalf of Greenland?”

“What is your personal position on whether Greenland should sue Belgium for banning the import of seal pelts, as Greenland has threatened to do?”

“What is your personal position on the Danish government sponsoring a task force for the past year to oppose European Union efforts to ban seal pelt imports?”

“Do you agree with this statement made in February 2007 by the Danish Foreign Ministry: ‘Denmark and Greenland agree that national bans of sealskin within the European Union are unjustified and can have a harmful effect on this traditional trade in Greenland and for the whole fur industry’?”

“Do you believe that the fur industry should exist?”

Clausen did not respond to any of those questions.

Forwarded WSPA board secretary

Peter Mason, on behalf of the full WSPA board:

“Board members come to the WSPA Board from a variety of backgrounds and experiences in animal protection. While serving as WSPA Board members, however, they are judged not on their past individual animal protection background, knowledge or experience, but on their commitment to the governance duties of a WSPA Board member.

“In our experience, Mr Bellemare has been exemplary in the exercise of his governance duties as a member of WSPA’s Board, and his election to President reflects the group judgement of his peers on the Board that he deserves to hold that position.

“Similarly, in our experience, Mr. Bjarne Clausen has been exemplary in the exercise of his governance duties as a member of WSPA’s Board. All WSPA Board members endorse the policies and programmes of WSPA.”

But if all WSPA board members do fully and unreservedly endorse the longstanding WSPA position that it is “morally indefensible to subject animals to suffering and death for fur or skin products,” why do they as individuals refuse to say so, unequivocally and on the public record?

## What does leadership transition mean for WSPA? (from page 18)

before WSPA introduced the less explicit present version in 2000, in hopes of finally winning United Nations endorsement.

Yet neither Bellemare, Mason, nor any other member of the present WSPA board except Blue Cross of India chief executive Chinny Krishna has been willing since Bellemare’s election, in response to repeated requests from **ANIMAL PEOPLE**, to state support in an individually accountable manner for the WSPA positions against fur and sealing. In absence of individually accountable positions from board members, it is not possible to determine from a head count the depth of support for the traditional WSPA policies of opposition to sealing and the fur trade, or to see which members might accept weakening amendments.

Instead, Mason on July 9, 2008 stated on behalf of the collective board that “All WSPA Board members endorse the policies and programmes of WSPA.”

**ANIMAL PEOPLE** pointed out that Conservative Party of Canada has likewise issued assurances that Conservative candidates endorse the party platform, as did the predecessor Progressive-Conservative Party, whose last national secretary was Dominique Bellemare.

### “Defence of the Fur Trade”

The positions on fur and sealing taken by the Conservative Party of Canada, Conservative prime minister Stephen Harper, the former Progressive-Conservative Party of Canada, and former Progressive-Conservative prime minister Joe Clark have always been poles apart from those of WSPA.

But there was once a partial exception. In 1983 Brian Mulroney of Quebec wrested the Progressive-Conservative leadership from Clark. Elected prime minister with unprecedented Quebec support for the Progressive-Conservative party, Mulroney appears to have been the only Canadian prime minister since Newfoundland became a province in 1948 who held a secure majority even if he lost Newfoundland support.

Mulroney in 1984 imposed a moratorium on the offshore phases of the Atlantic Canadian seal hunt. The moratorium held until 1995, a year after Mulroney left office.

Mulroney made Clark his minister for external affairs. Clark took over a ministry that was bitterly blamed by sealers and furriers for allegedly inadequately defending the seal hunt, including in a 1986 Report of the Standing Committee on Aboriginal Affairs and Northern Development.

The Canadian fur trapping, fur farming, and fur garment manufacturing industries, whose hub was Montreal, vehemently demanded—as the Report of the Standing Committee stated—that “The Department of External Affairs undergo an attitudinal change in favour of recognizing the legitimacy of trapping as an economic activity, and actively promote the fur industry in overseas posts.”

The Report of the Standing Committee gave Clark cover for work he had actually begun almost as soon as Mulroney appointed him, as an ally of hunters, trappers, sealers, and the fur trade throughout his political career. Under Clark, the Department of External Affairs commissioned from the public relations firm Thomas Grey & Company a strategic recommendation for defending fur entitled *Launching the Offensive*. This became the basis for a much more comprehensive and detailed document called *Defence of the Fur Trade*.

From completion in May 1985 forward, *Defence of the Fur Trade* appears to have been the master plan used by the Ministry for External Affairs, not only to the end of Clark’s tenure in 1991, but to this day.

“There are also non-governmental international organizations concerned with animal welfare,” *Defence of the Fur Trade* noted. “Examples would include the World Wildlife Fund, the World Society for the Protection of Animals and the International Wildlife Federation. Are these organizations that can be influenced or mobilized to foster our interests or must we yield this ground to the anti-fur activists? If we are to seek to work within these organizations which Canadian groups would best be able to do the job?”

*Defence of the Fur Trade* and *Launching the*

*Offensive* were obtained and distributed to the global humane community by the Toronto Humane Society in December 1988, more than three years after they were distributed to key External Affairs personnel. By then, the Department of External Affairs had already codified its role in promoting fur, summarized in an April 1987 response by External Affairs to the Report of the Standing Committee:

“The Government of Canada recognizes the legitimacy of trapping as an economic activity and supports the taking of animals for fur, based on humane and responsible trapping practices...External Affairs shares the concern of the industry that Canada’s international fur trade interests could be jeopardized by animal rights activists...External Affairs is contributing to the cost of attitudinal research and professional guidance in the United Kingdom and the United States. The Department will continue to fund the development and implementation of a coordinated international communications strategy in defense of the fur trade to the limit of available funding. Canadian posts abroad will assist industry representatives in the implementation of this program.”

The Southam News syndicate in December 1990 learned from documents obtained through the Canadian access to information act that the Department of External Affairs had issued a five-year grant of \$1.8 million to the Fur Institute of Canada, for pro-fur propaganda efforts begun in 1988 and continuing through 1992—i.e., to the end of the last fiscal year budgeted by Clark before he left office.

### Bellemare & Joe Clark

Dominique Bellemare was national secretary of the Progressive-Conservative Party of Canada in 2003, when it merged with the Reform Party headed by Stephen Harper to become the present Conservative Party—whose leader, Harper, is now prime minister.

Losing previous attempts to win a seat in Parliament in 1997 and 1994, Bellemare is currently trying again.

Bellemare began his involvement in Canadian politics in 1983, according to his resumé, as a teenaged supporter of Joe Clark in Clark’s unsuccessful effort to retain the Progressive-Conservative leadership against Brian Mulroney’s challenge. In 1990-1991, Bellemare’s resumé states, he was “senior political adviser” to the minister of external affairs—who was Joe Clark.

“I cannot comment on my work with the Deptment, as I had a ‘secret’ clearance and an oath of secrecy,” Bellemare e-mailed to **ANIMAL PEOPLE**.

On June 9, 2008, Bellemare stated through WSPA director general Peter Davies, “I have been involved with WSPA since 1988.”

However, Bellemare told **ANIMAL PEOPLE**, “During my tenure at External, I was not involved with WSPA. This situation was known to WSPA, and Mr Clark as well. For that reason, I did [not?] work on any files regarding WSPA’s campaigns or lobby to the federal Government, in order to avoid a potential conflict of interest.”

Bellemare, by both his own account and the account of his former law partner Harry Bloomfield, became involved with WSPA through Bloomfield. Bloomfield was a WSPA board member before Bellemare, and was a past member of the Montreal SPCA board, Bloomfield told **ANIMAL PEOPLE**.

Bloomfield said that Bellemare became a WSPA board member by serving first as Bloomfield’s alternate.

“I worked in Mr Bloomfield firm as a lawyer from 1988 to 1990,” Bellemare e-mailed. “I worked on some legal files for WSPA (I cannot tell you which ones due to professional confidentiality, got acquainted with WSPA staff, and got to know them and delat with them directly. I also did my articling as a solicitor for a London firm in 1988, visited then the WSPA office and got acquainted with staff there. I never sat on any Board meeting with Mr Bloomfield from 1992

on. He was not present at Board meetings after 1991. I was invited to join WSPA not by Mr Bloomfield, but by Mr Bob Cummings, head of the Nominating Committee, who was impressed by my work and commitment to WSPA, and the volunteering I did.”

Cummings, a longtime Massachusetts SPCA executive and board member, did not respond to an **ANIMAL PEOPLE** request for comment.

**ANIMAL PEOPLE** asked Joe Clark “what policy areas former Progressive-Conservative Party national secretary Dominique Bellemare advised you about in 1990-1991, when you employed him as a ‘policy advisor’ to the Ministry for External Affairs?”

Responded Clark on June 9, 2008, “A useful response would require some digging back into files, by busy people, on a volunteer basis. Could you give me a more precise idea of why you are seeking this information?”

**ANIMAL PEOPLE** explained that the question is whether Bellemare pays first allegiance to the policies of WSPA or to the policies of his political party, both of which he purports to represent.

“Thanks,” e-mailed Clark on June 13, 2008. “Your clarification helps, and obviates the need for extensive research. When Mr. Bellemare worked with me, I had known of his commitment to animal welfare, because he had taken the initiative to request that he not be involved in issues which might be seen to be related to animal rights, to avoid a potential conflict of interest. Naturally, I appreciated his frankness, and respected it, so he would not have been involved in the decisions to which you refer.”

Clark did not answer the next question: “Why would you have hired a person with a ‘commitment to animal welfare’ to work in your office as a ‘policy advisor’ at a time when the Ministry for External Affairs had already been troubled by leaks of confidential documents pertaining to animal issues—most notably the 1985 strategic outline *Defence of the Fur Trade*, which reached animal welfare groups and mass media in 1988?”

Clark’s assertion that he had known of Bellemare’s “commitment to animal welfare” raised a further question: if Bellemare had such a commitment, already known to at least one of the senior and most influential leaders of his party, why has Bellemare apparently never expressed his feelings on the record to Canadian news media, other members of his political party, global news media, or even to pro-animal news media?

Bellemare’s public record on behalf of animals, other than his roles with WSPA, includes service on the board of the Humane Society of Canada, an advocacy organization founded by former WSPA representative Michael O’Sullivan.

**ANIMAL PEOPLE** president Kim Bartlett learned that Bellemare is believed by some persons long familiar with WSPA to have influenced the Canadian government to assist the WSPA mission to Kuwait following the Persian Gulf war of 1990, and to have helped to obtain funding for research on the effects of pesticides and heavy metals on beluga whales.

Never once, however, does Bellemare appear to have issued any public statements of opposition to the Canadian fur trade or the seal hunt, or even in support of updating the 1893 Prevention of Cruelty to Animals Act, a cause champi-

(continued on page 20)

**The Longest Struggle:**  
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the oftentimes gruesome practices used to kill seals. European citizens find this repugnant and in contradiction of our standards of animal welfare.” But “It is very difficult to define what is humane,” Dimas conceded,

Canadian Fur Institute executive director Rob Cahill pointed out the ambiguous European Commission wording to Tara Brautigam of Canadian Press.

Noted Brautigam, “Dorian Prince, the European Commission’s ambassador to Canada, said he was fairly confident that products derived from the East Coast seal hunt would be deemed humane and permitted entry into the EU.”

“I would expect that Canada would be well-placed to provide the assurances which are necessary,” Prince told Brautigam.

Magdalen Islands sealing association representative Denis Longuépée told the CBC that he wasn’t worried about the proposed EU seal product import ban because “Independent veterinary associations, the government and some [other] people say that the way we kill the seal at this moment is very humane.”

Constant Brand of Associated Press interpreted “High animal welfare standards” to mean that “the animals are killed swiftly without undue suffering.”

“Having first called for this ban over 23 years ago, when I visited the ice floes in Canada and witnessed the inhumane carnage which takes place during the annual cull,” Member of the European Parliament David Martin told *The Scotsman* environment correspondent Jenny Haworth, “I am pleased the commission has at long last come forward with proposals for a ban of the trade in seal products. However, the proposals are open to abuse,” Martin said. “Much of the killing takes place in remote areas where effective monitoring of humane killing would be impractical.”



Harp seal. (Mary Bloom)

Brigitte Bardot, who first spoke out against sealing long before she retired from acting in 1973 to work fulltime for animals, told Associated Press that French president Nicolas Sarkozy had assured her that “everything would be done” during the current French presidency of the European Union, which began on July 1, 2008, to move the proposed seal product import ban forward. The EU presidency rotates among the member states every six months.

But Canadian fisheries ambassador Loyola Sullivan predicted that a ban could not be ratified and put into effect in less than 18 months to two years. Sullivan pledged to the CBC that the Canadian government will continue to lobby the 785 members of the European Parliament and the governments of the 27 member nations in opposition to the proposed ban.

Two weeks before the wording of the proposed ban was announced, Canadian prime minister Stephen Harper told European Commission president Jose Manuel Barroso that the Atlantic Canadian seal hunt is “humane, sustainable and regulated,” and added that “Public pressure within the European Union to curb the sale of seal products is based on misinformation from anti-sealing organizations and extremist groups.”

Among the most prominent organizations lobbying the European Commission in opposition to the Atlantic Canadian seal hunt since 1981 has been the World Society for the Protection of Animals. The WSPA board president since June 5, 2008 has been Dominique Bellemare, now running for Parliament as a member of Harper’s party, the Conservative Party of Canada.

Bellemare, who has endorsed Harper on his web site, has not rebutted Harper, and so far as **ANIMAL PEOPLE** can determine, has never made any public statement against either sealing or any other aspect of the fur trade. [See page 18.]

WSPA bills itself at its web site as as “the only animal welfare organization to be a member of the International Council of Voluntary Organizations, a body linked directly to the United Nations Office for the Coordination of Humanitarian Affairs,” with observer status at the Council of Europe and official recognition by U.N. treaty management agencies including the Convention on International Trade in Endangered Species,

the International Standards Organization, and the World Trade Organization.

WSPA would thus be influentially positioned to accept or reject any effort to define “humane” sealing. If WSPA could be induced to accept a definition of any form of sealing as “humane,” further progress toward banning seal product imports into Europe might be forestalled for decades.

“How profoundly disappointing and regressive,” said Friends of Animals president Priscilla Feral, noting the potential for the ambiguous European Commission language to negate the surface intent of the proposed resolution. “The seals have been subjected to the same tiresome game for four decades,” Feral fumed, remembering past Canadian government pressure on the Canadian Federation of Humane Societies and World Wildlife Fund Canada to define seal-clubbing as “humane.”

Predicted Feral, “It will be four more decades of debates about the most acceptable way to steal the seals’ fur.”

Sea Shepherd Conservation Society founder Paul Watson, however, was exultant. “After more than four decades of fighting,” Watson e-mailed, “an incredible victory has been achieved. This means,” Watson asserted, “that seal products cannot be transshipped to Asia through European ports, and since Europeans define global fashions, what is not in fashion in Paris and Rome will no longer be in fashion in China or Japan.

“Canada may insist that the Canadian slaughter of seals is ‘humane,’” Watson acknowledged, but “If Canadian sealers are forced to actually attempt to humanely kill seals,” Watson predicted, “they will have a very slow time of it, because it takes time and perfect conditions to slaughter an animal in hostile weather conditions on moving ice.

“The European Union was forced to word the ban the way they did,” said Watson, “to avoid trade retaliation from Canada. Canada could have imposed trade restrictions [in response to] an outright ban,” Watson hypothesized, “but it will be difficult to contradict the wording of the proposal that specifically prohibits products obtained inhumanely. Fisheries Minister Loyola Hearn can’t very well say we oppose banning seal products derived from cruelty. Nor can he say we have the right to put inhumane products on the world market. He can continue to insist that the seal slaughter is well-regulated and humane, but now he has to prove it.”

Seal Alert/Scuth Africa founder Francois Hugo proclaimed himself, “deeply thankful to the European Commission for announcing that this trade ban will now include 17 species of seals, found in the oceans of the globe. Seal hunting occurs year round,” Hugo explained, “but the hunting season varies on the region and the species targeted. Canada, Greenland, and Namibia account for about 60% of the 900,000 seals hunted each year,” Hugo summarized. “Other

countries which hunt seals include Iceland, Norway, Russia, and the United States, and within the European Union, Sweden, Finland, and the United Kingdom.”

The United Kingdom does not permit commercial sealing, but since 1998 has allowed fishers in the Shetland Islands to shoot seals who interfere with their catches. Since then, the seal population in the Shetlands and Orkney Islands has fallen by 45%, University of St. Andrews researchers estimated in August 2007.

“What makes this monumental for Seal Alert,” said Hugo, “is that the original Written Declaration adopted by 473 members of the European Parliament in September 2006,” as prelude to the proposed trade ban, “only banned imports of harp and hooded seal products. Seal Alert fought hard to include all species of seal around the world.”

European Parliament member Caroline Lucas, who introduced the 2006 Written Declaration, was at that time unaware of the Namibian seal hunt, which kills about 85,000 seal pups per year. When informed, Lucas quickly agreed with Hugo that “Any European ban must include all seal products.”

The Canadian government, however, seemed to take the European Commission proposal so lightly that within a week Canadian fisheries minister Loyola Hearn’s office told Keith Doucette of Canadian Press that Hearn may grant a request from Nova Scotia fisheries minister Rob Chisholm to increase the 2009 grey seal quota.

Explained Doucette, “The quota for Nova Scotia’s grey seal hunt now stands at 12,000, which is small when compared with the harvest off Newfoundland’s north coast, where about 200,000 harp seals were taken last year. Hunters in Nova Scotia rarely take more than a few hundred annually. But Chisholm maintains an expanded hunt is necessary to help fishers who are convinced that the 300,000-strong grey seal herd is affecting the recovery of groundfish stocks. He said fishers want the quota increased to between 20,000 and 25,000 per year.”

Bedford Institute of Oceanography researcher Don Bowen told Doucette that the grey seal population rapidly increased from the 1960s into the 1990s, coinciding with a collapse of the cod stock to about 10% of what it was. This confirmed that cod are “not an important item in the diet of grey seals,” Bowen said. During the past 10 years, Bowen added, the rate of grey seal population growth has leveled off from about 12% per year in previous decades to about half that, indicating that the carrying capacity of the habitat may have almost been reached.

“Although there is no word on when Ottawa will make a decision on whether to expand the hunt,” Doucette wrote, “Bowen said scientists will present new estimates for sustainable harvest levels for grey seals later this year.” —Merritt Clifton

## What does leadership transition mean for WSPA? (from page 19)

oned at times by other members of the Progressive-Conservative and Conservative parties.

E-mailed Bellemare, “I have limited my involvement with WSPA, helping mostly with political advice, political contact, free legal work and so on. I am taking most of my vacation allowance for this, considerable sums of my own money, free professional time, and so on. I was involved strictly with WSPA. I was rarely asked to be a spokesperson for WSPA. I did so on some occasions, such as the campaign to stop the Granby Zoo to have a dolphin show/exhibit. I was quoted in several medias for this. it remained on the web for quite a few years, but it seems it is not there any more. [**ANIMAL PEOPLE** editor Merritt] Clifton has accused me of doing nothing regarding the Montreal Biodome’s attempts to have belugas. He is wrong. I did visit them with WSPA staff during those years (1993-1995).”

It is possible that Bellemare might have visited the Biodome with Michael O’Sullivan while O’Sullivan still represented WSPA; O’Sullivan did not respond to an **ANIMAL PEOPLE** inquiry. But other leaders of the Granby Zoo and Biodome campaigns have no recollection of Bellemare’s participation, including Ric O’Barry, whom WSPA hired to lead protest activities in Granby in 2001.

“I can’t recall the name. He was not involved in the campaign to my knowledge,” O’Barry said

Longtime Montreal activist Anne Streeter was involved in both the Granby Zoo and Biodome campaigns. She had no recollection of Bellemare either.

This became a familiar refrain.

“I am sorry I can’t be of more assistance to you as far as Dominique Bellemare is concerned,” said Canadian Farm Animal Care Trust founder Tom Hughes, who was also a founding board member of WSPA, and has headed humane organizations in Canada since 1956. “In fact I can’t even remember him, which means that he certainly wasn’t active, in

any way, in Canadian animal welfare.”

“I’ve never heard of Bellemare,” said George Clements, who cofounded the Association for Protection of Fur Bearing Animals in 1952.

“The Bellemare family name is familiar to me only in the political arena,” said Animal Defence League of Canada founder Esther Klein.

“I have no knowledge of Bellemare,” said Animal Alliance of Canada cofounder Liz White.

“I wish I could help, but I’ve never heard of him and know nothing about him,” responded wildlife artist Barry Kent MacKay, a longtime board member of many Canadian and international humane organizations.

“Today’s e-mail traffic is the first time I’ve heard the name Dominique Bellemare,” said film maker Stephen Best, whose work was instrumental in building the International Fund for Animal Welfare anti-sealing campaign in the 1970s, and who cofounded the International Wildlife Coalition in 1985.

“I can’t say the name Dominique Bellemare is familiar to me,” said Paul Seigel, a former IFAW campaign director who now manages direct mail campaigns for pro-animal organizations at Direct Mail Systems Inc.

### Bellemare & Stephen Harper

While Bellemare has no evident prior history of opposition to sealing and the fur trade, he does have considerable history of alignment with Stephen Harper, including helping to arrange the merger of the Reform and Progressive-Conservative parties that led to Harper’s rise to prime minister.

Bellemare’s campaign web site, <www.dominique-bellemare.com>, throughout the late spring and early summer of 2008 praised Harper as, “A strong leader who knows where he stands and knows where he is going.”

Where Stephen Harper is going in response to anti-sealing activity has been clear for years. In April 2006, for

example, Harper alleged to BBC News that sealers are victims of an “international propaganda campaign.”

In September 2007, Harper told Canadian Press that, “The seal population is exploding in Canada...We will not be bullied or blackmailed into forcing people out of that industry who depend on the livelihood based on things that are simply stories and on allegations that are simply not true.”

In July 2008, Harper told European Commission president Jose Manuel Barroso that “public pressure within the European Union to curb the sale of seal products is based on misinformation from anti-sealing organizations and extremist groups.”

**ANIMAL PEOPLE** asked Bellemare if he was willing, as president of WSPA, to allow Harper to define WSPA as a purveyor of “misinformation” and as an “extremist group.”

Two days later, Newfoundland and Labrador fisheries minister Trevor Taylor, also a member of the Conservative Party of Canada, asked the Harper government to complain to the World Trade Organization if the European Union proceeds with a ban on the import of seal products.

Asked **ANIMAL PEOPLE**, “Will Bellemare now stand up on behalf of WSPA, against Taylor and Harper, and tell the Conservative Party of Canada and the Harper government that sealing and selling seal pelts are morally and ethically wrong, as WSPA policy holds, and that Canada instead of complaining to the WTO, should end the seal hunt?”

To date, Bellemare’s only subsequent response to **ANIMAL PEOPLE** was an e-mail sent to **ANIMAL PEOPLE** president Kim Bartlett on July 14, 2008 in which he repeated a previous threat [see page 18] to “file a lawsuit against **ANIMAL PEOPLE**, yourself and Merritt Clifton for libel and diffamation. Since you rag is distributed in Canada and more particularly in the Province of Québec,” Bellemare said, “I will file my action here, in the official language of Québec, french.” —Merritt Clifton



## Infiltrator Sapone

WASHINGTON D.C.—New Jersey Senator Frank Lautenberg on August 7, 2008 asked the National Rifle Association to disclose full details of the alleged espionage activities within gun control organizations of Mary McFate, 62, also known as Mary Lou Sapone.

McFate/Sapone was exposed a week earlier by James Ridgeway, Daniel Schulman, and David Corn of *Mother Jones* magazine.

"According to *Mother Jones*," summarized Lautenberg to NRA president John C. Sigler, "Mary McFate spent more than a decade rising through the ranks at several gun violence prevention organizations, including CeaseFire PA, Freedom States Alliance, and States United to Prevent Gun Violence. At the same time, McFate—going by the name Mary Lou Sapone—reportedly was a paid 'research consultant' for the NRA. As a result, McFate/Sapone was in a position to learn about, and to report back to the NRA on, the concerns, plans and strategies of various gun violence prevention groups.

"In light of these serious charges," continued Lautenberg, who at age 84 is the senior U.S. author of gun control legislation, "I call upon you to immediately admit whether these charges are true or false; if these charges are true, disclose the precise nature of the NRA's relationship with Mary McFate/Mary Lou Sapone, including how much she was paid, the time periods for which she received payment and the services she provided; make public the names (including any aliases) of any other NRA employees, consultants, members, or volunteers who have joined gun violence prevention organizations in order to report to the NRA on their activities; and denounce and discontinue the practice of asking or encouraging NRA employees, consultants, members and volunteers to infiltrate gun violence prevention groups."

Ridgeway, Schulman, and Corn outlined links among McFate/Sapone, her daughter, her son, and her daughter-in-law to private intelligence-gathering and opinion-shaping projects as far away as Iraq and Afghanistan. For the NRA, McFate/Sapone worked under then-NRA Institute of Legislative Action director James J. Baker. Baker is now managing director of Ogilvy Government Relations, which has given more than \$271,000 to the John McCain presidential campaign. Baker was in 2006 named by the *International Herald Tribune* as part of McCain's "kitchen cabinet."

McFate/Sapone in 1987-1988 infiltrated Friends of Animals and Earth First! as a volunteer, and became vice president of the Connecticut Animal Rights Alliance, while working for a now defunct private security firm called Perceptions International. Perceptions International was hired by former U.S. Surgical owner Leon Hirsch to spy on protesters who were opposed to the use of dogs in sales demonstrations of surgical staples. Sapone befriended fringe activist Fran Trutt, loaned her the

money to buy four pipe bombs, and introduced her to another Perceptions International employee, Marcus Mead, who in November 1988 drove Trutt to place one of the bombs in the U.S. Surgical parking lot. Arrested at the scene, Trutt served a year in custody.

U.S. Surgical publicized the arrest as discrediting animal rights activists—but Sapone's role was disclosed within days by the late Animal Rights International founder Henry Spira, who interviewed Trutt in jail; *Westport News* editor John Capsis, to whom Mead told his story; and then-*Animals Agenda* editor and news editor Kim Bartlett and Merritt Clifton, who are now the president and editor of **ANIMAL PEOPLE**.

Bartlett had warned activists months earlier that Sapone fit the profile of an infiltrator. Sapone in January 1988 suggested bombing Hirsch to Clifton, at a Connecticut Animal Rights Alliance party. Clifton told Sapone that she had consumed too much alcohol.

Friends of Animals sued U.S. Surgical over Sapone's activities. The case and related actions were in court for nearly 10 years, but never went to trial.

## Bizarre backstory to South Korean

SEOUL, LONDON—Animal advocates scrambled on August 5, 2008 to more fully identify the background of a woman named Bernann McKinney, who paid \$50,000 to RNL Bio of Seoul, South Korea to clone her deceased pit bull terrier.

At a press conference in Seoul, held to announce the cloning, the woman cuddled five pit bull puppies and claimed that the deceased pit bull had once saved her life when she was attacked by a much larger dog—but no record of the incident could be found.

The cloning team was led by Lee Byeong-chun, a former assistant to Hwang Woo-suk, whose 2004 claim to have cloned human embryos and extracted stem cells from them was exposed a year later as false. However, Hwang Woo-suk and Lee Byeong-chun had verifiably cloned a dog, and reportedly cloned more than 20 dogs before McKinney's.

Among the questions under investigation were whether dogfighters, the dog meat industry, or breeders of dogs for laboratory use might actually have put up the money for the pit bull cloning, billed as the first commercial dog cloning.

But Joyce Bernann McKinney, 58, was instead recognized and identified by British tabloid reporters, with further details of her life soon exposed by other media.

Born in Avery County, North Carolina, McKinney was named Miss World-Wyoming in 1972, and participated in the 1973 Miss World-USA pageant. McKinney became infatuated with a Mormon missionary whom she pursued to England in

1977. After a male accomplice allegedly brought the missionary to her at the point of a toy gun, she allegedly chained him to the bed with mink-lined handcuffs and forced him to have sex with her for two days between Bible readings meant to convince him to marry her. He eventually escaped. McKinney and the accomplice in 1978 jumped bail and fled.

McKinney next posed first as a nun and then topless for magazines in Atlanta. Arrested again, she jumped bail again, but reappeared in the tabloids in 1984, for allegedly stalking the same missionary in Salt Lake City.

In 1993, the Johnson City, Tennessee *Press Chronicle* recalled, McKinney disguised herself with a wig and sought work at the Washington County Animal Shelter to try to gain access to several pit bulls who were to be euthanized for attacking a couple. She was charged with attempting to break into the shelter, but the case was dropped in 1997.

In 2004, in Carter County, Tennessee, McKinney was charged with conspiracy to commit aggravated burglary, contributing to the delinquency of a minor, and speeding, after trying to recruit a 15-year-old boy to rob a house in an attempt to raise the price of a prosthetic limb for a three-legged horse. Again she failed to appear in court.

"More recently, she surfaced on the criminal dockets in her native Avery County, where a warrant is active alleging she threatened another woman; and in Washington County, Tennessee, alleging burglary," wrote Daniel Gilbert of the Bristol *Herald Courier*.

# why guardian?

Because it is time we recognized that  
our best friends are more than mere  
objects, property, commodities, or things.

*The word 'guardian' denotes a  
higher level of responsibility towards  
another being.*

Jan McHugh-Smith, Executive Director  
San Francisco SPCA



In Defense  
of Animals  
[www.idausa.org](http://www.idausa.org)

To receive our free bi-weekly newsletter, and  
how you can help end animal abuse, please visit  
our website at: [www.idausa.org](http://www.idausa.org)



# Why the RSPCA and Compassion In World Farming push rose veal

**LONDON**—Animal rights groups worldwide on August 17, 2008 abruptly found themselves explaining that they do not endorse veal, the Royal SPCA of Britain and Compassion In World Farming had to explain that they are not animal rights groups, and the public was probably just down-right confused after Rachel Shields, a food writer for *The Independent*, wrote that “Animal-rights groups have been campaigning to get it off the menu for decades, but now, in an abrupt U-turn, they are clamouring for veal to come back to British dining tables.

“The RSPCA and Compassion in World Farming are trying to redeem the meat in the eyes of U.K. consumers,” Shields continued, “most of whom now view veal as the ultimate ethical no-no.”

“All those terrible pictures of calves being transported in veal crates are firmly etched in people’s minds. Veal gets lumped in with foie gras as something untouchable,” RSPCA spokesperson Calie Woosley complained to Shields.

“Veal shouldn’t be a dirty word,” agreed CIWF food business manager Rowen West-Henzell. “British rose veal is something we are happy to endorse.”

Explained Shields, “Rose veal calves are not fed the restricted, low-iron diet that is needed to produce the tradition-

al white veal.”

What the RSPCA and CIWF endorse is essentially the same product that the Chicago-based Food Animal Concerns Trust promoted in the 1980s and 1990s, after FACT founder Robert A. Brown started a company called Rambling Rose veal. Rose veal calves are slaughtered in infancy, like other veal calves, but are not raised in crates and may be raised outdoors with other calves or their mothers.

Never strongly advocating vegetarianism or veganism, which are central to all prominent versions of animal rights theory, the RSPCA and CIWF have boosted the rose veal industry since May 2006, when live calf exports from Britain to European veal finishers resumed after a decade-long hiatus resulting from European concern about mad cow disease.

Explained CIWF chief executive Philip Lymbery in August 2006, “CIWF prefers calves to be reared in higher-welfare British systems rather than being exported live to continental veal production units. In Britain, the law states that calves must be given bedding as well as more space and a better diet. These three simple provisions significantly enhance calf welfare, but are missing in the most widely used systems on the continent, including in Holland, where much of the veal sold in the U.K. comes from.”

But there is not much veal sold in the U.K. in the first place: it accounts for just one tenth of a percent of British meat consumption.

“Over the next year we will be promoting the consumption of rose veal as a way of dealing with the problem of wasted bull calves,” West-Henzell told Shields.

Wrote Shields, “Last year around 260,000 young male dairy calves were condemned as ‘waste products’ in the U.K., as they don’t produce milk and are rarely used for beef due to their low muscle tone. These animals are either shot at birth or exported to the Continent.”

CIWF founder Peter Roberts, who as a dairy farmer refused to sell calves to crated veal producers, counted winning the 1990 British ban on veal crates as one of his favorite accomplishments. He died in November 2006. The CIWF policy appears to be consistent with Roberts’ example—but even without taking a position in opposition to drinking milk, as PETA and Vegetarians International Voice for Animals have urged, advancing agricultural technology pro-

vides other options. Specifically, either centrifugal sperm-sorting, embryo transplanting, or genetic manipulation can be used to select the gender of the calves who must be born each year to bring cows into lactation.

In addition, cows may be given bovine somatotropin (BST) to boost milk production so that fewer cows must be impregnated and fewer calves need be born to produce a given volume of milk.

However, CIWF and most other animal welfare organizations, along with most animal rights groups and many consumer interest groups, have taken hardline stands against technological interference in natural agricultural reproductive processes. Opposition to the use of BST has been so intense and sustained that Monsanto in early August 2008 announced that it will sell the division of the company that produces Posilac, the most widely used brand of BST. Monsanto had aggressively lobbied to win approval of BST by the U.S. Food & Drug Administration, including allegedly hiring spies to infiltrate anti-BST organizations and suing some BST critics. Only about 15% of U.S. dairy cattle are given BST treatments, which are even less popular abroad.

Monsanto interest in selling Posilac appeared to dwindle after Wal-Mart Stores Inc. announced in March 2008 that it would no longer sell milk from cows treated with BST under the Wal-Mart logo.

A newer hormonal technology that suppresses the amount of serotonin in cows’ mammary glands produces a comparable 15% increase in milk yield, University of Cincinnati medical school researcher Nelson Horseman and colleagues announced in October 2007 via *Proceedings of the National Academy of Sciences*, but the procedure is believed to be years away from commercial use.

For the RSPCA, the veal and dairy issues echo controversies that have troubled policymakers since 1828, when it was still called the London SPCA and was rescued from bankruptcy by machine tool inventor Lewis Gompertz. Gompertz was expelled from the RSPCA board in 1832 for the alleged offenses of being a vegetarian and a Jew. For decades afterward the RSPCA defended itself against allegations of being anti-Semitic by asserting that Gompertz’s vegetarian advocacy was the crux of the issue.

Gompertz later founded the Animals’ Friend Society, which he headed until 1848. The RSPCA—after many other board-level conflicts and clashes with pro-vegetarian organizations—in 1996 introduced the first major animal welfare labeling scheme for farm products, called Freedom Food.



A Holstein/Hereford calf—a cross often bred for veal. (Kim Bartlett)

**SACRAMENTO**—Firebombs detonated on a porch and in a home belonging to University of California at Santa Cruz researchers in the early morning of August 2, 2008 are believed to have given a big late-in-session boost to AB 2296, a bill which would allow universities to withhold the names of animal researchers from public documents.

Introduced in February 2008 by state assembly member Gene Mullin (D-San Mateo) at request of the University of California system, AB 2296 “would make it a misdemeanor to harm or intimidate a researcher who works with animals, including publicly posting the names, photographs, home addresses and home telephone numbers of researchers online or elsewhere. Anyone convicted under the legislation could face up to a year in county jail and fines up to \$25,000. The bill also allows researchers or their employers to seek an injunction against animal rights advocates or web sites publishing their photos or personal information,” summarized *Santa Cruz Sentinel* staff writer J.M. Brown.

“The bill is a response to a spate of attacks on University of California animal researchers in the past year,” wrote *San Francisco Chronicle* Sacramento bureau reporter Matthew Yi, recalling that “In February 2008, six masked people tried to force their way into the home of a U.C. Santa Cruz researcher who studies human disease. The suspects tried to break in by pounding on the front door, and when the researcher’s husband confronted them, the suspects hit him on the head, authorities said. In January, a Molotov cocktail exploded on the front porch of UCLA researcher Edythe London’s home. Last fall, the same home was flooded,” reportedly doing \$20,000 worth of damage, “when someone broke a window and inserted a garden hose with the water on full blast. In a separate incident, the wife of another UCLA researcher was sent a package of razor blades and fur, accompanied by a threatening note.”

AB 2296 is in some respects a state version of the federal Animal Enterprise Terrorism Act, in effect since November 2006, which extended to animal industry workers the provisions of the 1982 Animal Enterprise Protection Act. The latter covered only property.

AB 2296 also incorporates elements of local ordinances adopted in many cities where home demonstrations, vandalism attributed to activists, and even home invasions have occurred. They seek to keep protesters

away from the residences of protest targets.

In July 2008, for example, the city council of Holladay, Utah followed Salt Lake City and Salt Lake County in enacting an ordinance to keep demonstrators 100 feet away from homes. The Holladay council “reacted to recent protests by the Utah Primate Freedom Project in front of the homes of University of Utah researchers,” wrote Elizabeth Miller of the *Salt Lake Tribune*.

Some of the protests, led by the son of SHARK regional director Colleen Hatfield, borrowed the SHARK television truck.

Los Angeles has long had a similar ordinance against home demonstrations, used in 2004 to convict former child actress Pamelyn Ferdin and surgeon Jerry Vlasak, her husband, of illegally demonstrating outside the home of a Los Angeles City Animal Services employee. Ferdin has acted as spokesperson for Stop Huntington Animal Cruelty, whose most prominent U.S. members were convicted in 2006 of allegedly instigating property damage and threats directed at persons associated with Huntingdon Life Sciences, and drew prison terms ranging from three to six years. Vlasak has often acted as a spokesperson for the ALF.

Relying on the Los Angeles ordinance, Los Angeles Superior Court Judge Gerald Rosenberg in February 2008 granted a temporary restraining order on behalf of UCLA faculty against individual activists Linda Faith Greene, Hillary Roney, Kevin Olliff, Ramin Saber and Tim Rusmisl, as well as against unnamed members of the Animal Liberation Front, the Animal Liberation Brigade, and the UCLA Primate Freedom Project.

Of the named “organizations,” only the Primate Freedom Project actually has a verifiable institutional identity—and the original Primate Freedom Project, founded by former high school teacher Rick Bogle, has avoided associations with criminal activity.

Bogle, 55, has focused since 2004 on trying to start a National Primate Research Center Exhibition Hall in a former bicycle warehouse located between the Wisconsin National Primate Research Center and the Harlow Primate Psychology Laboratory, abutting the University of Wisconsin at Madison.

Retired California medical doctor Richard McLellan posted \$675,000 to buy the property from owner Roger Charly, but Charly backed out of the deal after the university offered him \$1 million.

Bogle and McLellan sued, winning a November 2006 lower court judgement that was overturned by the Wisconsin 4th District Court of Appeals on July 17, 2008.

While animal researchers claim a need for secrecy to protect themselves from escalating clandestine violence, and University of Wisconsin spokespersons voiced concern that the National Primate Research Center Exhibition Hall would become a hub of violent protest, “direct action” advocates argue that efforts to conceal details of animal research and researchers and to thwart projects such as Bogle’s demonstrate that law-abiding tactics are unsuccessful.

California AB 2296 “is a wrong-headed and unconstitutional attempt to infringe on the rights of the many animal welfare groups working legally and legitimately to stop the abuse of animals in research,” testified In Defense of Animals founder Elliot Katz at an April 2008 legislative hearing. “It is wrong to restrict and penalize the public for the acts of a few, particularly when there are already criminal laws and other legal remedies available to prohibit acts that are clearly illegal, such as violence, threats and intimidation.”

Katz emphasized that AB 2296 would restrict access to information about animal research at both public institutions and private companies receiving public funding.

“In 2004, California voters passed a \$3 billion initiative for stem cell research,” Katz cited as an example. Taxpayers have a right to know who receives the funds and how they are spent.”

Katz reviewed the use of public records by IDA in pursuing enforcement of the federal Animal Welfare Act, sometimes resulting in the closure of repeated offenders—like the Coulston Foundation, once the world’s largest dealer in chimpanzees for research use. In September 2003 the last 266 Coulston chimps were acquired by the Center for Captive Chimpanzee Care, founded by sanctuary Carol Noon.

“In 2007,” recalled Katz, “the U.S. District Court for the District of Columbia upheld IDA’s right to information about federally-funded animal research, finding that IDA’s “dissemination methods and history demonstrate that the disclosure will contribute to a greater understanding on the part of the public at large.”

As to the actions producing and helping to advance AB 2296, Action for Animals founder and veteran California animal

rights lobbyist Eric Mills e-mailed to **ANIMAL PEOPLE**, “I call it terrorism. Such actions put people in danger, and do nothing to help animals, or further our cause; indeed, they are counter-productive, and will serve only to make things more difficult for the law-abiding. I think we, as a humane movement—both organizations and individuals—need to speak up loud and clear in condemning these tactics. We all deserve better, humans and nonhumans alike. Which is not to condone animal research—I hate it. Even if it were to save the entire human race, which of course it won’t and can’t, I am opposed to invasive research on animals for ethical and moral reasons.”

*Marin Independent Journal* reporter Jennifer Upshaw noted on August 5, 2008 that “A manhunt continues in Costa Rica for Marin County animal rights fugitive Daniel Andreas San Diego,” 30, who “has been at large since becoming a suspect in 2003” in connection with pipe bombing at the Chiron Corporation in Emeryville and the Shaklee Corporation in Pleasanton. No one was hurt, in the 2003 bombings. Both bombing targets were involved in animal testing. Except for the timing of the release of information about the case, there was nothing to indicate that San Diego was involved in the Santa Cruz incidents three days earlier.

The Santa Cruz firebombings, like several others in the past several years, immediately preceded the sentencing of a prominent direct action advocate. Tre Arrow, 34, who changed his name from Michael Scarpitti, on August 12, 2008 drew 78 months in federal prison and a restitution order for a series of arsons committed in the name of the Earth Liberation Front, in association with 10 other persons, some of whom also committed arsons and vandalism in the name of the Animal Liberation Front. The others were sentenced earlier. Indicted in 2002, Tre Arrow was arrested in Canada in 2004.

On August 11, 2008 the 9th U.S. Circuit Court of Appeals upheld a three-year-plus prison sentence given to convicted Earth Liberation Front and Animal Liberation Front conspirator Kendall Tankersley, finding the sentence “reasonable” even though Tankersley was not convicted of domestic terrorism, as were several of her co-defendants. The 9th U.S. Circuit Court of Appeals also dismissed appeals from co-defendants Kevin Tubbs, serving a 12-year sentence, and Jonathan Paul, serving four years-plus. —Merritt Clifton



# Downed Animal Bill Clears California Legislature



We are extremely pleased to report that the Downed Animal Protection Act (AB 2098) by Assemblyman Krekorian has been overwhelmingly approved by the California legislature.

As graphically documented in undercover video taken at the Hallmark meat packing plant and elsewhere, critically ill and injured farm animals continue to be beaten, shocked with electric prods, and dragged into slaughterhouses throughout the nation. Rather than putting downed animals out of their misery, the meat industry routinely keeps these suffering animals alive in order to get them into a slaughterhouse where they are sold for human consumption.

## This Time: A Real Downed Animal Protection Act

As you know, HFA has steadfastly held that the sale of downed animals must be banned outright – rather than perpetuated by worthless regulations. And while others caved in to industry lobbyists, and then falsely claimed that they had stopped the marketing of downed animals, HFA's efforts have once again been validated by the test of time.



As noted in this political cartoon several years ago, California's corrupt downed animal law perpetuates the exploitation and abuse of disabled animals. AB 2098 will repeal those provisions – and will enact real protections for farm animals.

**“Under California’s  
existing  
downed animal law,  
our hands are tied.”**

*—San Bernardino Prosecutor  
Michael Ramos testifies as  
to why no charges were  
filed against Hallmark  
slaughterhouse for marketing  
downed animals.*

We are now poised to pass legislation that will – for the first time ever – outlaw the transport, sale, and slaughter of downed animals.

This legislation will allow prosecutors to file criminal charges against any slaughterhouse that butchers downed animals for human consumption.

In addition to banning the marketing of downed cows, HFA's legislation will also prohibit the marketing of other diseased and disabled farm animals, including pigs, sheep, and goats.

We urgently need your help right now to make sure this vitally important anti-cruelty measure is signed into law.

## ACTION REQUESTED: Please Contact California Governor Arnold Schwarzenegger

Time is of the essence. Now that we have successfully passed the California legislature, AB 2098 is on Governor Schwarzenegger's desk. With your support, we are optimistic that AB 2098 will be signed into law.

Arnold Schwarzenegger is in his final term as governor. And he is keenly interested in continuing his political career on a national stage. It is important that he recognize that people all across the nation are closely following this issue and urging his support.

Please immediately contact Governor Schwarzenegger to strongly urge him to sign AB 2098 into law. Your communication should be as direct as possible. Point out that the current law is outdated and that the new law is significant and necessary.

# SIGNED INTO LAW!

We are happy to report that HFA's legislation was signed into law by Governor Schwarzenegger. No further action is required. Thanks to everyone who helped make this possible!

# BLM talk of killing wild horses coincides with efforts to

RENO—The September 2008 meeting of the National Wild Horse and Burro Advisory Board may discuss killing unadopted wild horses, Bureau of Land Management deputy director Henri Bisson disclosed to Associated Press on June 30.

“There are an estimated 33,000 wild horses in 10 Western states,” assessed Associated Press writer Martin Griffith. “About half of those are in Nevada. The agency has set the target appropriate management level for wild horses at 27,000. About 30,000 horses are in holding facilities.

“Last year,” Griffith continued, “about \$22 million of the BLM horse program’s \$39 million budget was spent on holding horses in agency pens. Next year the costs are projected to grow to \$26 million within an overall budget that is being trimmed to \$37 million.”

A final decision about applying a “final solution” to impounded wild horses may have been delayed by critical words from House Natural Resources Committee chair Nick Rahall (D-West Virginia). “The BLM can, and should, do a better job with its entire wild horse and burro program,” Rahall cautioned, “and should wait for the General Accounting Office to come forth [with a review of the BLM equine program due in September 2008] before moving forward with a decision that will have a permanent effect on the lives of these creatures.”

“We won’t make a decision until we’ve discussed this issue fully with Chairman Rahall and humane groups,” responded BLM spokesperson Celia Boddington. “We want to take all our stakeholders’ concerns into consideration.”

Public opinion tends to favor wild horses just as much now as when the 1971 Wild Free-Roaming Horses and Burros Act ended roundups of wild horses for sale directly to slaughter and put the BLM into the horse capture and adoption business.

But foes of wild horses tend to have disproportionate

clout in the relatively sparsely populated western states where wild horses thrive.

Ranchers want fewer horses competing with cattle for grass and water on leased BLM land, though the numbers of wild horses at large right now is just a fraction of the estimated four million cattle who share the BLM leaseholds.

Would-be bighorn sheep hunters blame wild horses, in part, for the continuing scarcity of bighorns to shoot, despite decades of reintroduction effort.

Conservationists opposed to “non-native” species insist wild horses are “invasive,” though horses evolved in North America, thrived in North America for millions of years, and had been absent only since the most recent ice age, a blink in equine history, when brought back by Spanish conquistadores circa 500 years ago.

The 1971 Wild Free-Roaming Horses and Burros Act prevents killing wild horses on the range, but the BLM adoption program has rarely if ever adopted out more horses in a year than it collects in the name of herd management, even when many horses were covertly sold to slaughter.

The last three horse slaughterhouses in the U.S. closed in 2007, due to a combination of enforcement of 1949 Texas legislation against selling horsemeat for human consumption that shut down plants in Fort Worth and Kaufman, Texas; a new Illinois state law prohibiting horse slaughter for human consumption, that closed Cavel International in DeKalb, Illinois; and a Washington D.C. federal district court ruling that the inspection arrangements that had kept the slaughterhouses open violated the National Environmental Policy Act.

Cavel International, whose five-year-old horse slaughterhouse in DeKalb was the last one operating, in June 2008 ran out of legal appeals, after the U.S. Supreme Court declined to hear arguments against the Illinois law.

Horses may still be rendered for animal consumption, but the higher prices paid for horses who will be slaughtered for human consumption are now accessible only if the horses are trucked to slaughter in Mexico and Canada. Horse exports to Mexico more than quintupled in 2007, from circa 7,500 to more than 46,000, while exports to Canada increased 75%, but rising fuel costs have made exporting horses to slaughter less profitable in 2008.

Wild horse advocates quickly heard in BLM deputy director Bisson’s words an echo of the arguments made from other directions for reopening the horse slaughterhouses.

The common refrain from horse breeders, the horse racing industry, and other horse users is that there are too many horses; horses are too costly to keep in difficult economic times; trucking horses to Mexico and Canada is expensive and inhumane; and not allowing horses to be sold to slaughter leads to mass neglect and horse-dumping.

Mary Zeiss Stange, a professor at Skidmore College

in Saratoga Springs, New York, recited the whole litany in an August 14, 2008 guest column for *USA Today*—and pointed out that “There are, to begin with, too many horses in the U.S.: 9.2 million as recently as 2005, up from 5.3 million in 1999. Indiscriminate breeding leads not just to too many horses,” Stange wrote, “but also to too many with physical or behavioral faults that render them unsuitable for domestic uses.”

Selling horses to slaughter helps horse breeders and speculators to recoup their investment in breeding or buying horses for whom there is no other demand—and thereby helps to perpetuate speculative breeding and acquisition, in hopes of hitting the jackpot with the rare big-winning racehorse or show horse who obtains five-, six-, or even seven-figure breeding fees from other speculators.

The **ANIMAL PEOPLE** files indicate that cases of severe neglect of multiple horses have come to light about five times per month, on average, throughout the past several years. The only major change involving horse neglect over the 25 years that **ANIMAL PEOPLE** has collected data on mass neglect cases is that the percentage of cases involving low-end commercial speculators in horseflesh has declined, while the number involving self-styled rescuers has increased. Both types of case typically involve individuals who gather inexpensive or free cast-off horses, anticipating revenue from resale or from adoption fees and donations that does not materialize.

Both for-profit speculators and unrealistic “rescuers” tend to acquire and neglect more horses when economic slumps cause more people to dump horses to cut personal expenses.

The proposal to kill wild horses “goes hand in hand with this administrations’ quest to rid the public lands of wild horses,” charged International Society for the Protection of Mustangs and Burros president Karen Sussman in an e-mail to **ANIMAL PEOPLE**. “They have rounded up more than 30,000 animals and they are continuing to round up,” which makes more habitat available for those who remain at large to fill. “There is no overpopulation,” Sussman emphasized.

Counting horses who have already been sold, adopted out, or died in custody, the BLM has removed about 75,000 horses in all from the western range since 2001.

By the BLM’s own estimates, there are fewer wild horses at large now—actually, about half as many—than at any time since the 1971 Wild Free-Roaming Horses and Burros Act took effect. And some wild horse advocates argue that the BLM estimates are more than twice too high.

Meanwhile, the campaign to resume horse slaughter in the U.S. brought the paradox of horse slaughter advocates helping to publicize exposés of cruelty at the Mexican and Canadian slaughterhouses, even as Toronto human rights attorney Clayton Ruby and the Canadian Horse Defense Coalition cited some of the same material at a June 18, 2008 news conference called to seek a horse slaughter ban in Canada.



Wild horses at BLM facility in Nevada. (Kim Bartlett)

## San Francisco supervisors consider turning S.F. Zoo into wildlife rescue center

SAN FRANCISCO—The San Francisco Board of Supervisors are to decide in September 2008 whether to convert the zoo, one of the oldest in the U.S., into a wildlife rescue center.

“Supervisor Chris Daly proposed the measure six months after a tiger escaped on December 25, 2007 and fatally mauled Carlos Souza Jr., 17, of San Jose,” *San Francisco Chronicle* staff writer Marissa Lagos reported on August 8, 2008.

As drafted, “The measure would make animal welfare a priority at the zoo,” Lagos wrote, “and would require that any future acquisitions be rescued animals, including those who were abused or were confiscated by law enforcement after being illegally owned or imported. The zoo would be barred from acquiring new animals ‘unless the needs of all animals currently at the zoo have been met.’ Some breeding programs for endangered animals would be allowed to continue.”

Daly’s proposal would also increase the supervisory role of the Board of Supervisors, reducing the ability of the zoo director to shape the zoo’s mission.

Approximately 100 of the 700 animals now residing at the San Francisco Zoo came from situations that would meet the rescue center criteria.

Many zoos accredited by the

American Zoo Association do some animal rescue work, but only one of note, the former Discovery Island Zoo in Orlando, Florida, operated by Walt Disney Inc., has been converted entirely into a rescue center. Just 24 years old when converted to wildlife rehabilitation in 1998, Discovery Island was already considered hopelessly obsolete compared to the best newer zoos, and became redundant when Walt Disney Inc. opened the nearby Wild Animal Kingdom.

Operating rescue centers has, however, become a successful sideline at many zoos accredited by the Central Zoo Authority of India, and some prominent Egyptian animal advocates argue that becoming a rescue center would be the most viable direction for the 117-year-old Giza Zoo in Cairo, whose collection already consists largely of animals who have been confiscated from smugglers.

“There are high costs associated with the care of rescued animals,” objected interim zoo director Tanya Peterson, “and many donors restrict their funds. This would limit the funds we have for education and conservation.”

AZA-accredited zoos are expected to emphasize endangered species conservation, captive breeding to perpetuate zoo collections without resort to wild capture, and public education. The AZA does not accredit rescue cen-

ters, and suspended former San Francisco Zoo director Manuel Mollinedo from participating in AZA functions in 2004 for sending the zoo’s last two elephants to the Performing Animal Welfare Society refuge in Calaveras County, California, instead of to any of four AZA-accredited zoos that wanted them.

“In January 2005, the AZA conducted a three-day inspection of the zoo,” *San Francisco Chronicle* staff writer Patricia Yollin recounted in 2006. “Two months later, the AZA announced that the zoo’s status had been tabled for a year, giving it time to correct operational and maintenance shortcomings, from rust in the Primate Discovery Center to clutter throughout the zoo to lack of participation in the AZA’s species survival plans.”

The zoo was reaccredited in March 2006, but was rapped by the AZA after the Souza mauling because security staff disbelieved his two companions when they reported the escaped tiger, instead of immediately investigating; because the zoo was understaffed during the Christmas holiday; and because the one zoo staffer who was trained to shoot escaped animals did not have the keys to the location where the zoo shotgun was stored.

Credited with significantly improving the Los Angeles Zoo in seven years as executive director there, Mollinedo resigned after less than four years at the San Francisco

Zoo in February 2008, embarrassed by the discovery that the walls around the tiger’s enclosure were much lower than he had thought, and blamed for poor staff morale.

San Francisco Department of Animal Care & Control director Carl Friedman briefly filled in as zoo director.

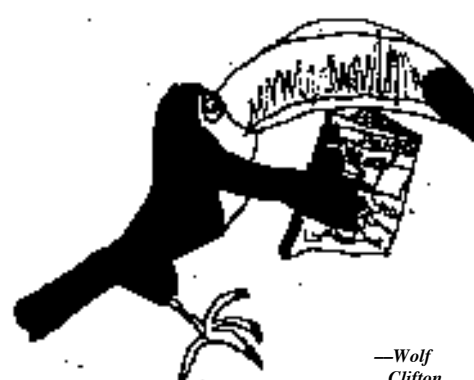
Officially 79 years old, the San Francisco Zoo expanded from much earlier beginnings as a menagerie in Golden Gate Park, featuring Monarch, the last California golden bear, who was captured in 1900. A highlight of Mollinedo’s tenure as director was opening a new grizzly exhibit.

An investigation by KCNS news of zoo records pertaining to the tiger who mauled Carlos Souza revealed in June 2008 that the tiger weighed 50 pounds less at the time of the attack than she had two years earlier, when she was transferred from the Denver Zoo after injuring a Denver Zoo staff member.

“Some experts outside the zoo say the tiger’s behavior, weight loss, and diet raise serious questions about whether she was getting enough to eat,” KCBS said. “And some say that may have been a factor in her attack on a zookeeper in 2006 and the fatal attack on Carlos Souza Jr. in December.

The San Francisco Zoo had fed the tiger 36 pounds of meat per week, six pounds less per day than her Denver Zoo rations.

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—Wolf Clifton

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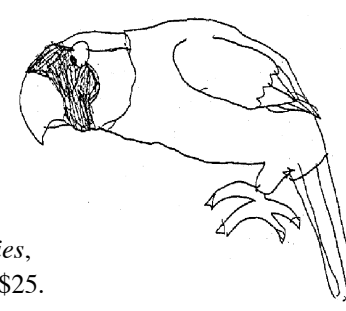
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ABOVE: A large, gentle "yellow dog" typical of the Korean dog meat markets suffers in a cage. An increasing number of pet breeds (below) are making their way to the markets as well.



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## IN MEMORY

I am writing to inform you that my companion, inspiration, and family member for 17 years, Dooboo, passed away on February 25, 2008. Before Dooboo, I was not a "cat person," but he changed all that. He was the first cat I ever adopted, not to mention the first I ever rescued; his presence in my life galvanized me to work even harder at my animal protection work. I rescued him in 1991 from a corner store in Seoul, where he was tied up in the sun, dehydrated, and neglected. He was fed only scrap foods like rice and miso soup with tofu. I discovered how much he liked tofu (hence the name: Dooboo is Korean for "tofu") when I cooked it around him for the first time. After tasting real cat food Dooboo never looked back, and I tried renaming him "Youngster," or, "Smart Boy." However, the name seemed to have stuck. Dooboo would answer to no other name.

My connection with Dooboo was unlike any other I have had with any other cat. It was strong and immediate, and lasted for 17 years. As any pet owner knows, such a connection is difficult to part with. Perhaps there is no need to. Dooboo's memory will stay with me forever.

Kyenah Kum, founder, IAKA



## OBITUARIES

**Dave Maehr**, 52, a University of Kentucky professor known for his work on Florida panther conservation issues, was killed on June 20, 2008 along with citrus grower and pilot Mason Smoak, 33, when Smoak's light plane crashed after takeoff at the Placid Lakes Airport in Highlands County, Florida. Maehr and Smoak, a prominent member of the Florida Farm Bureau Federation, were doing an aerial survey of the Highlands County black bear population. Maehr began studying panthers in 1985. "As the principal researcher of a fiercely protected species, his work came under fire," summarized *St. Petersburg Times* staff writer Stephanie Garry. "A key issue," Garry continued, "was how far and where panthers would roam. Maehr used daytime tracking research to show they wouldn't travel more than 300 feet between forests, though some said the nocturnal range would be different." Maehr's findings were repeatedly used to permit development that Florida panther advocates contended would encroach upon the panthers' dwindling habitat. "For years Maehr's research went unquestioned, even though he represented development interests at the same time he billed himself as an unbiased scientist," wrote Chad Gillis of the *Naples Daily News* in December 2003. That changed in May 2004 when 17-year U.S. Fish & Wildlife Service biologist Andrew Eller accused his own agency of knowingly using bad data on panther habitat, reproduction, and survival to approve eight construction projects, including a mining operation by Florida Rock Industries Inc. that was opposed by the National Wildlife Federation, the Florida Wildlife Federation, and the Florida Panther Society. Eller was fired two months later, but the Florida Rock Industries project was stopped by U.S. District Judge James Robertson in August 2004, and Eller, supported in a whistleblower lawsuit by Public Employees for Environmental Responsibility, was rehired in June 2005.

**Lise Giraud**, 84, died on August 13, 2008. Born in Austria, she came to the U.S. as a refugee from the Nazis. She married Stanford University professor of French literature Raymond Giraud, who died in June 2006. Raymond Giraud in 1983 became lead plaintiff in a lawsuit filed by the Animal Legal Defense Fund and the Peninsula Humane Society on behalf of a dog named Snowball, who had been severely neglected after being used for surgical practice by Stanford students at a Veteran's Administration hospital in Palo Alto. Dismissed when the court ruled that Giraud and the others lacked "standing" to intervene, the case helped to alert framers of intended animal protection legislation to the importance of including clauses enabling animal advocates to bring cases on behalf of animals. Raymond Giraud later served on the Palo Alto Humane Society board of directors, and was co-director of education for In Defense of Animals from 1990 until his death. The Marin County Humane Society honored Lise and Raymond Giraud together in 1999 as Humanitarians of the Year. They were charter subscribers to **ANIMAL PEOPLE**.

**There is no better way to remember animals or animal people than with an ANIMAL PEOPLE memorial. Send donations (any amount), with address for acknowledgement, if desired, to**  
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**Mithun Chakravarti**, 30, known for rescuing and releasing snakes captured by villagers, was fatally bitten by a wild cobra on July 12, 2008 at his workplace, D1 B.P. Williamson Magor Bio-fuel Ltd., of Margherita, Tinsukia district, Dibrugarh, India. A fellow employee told the *Daily Telegraph* of India that "Chakravarti was bitten by a snake twice on his left hand when he went to the toilet during a power cut. He held the snake with his bare hands and brought it outside, by which time power was restored. There he identified the snake and saw the bite. Fearing that the snake could attack others, he asked his friend Dipak Baruah to get a gunny bag to keep the snake to be released later. He complained of dizziness and asked his friend to tie a knot on his injured hand and write down the name of the anti-venom injection" that he needed, but the first two hospitals that Chakravarti was taken to were out of anti-venom serum stocks, and four hours elapsed before the necessary antivenin was found. Nine injections then failed to save him.

**Hans-Peter Haering** died on July 28, 2008. Haering in 1956 became the secretary of the Basler Tierschutzvereins, in Switzerland, recalled the Eurogroup for Animal Welfare website, "and in 1960 he became director of the Schweitzer Tierschutz STS." Also in 1960 Haering joined one of the organizations that were merged in 1981 to form the World Society for the Protection of Animals, and served a term as WSPA board president, starting in 1996. Haering came into conflict with Swiss antivivisectionist author Hans Reusch, who died in August 2007, after CIVIS, the organization Reusch founded in 1974, took up the cause of Milly Schar-Manzoli, president of the Lugano-based antivivisection society ATA. Schar-Manzoli in 1981 tried to sue the Swiss national drug control agency for allegedly causing "multiple homicides" by approving drugs that proved harmful to humans, based on animal test results. A year later Schar-Manzoli in a book called *J'Accuse* blamed the Basel-based Swiss SPCA of helping to thwart her case, complicity in the use of impounded dogs and cats for biomedical research, and favoring the drug industry. Then-Swiss SPCA president Richard Steiner, who later was director general of WSPA, and Haering, then the Swiss SPCA general secretary, sued Schar-Manzoli for libel. With the case pending, Schar-Manzoli distributed a portfolio of letters from Steiner, Haering, and others, called *The Fifth Column*. The judge fined Schar-Manzoli and ordered that both publications be withdrawn from circulation. Schar-Manzoli was somewhat quieted, but Reusch continued to attack Steiner, Haering, and the Swiss SPCA for their positions for the last 25 years of his life.

**Jean Hagen-Pearce**, 68, of Tampa, Florida, was fatally struck by a car on June 7, 2008 while trying to rescue an injured owl. The owl died 10 days later at the Florida Veterinary Specialists clinic in Brandon. *[Removing injured animals from a road is always extremely dangerous, but is most safely done in an emergency situation, where the very presence of the animal may cause an accident, by using one's own car to block oncoming traffic, with 4-way flashers on.]*

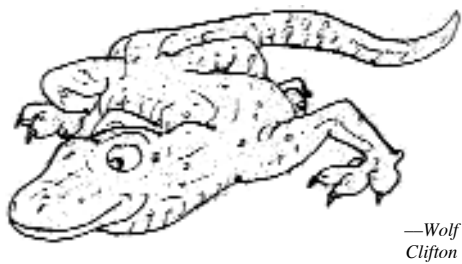
**Herman Flad**, 68, and 14 of his 15 horses were killed on August 5, 2008 when Flad's tractor-trailer rig collided head-on with a pickup truck near Rycroft, Alberta. Flad was among the best-known chuckwagon racers on the Canadian rodeo circuit, competing since 1972.

## ANIMAL OBITS

**Tony**, 17, a chimpanzee who escaped from the Keeling Center for Comparative Medicine and Research on March 21, 2008, was fatally shot by University of Texas police officer Paul Maslyk, 43, after Maslyk disregarded warnings from the capture team to stay in his car, according to police reports and witness statements obtained in July 2008 by Joshunda Sanders of the Austin *American-Statesman*. Wrote Sanders, "Maslyk told police investigators that after he watched Tony take the tranquilizer gun and break it, the chimp headed toward him... Fearing for his safety, Maslyk said he twice shouted, 'I'm gonna shoot,' in accordance with UT police policy, and then fired. Maslyk lost his footing, the police report says, and continued to shoot at the chimp as the chimp passed him."

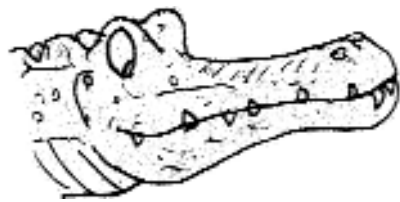
**Oyin**, 10, one of four gorillas known as the "Taiping Four," died on June 2, 2008 at the Limbe Wildlife Centre in Cameroon. Believed to have been captured in 2002 at cost of the lives of 20-40 adult gorillas, the "Taiping Four" were smuggled to Nigeria and sold to the Taiping zoo in Malaysia in 2003 as allegedly captive bred in Nigeria. Pressured by the International Primate Protection League, the Malaysian government sent the four gorillas to the National Zoo of South Africa in Pretoria in 2004. IPPL continued campaigning on their behalf. They were returned to Cameroon in 2007.

**Leila**, 10, an orangutan kept by the Hamburg Zoo in Germany, drowned on July 30, 2008 when she fell into a moat while trying to catch bread thrown by a visitor.



—Wolf Clifton

**Hercules**, 43, the Dallas Zoo silverback gorilla, died on August 12, 2008 "two days after undergoing treatment to relieve back pain," reported Marissa Alanis of the *Dallas Morning News*. "Zoo officials were trying to reposition Hercules, who still remained immobile despite the treatment, when he underwent cardiac arrest," Alanis wrote. Transferred to the Dallas Zoo from the Baltimore Zoo in October 1993, Hercules was star of a gorilla exhibit that was then considered the world's best—and was believed to be escape-proof, but Hercules climbed out, inflicting multiple bite wounds on keeper Jennifer McClurg, 25. Despite efforts to improve security, recalled Andre Coe of Associated Press, "In 2004, Dallas police shot and killed a 13-year-old gorilla named Jabari at the zoo," after Jabari "jumped over a wall, bit three people, and snatched up a toddler by his teeth during a 40-minute rampage. The enclosure was remodeled and the city paid a \$10,000 fine to the U.S. Department of Agriculture." Hercules' death came five days after the Dallas Zoo was directed by the Dallas City Council to produce a new plan for the future of Jenny, 32, the zoo's last elephant. The Dallas Zoo had intended to transfer Jenny to a five-acre exhibit at the newly opened Africam Safari Park near Puebla, Mexico, a drive-through photo safari venue. In Defense of Animals and other animal advocacy groups contend that Jenny should instead be retired to the Elephant Sanctuary at Hohenwald, Tennessee, which has offered to introduce her to a 300-acre enclosure that she would share with three other African elephants.



## MEMORIALS



In memory of Meeko, above, and Brendan, at right, who died two days apart of incurable malignancies. Brendan, the nicest of our nice cats, and Meeko, the prettiest, are deeply mourned.  
—**ANIMAL PEOPLE**

To Uncle Bob, in memory of precious Valentine. He was the sweetest spirit and a joy to love. Thank you for sharing him with us. Love,  
—Lindy, Marvin and Melinda

To Alex, in memory of his beautiful Nancy Whose love of life, family and animals Will continue to inspire us all. We will miss her always.  
—Lindy, Marvin and Melinda

In memory of Sidney, the cat.  
—Darilyn Arancio

To Lisa and Tory, in memory of Jake Who was allowed too short a time on earth But was blessed to have found the two of you.  
-- Lindy and Marvin Sobel



In memory of Brendan, whose beautiful face and sweet spirit will live on in our hearts. Though we never met you, we shall never forget you. And in memory of beautiful Meeko, who fought so hard to stay on this earth, but it just was not meant to be. We will all find comfort that you are finally back in the arms of your sister, Tina. Love,  
—Lindy, Marvin and Melinda

In memory of Boomer and Dante.  
—Karen LeRoy

In memory of Purr Box (12/3/87), Prometheus (3/21/81), Friendl (10/30/87), Lizzie (5/8/84), Boy Cat (12/26/85), Miss Penrose (11/18/98), Duke (11/1/98), Purr Box, Jr. (5/1/04), Mylady (8/1/06), Muffin (1/2/08), Blackie (9/9/96), and Honey Boy (11/1/05).

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Photo: Eason, Sam of Law & Order Set, with his best friends Baba, Dargis, George and Martha. Photo by Michael Coglianthy

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