

# Federal laying hen standards bill goes before Congress



Free-range chickens. (Kim Bartlett)

**WASHINGTON D.C.**—Awaited for seven months, a proposed federal law governing the care of laying hens was on January 23, 2012 introduced by Oregon Member of the House of Representatives Kurt Schrader. Assigned bill number HR 3798, the draft legislation results from a July 2011 pact between the Humane Society of the U.S. and United Egg Producers, the largest trade association representing U.S. egg farmers. Under the agreement, HSUS withdrew ballot initiative campaigns seeking laying hen standards in Washington and Oregon, in exchange for UEP collaboration in pursuit of a weaker federal standard which would govern the entire U.S. laying hen industry.

Structurally, HR 3798 would amend the Egg Products Inspection Act of 1970, last

amended in 1998. Added would be requirements for egg labeling to accurately describe the conditions under which the eggs were produced, for “adequate environmental enrichments” in laying hen cages, and for a gradual phase-in of new space requirements of 124 square inches for white laying hens, and 144 square inches for brown laying hens, who are somewhat larger.

To be fully implemented by 2029, the new space requirement would give each hen nearly twice as much room as now to move about, including the now precluded opportunity to stretch her wings.

“The term ‘adequate environmental enrichments’ means adequate perch space, dust bathing or scratching areas, and nest

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# Why an ancient armored mammal needs better defenses



Sheriff, a pangolin rescued by ACRES, of Singapore. (ACRES photo.)

**HONG KONG**—“We have uncovered disturbing information which strongly suggests that ‘medicinal use’ pangolin farms are already operating in China,” said Project Pangolin founders Rhishja Cota-Larson and Sarah Pappin on January 16, 2012.

“The emergence of pangolin farming,” Cota-Larson and Pappin suggested, “may help provide insight into why the world is losing pangolins at such an alarming rate—an estimated 40,000 killed in 2011—and why China’s appetite for pangolins continues to increase.”

As with bear bile and tiger farming, the growth of a captive population enables sellers to encourage customers to buy more pangolin products, even as the exploited species disappears from the wild.

The conservation aspect of the disappearance of pangolins has drawn the most attention so far, but the suffering of individual pangolins is considerable. Most pangolins taken from the wild are transported to markets and sold alive, if the poachers can keep them alive. This is also believed to be the fate of farmed pangolins. If pangolins die in transport or markets, their remains are frozen and sold.

What is a pangolin?

A survey of U.S. zoogoers done 20 or 30 years ago reputedly found that most misidentified the word “pangolin” as a musical instrument, but many imagined that poaching to get an animal part used to make the instrument might be pushing a rare species toward extinction.

Also called scaly anteaters, pangolins under 20 years ago remained common across much of Asia and Africa.

But the possibly apocryphal pangolin-is-an-instrument story, told to U.S. zoo docent classes to emphasize the need to improve zoological education, appears to have included two nuggets of truth.

Most Americans and Europeans do not know what a pangolin is, having never seen one. And pangolins are now seldom seen anywhere except in Chinese live markets. Only the most furtive, nocturnal, and highest-climbing pangolins survive in much of their former habitat—if any survive at all.

Resembling a long-tailed armadillo

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# ANIMAL PEOPLE

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## NIH announces end of funding for buying cats from Class B dealers

**WASHINGTON D.C.**—The National Institutes of Health on February 8, 2012 published notice that NIH grantees will be prohibited after October 1, 2012 “from using NIH funds to procure cats from USDA Class B dealers. The procurement of cats may only be from USDA Class A dealers or other approved legal sources,” the NIH said.

A similar notice pertaining to the acquisition of dogs is to take effect in 2015.

“USDA Class B dealers” are federally licensed dealers who sell animals whom they did not breed themselves. Called “random source” animals, these animals may be acquired from shelters, auctions, small non-federally licensed breeders, or “bunchers,” including for-profit animal control contractors.

“Class A dealers” are breeders. The Class A and B distinctions were created by the Laboratory Animal Welfare Act of 1966, which was in 1971 expanded into the present Animal Welfare Act.

Most Class A and B dealers today are in the pet industry. Only 10 Class B dealers were still selling cats and dogs to laboratories as of publication of the most recent USDA annual enforcement report. The ten dealers sold 230 cats and 946 dogs to labs—a shadow of the traffic circa 30 years ago.

More than 300 Class B dealers supplied 74,259 cats to labs in 1974; dog sales peaked at 211,104 in 1979.

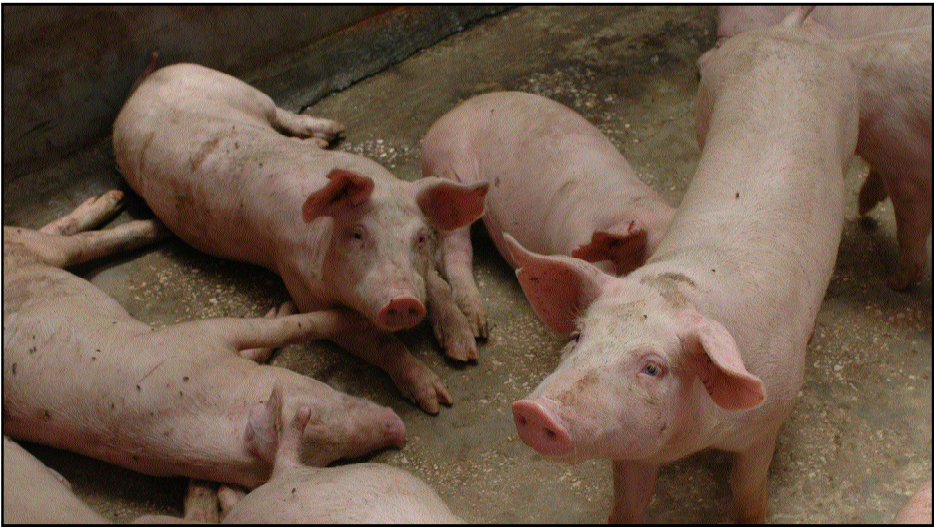
The phase-out of NIH funding for laboratory use of random source animals will end more than 70 years of conflict with the humane community, begun with the creation of the NIH itself by the Public Health Service Act of 1944.

Granting \$2.8 million to researchers in 1945, the NIH by 1965 was granting nearly \$1 billion a year—a 30,000% increase—and now grants more than \$31 billion per year.

While the NIH funded experimentation on animals, the allied but officially unaffiliated National Society for Medical Research pushed for state laws that obliged pounds to surrender unclaimed cats and dogs to laboratories. The American Humane Association and American SPCA initially opposed the “pound seizure” laws, arguing that they would dissuade people from bringing animals to shelters, but reversed positions as the numbers of homeless animals killed in U.S. shelters soared from circa two million a year in the 1930s to upward of 13 million by 1950.

Disillusioned, former ASPCA volunteer Christine Stevens in 1952 formed the

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Pigs. (Kim Bartlett)

## U.S. Supreme Court overturns California law requiring downers to be euthanized

**WASHINGTON D.C.**— The U.S. Supreme Court on January 23, 2012 unanimously overturned a 2008 California law requiring slaughterhouses to immediately euthanize non-ambulatory livestock.

Focused on the issue of federal primacy over state legislation, the legal reasoning behind the 9-0 verdict signaled that the Supreme Court is likely to favor uniform national standards for livestock handling in any situation where state and federal law are perceived to be in conflict. This could mean any situation in which states have adopted supplementary humane standards meant to address gaps in federal laws which were last updated by Congress several decades ago.

The Supreme Court verdict specifically addressed the handling of non-ambulatory pigs. The California law, signed by then-California Governor Arnold Schwarzenegger in July 2008, also prohibits slaughtering downed cattle, sheep, and goats for human consumption, but U.S. President Barack Obama in March 2009 issued an executive order that established a similar rule pertaining to cattle at the federal level. Thus the California provisions about handling non-ambulatory cattle were not in dispute.

The Supreme Court verdict focused on pigs, but the legal reasoning applied to the handling of pigs would also apply to sheep,

goats, and other livestock upon arrival at slaughterhouses.

At issue, Kagan wrote, was whether the Federal Meat Inspection Act, which “regulates the inspection, handling, and slaughter of livestock for human consumption...expressly preempts a California law dictating what slaughterhouses must do with non-ambulatory pigs. We hold,” Kagan summarized, “that the FMIA forecloses the challenged applications of the state statute.”

Explained Kagan, “The FMIA regulates a broad range of activities at slaughterhouses to ensure both the safety of meat and the humane handling of animals. Enacted in 1906, after Upton Sinclair’s muckraking novel *The Jungle* sparked an uproar over conditions in the meatpacking industry,” Kagan recounted, the FMIA initiated federal meat inspection. Since 1978 the FMIA has also required slaughterhouses to “comply with the standards for humane handling and slaughter of animals set out in the Humane Methods of Slaughter Act of 1958,” which originally governed only slaughterhouses that sell meat to the U.S. government.

The inspection procedure begins with inspecting animals before they are killed. “If the inspector finds no evidence of disease or injury,” Kagan wrote, “he approves the ani-

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# It's Time to Ban Barren Battery Cages Nationwide

Ask Congress to Support H.R. 3798, the Egg Products Inspection Act Amendments of 2012

**The momentum has been building** across the United States. Undercover investigations have exposed the cruelty of barren battery cages, where egg-laying hens are stacked in small, wire cages, and each bird has about a third the space of this newspaper ad and can barely move an inch for her entire life.

Restaurant chains, grocery stores, hospitals, and university campuses have stopped purchasing battery cage eggs. California voters overwhelmingly passed Proposition 2 to ban extreme confinement of hens, and several states have passed laws on the issue.

Now animal advocates have a unique opportunity to improve the treatment of hundreds of millions of hens—not just in a handful of states, but throughout the entire egg industry in the United States.

**Urge your members of Congress to SUPPORT H.R. 3798.** This important farm animal protection legislation would:

- Replace every conventional battery cage in America with new, enriched colony housing systems that provide all egg-laying hens nearly double the amount of current space, or producers can go entirely cage-free;
- Require that all egg-laying hens be provided with environmental enrichments, such as perches, nesting boxes, and scratching areas, that will allow hens to express more natural behaviors;
- Mandate labeling on all egg cartons nationwide to inform consumers of the method used to produce the eggs—"eggs from caged hens," "eggs from hens in enriched cages," "eggs from cage-free hens," and "eggs from free-range hens";
- Prohibit feed- or water-withdrawal forced molting to extend the laying cycle;
- Require standards for euthanasia of egg-laying hens;

- Prohibit excessive ammonia levels in henhouses; and
- Prohibit the transport and sale of eggs and egg products nationwide that don't meet these requirements.

Here are just a few reasons to support H.R. 3798:

- There is no pathway to ban battery cages in the major egg-producing states like Iowa, Minnesota, Indiana, and Pennsylvania. Legislators aligned with agribusiness in some of those states are trying to ban undercover investigations rather than address extreme confinement practices. The federal bill will help all 280 million hens in the U.S., regardless of the political landscape in each state.
- It's stronger than the European Union law, which was rightly hailed as a major victory for animal welfare. In addition to providing more space than the EU law, it will also ban other abusive practices such as forced molting through starvation and high ammonia levels.
- A national labeling program will drive the market toward higher welfare practices. When consumers have information about where eggs come from right on the carton, they will be more likely to choose cage-free and free-range options, encouraging producers to transition to meet that demand.
- The new housing requirements are phased in every few years, while some of the important elements of the legislation—like on-carton labeling—take effect just one year after enactment.
- The legislation amends a 40-year-old statute dealing with interstate commerce in egg products, and will not override general state anti-cruelty statutes dealing with animal abuse or interfere with other animal issues.

**All the groups that have been leading the legislative fight to ban battery cages—such as those listed below—actively support H.R. 3798,** because it's the best opportunity to help the largest number of farm animals. The National Cattlemen's Beef Association, National Pork Producers Council, American Farm Bureau Federation, and their allies in Congress are lobbying to kill this bill, and animal advocates must not let them succeed!

**Please call your U.S. Representative and two U.S. Senators today at (202) 224-3121, and urge them to SUPPORT H.R. 3798, the Egg Products Inspection Act Amendments of 2012. Visit [humanesociety.org](http://humanesociety.org) for more information on how you can help.**

The beef and pork industries are desperately trying to kill this bill.

Let's ensure they don't win!





Editorial feature

Evolving an ethical response to mice & rats

Probably the most ethically vexatious of all mammals, if not all sentient beings, are mice and rats—who are also by far the most numerous, problematic, and at times the most deadly of all non-insect pests to human beings.

From the origins of food storage, well before the beginnings of agriculture, mice and rats were the most ubiquitous and successful of food thieves. We owe our long association with dogs in great part to the role of dogs as rodent hunters, attracted not only to our refuse but to the chance to eat the mice and rats who were already feasting on it.

When our ancestors learned to store grain vertically, to avoid spoilage, and dogs could not climb well enough to hunt the mice and rats who soon infested the stacks, cats were welcomed into human society.

The great feline Sphinx guarding the Giza pyramids in Egypt is believed to be a half-lion creature, but one might instead imagine that the feline portion of the Sphinx represents *Felis silvestris lybica*, the small desert cat tamed and beloved by the Egyptians. Without this little desert cat to provide rodent control services that allowed the storage of grain in silos, the mighty pharaonic civilizations would never have risen and flourished.

Without dogs and cats helping to control mice and rats, humans might never have been able to produce and store food in sufficient abundance to permit the existence of civilization. Yet even with the aid of dogs, cats, traps, poisons, and firearms, humans still struggle to keep mice and rats from destroying about 15% of global grain production in a typical year, and 25% in bad years. Regional losses of 50% are not unheard of.

Further, while humans kill mice and rats by the multi-billion, diseases spread by mice and rats have killed humans by the multi-million, and continue to kill tens of thousands of people per year. The Black Death plague variant carried by black rats and other rodents killed a third of the human population of Europe and China circa 1350, after cats were wrongly blamed for the first outbreaks and purged far and wide. Mice and rats remain the primary vectors for the fleas who in turn carry the *yersina pestis* bacterium that causes plague. Mice and rats also transmit hantaviruses, host the spirochetes that cause leptospirosis, and are the chief carriers of the ticks who transmit Lyme disease, ehrlichiosis, babesiosis, Rocky Mountain spotted fever, and a host of other disabling, sometimes fatal rickettsial illnesses.

Innocuous as individual mice and rats appear to be, and as easily befriended as they often are, they remain collectively an authentic menace. But the same could be said of fellow human beings. The test of ethical behavior has always been whether those who aspire to it are able to extend it to those who are problematic, even threatening.

The challenge presented by mice and rats to the human capacity for doing toward others as we would be done by has recently been elevated by the discovery that laboratory rats themselves demonstrate sympathetic behavior. “In repeated tests, rats freed another trapped rat in their cage, even when yummy chocolate served as a tempting distraction,” summarized Associated Press science writer Seth Borenstein on December 8, 2011. “Twenty-three of the 30 rats opened the trap by pushing in a door. The rats could have gobbled the chocolate before freeing their partners, but often didn’t, choosing to help and share the goodies.”

Explained study author Peggy Mason of the University of Chicago, “Basically they told us that freeing another rat is as important as eating chocolate.”

There is anecdotal evidence that rats at times display cross-species altruism and even exercise heroism on behalf of humans. For example, on April 12, 1998, in Torquay, Devon, United Kingdom, an eight-month-old rat named Fido broke out of his cage and instead of running outside to escape a fire, climbed to the second floor of a house to alert a woman named Lisa Gumbley and her daughters Megan, 9, and Shannon, 3, in time for all of them to escape. This came about nine months after a hamster named Snowball alerted Meghan Holman, 7, to a housefire in Hamden, Connecticut. Though a hamster is not a rat, a hamster is of the vole family, most members of whom are casually described as “rats” or “mice.”

The distinction between rats and hamsters raises the further point that the estimated 1,100-odd species commonly called “rats” and “mice” constitute about a fifth of all known mammal species, only marginally outnumbered in diversity by the estimated 1,240 bat species. All of them, both rodents and bats, are much more closely and directly related to humanity through common ancestors than are dogs, cats, horses, elephants, whales, dol-

phins, and every other order except nonhuman primates for whom arguments have been advanced for special moral consideration based on genetic similarity.

If, as proponents of the Great Ape Protection Act argue, genetic similarity to humans should determine which animals are protected from exploitation, rats and mice should be protected ahead of almost all animals other than non-human primates.

Yet, paradoxically, rats and mice have always been excluded from *any* protection under the U.S. federal Animal Welfare Act—by regulation exempting rats, mice, and birds from the definition of “animal” from 1971 to 2002, and by amendment of the law since then, to thwart a U.S. Department of Agriculture agreement with the American Anti-Vivisection Society that the definition of “animal” would be expanded to include all mammals and birds.

The human aversion to rats and mice is often extended to other rodents, including prairie dogs, gophers, squirrels, beavers, muskrats, and nutria, who are similarly killed *en masse* in various parts of the world where they are considered to be “invasive.”

But even people who would not countenance any mistreatment of squirrels, chipmunks, prairie dogs, or beavers will often kill rats and mice by horrendously cruel means, or look the other way while others do the killing, using glue-traps, bone-crushing spring traps, and an array of poisons which may not be legally deployed against other species.

A case often remembered as demarcating the limits of successful prosecution for cruelty was the 1994 effort of the Associated Humane Societies of New Jersey to prosecute Frank Balun, 69, for awkwardly bludgeoning a rat he had trapped alive in his garden. Balun was acquitted and then-Associated Humane Societies president Lee Bernstein was ridiculed by mass media commentators for weeks.

There have in fact been many successful prosecutions of people for cruelty to mice, rats, and other small rodents since then, including in New Jersey, but typically in three specific contexts: acts in which pet rodents were harmed to terrorize human victims, rampage mayhem by people who break into homes or schools, and mass neglect of animals kept as pets or for business purposes. Cruelly killing or injuring mice or rats who are neither recognized as human property nor members of endangered species has apparently not been successfully prosecuted—nor even been attempted since the Balun case. The March 2011 attempt of the ASPCA to prosecute the alleged revenge killing of a pet hamster during a family dispute in Brooklyn brought media response reminiscent of the Balun case. The Brooklyn district attorney dropped the charges due to alleged inconsistent statements from the witnesses.

Contraceptives & rodent-proofing

As noted above, mice and rats often do serious harm to humans, and humans have good reason to protect themselves against rodent invasions. Because mice and rats are small, furtive, and explosively prolific whenever they find a protein-rich food source (which triggers estrus in many species), they are also among the most difficult of animals to defend against.

It is no more difficult to get mice and rats to consume contraceptive baits than it is to poison the mice or rats. Every birth control drug used by humans or to contracept other animals has been extensively tested on mice and rats. The dose levels needed to achieve contraceptive effects are thoroughly documented. But, outside of closely controlled laboratory settings, trying to reach the 70% of a mouse or rat population who must be reached to achieve a lasting population reduction is usually just about impossible. Only one pregnant immigrant mouse or rat can rebuild the population to the carrying capacity of the habitat within a matter of weeks. The rapidity of mouse and rat reproduction, moreover, allows nature to select for characteristics such as expedited, delayed, or erratic estrus cycles, that bypass the methodology of many contraceptives.

In much of the world, including the U.S., there is also warranted concern about the possible effects of food chain build-ups of contraceptive chemicals, potentially affecting livestock, endangered species and human health. Rodent contraceptives have been experimentally deployed in the U.S., but remain far from acceptance for general use.

China—which may lose the most grain to mice and rats of any nation—has much more aggressively experimented with widespread distribution of contraceptives for mice, rats, and other small rodents. In 2008-2009, for example, forestry officials in Chanji, Xinjiang province, spread 440 pounds of contraceptive baits over a 121,000-acre test site. Over a year’s time the \$11,400 effort effected an 8% reduction in the wild gerbil population.

Contraceptive developers might eventually discover solutions to the many difficulties that inhibit contracepting mice, rats, and their kin. In the interim, the kindest approach to thwarting mouse and rat invasions is to thwart the invasion itself, rather than allowing an infestation to become a crisis requiring drastic measures to control.

This requires better understanding mice, rats, and their many close relatives.

As familiar as mice and rats are to most humans, and have been for millennia, few people who find themselves trying to cope with an abundance of mice and/or rats have any clear idea what they are dealing with. Samuel Johnson in his 1755 *Dictionary of the English Language* defined “Mouse” as “The smallest of all beasts: a little animal haunting houses and corn fields, destroyed by cats.” Johnson defined “Rat” as “An animal of the mouse kind that infests houses and ships.” For most people, in most places and times, Johnson’s definitions are sufficient—even to ethicists, biologists, and ecologists. But there is much more to understand, if humans are to evolve a less violent coexistence with these creatures, who share virtually every human dwelling, place of business, and site of food production or preparation.

First, the species usually called “mice” are actually of multiple common genus, including house mice, whitefooted and deer mice, dormice, and several different and only distantly related species called harvest mice. Voles are even more numerous.

The species usually called “rats” include the many varieties of North American wood rats, some of them endangered; African and Asian cane rats, also including some endangered species; and only three widely distributed species who have historically been problematic to humans. These are the Norway rat, now the most common rat worldwide; the somewhat smaller black rat, originally native to Asia, now occurring almost everywhere that Norway rats have not invaded; and the Nile cane rat, *Arvicanthus*, the rat most threatening to the first human civilizations. Among these, the Norway rat is a voracious nest predator of mice, voles, and smaller rats. The black rat has similar habits. *Arvicanthus* by contrast has little role in controlling other rodents, other than by eating them out of house and home.

House mice, of European origin, are of the genus *mus*, and are the mice of most concern to most people. A mere 30 species of house mice have conquered the world. The *mus* species who have evolved to live indoors among humans now live almost entirely in human-created habitat, and tend to be ill-fitted for survival out in the elements, where they may become prey of a much more diverse array of predators than dwell among humans.

Whitefooted mice and deer mice, of whom there are 66 species, are of the genus *peromyscus*. They inhabit most of North America, living primarily in the wild. They are seasonal invaders of human habitation, chiefly in wet weather, but rarely linger indoors. They are, however, the major carriers of hantaviruses and the ticks who spread Lyme disease.

The 155 species of so-called “field mice” are actually voles. Distributed globally, voles can be major crop raiders, but seldom enter human dwellings.

Much smaller than most voles, dormice and harvest mice are of similar habits, disinclined to enter human homes but quite likely to devour grain in fields. They typically hibernate for up to half of each year. Dormice occur mostly in Europe and Asia; harvest mice in Asia and North America.

Almost all houses, anywhere, have *mus* as a constant but seldom seen presence,

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# Evolving an ethical response to mice & rats

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especially older houses. Inside walls, attics, and basements, mice in limited numbers can serve as a valuable check on insect larvae, while the occasional marauding rat can help to check the mouse population. There is a whole wildlife ecology inside walls, between floors, and in crawl spaces, of which most people have little conception or knowledge. It works the same way as any other, with an active food chain. Commonly perceived as the bottom of a food chain, because almost every predator larger than a mouse eats mice, *mus* is actually more in the middle.

Mice tend to become a visible presence—and a problem—only if people leave food accessible. An abundance of food then causes the mice to expand beyond their usual hidden habitats inside walls and insulation, into living areas. This typically occurs as result of a mouse population explosion, and is the equivalent of woodland species moving out into plains. It is not what they normally do, and only an ecological disruption or imbalance brings it about. Successfully responding to the situation requires restoring ecological balance. Fortunately this is as easy as identifying and removing the problematic food source, for example by storing all edibles in jars rather than plastic or paper bags, and keeping food on shelves that have been mouse-proofed by caulking every hole and crack.

People who hope to evict mice without cruelty often resort to trying to live-trap and relocate them—typically a much more difficult procedure than mouse-proofing, and usually pointless, because if a house mouse is released outdoors and is not immediately picked off by a predator, the house mouse will find a way back into a heated building of some sort. Often the mouse will colonize a new part of the nearest building. Other mice will meanwhile occupy the vacated habitat niche of the mouse who has been relocated.

Mice other than *mus* usually enter human homes only temporarily, during cold or wet weather, but leave again as soon as possible. These species can be live-trapped and taken outdoors successfully. Mouse-proofing, though, is easier and will expedite their voluntary exit by, first, securing food sources to prevent mice from gaining access; then, when there are no further signs of mice indoors, finding and blocking the entrances that may permit mice to return indoors later.

Norway and black rats are willing and able to invade any accessible habitat with a food supply. This includes any accumulation of edible refuse—which Norway rats, in particular, may discover by following *mus*. Norway rat invasions typically follows an abundance of mice; *mus* nest predation fuels rat reproduction. Suppressing the mouse population therefore suppresses the rat population as well. Eradicating mice, however, does not eradicate rats after they have taken over the mouse food source. All accessible food sources must be eliminated to cause rats to abscond.

## Allowing nature to work

Beyond mouse-proofing and rat-proofing, the most humane methods of mouse and rat control in human dwellings may be the oldest, spelled “dog” and “cat.” Though cats distressingly play with their food at times, both cats and dogs are usually far quicker to dispatch rodents than any sort of trap, and where they are present, rodents tend to stay out of sight.

There is no humane substitute for mouse-proofing and rat-proofing grocery stores, restaurants, hospitals, and other buildings attractive to rodents, where dogs and cats are not permitted. The most humane form of rodent control on farms and in fields tends to be allowing nature to work. Hawks, owls, eagles, foxes, jackals, coyotes, and snakes, among

many other natural predators, will work for food, or more precisely for the chance to hunt food, and are quite willing and able to patrol against rodent infestation year round and around the clock, if allowed to do so.

Natural predators are unfortunately often massacred to protect livestock and poultry, a false economy, since even predators as large as wolves are voracious mousers if mice are available.

Natural predators are also vulnerable to accumulations of pesticides and rodenticides in the food chain. Pesticides today tend to be

much more rapidly biodegradable and less likely to bioaccumulate than half a century ago, when food chain accumulations of DDT nearly drove many rodent-eating birds to extinction, but rodenticides are often still as deadly to rodent predators as to rodents themselves.

There is room, in particular, for improvement of seed coatings. The advent of pesticide-coated seeds several decades ago made crop farming much more productive, and permitted the replacement of broadcasting seed into deep-ploughed furrows with seed-drilling. Seed-drilling dramatically reduced soil erosion; but agronomists have been slow to recognize that a seed coating which tricks burrowing rodents into believing it is inedible can be more effective than a coating that kills them. This is because a dead rodent leaves a habitat niche for another rodent to fill, while teaching a rodent to avoid a foul-tasting coating leaves the habitat occupied by a rodent who will not molest the seeds.

It is not certain that mice and rats are the sentient animals whom humans kill in the greatest numbers. It is possible, but by no means certain that humans kill more fish and chickens per year than mice and rats. Fish and chickens, however, are almost entirely slaughtered for food; mice and rats are killed just for existing.

Though fish and chickens are exempted along with mice and rats from protection by the U.S. Animal Welfare Act, there is now global momentum in favor of improving the conditions in which chickens live and die, while there is still only the faintest glimmering of awareness of the sentence of fish.

In November 2011, however, the University Grants Commission of India moved to spare an estimated three million rodents, two million fish, a million birds, a million frogs, and as many as nine million insects, mollusks, and arthropods per year by asking Indian universities to phase out classroom dissection in both undergraduate and postgraduate studies. In January 2012, the European Union followed up a series of reductions in animal testing requirements by revising the Biocides Directive to reduce the use of animals—mostly rodents—by forty to seventy percent.

The conditions that make people respond with fear and loathing to the presence of mice and rats in homes do not apply to those who are purpose-bred and often bio-engineered for laboratory use. The often quite costly mice and rats kept in laboratories are not unwanted and are not disease vectors, except when deliberately infected to study diseases under close controls meant to prevent any infection of human handlers.

This suggests that the place to begin to redefine how human coexistence with mice and rats proceeds is in laboratories. It is time for mice, rats, birds, and other sentient animals to receive Animal Welfare Act coverage, and time for more scientists to study how to resolve human conflicts with other species, including mice and rats, by means other than incessant massacre.

## LETTERS

### The Animal Rights Agenda 25 years later

Concerning the January/February 2012 **ANIMAL PEOPLE** editorial “The ‘Animal Rights Agenda’ 25 years later,” I would have little to argue with in the statements quoted, except that I shy away from the term “animal rights,” as it has such negative connotations in the United Kingdom (at least), and have always had at the back of my mind the philosopher Bertrand Russell’s statement that “The logical extrapolation of animal rights is votes for oysters.” I prefer the cause of “animal welfare,” where humans accept that they have a responsibility to protect all the animals of the planet.

From an entirely *personal* point of view I would have to qualify some of the other detailed statements for my own satisfaction.

For example, I am relaxed about the use of non-wild animals in circuses if the training, living, and travel conditions meet legally agreed and enforced standards, whilst remaining entirely opposed to the use of wild animals under any circumstances.

I feel the same about horse racing and greyhound racing, assuming that tracks, surfaces, and frequency of performance are strictly controlled and veterinarians are always present, that doping is totally forbidden and a criminal offense, and that proper and caring provision is made for these animals in retirement.

Animal experimentation, in my view, must be governmentally licensed, each experiment having being approved as medically essential by a properly constituted expert panel including lay persons, and all animals involved subject to invasive surgery being rendered unconscious throughout and euthanised at the end of any procedure. I am opposed to any experimentation on members of the ape family.

Whilst respecting the views of vegetarians and vegans, my commitment to animal welfare standards being applied to food animals and strictly inspected/audited remains constant. I am proud of the achievements of the RSPCA’s Freedom Food scheme, of which I was chair for several years from its inception. I would hope that such schemes would multiply so that increasing welfare conditions in rearing, traveling and eventual slaughter of food animals can be enforced.

### Nico Dauphine case

Thank you for your coverage of the Nico Dauphine case, in which a now former National Zoo ornithologist was convicted of trying to poison cats. Outrageous!

As a native of Washington D.C., I know the city has a bad rat problem. Trying to kill cats is idiotic.

—Ida Miller

Sarasota, Florida



Long distance transport of animals to slaughter is generally unnecessary and should be universally banned.

I remain opposed to hunting with dogs, hare coursing, bullfighting, dogfighting, whaling, fur farming: everything which involves animal cruelty. Indeed that is my personal benchmark—if it is cruel to animals, I am against it. I take a pragmatic approach to fishing, the most common sport in the U.K., and would wish continuing dialogue with the various fish organizations to ban barbed hooks, limit fishing seasons, etc. Whilst sport fishing is regularly attacked, in my view the real cruelty in fishing is in deep sea trawl fishing. Here I would hope to see more research to minimize the suffering of the millions of fish involved.

I really think it is totally impracticable to seek a ban on dog breeding. If it was followed to its logical conclusion there would be, in a few decades, no companion animals left, and the world would be a sadder place.

I would seek to reduce the numbers of unwanted dogs by seeking a global dog registration scheme involving the legal necessity for universal microchipping and a nationally applied license fee heavily subsidized for those producing a certificate of completed neutering; this would have the collateral benefit of removing the scourge of rabies and of the annual horrific cull of unwanted dogs.

No doubt eventually something similar for cats could follow. Puppy farming should be abolished.

Those are some very quick reflections on your editorial. No doubt many readers will take different stances. If some debate is initiated as a result of this letter it could be beneficial or at least though provoking!

Meanwhile on a personal note, I am concentrating my personal animal welfare energies in chairing the Brooke Hospital for Animals and chairing the Marjan Centre for the Study of Conflict & Conservation, which is based at the War Studies Department of King’s College, London University. Amongst our other work, we have recently received a request to review and report on the effects of conflict on the historic, present and future trade in wild animals. I would be happy to hear from readers of any views they might have on this important subject.

Finally, I urge all readers to continue to support the Universal Declaration on Animal Welfare, which I helped to promote during my tenure as director general of the World Society for the Protection of Animals. WSPA is continuing to gather support for this much needed Declaration at the United Nations. Many nations have pledged their support; make sure that you have signed it and continue to support it.

—Peter Davies  
Coombe House, Ansty  
Salisbury SP3 5PX  
United Kingdom  
<pdavies@fastmail.fm>



## Brutus Needs Your Support



The Animal League recently rescued Brutus from a puppy mill where he suffered from a dangerous condition that went untreated.

We placed this tiny Yorkshire terrier in the life-saving Help Me Heal Program so that he can get the extensive care he needs to be well.

Brutus has a life-threatening congenital liver condition, called a portosystemic shunt (PSS) or a liver shunt. This condition causes toxins to build up in the body. Among many severe symptoms, a liver shunt can also cause seizures, which Brutus is experiencing.

Brutus needs surgery to help him survive. In addition to the surgery, he will need months of aftercare and may need lifelong medication to manage this condition.

The comprehensive level of care that Brutus requires would never have been provided in a puppy mill, and as a result, he would have been euthanized.

Your dedicated support of the Help Me Heal Program helps us provide the life-saving care that animals, like Brutus, need to heal.

**To ensure the continued care for Brutus and the many other animals in our Help Me Heal Program, please visit [AnimalLeague.org/help-me-heal](http://AnimalLeague.org/help-me-heal).**

*“North Shore Animal League America’s Help Me Heal Program Cares for Pets in Need!”*



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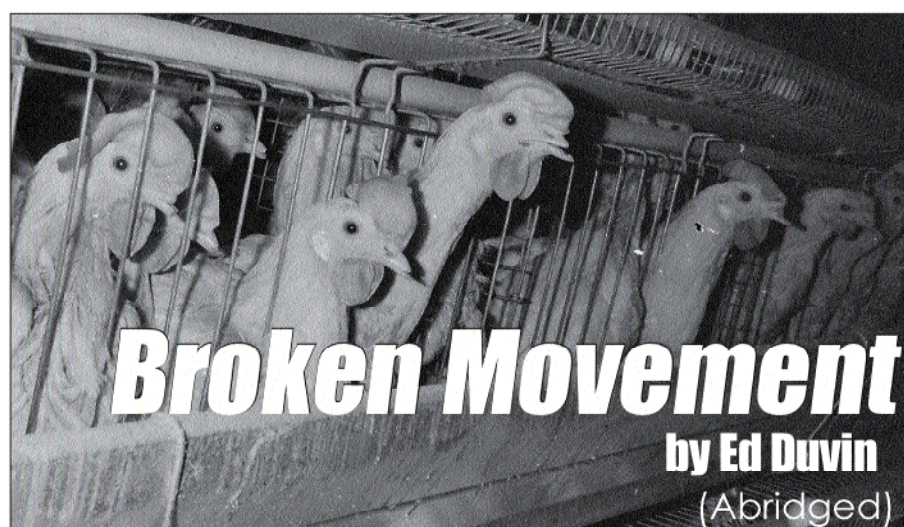


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# "H.R. 3798 is what egg farmers want. It is what egg farmers *need!*"

– Chad Gregory, UEP



## Industry Groups Supporting H.R. 3798

(partial listing)

- United Egg Producers
- Association of California Egg Farmers
- Colorado Egg Producers Association
- Florida Poultry Association
- Michigan Agri-Business Association
- Michigan Allied Poultry Industries
- North Carolina Egg Association
- Ohio Egg Processors Association

... and virtually every egg industry trade publication.

– Let's ensure **they** don't win!

I penned an essay in 2008 addressing the growing dominance of the Humane Society of the United States. As I wrote then, *"It is difficult to hear other voices when one organization owns the preponderance of microphones."*

All social change is incremental. The salient question is whether a given step sets the stage for the next advancement, or does it in fact impede future progress by institutionalizing cruelty? In its agreement with the United Egg Producers (UEP), it is axiomatic to any thoughtful person that HSUS woefully lost its way.

Without enumerating every detail, [UEP agreed to some cage and climatic "enrichments" – which are *already occurring* due to state laws and public pressure] along with egg-carton labeling. In return, HSUS agreed to stop undercover investigations, ballot measures, state legislation, litigation, [and nullify California's Proposition 2 and other state laws].

HSUS and UEP are now imploring Congress to codify this agreement into law, confining many millions of hens to cages in perpetuity. UEP has no further mandate or incentive to ever reach a cage-free end point. These hens will never know a day of freedom...not in 18 years, not ever. How in the name of sanity did we get here, literally settling for crumbs baked by the UEP at the expense of any hope for liberating hens from their heinous imprisonment.

Instead of walking away and relentlessly intensifying pressure on the egg industry, HSUS confused compromise with concessions. No agreement at all would have been infinitely preferable to forever condemning many millions of hens to confinement for life. And yet HSUS incredulously continues to defend the indefensible.

The 34 board members of the UEP consist of egg producers, representing the collective voice of the egg industry.

[Bracketed comments from the Stop the Rotten Egg Bill campaign.]

Conversely, HSUS, absent the authority to represent any other organization, unilaterally signed on to this agreement as though "father knows best."

Who ordained HSUS as spokesperson for a diverse movement composed of several thousand organizations? What unmitigated hubris, as though might makes right.

The central players in this tragic farce are not [simply] HSUS' leadership, but a broken movement that is largely paralyzed by passivity and myopia. Were it not so, organizations across the country would be looking in

the mirror, not simply seeing the aforementioned limitations of HSUS, but also galvanizing a massive effort to defeat ill-advised legislation that mortgages our core principles to expediency.

With a few notable exceptions, our movement's unconscionable silence speaks to our complicity.

We claim to be the voice of the voiceless, but who is speaking for the hens whose freedom and future are being negotiated away? No organization vested HSUS with the power to negotiate on its behalf. And if it is a runaway organization, it's a reflection of a damaged movement as much as it is HSUS' manifest lack of humility.

Over two decades ago, I "indicted" the shelter industry for accepting the mass killing of healthy cats and dogs as an acceptable means of "controlling" overpopulation. Compounding matters, a quiescent animal rights movement sat silently on the sidelines while barrels were filled with precious bodies. Once again, I feel that same shame. Not only due to HSUS placing its imprimatur on such an agreement, but the acquiescence of [some in] the movement to the blatant usurping of power.

Please send a message to Congress opposing H.R. 3798 today, before it does irreparable damage. If we fail to do so with efficacy and urgency, it will leave an indelible stain on the very fabric of this movement's conscience.

*Ed Duvin is Editor-at-Large with Cyrano's Journal Today and The Greenville Post (where his unabridged essay can be found). His writings on politics, philosophy, civil rights, and the treatment of animals have been an inspiration to many.*

**Please visit: [STOPTheRottenEggBill.org](http://STOPTheRottenEggBill.org)**

**Help stop this outrageous bill that would keep hens in cages *forever* – while taking away *our* voting rights.**



## Tigers should not be exhibited in cafes

Sahabat Alam Malaysia recently learned from a visiting tourist about a tiger who is exhibited at a café in Burau Bay, Langkawi. We found the tiger displayed in an enclosure with a natural setting of grass and bamboo plants. Another exhibit next to the tiger enclosure displayed a marmoset. There is intent to bring a mate for the tiger some time this year. Upkeep of the tiger is from donations and fees charged for photographs.

When asked the purpose of keeping a tiger in a café, the café management proclaimed that this facility benefits education and promotes the conservation of endangered species.

### Update on Irish hens

Further to the January/February 2012 cover article "13 nations miss the European Union deadline for phasing out battery cages," following the new directive banning battery cages in Ireland we have been able to save 15 hens from unnecessary slaughter.

These hens are doing well, apart from some of them having significant feather loss, and others are limping on sore feet. They are learning how to leave their new house in the mornings, but most still need to be carried into bed at night. They are beginning to run to us when they see us—it is incredible how quickly animals make friends with members of the species that has caused them so much deprivation and hurt.

Unfortunately, we cannot undo the damages caused to them by genetic modification by the egg production industry. Nor can we offer them the liberty of the jungle environment they descended from. However, we will ensure that they have a degree of liberty, lots of space, good food, green grass, an area for dustbathing, a comfortable, clean house with private nest boxes and perches, veterinary care when necessary, a lot of love, and every opportunity to find joy in their lives.

—Sandra Higgins  
Eden for Animals Sanctuary  
County Meath, Ireland

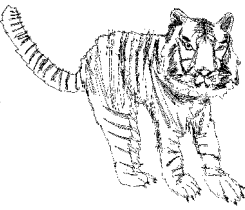
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Sahabat Alam Malaysia believes that even the best zoos deliver a misleading and damaging message by implying that captivity is beneficial to the cause of species conservation. This message directly contradicts the overwhelming body of evidence that species can be conserved only as part of their entire ecosystem. In addition, by virtue of their captive state, zoo animals do not behave as their wild counterparts. Thus seeing an animal in a café does not educate about the species' life in the wild.

By allowing a mini-zoo to operate in a café, the Ministry of Natural Resources and Environment and the Wildlife Department are setting a bad precedent. But our calls to the ministry and the department to cease issuing permits to new zoos and other such facilities have fallen on deaf ears.

—S.M. Mohd Idris, president  
Sahabat Alam Malaysia  
258 Air Itam Road  
10460 Penang  
Malaysia  
Phone: 04-6596930  
<sam\_inquiry@yahoo.com>  
<www.foe-malaysia.org>



## Ava Barcelona appreciates kind words about rats

This is to thank **ANIMAL PEOPLE** president Kim Bartlett for what she had to say about rats in your January/February memorials column.

I can count on one hand the animal activists I have met in the past 29 years who don't dislike rats, mice, pigeons, etc., even among those who rally against vivisection. Yet rats, mice, and birds are more than 95% of the animals used in laboratories. And yes, just as the **ANIMAL PEOPLE** July/August 2002 editorial stated, May 13, 2002 was a date which should live in infamy among American animal advocates, since on that day then-U.S. President George W. Bush signed into law the amendment to the Animal Welfare Act that permanently excluded rats, mice, and birds from the Act definition of "animals," with scant visible opposition from major national animal charities.

I have lived a long time and my failures are many, my successes few. I was able to convince my Siamese cat to leave my

parakeet alone (I never believed in cages.) One day a little field mouse wandered into the house. When I walked into the room, the mouse was sitting in front of the cat, shaking with fright. The cat just looked at me with her huge blue eyes, as if saying "No, I'm not going to touch your mouse." Those were small victories.

Unfortunately, I can't count the times I have heard "animal lovers" say "I hate roaches, mice, rats, snakes," etc. Thank the Creator that I only have animals for friends. And I thank you for your kind words about rats. I wish the "humane" people had not let them down on May 13, 2002.

—Ava Barcelona  
Action Volunteers for Animals  
1146 W. Argyle  
Chicago, IL 60640  
Phone: 773-728-7913



## Chimp Haven reviews costs and benefits of retiring former laboratory chimpanzees

I am writing in regard to your January/February 2012 article "NIH To Quit Funding New Chimp Studies-But Broke Past Pledges." Your readers are likely interested in what may become of the hundreds of chimpanzees currently in research labs.

Fortunately, there is already a mechanism to retire chimpanzees from federally supported research—the CHIMP Act, passed in 2000 and amended in 2007 to ensure permanent retirement. Chimp Haven, located near Shreveport, Louisiana, operates the National Chimpanzee Sanctuary System made possible by the CHIMP Act. We have retired 159 federally retired and 20 privately retired chimpanzees to date.

Primate research consultant Joe Erwin, quoted in your article, estimated the cost per chimpanzee currently living at Chimp

Haven by dividing the cost of building Chimp Haven in 2005 by the number of current occupants. This is like comparing the cost of building a 500-room hotel to the receipts from the guests for one night. Erwin did not take into account the total capacity, length of stay, or rotation of residents.

The more chimpanzees the government sends to Chimp Haven, the lower the cost of housing and care for each individual. If the government decides to complete the unfinished construction of six enclosures, we can take in at least 50 more chimpanzees. Of the 200 acres we own, only 80 are in use, so we could easily double our capacity. Expansion is cost effective because the basic infrastructure, including extensive support and medical facilities, is already established.

Thank you for correcting Erwin's

erroneous statement that sanctuaries are not subject to federal Animal Welfare Act standards. In fact, Chimp Haven follows more rigorous regulatory and oversight standards than those pertaining to laboratories. We abide by not only the Animal Welfare Act, but also Public Health Service policy and the Standards of Care for Chimpanzees Held in the Federally Supported Chimpanzee Sanctuary System, which apply to all chimpanzees no longer used in research.

Chimp Haven has also achieved accreditation by the Association for Assessment and Accreditation of Laboratory Animal Care International and Global Federation of Sanctuaries. Our chimpanzees enjoy expansive enclosures, large social groups, professional veterinary care, and individualized attention, all tailored to maintaining the chimpanzees' long-term health and well-being.

Anyone who thinks the labs provide the government a better business deal should think again. A comparison of costs recently proposed to the

government for a chimpanzee sanctuary vs. a chimpanzee laboratory illustrates the savings available in a sanctuary setting.

Total annual costs per year per chimpanzee (including complete care, housing and administrative/overhead expenses) were \$17,500 at Chimp Haven and \$23,500 at Texas Biomedical Institute. This equates to \$600,000 in savings per year for a colony of 100 chimpanzees at a sanctuary.

I am saddened to see individuals like Erwin make chimpanzee retirement an economic as opposed to ethical issue. But no matter how you look at it, from an animal welfare perspective or an economic perspective, retirement of research chimpanzees at professionally run sanctuaries like Chimp Haven is a win-win situation for the chimpanzees and public.

—Karen Allen  
National Advancement Director  
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Keithville, LA 71047  
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<kallen@chimplhaven.org>  
<www.chimplhaven.org>



## An update from the San Francisco SPCA

We are fans of **ANIMAL PEOPLE** and recently read your 2011 *Watchdog Report on Animal Charities*. We wanted to take a moment to applaud you. This is a great piece of research that provides valuable information to donors. Your ten-point statement of expectations of ethical charities is thoughtful and completely in alignment with our beliefs.

We thought this might be a good opportunity to update you about the San Francisco SPCA. We have been leading the organization for roughly 18 months. We continue to be a no-kill shelter and continue to work to push adoptions higher and euthanasia lower. But in some ways, when an animal enters a shelter, society has already failed it. We believe the best outcome for animals is to never enter a shelter, but to stay in loving homes.

San Francisco's rate of euthanasia per capita is often quoted, and understandably so. Decades of work have made San Francisco the safest major city in America for dogs and cats. But often overlooked is another important statistic: the number of dogs and cats surrendered to city shelters has been cut in half over the last 15 years. We hope to see the day when intake per capita is quoted side by side with euthanasia per capita. To us, both are critical indicators of how well we are caring for our animals.

Since we started as co-presidents, we have aggressively expanded our spay/neuter efforts. When we took over, the SF/SPCA was performing approximately 6,500 surgeries per year. This year we are on track to do 10,000. We operate on a sliding scale.

We invite readers to submit letters and original unpublished commentary—please, nothing already posted to a web site—via e-mail to <anmlpepl@whidbey.com> or via postal mail to: **ANIMAL PEOPLE**, P.O. Box 960, Clinton, WA 98236 USA.

Eighty percent of our surgeries are discounted or free. We are offering free spay/neuter for the entire month of February. We have made pit bull spay/neuter free year round.

We are investing in our neuter/return feral cat program. Last year we performed more than 1,300 feral cat surgeries without charge. We were shocked last spring to actually run out of kittens in our shelter. To our knowledge this has never happened before. We are eager to see if it happens again this year.

The Leanne B. Roberts Animal Care Center last year provided nearly \$2 million in charity care, and did it while breaking even. Revenue generated by full-paying customers paid for all charity provided to the public.

We have launched free vaccine clinics in economically disadvantaged neighborhoods. Many clients tell us these clinics are the first time their animal has seen a veterinarian. These clinics help us to identify sick animals who can receive care at our hospital, and educate people about spay/neuter, including offering free surgeries.

We have done all this while keeping a balanced budget and making sure our overhead is as efficient as possible. Over the past two fiscal years we have reduced the percentage of our budget spent on administration and overhead from 12% to 7%.

—Jennifer Scarlett, DVM & Jason Walthall  
Co-presidents  
San Francisco SPCA  
2500 16th Street  
San Francisco, CA 94103  
Phone: 415-554-3000  
<publicinfo@sfsPCA.org>  
<www.sfsPCA.org>



### Editor's note:

Total U.S. shelter admissions have fallen 31% over the past 15 years.

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## Agreement Raises Flags for Egg-Laying Hens: A Chicken Activist's Perspective on the "New Deal"

by Karen Davis, PhD, founder & president of United Poultry Concerns

The January/February 2012 edition of **ANIMAL PEOPLE** included a full-page ad headlined "It's Time to Ban Barren Battery Cages Nationwide," urging readers to ask Congress to support the Egg Products Inspection Act Amendments of 2012.

The ad told us that "All the groups that have been leading the fight to ban battery cages—such as those listed below—actively support this legislation, because it's the best opportunity to help the largest number of farm animals."

The first part of this statement is false, and the second part begs the question, since whether the proposed legislation is the best we can do for egg-laying hens is at the heart of the current debate over the shift in the animal protection movement from trumpet calls to "ban cages for egg-laying hens" to "ban barren cages for egg-laying hens."

To begin with, not all groups that have been leading the fight to ban battery cages actively support the proposed legislation. There is a mixture of sharp opposition and apprehensive ambivalence among us. Secondly, some groups listed at the bottom of the ad have not led the fight to ban battery cages at all. Some have done little or nothing of note.

As George Orwell famously observed in his writings about the politics of language, rewriting history is a commonplace strategy used by politicians and powerbrokers to get people to go along with shifting agendas. People can forget the facts of even the most recent past.

For the record, I must recall that United Poultry Concerns put chickens on the map of U.S. animal advocacy back when we were being told by some activist leaders, in the late eighties and early nineties, that "nobody would ever care about chickens." We took the challenge and proved otherwise.

In the first edition of my book *Prisoned Chickens, Poisoned Eggs: An Inside Look at the Modern Poultry Industry* (1996) I concluded: "The battle to liberate hens from battery cages has begun and it includes all of us. Wherever we are, we are morally obligated to end the oppression. Battery cages should be banned in the United States and throughout the world. Until they have been discontinued, our species stands condemned of a criminal relationship with the living world. Consumers should boycott battery eggs and discover the variety of egg-free alternatives."

### Events

**March 1-2: 1st FAO Global Multi-stakeholder Forum on Animal Welfare**, cohosted by Compassion In World Farming, Brussels. Info: <Farm-Animal-Welfare@fao.org>.

**March 18-21: Intl. Conf. on Horse Transport**, Vancouver, B.C. Info: <www.animaltransportationassociation.org>.

**March 20: Meatout.** Info: <831-601-9062>; <www.meatout.org/ation/index.htm>.

**March 20: Marjan Centre for the Study of Conflict & Conservation** open house, London, U.K. Info: <jasper.humphreys@kcl.ac.uk>.

**March 21-22: Jaina Studies Symposium: Biodiversity Conservation & Animal Rights**, London, U.K. Info: <www.soas.ac.uk/biodiversity/>.

**March 28-30: Summit for the Elephants**, Oakland. Info: Performing Animal Welfare Soc., 916-488-3991; <kgardner@pawsweb.org>.

(continued on page 9)

IF YOU ARE HOLDING AN EVENT, please let us know—we'll be happy to announce it, and to send free samples of **ANIMAL PEOPLE** for your guests.

## "Enriched" cages in Europe

At that time the distinction between barren battery cages and so-called enriched cages was emerging in Europe, as a result of initiatives by Chickens' Lib and Compassion In World Farming toward trying to ban battery cages. A 1992 report by the European Economic Commission's Scientific Veterinary Committee concluded that the existing battery cage system "does not provide an adequate environment or meet the behavioral needs of laying hens."

However, the Commission did not propose a ban on battery cages, just modifications. It proposed that beginning in 1995 each new cage should provide at least 800 square centimeters of wire floor space per hen, at least 60 centimeters of cage height over 65 percent of the cage area; claw-shortening devices consisting of strips of abrasive foot-scratching tape added to the manure deflectors behind the feed troughs, as earlier mandated in Sweden; perches; and fully openable cage fronts. All cages would have to comply with these standards by January 1, 2002.

Compassion in World Farming lamented in the spring 1993 issue of the CIWF magazine then called *Agscene* that if these standards became compulsory, egg-laying hens would continue to be condemned to life in a cage, with a little more wire to stand on, sit on, and be surrounded by.

This fear was prophetic. On June 17, 1999, the European Union announced Laying Hen Directive 1999/74/EC. The Directive banned the barren battery hen cage in Europe by 2012 by adopting the Swiss formulation of minimum conditions that could not be met by conventional cages. CIWF hailed the Directive for introducing "a new era of humanity for hens."

Until 2012, existing cage systems were required to be slightly improved by reducing the number of hens per cage, so that each hen had 86 square inches of living space, up from 70 square inches. In 2008, the European Commission reaffirmed its directive banning conventional cage systems in the EU, effective January 1, 2012.

"Major New Threat—The 'Enriched' Cage!" was the title of an alert published in the Winter 2002 issue of Compassion in World Farming's renamed magazine, *Farm Animal Voice*. Pleased that the 1999 Hens Directive meant that the cruel system of conventional cages was on its way out, the editors worried that the EU directive "does not also ban the so-called 'enriched' cages." They were "appalled at the prospect of 'enriched' cages being used," at the behest of the farm lobby, pointing out that while the "enriched" cage would give each hen a tad more space the size of a postcard, along with a tiny perch, nest box, and bit of litter for pecking and scratching, these features "are so minimalist that hens are unable to perform many of their basic behaviours in any way that is meaningful for them." Activists were urged to continue to seek a ban on all cages, including "enriched" cages.

In the Summer 2006 issue of CIWF's *Farm Animal Voice*, Clare Druce, founder of Chickens' Lib (later renamed Farm Animal Welfare Network), noted that among other defects of "enriched" cages, the teensy "dustbathing" scratch patch of a box of sand or wood shavings in each cage would likely increase the airborne debris in the caged environment, already densely polluted with toxic gases, floating feathers, skin dander, and pathogens. Increasing the load of airborne particles would exacerbate the respiratory infections and eye

(continued on page 8)

## New Shelter Medicine Webcasts

Maddie's Institute<sup>SM</sup> is presenting a series of free webcasts as part of an ongoing series of educational events focusing on saving the lives of homeless dogs and cats in our communities.

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- **The First 60 Minutes: Animal Sheltering's Critical Hour** with Brian A. DiGangi, DVM, DABVP, of the University of Florida College of Veterinary Medicine. Available on-demand.

- **Shelter Crowd Control: Keeping Community Cats Out of Shelters** with Dr. Julie Levy, Director of Maddie's® Shelter Medicine Program at the University of Florida and founder of Operation Catnip. Available on-demand.

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Maddie's Institute is a program of Maddie's Fund®, the nation's leading funder of shelter medicine education. Maddie's Institute brings cutting-edge shelter medicine information from universities and animal welfare leaders to shelter veterinarians, managers and staff, as well as to private practice veterinarians, rescue groups and community members to increase lifesaving of homeless dogs and cats community-wide.





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### Agreement Raises Flags for Egg-Laying Hens: A Chicken Activist's Perspective (from page 7)

irritation from which caged hens already suffer.

Druce further noted that while laying hens do need nest boxes, "enriched" cages would make meaningful inspections of the hens—already next to impossible—even harder. She asked, "Will the nesting box be carefully inspected, daily? Will checks be made to see if a hen in there is in fact laying an egg, resting, escaping, or merely dying from cage layer fatigue?"

Based on copious investigative evidence of what actually goes on in caged-hen operations, the answer is "No." Despite two decades of European campaigns to prevent "enriched" cages from being adopted as an "alternative" to the conventional, barren cage, the European Union law that went into effect on January 1, 2012 allows the use of "enriched" cages, just as the EU egg industry lobby wanted all along.

#### "Enriched" cages in the U.S.

In 2010, a coalition of U.S. farm animal sanctuaries published a position statement, which I wrote, titled "Farmed Animal Sanctuaries Oppose 'Enriched' Cages for Laying Hens." We explained that California's Proposition 2 (the Prevention of Farm Animal Cruelty Act, supported by 8.2 million voters in the November 2008 election) did not necessarily ban cages in California. The new law, effective in 2015, required only that California's egg-laying hens must have enough room to lie down, fully extend their legs and wings, and be able to turn around without bumping into other hens or enclosure walls.

However, most signature-gatherers for Proposition 2 believed that this ballot measure, if enacted, would ban battery cages in California—not just "barren" cages but all cages. That was how the Humane Society of the United States framed the initiative, which also implied that *each hen, acting simultaneously*, must be able to extend her limbs fully without touching other hens or walls, whereas what was actually meant was that just one hen at a time must be able to do these things.

In June 2010, claiming compliance with Proposition Two, egg producer J.S. West & Co. opened the first "enriched" cage system for laying hens in the U.S., in Livingston, California. A celebratory photograph of an "enriched" cage of hens being wheeled into their "colony barn" appeared on the front page of *Feedstuffs*, the weekly agribusiness publication, on June 28, 2010. Noting that more than 230 guests had attended the barn's opening a week earlier, *Feedstuffs* reported that while American Humane Certified approved the system, in which each hen would supposedly have 116 square inches of living space, HSUS opposed it.

HSUS reacted with "astonishment" at the effrontery of J.S. West & Co. HSUS in a September 15, 2009 press release said that "Proposition Two's proponents have always

been crystal clear that the measure requires cage-free hen housing," and that United Egg Producers and HSUS had "agreed very explicitly that these so-called 'furnished' or 'enriched' cages would be prohibited if the measure passed." J.S. West's 116 square inches of living space per hen prevented hens from being able to "fully extend their wings without touching other birds." Performance of basic "normal behavior" requires a minimum of 1.5 square feet per bird, or 216 square inches, HSUS explained, and went on to accuse UEP of reneging on its assertion the day after the election that cages for laying hens "will certainly be outlawed."

Step forward two years.

Compassion in World Farming, which had long cried foul at the prospect of "enriched" cages for laying hens as opposed to a ban on all cages, on July 7, 2011 issued a statement welcoming an agreement trumpeted that day by HSUS and United Egg Producers, whereby the former foes would now work together for federal legislation to ban *barren* cages for egg-laying hens in the United States—but not caging itself.

Just two years earlier, on June 18, 2009, HSUS had blasted "Double-Talk by Egg Industry" for its "head-snapping turn-around" plot to amend California Assembly bill AB 1437, which sought to apply Proposition Two standards to the sale of whole eggs from out-of-state as well as in-state sources, by adding language that would let California egg producers continue keeping hens in cages.

Seethed HSUS, "What's even stranger about this post-election maneuver is that it contradicts just about everything the egg industry leaders said during the campaign."

Writing to *Feedstuffs* on January 20, 2012, United Egg Producers president Gene Gregory defended the UEP alliance with HSUS. He said that seeking a national standard through federal legislation, such as HR 3798, introduced three days later by U.S. Representative Kurt Schrader of Oregon, was the "only way" to avoid a "bleak future of overlapping, inconsistent, unworkable state-based animal welfare standards that will result from ballot initiatives that our industry cannot win even if—as we did in California in 2008—we raise millions of dollars to try to educate the public."

#### Follow the money

Until 2011, the HSUS campaign for cage-free egg production had the U.S. egg industry scared. Fear of HSUS led UEP to "reach out to HSUS in March 2011," Gregory told *Feedstuffs*. Would HSUS president Wayne Pacelle be receptive to "a transition to enriched colony cages as an option to ending our conflict"?

The rest is "history." HSUS and UEP now both say that abandonment of cage-free ballot campaigns is the only solution. Both sides stress that their pact is a *financial solution*.

Under the new dispensation, battery cages, albeit "enriched" with new plastic furniture that will soon be filthy, will be enshrined. Once the U.S. egg industry invests \$4 billion-plus dollars into converting to "enriched" cages with their zillions of "welfare" devices, the system will be in place. Ditto in the European Union.

In September 2011, Gregory of UEP told *Egg Industry* magazine that cage-free egg production "is not economically sustainable" and "doesn't improve the welfare of the animals." Two years earlier, Pacelle of HSUS cited "the egg industry's own economic analysis" to argue that cage-free eggs would add "less than a penny per egg...a modest cost," while reiterating that "enriched" cages are inhumane.

Since then, HSUS has undergone an Orwellian transformation. In "How Two Bitter Adversaries Hatched A Plan To Change The Egg Industry," broadcast by National Public Radio on February 10, 2012, Pacelle said he now sympathizes with "the daily struggles that a lot of farmers go through, economically." Looking at photos of the former adversaries on Capitol Hill, I can't help visualizing the ending to Orwell's *Animal Farm*. The animals gaze stupefied at the Manor House. "They rushed back and looked through the window again." Their leaders were frolicking with the enemy, toasting business deals! They try to tell one from the other, but "already it was impossible to say which was which."

#### A new era for hens?

There is reason to worry about the future of America's hens, who are said in a joint statement by HSUS and UEP to "give us" their eggs. No, we *steal* their eggs and torture the birds in ways I can't describe for lack of space.

Even if the proposed federal law passes, the majority of hens will remain entombed in cages in factory farms. They will be locked into a federal law administered by the U.S. Department of Agriculture, which has never adequately enforced even the 54-year-old Humane Slaughter Act, from which birds are excluded.

At most, brown hens, being slightly larger than the white hens, may within 18 years get a maximum of 144 square inches apiece, or one square foot per bird. Even UEP has said that hens need a minimum of 1.5 square feet, or 216 square inches, to engage in "normal behavior." Claims that the deal with UEP will mandate humane transport and "euthanasia" of spent, injured, or ill hens are unrealistic. Partial beak amputation will continue. Killing newly hatched male chicks at egg production facilities by the multi-million will proceed as usual.

Given that no amount of legislation will ever create truly humane treatment of mass-produced hens or any other mass-produced animals, I urge people as passionately as I did in 1996 to forego eggs in favor of egg-free, vegan foods.

#### Praise for HSUS & UEP collaboration

Wayne Pacelle of HSUS and Gene Gregory of United Egg Producers were interviewed on National Public Radio's Morning Edition on February 10, 2012. Their partnership to try to pass HR 3798, the proposed federal laying hen caging standards bill, is a perfect example of what I have preached over the decades as I worked in two different state legislatures, and then worked as a professional lobbyist for the Michigan Humane Society.

I would have much preferred to see the progress directed at raising chickens in large buildings where they can roam around freely, scratch, and get to behave like chickens. But what people in our movement (and people in the U.S. generally) do not always understand about the democratic legislative process is that many disparate interests are represented and weighed in order to arrive at a bill, which must generally start the process toward passage by becoming a compromise. This is frustrating, but this is truly democracy.

Legislation can be passed very quickly under fascism, but look where that leads.

--Eileen Liska

Holly, Michigan  
<eliska01@comcast.net>



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Accused of involvement in elephant poaching, Thai officials raid Wildlife Friends

**BANGKOK**—Responding to a week of daily raids by 60 to 70 staff of the Thai National Park, Wildlife and Plants Conservation Division, Wildlife Friends Foundation of Thailand founder Edwin Wiek convened a February 21, 2012 press conference at the Foreign Correspondents Club of Thailand in Bangkok to present, Wiek said, “new facts on elephant poaching and the illegal elephant and wildlife trade.”

The March 2012 edition of **ANIMAL PEOPLE** went to press 24 hours earlier, but Wiek had already stated the issues in a January 24, 2012 op-ed column for the *Bangkok Post*, a posting to the Asian Animal Protection Network listserv, and on Thai language media, “alleging corruption, negligence and an official cover-up of the killing of six wild elephants within three weeks at the Kaeng Krachan and Kui Buri national parks,” summarized Voranai Vanijaka of the *Bangkok Post*.

Confrontation between Wiek and the Department of National Parks exploded after DNP director general Damrong Pidet alleged that the six elephants might have been killed to

obtain meat for wealthy visitors to Phuket resorts.

“Looking at restaurants catering to rich foreigners visiting Thailand might be looking away from the real problem: the killing of elephants to take elephant babies from the forests to be trained for tourism,” Wiek posted to AAPN. “Please note that all of the recently poached elephants found still had their tusks and genitals when they were found. These parts were only removed after the DNP found the remains.”

“I would say between 100 to 250 baby elephants are smuggled from the wild each year. That’s about two to three a week,” Wiek elaborated to Voranai Vanijaka of the *Bangkok Post*. “The market is there.”

Summarized Anthea Burton of the *Bangkok Post*, “Wiek says poachers anaesthetise the baby elephants and shoot the adult elephants who linger as the babies collapse. The poachers may not have time to take the tusks, trunk and sexual organs of the dead elephants. The baby elephants are then sold to middlemen who torture and tame the animals before selling them to tourism operators. Eventually the tourist camps are able to register these elephants as offspring of captive mother elephants, and no further questions are asked.”

Five DNP officials were arrested in connection with the elephant killings, but were released on bail. Two alleged poachers were arrested and displayed to media almost a month after the elephant killings, on February 17, 2012—the same day, Wiek said, that “We had more DNP trucks come than ever [to the Wildlife Friends sanctuary] with the intention to take animals.”

The DNP raids on Wildlife Friends started on February 13, 2012. “Both Wildlife Friends and the Save Elephant Foundation Nature Park were hard hit by respectively 60 and 100 armed officials of the DNP and commando police units,” Wiek said. The Save Elephant Foundation, an unrelated organization, partnered with Wildlife Friends to do animal rescue during monsoon floods that inundated much of the Bangkok region in 2011. Wiek and Save Elephant Foundation founder Sangduen “Lek” Chailert both happened to be away from their sanctuaries when the raids began, but Wiek’s wife Jansaeng “Noi” Sangnanork, 34, was arrested when she was

unable to match 103 of the 450 animals at Wildlife Friends with permits to keep them within a three-hour time frame.

“Noi was released on bail at 3:00 a.m., after her release was first denied,” Wiek reported. “I was not going to let my wife spend a night in jail and sleep in dirt.

“At this moment,” Wiek added, “it seems that a small group of local DNP officials are running these raids. The head office in Bangkok has denied knowing about them.”

Each day the DNP raiders took animals away to an unknown holding location, often after violent captures that left some animals with bleeding wounds.

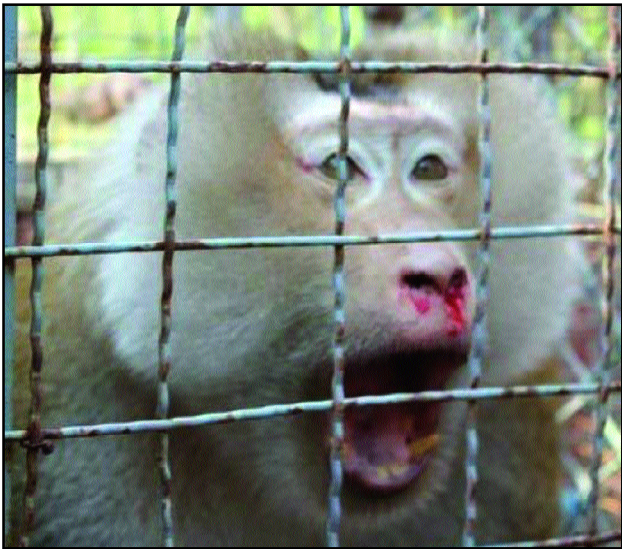
“Wiek says the sanctuary has video images of one monkey being sent unconscious and drowning in a concrete pool after being knocked in the air by one official,” wrote Burton of the *Bangkok Post*. “Wiek said he was told by the officials that they were acting under the directions of DNP deputy-general Teerapat Prayunsit,” but Prayunsit denied involvement, then avoided potential questioners.

Wiek, 46, founded Wildlife Friends in 2001. Wiek was previously charged with possession of wildlife without the proper permits in August 2004, after a similar series of raids followed his denunciations of illicit official involvement in the illegal trade in orangutans. Wiek was eventually fined \$525 and given an eight-month suspended jail sentence for possessing 11 former pet macaques who had been given to the Thai Animal Guardians Association by their keepers, and were relocated to better housing at Wildlife Friends after the Thai forestry department declined to take them.

In 2010, Wiek was sued by the the Wat Pa Luangta Bua Yannasampanno Forest Monastery “tiger temple” for allegedly helping the British charity Care for the Wild to expose, CFW described, “evidence of tigers being regularly beaten, having urine sprayed into their faces, being forced to sit in direct sunshine for hours, and being kept in poor conditions with inadequate feeding,” plus “evidence of illegal trade and breeding of tigers at the temple.”

The case against Wiek has not advanced.

“I have been under pressure before, but this is just incredible,” Wiek told Burton.



Jeud, an injured male pygmy macaque at Wildlife Friends, screams during the February 13, 2012 DNP raid. (WFFT)

More events

**May 12: Oregon Humane Society Doggie Dash**, Portland, Oregon. Info: 503-285-7722; <www.oregonhumane.org>.

**May 19: Bark In The Park, St. Louis**. Info: Humane Society of Missouri, 314-647-8800; <mailto:bark@hsmo.org>.

**May 31-June 2: Interspecies Enmeshment in a Biotech Era** conf., U. of Wisconsin at Madison. Info: <www.designculturelab.org/2011/10/23/-conference-cfp>.

**June 21: Universities Federation for Animal Welfare** conf., York, U.K. Info: <www.ufaw.org.uk/animal-welfareconference.php>.

**July 4-6: Minding Animals** conf., Utrecht/ Leusden, The Netherlands. Info: <www.mindinganimals.com>.

**July 11-13: Arts & Sci. of Human/ Animal Interaction** conf., Cambridge, U.K. Info: <www.isaz2012.com>.

**August 2-5: AR 2012** conf., Washington D.C. Info: <www.arconference.org>.

**October 12-14: India for Animals** conf., Goa. Info: <helen@fiapo.org>.

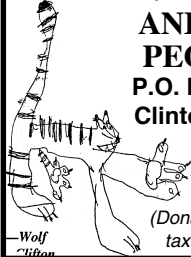
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In honor of animal-loving guitarists Jeff Beck, Brian May, and Tom Scholz.  
—Brien Comerford



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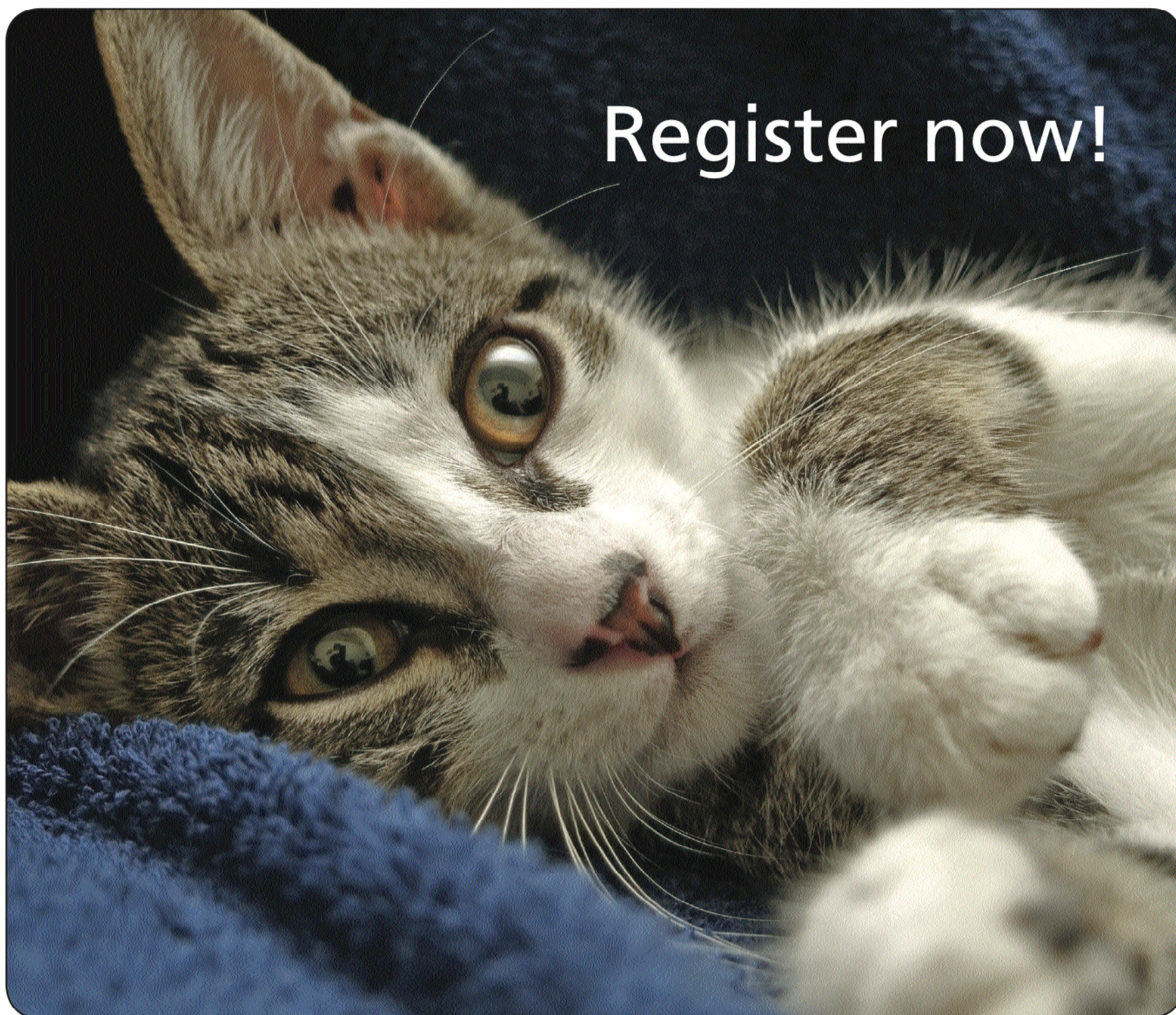
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## Why an ancient armored mammal needs better defenses (from page 1)

with the semi-arboreal habits of an opossum, pangolins are believed to have emerged in the Paleocene epoch, circa 60 million years ago. Evolutionary geneticist Gene McCarthy of Macroevolution.net argues that pangolins and armadillos might even both be descendants of stegosaurs and ankylosaurs, two dinosaur families whom McCarthy contends were synapsid proto-mammals, not reptiles.

Pangolins are toothless. Of peaceable disposition, except toward the ants and termites who make up most of their diet in the wild, pangolins' chief defense against predation is to roll into a tightly armored ball. This was more effective against sabretoothed cats and cave bears than against human collectors.

Pangolins have long been hunted for meat and for the purported medicinal qualities of their scales. Formed of keratin, the same material as fingernails, pangolin scales were sometimes used to make armor in medieval China. But until increasing affluence in southern China drove market demand for pangolins up in recent decades, pangolins remained relatively abundant. Poaching and trafficking have now depleted pangolin populations to the point that the Convention on International Trade in Endangered Species in 2002 prohibited selling pangolins across national borders. The International Union for the Conservation of Nature lists several regional pangolin subspecies as endangered.

"We found that pangolin farming is promoted as an investment opportunity due to continued high demand from the traditional Chinese medicine industry," reported Cota-Larson and Pappin. "In an article discussing how the scarcity of endangered species has created a bottleneck for traditional Chinese medicine production, the China Association of Traditional Chinese Medicine web site notes that progress is being made, now that bear farming has been industrialized and pangolin breeding has shown signs of a dawn. On the Chinese financial news website *Eastmoney.com*, there is a page discussing the potential for pangolin breeding, in response to estimated annual demand for 300,000 pangolins per year."

A plea bargain in Malaysia on January 6, 2012 sent Philippine pangolin trafficker Aivon Vencer, 20, to jail for three years, a month after Vencer was caught in the act of trying to smuggle 1,068 frozen pangolin carcasses out of the country by boat.

That was reportedly the biggest seizure of pangolin meat yet, but was scarcely an isolated case. Indonesian Forestry Ministry director of investigations and forest observation Raffles Panjaitan in October 2011 told the *Jakarta Post* that his agency had recorded 587 cases of pangolin trafficking since 2006, involving an estimated \$4.3 million USD worth of pangolins on the illegal market. Major pangolin trafficking arrests have also come recently in far eastern India, Thailand, and Tibet, where *People's Daily Online* recently mentioned frequent seizures of pangolins and illegal drugs by the Lhasa Customs Office at Zhangmu, on the China/Nepal border in the Tibet Autonomous Region.

### Bear bile

Pangolin farming, if able to produce pangolins in volume at competitive prices, may become as entrenched as raising bears for bile and caged tigers for their bones. Bear bile farming, involving keeping bears immobilized in coffin-sized cages while their gall bladders are tapped for bile, emerged as an industry in North Korea barely 30 years ago, but soon became established in

South Korea, China, and Vietnam, as well, recently spreading to Laos.

The World Wildlife Fund subsidiary TRAFFIC in 2011 reported finding bear bile products in more than 50% of traditional medicine shops that investigators visited in China, Hong Kong, Malaysia, Myanmar and Vietnam, and in more than 30% of the traditional medicine shops visited in Japan, South Korea, Taiwan and Thailand. Bear bile products were also found for sale in Cambodia, Laos, and Singapore.

Operating sanctuaries for bears freed from bile farms in China and Vietnam, the Animals Asia Foundation has generated public and political support which appears to have caused the bear bile industry to contract and consolidate. Nineteen of the 31 Chinese provinces and administrative districts now have no bile farms; 18 have pledged to not allow any. The total number of bile farms has fallen from 480 to 68. But the number of bears caged on bile farms remains around 7,000.

The Animals Asia Foundation and an organization called China SOS Help are currently fighting the second attempt in two years by the 12-year-old firm Guizhentang Pharmaceuticals to raise expansion capital with a public stock offering. Now keeping 470 bears, Guizhentang Pharmaceuticals seeks to expand up to 1,200. "Bai Yipeng, founder of China SOS Help, bought shares of the drug company in order to oppose its going public," Jin Zhu and Tan Zongyang of *China Daily* reported on February 10, 2012. "The offer for

## WSPA bewilders anti-bear farm activists

SEOUL—"Victory! Korea commits to end bear farming," bannered a World Society for the Protection of Animals electronic newsletter distributed on February 18, 2012, but dated a month earlier.

The announcement bewildered veteran anti-bear bile farming campaigners, including Moonbears.org founder Gina Moon.

"WSPA welcomes the news shared by our partner Green Korea United," explained the newsletter, "that the budget committee of the Korean National Assembly recently voted through a proposal to 'prepare measures to end the practice of bear farming through investigation of the current status of bear farming and its management plan.' The government has cleared a budget of 200 million Korean won (\$175,000 U.S.) to ascertain the current situation of bears on farms in Korea, and design ways to end the practice."

Guizhentang's shares could be as much as \$19 million, more than twice as much as last year, according to a report in *China Security Journal*," Jin Zhu and Tan Zongyang said.

In Vietnam, bear bile farming has for two years been technically illegal, but continues through legal loopholes and lax enforcement. The Quang Ninh provincial administration in January 2012 asked police to discourage travel agencies from taking visitors to buy bear bile products at bile farms. The Quang Ninh request to police followed a March 2011 request to the travel agencies to refrain from bear bile-related tourism.

The Singapore-based organization ACRES expects to open a bear sanctuary in Laos, similar to those of the Animals Asia

Responded Moon, "There has been a bill before the Assembly for over a year now that, if passed into law, would take the first steps to ban breeding and farming, but this has gone nowhere. This so-called study will be primarily be to count the number of bears in farms. There has been no change to government policy at all. We see this as simply a stalling tactic to avoid passing the bill and spending the millions that would be needed to compensate farmers for no longer being able to farm bears and for taking the surviving bears into sanctuaries.

"Both Green Korea, funded by WSPA, and WSPA themselves are trying to balance the interests of the farmers against the bears," Moon told **ANIMAL PEOPLE**, "but we think that is the wrong approach. I am very sorry," Moon finished, "that the statement by WSPA does not reflect reality."

Foundation, in June 2012. The ACRES sanctuary will start with holding capacity for 29 bears, of the estimated 100 to 200 bears kept for bile in Laos, and will expand as needed to keep as many bears as can be freed.

Farming tigers for bone and other body parts has never actually been legal anywhere, but China and Thailand, in particular, have numerous "tiger zoos" where large numbers of tigers are bred in the name of conservation. Mortality among the tigers is high, often because tigers are starved, and shops on the premises that sell tiger bone wine and other tiger products are frequently the most visible revenue stream for the "zoos," some of which also feature live feedings of livestock to tigers.

—Merriitt Clifton

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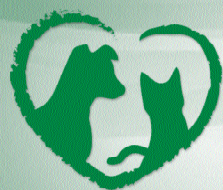
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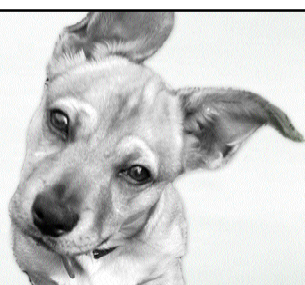
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## Federal laying hen standards bill goes before Congress *(from page 1)*

space, as defined by the Secretary of Agriculture, based on the best available science, including the most recent studies available at the time that the Secretary defines the term,” stipulates HR 3798. “The Secretary shall issue regulations defining this term not later than January 1, 2017,” HR 3798 adds. “The final regulations shall go into effect on December 31, 2018.”

Continues HR 3798, “The term ‘adequate housing-related labeling’ means a conspicuous, legible marking on the front or top of a package of eggs accurately indicating the type of housing that the egg-laying hens were provided during egg production.” Options allowed include “Eggs from free-range hens,” “Eggs from cage-free hens,” “Eggs from enriched cages,” and “Eggs from caged hens.” The specific requirements to use each labeling phrase are spelled out.

### 18-year phase-in

Much of HR 3798 defines the phase-in time for new laying hen space and cage enrichment requirements. HR 3798 allows laying hens to be housed at the present typical battery cage densities of 76 square inches of floor space for brown hens and 67 square inches for white hens for 15 years after passage.

However, after six years “at least 25% of the egg-laying hens in commercial egg production shall be housed...with a minimum of 102 square inches of individual floor space per brown hen and 90 square inches of individual floor space per white hen.”

After 12 years, “at least 55% of the egg-laying hens in commercial egg production shall be housed...with a minimum of 130 square inches of individual floor space per brown hen and 113 square inches of individual floor space per white hen.” Conversion of caging to the final standard of 144 square inches of floor space per brown hen and 124 square inches per white hen is to be completed by December 31, 2029.

“Adequate environmental enrichments” are to be introduced in phases of nine and 15 years, with completion also due by December 31, 2029. If the egg industry as a whole fails to meet the phase-in targets, the time allowed for older egg barns to meet the standards prescribed by HR 3798 is to be reduced. The enforcement authority is delegated to the Secretary of Agriculture. Unclear, however, is whether the Secretary of Agriculture could in effect hold some egg producers accountable for the failures of others.

### State laws blocked

The most controversial aspect of HR 3798 among animal advocates may be a stipulation that, “Requirements within the scope of this chapter with respect to minimum floor space allotments or enrichments for egg-laying hens housed in commercial egg production which are in addition to or different than those made under this chapter may not be imposed by any state or local jurisdiction.” This clause precludes further use of ballot initiatives, such as Proposition Two passed in California in 2008 and the initiatives that HSUS withdrew in Oregon and Washington in 2011, to change laying hen housing standards.

HR 3798 addresses two longstanding humane concerns with passages stating that, beginning two years after passage, “no egg handler may subject any egg-laying hen...to feed-withdrawal or water-withdrawal molting,” and that “an egg handler shall provide, when necessary, all egg-laying hens under his ownership or control with euthanasia that is humane and uses a method deemed ‘Acceptable’ by the American Veterinary Medical Association.”

Egg farms have long starved hens to induce forced molts, a practice which metabolically simulates winter and causes the hens to produce more eggs when they are again fed, metabolically simulating spring. This practice weakens the hens’ immune systems, increasing the risk that they will contract and transmit bacterial diseases such as salmonella, and has been disapproved by the AVMA since 2004.

“Spent hens” and unwanted male chicks have often been killed by compaction

and suffocation, including live burial, which is not approved by the AVMA, or by high-speed maceration, which is approved. Macerated remains are usually processed into fertilizer or feed for pigs, cattle, and other poultry.

HR 3798 exempts producers who buy, sell, handle, or process “eggs or egg products solely from one flock of not more than 3,000 egg-laying hens.” This phrasing might allow egg farmers to structure their operations so that each barn of 3,000 hens is technically a separate business, owned by a holding company which would not be an “egg handler” by reason of not being directly the egg producer or marketer.

### Humane perspectives

Titled “Egg Products Inspection Act Amendments of 2012,” HR 3798 attracted just five cosponsors within two weeks of introduction: Democrats Sam Farr and Elton Gallegly of California, Chellie Pingree of Maine, and Adam Smith of Washington, plus Republican Jeff Denham of California.

Endorsements, besides those of HSUS and United Egg Producers, came from the American SPCA, Animal Legal Defense Fund, Compassion in World Farming, Compassion Over Killing, Farm Sanctuary, In Defense of Animals, The Humane League, Mercy For Animals, and the World Society for the Protection of Animals.

HR 3798 is opposed from two different directions—by most agribusiness fronts other than UEP, and by United Poultry Concerns and the Humane Farming Association, whose statement was also posted by Friends of Animals.

Alleged Humane Farming Association national director Brad Miller, “‘Enriched cages’ is a grossly deceptive and fraudulent term that we should all vigorously oppose. Outlawing battery cages is the only way to get rid of them.” If HR 3798 passes, Miller said, “Neither we, nor the next generation of activists, will ever be able to pass state laws to outlaw egg factory cages, even if doing so has the support of 100% of the electorate.”

In drafting HR 3798, Miller charged, “The egg industry merely agreed to slowly continue the meager changes in battery cage conditions that are already occurring due to state laws and public pressure.”

### Proposition Two

Miller also alleged that HR 3798, if passed, will roll back the requirement of California Proposition Two that laying hens be able to stand up, lie down, turn around, and fully extend their limbs. HSUS during the Proposition Two ballot measure campaign interpreted this to mean that laying hens must be kept in cage-free environments.

But the American Humane Association in June 2010 announced a deal with the egg producer J.S. West, of Modesto, California, which holds that Proposition Two allows the use of “enriched” cages like those that have been required in the European Union since the start of 2012, in place of traditional battery caging. The talks between HSUS and UEP that led to the introduction of HR 3798 “started after HSUS said it recognized that there were benefits” to “enriched” colony caging, reported Rod Smith of the agribusiness trade journal *Feedstuffs* after HSUS and UEP agreed in July 2011 to draft the bill.

“From the moment the UEP/HSUS agreement was announced,” said Miller, “HSUS promised that the bill would preserve the requirements of Proposition Two.”

Language specific to Proposition Two is included in HR 3798, but “Proposition Two, as well as every other relevant state law, would be preempted!” Miller assessed.

Chris Huckleberry, legislative director for HR 3798 author Representative Schrader, affirmed Miller’s view to Dan Wheat of Capital Press. Wrote Wheat, “The Humane Farming Association said the bill nullifies existing state laws that ban or restrict battery cages, deprives voters of the right and ability to pass ballot measures banning cages, and denies state legislatures the ability to enact laws preventing cruelty to laying hens [in stan-

dard agricultural practices]. Those points are all true,” said Huckleberry.”

“The whole idea is federal standards for consistency for animal welfare and to allow farmers to maintain their business models,” Huckleberry told Wheat.

### HSUS responds

Responded HSUS president Wayne Pacelle to **ANIMAL PEOPLE**, “How Proposition Two will be applied by state officials is still undecided. The industry—and its allies in the California government—are arguing that it means far less space than what this national standard would be. There is a real question,” Pacelle said, “as to whether Proposition Two will be watered down by hostile state agricultural officials. That pains us, since HSUS spent multiple millions on the campaign and I devoted my whole life to the campaign for nearly two years, but it’s reality.”

“As to setting a national standard for space,” Pacelle continued, “it’s important to avoid the illusion that states are lining up to ban cages for laying hens. The vast majority of U.S. egg-laying hens live in states where we have no pathway to provide them with any legal protection whatsoever, i.e., there is no ballot measure option [permitted by the state constitutions] and little political will among lawmakers in those states [to regulate poultry caging]. If anything, these big egg production states, e.g., Iowa, Indiana, Minnesota, Pennsylvania, et al, are more likely to ban investigations of factory farms rather than cages on factory farms.

“While Proposition Two dealt only with a space standard for hens,” Pacelle pointed out, HR 3798 offers “a more comprehensive policy for hen welfare. This legislation

offers the opportunity,” Pacelle said, “not just to help millions of birds in one state, but hundreds of millions of birds in all 50 states, in one fell swoop, including big egg production states where we are very unlikely to be able to provide any relief at all for hens otherwise.”

### Agribusiness

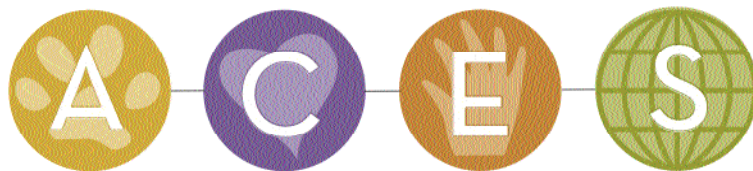
United Egg Producers “are lobbying the bill on the ground, are responsible for getting the sponsors of the bill so far, and are getting more,” said HSUS factory farm campaign manager Paul Shapiro. “Of course, the rest of the agribusiness lobby is working hard to ensure it doesn’t happen.” Shapiro conceded.

Opposing HR 3798 are the American Farm Bureau Federation, American Sheep Industry Association, Egg Farmers of America, National Cattlemen’s Beef Association, National Farmers Union, National Milk Producers Federation, National Pork Producers Council, and National Turkey Federation.

“This legislation could create a very slippery slope to allow bureaucrats in Washington, D.C., to tell farmers and ranchers how to raise their animals,” said NCBA executive director of legislative affairs Kristina Butts.

The combination of agribusiness opposition and an anti-regulatory Republican majority in the House of Representatives may keep HR 3798 from advancing far in 2012. The agreement between HSUS and UEP established only a one-year partnership. But few federal animal welfare bills have ever advanced rapidly after first introduction, and the fall 2012 U.S. national election could rearrange Congress in a manner more favorable to the passage of national standards for keeping laying hens—if not necessarily more favorable to the hens.

—Merritt Clifton



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**KEYNOTE SPEAKER: JILL RAPPAPORT**, television personality and animal advocate from the TODAY Show. Jill recently received the Oscar of the animal world, the Genesis Award, for her reporting on animal issues.



**KRISSIE NEWMAN**: Animal advocate and wife of NASCAR driver Ryan Newman. Krissie and Ryan recently broke ground on “Rescue Ranch”, a facility modeled after Helen Woodward Animal Center and located in North Carolina.



**STEVE DALE**: Steve writes a twice-weekly syndicated newspaper column (Tribune Media Services); he’s a contributing editor at USA Weekend and host of two nationally syndicated radio shows, Steve Dale’s Pet World and The Pet Minute, and Steve Dale’s Pet World at WLS Radio, Chicago.

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## Supreme Court overturns downer law *(from page 1)*

mal for slaughter. If the inspector sees that an animal is dead or dying, comatose, suffering from a high fever, or afflicted with a serious disease or condition, he designates the animal as ‘U. S. Condemned.’ A condemned animal (if not already dead) must be killed apart from the slaughtering facilities where food is produced.” No part of the carcass may be sold for human consumption. “The inspector also has an intermediate option,” Kagan continued. “If he determines that an animal has a less severe condition—or merely suspects the animal of having a disease meriting condemnation—he classifies the animal as ‘U. S. Suspect.’ That category includes all nonambulatory animals not found to require condemnation. Suspect livestock must be ‘set apart,’ specially monitored, and (if not reclassified because of a change in condition) ‘slaughtered separately from other livestock.’ Following slaughter, an inspector decides at a post-mortem examination which parts, if any, of the suspect animal’s carcass may be processed into food for humans.”

The crux of the legal issue, Kagan explained, is that “The regulations implementing the FMIA additionally prescribe methods for handling animals humanely at all stages of the slaughtering process. Those rules apply from the moment a truck carrying livestock ‘enters, or is in line to enter,’ a slaughterhouse’s premises. And they include specific provisions for the humane treatment of animals that cannot walk. Under the regulations, slaughterhouse employees may not drag conscious, nonambulatory animals, and may move them only with ‘equipment suitable for such purposes.’ Similarly, employees must place nonambulatory animals, as well as other sick and disabled livestock, in covered pens sufficient to protect the animals from ‘adverse climatic conditions.’ The FMIA contains an express preemption provision, at issue here, addressing state laws on these and similar matters. That provision’s first sentence reads: ‘Requirements within the scope of this [Act] with respect to premises, facilities and operations...may not be imposed by any State.’”

The California law by contrast holds that “No slaughterhouse, stockyard, auction, market agency, or dealer shall buy, sell, or receive a non-ambulatory animal; no slaughterhouse shall process, butcher, or sell meat or products of non-ambulatory animals for human consumption; [and] no slaughterhouse shall hold a non-ambulatory animal without taking immediate action to humanely euthanize the animal.”

The National Meat Association, representing meatpackers and processors in December 2008 sued to block enforcement of the California law, winning a preliminary injunction. In March 2010, however, Ninth U.S. Circuit Court of Appeals Chief Judge Alex Kozinski lifted the injunction, calling the NMA contentions “Hogwash.”

“The FMIA’s preemption clause sweeps widely,” Kagan wrote for the Supreme Court, “and in so doing, blocks the applications [of the California law] challenged here.”

Specifically, Kagan stipulated, “The clause prevents a state from imposing any additional or different—even if non-conflicting—requirements that fall within the scope of the Act and concern a slaughterhouse’s facilities or operations. At every turn [the California law] imposes additional or different requirements on swine slaughterhouses...Where under federal law a slaughterhouse may take one course of action in handling a nonambulatory pig, under state law the slaughterhouse must take another.” Further, the Supreme Court found, the California law obliges slaughterhouses to refuse delivery of downed pigs, but “federal law establishes rules for handling and slaughtering non-ambulatory pigs brought to a slaughterhouse, rather than ordering them returned to sender.” The Supreme Court observed that the National Pork Board estimates that “almost half of one percent of the pigs slaughtered annually in the United States,” as many as a million per year, “become nonambulatory during the trip from farm to slaughterhouse. About half that many die during transport.”

## Thai & Chinese dogs rescued

**NAKON PHANOM, CHONGQING**—Nearly 3,000 dogs were impounded from meat traffickers in Thailand and China during mid-January 2012, straining quarantine centers. The Thai navy seized 750-800 dogs from a boat on the Mekong River on January 13, plus 500 dogs who were found on a truck that was driving to meet the boat. About 500 more dogs were found hidden in nearby woods, to be sent to China via Laos. About 2,000 dogs were believed to have already been transported. Not known is whether some of those dogs were among about 1,100 who were intercepted a few days later by the Chongqing Small Animal Protection Association, of Chongqing in southwest China. The dogs were being taken to Guangdong.

## Horse slaughter

The Supreme Court took note that the Ninth Circuit U.S. Court of Appeals upheld the California law governing the handling of non-ambulatory pigs based in part on the legal reasoning that it earlier used in upholding state prohibitions of horse slaughter. However, the Supreme Court found, “A ban on butchering horses for human consumption works at a remove from the sites and activities that the FMIA most directly governs. When such a ban is in effect, no horses will be delivered to, inspected at, or handled by a slaughterhouse.”

By contrast, because “many non-ambulatory pigs become disabled either in transit to or after arrival at a slaughterhouse,” even with the California law in effect, “a swine slaughterhouse will encounter nonambulatory pigs. In that circumstance,” the California law “tells the slaughterhouse what to do with those animals. Unlike a horse slaughtering ban, the statute thus reaches into the slaughterhouse’s facilities and affects its daily activities.”

Thereby, the Supreme Court concluded, “The FMIA expressly preempts such a state law. Accordingly, we reverse the judgment of the Ninth Circuit.”

A footnote to the Supreme Court verdict acknowledged that states may adopt laws governing livestock handling if those laws are consistent with the FMIA, citing as examples “state laws of general application,” such as “workplace safety regulations, building codes, etc.” which “usually apply to slaughterhouses.” Further, Kagan wrote for the court, “States may exact civil or criminal penalties for animal cruelty or other conduct that also violates the FMIA...Although the FMIA preempts much state law involving slaughterhouses, it thus leaves some room for the states to regulate.”

The overturned California law was adopted six months after the Humane Society of the U.S. released undercover video to media of abusive handling of downed cattle at the former Hallmark/Westland slaughterhouse in Chino, California. Amid public outrage, the slaughterhouse was closed for seven months, but was sold to American Beef Packers and reopened in September 2008.

Farm Sanctuary had in 1994 won passage of a California law intended to prohibit abuse of downed livestock, but the law had been successfully enforced only once. Farm Sanctuary, the Humane Society of the U.S., and the Humane Farming Association, which had been highly critical of the 1994 law, joined forces to win passage of the 2008 law. They disagreed over strategies to defend it, including the possibility of seeking a legislative amendment to remove the requirements to which the National Meat Association objected.

## What the verdict left

The Supreme Court decision is “deeply troubling,” said HSUS president Wayne Pacelle, “preventing a wide range of actions by the states to protect animals and consumers from reckless practices by the meat industry.”

“While we are disappointed that the Court has exempted slaughterhouses,” said HFA national director Brad Miller, “we are pleased that the rest of the law remains intact—and is still the strongest in the nation. It is still illegal in California for any entity other than a slaughterhouse, to buy, sell, receive, or transport non-ambulatory animals, including cattle, pigs, goats, and sheep.”

The Supreme Court left intact the parts of the California law pertaining to livestock auctions, stockyards, farms, and transport vehicles before they arrive at a slaughterhouse. But livestock auctions and stockyards have all but vanished from the major branches of the meat industry. Effectively prohibiting the sale or transport of downed livestock from farms would require an inspection force large enough and widely distributed enough to inspect livestock on farms before loading for transport to slaughter, instead of at unloading, the funnel point through which every animal must pass.

“The only way we can further protect downed animals at federally inspected slaughterhouses is through federal law or federal regulation,” summarized Animal Welfare Institute farm animal policy associate Rachel C. Matthews.

New York Member of the House of Representative Gary Ackerman, a Democrat, has introduced a bill requiring that downed livestock at slaughterhouses must be promptly euthanized in each of the past four Congresses, but as of the Supreme Court ruling, the current Ackerman bill had just 20

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Longtime American Humane Association Washington D.C. office director Adele Douglass left the AHA toward the end of 2002 and founded Humane Farm Animal Care in February 2003 in the belief that product certification programs and consumer pressure might accomplish more for farmed animals than the pursuit of legislation.

“The HFAC Certified Humane program prohibits non-ambulatory animals from being transported off the farm for any reason, and requires that they receive veterinary care, and if necessary, humane euthanasia. Non-ambulatory animals in the Certified Humane program are not allowed to be slaughtered for food,” Douglass reminded **ANIMAL PEOPLE**.

## Looking ahead

Meat industry media have indicated that the Supreme Court verdict is likely to be followed by further lawsuits seeking to roll back state livestock handling legislation, based on similar claims of conflict with federal law.

For animal advocates, the 9-0 decision suggested that a change in political tactics may be needed to advance farmed animal welfare bills, after more than a decade of trying to end-run the Congressional influence of agribusiness by using the ballot initiative process in states that allow it, and by using the threat of a ballot initiative to help move bills through state legislatures. There is presently no federal legislation governing how laying hens may be kept, for example, but such legislation has been passed by initiative in California, and weaker laws been passed in response to initiative efforts in Michigan, Oregon and Washington.

The Humane Society of the U.S. stopped the Oregon and Washington initiative campaigns in July 2011, which sought stricter standards than were passed by the Oregon and Washington legislatures. Instead, HSUS and the industry front United Egg Producers agreed to jointly seek passage of a bill to impose a federal caging standard for laying hens. The bill was introduced in Congress on January 24, 2012. (*See page 1.*)

HSUS factory farming campaign manager Paul Shapiro told **ANIMAL PEOPLE** that the Supreme Court verdict is “certainly a compelling case for federal legal protection for farm animals.”

“I’m not sure the Supreme Court was thinking about egg issue, but who knows?” responded Brad Miller of HFA, who views the proposed federal caging standard as an obstacle to achieving larger improvements on behalf of laying hens.

Assessed *Los Angeles Times* columnist Patt Morrison in a January 23, 2012 Opinion L.A. blog posting, “The justices ruled unanimously on the constitutional question that state law can’t be stricter than federal law in some matters. They didn’t rule on the humane issues or food safety questions, two of the matters that prompted California’s law.

“The ultimate answer to any of these practices that occur in the course of slaughtering billions of animals, whether on family farms or by ritual killing techniques or in mega-slaughterhouses,” Morrison wrote, “is also perhaps the best chance of survival of our species too. It’s a move toward a vegetarian diet. Meat protein generally consumes more land and water and energy than vegetable protein, and all of those—land, water and energy—are going to be scarcer and more expensive in the decades to come.” —*Merritt Clifton*

## Hormel, Smithfield, & McDonald’s agree to end keeping pregnant pigs immobilized in stalls

**AUSTIN, Minnesota**—Hormel Foods, producers of the pork product Spam since 1937, on February 2, 2012 followed Smithfield Foods in pledging to phase out immobilizing pregnant sows in gestation stalls by 2017.

The Hormel and Smithfield pledges appeared to be strategic positioning in advance of a February 13, 2012 announcement by McDonald’s Corporation senior vice president Dan Gorsky that “McDonald’s wants to see the end of sow confinement in gestation stalls in our supply chain. We are beginning an assessment with our U.S. suppliers to determine how to build on the work already underway to reach that goal,” Gorsky said. “In May, after receiving our suppliers’ plans, we’ll share results from the assessment and our next steps.”

Gorsky’s announcement followed nearly 20 years of negotiation with McDonald’s by a succession of animal advocacy organizations, begun by Animal Rights International founder Henry Spira, and continued by PETA after Spira’s death in 1998, before HSUS became involved.

Rival fast food chain Burger King agreed in 2007 to stop buying pork from producers who use gestation stalls.

The McDonald’s pledge may have been hastened by the commitment of two of the largest pig producers to move away from gestation stalls. This will help to ensure that the supply of pigs raised without use of sow stalls will be adequate to the demand, within McDonald’s price range.

“The Humane Society of the U.S. had been pressuring Hormel to make such a commitment, which was made in response to an HSUS spokesperson pressing the issue at Hormel’s shareholder meeting,” said an HSUS media statement. HSUS was able to attend the shareholder meeting after purchasing 100 shares of Hormel stock in September 2010. The HSUS statement mentioned that “Hormel has 54,000 breeding pigs at three facilities in Arizona, Colorado, and Wyoming. Arizona and Colorado have both passed laws to ban gestation crates by the end of 2012 and 2017, respectively.”

Founded in 1891, Hormel was in 1959 honored by

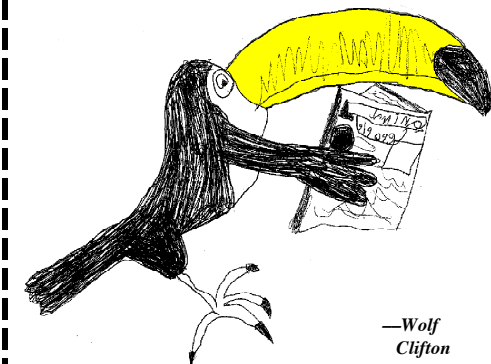
the American Humane Association for becoming the first slaughtering company to comply with the provisions of the Humane Slaughter Act, passed by Congress in 1958. Hormel introduced carbon dioxide stunning of pigs in 1953, replacing the former practice of shackling and hoisting conscious pigs to be bled, and replaced hammer stunning of cattle with use of a captive bolt gun in 1957. Both carbon dioxide pig stunning and use of captive bolt guns are now standard slaughter methods.

Smithfield Foods, the largest U.S. pig producer, on December 8, 2011 recommitted to phasing out gestation crates by 2017, 35 days after HSUS filed a lawsuit with the U.S. Securities and Exchange Commission alleging that Smithfield had illegally disseminated “unlawfully false or misleading representations about the animal welfare and environmental practices of its wholly owned subsidiary Murphy-Brown, LLC.”

The HSUS lawsuit noted that Smithfield originally pledged to phase out gestation stalls by 2017 in January 2007, but backtracked in 2009.



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—Wolf Clifton

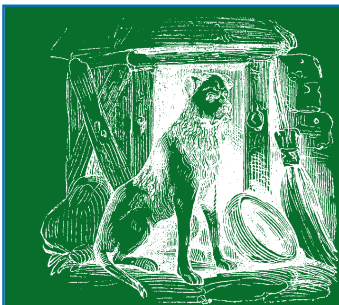
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# The Watchdog

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.

## AAPN changes guard

HONG KONG—“Lisa Warden has kindly agreed to take over the role of moderator of the Asian Animal Protection Network Forum, starting March 1,” AAPN founder John Wedderburn, M.D., on February 14, 2012 e-mailed to members. “John Edmundson will take over the rest of AAPN, including the web site, and bring it into the 21st century.”

Anticipating retirement to Indonesia, Wedderburn, 70, relocated from Scotland to Hong Kong in 1973. Becoming involved in animal advocacy in 1987, Wedderburn founded the AAPN Forum in November 2000. The first listserve for animal advocates focused on Asian issues, the now-759-member AAPN Forum facilitated the discussions and introductions that helped to create a constellation of other Asian organizations and projects, especially in China. Along the way Wedderburn served on the boards of at least six other animal charities and fought a landmark court case against the Hong Kong Agriculture, Fisheries and Conservation Department on behalf of neuter/return street dog control.

Warden has lived at various times in India, Pakistan, Vietnam, and Indonesia. Her animal advocacy work has included helping to coordinate an anti-rabies campaign for ABC India in 2011; seeking reform of the faltering Animal Birth Control and municipal animal control programs in Ahmedabad, India in 2009-2010; and seeking reform of the 105-year-old Kakinada SPCA in Andhra Pradesh state, India, in 2008.

Edmundson, of Hong Kong, has participated in the AAPN Forum since 2007.

## Great Ape Trust downsizes

DES MOINES—The last two of six orangutans formerly housed at the Great Ape Trust in Des Moines, Iowa, were transferred in late January 2012 to the Center for Great Apes in Wauchala, Florida. Recently reorganized as a sanctuary, the Great Ape Trust retains seven bonobos. Founded in 2004 by primatologist Sue Savage Rumbaugh to do non-invasive behavioral research, the Great Ape Trust has financially struggled since long-time sole funder Ted Townsend withdrew his support in 2011.

## SARATOGA SPRINGS, RIVER-HEAD, HARRISBURG, BINGHAMTON

Four New York and Pennsylvania horse rescue operations, ranging from one believed to be the largest in the U.S. to some of the smallest, entered the 2012 spring mud season mired in controversy, with the possibility of more muck flying as result of lawsuits filed in attempts to restore reputations.

The founders of two horse rescues were convicted of criminal charges. Another—whose “rescue” apparently never did any rescuing—faces multiple felony counts.

## TRS vs. Mellon estate

The Thoroughbred Retirement Foundation, of Saratoga Spring, New York, on January 5, 2012 sued Paul Mellon estate executor Frederick “Ted” Terry for defamation, seeking damages of at least \$400,000, reported Jennifer Peltz of Associated Press.

“Mellon, a banking heir, was an avid horseman, breeding champions including 1993 Kentucky Derby winner Sea Hero. Mellon died in 1999, leaving a fortune estimated at about \$1.4 billion. A \$7 million endowment from the Mellon estate provides about 12% of the Thoroughbred Retirement Foundation’s annual budget,” Peltz recounted.

Founded in 1983, the Thoroughbred Retirement Foundation at peak in 2005 boarded more than 1,500 retired racehorses at 32 farms around the U.S., but has contracted while running deficits that reached \$2.2 million in 2009. A veterinarian hired by the Mellon Foundation to investigate the care of the retired horses reported in 2011 that many were starving and neglected. A page one expose in *The New York Times* followed.

“The Mellon estate executors began insisting on control over Thoroughbred Retirement Foundation spending, dictating staffing decisions and ultimately trying to get the foundation to sign an agreement saying none of the estate’s money would be used to pay loans, according to the lawsuit,” wrote Peltz. “After the foundation used the estate’s money to secure a new bank loan in August, Terry told auditors and the New York attorney general’s office that the Mellon endowment

was being misused, the lawsuit says.”

## N.Y. Horse Rescue

New York Horse Rescue president and Butler Horse Farm owner Mona Kanciper in September 2011 reportedly filed a \$25 million lawsuit against the Suffolk County SPCA for bringing charges in August 2010 that led to her conviction for child endangerment. Kanciper pledged to appeal the conviction.

Suffolk County Court Judge James Hudson on January 24, 2012 sentenced Kanciper, 49, to serve three years on probation, during which time she may not keep dogs. Hudson ruled that Kanciper had acceptable reason to euthanize an elderly St. Bernard, a Great Dane mix who bit a delivery worker, and a husky mix who killed a cat, but improperly performed the procedure in the presence of a 10-year-old girl.

Hudson dismissed due to lack of evidence a charge that Kanciper knowingly sent a 12-year-old girl to the location where a horse was being euthanized.

The incidents occurred in 2009. On December 6, 2009, eight months before the charges were filed, Kanciper’s husband, New York Horse Rescue founder Judson L. Butler, DVM, 75, was fatally injured by a loose horse at the Belmont Park racetrack.

## Kelsey Elva Lefever

In Harrisburg, Pennsylvania, a preliminary hearing for Kelsey Elva Lefever, 24, of Honey Brook, was on February 6, 2012 postponed for two weeks. Lefever was charged in November 2011 with one count of deceptive business practices and four counts of theft by deception for allegedly promising to rehome four retired racing thoroughbreds, but instead selling them to killer buyer Bruce Rotz at the New Holland auction yard.

Maryland horse rescuer Sonia Meadows saw the horses in a trailer at the auction and identified them through their registration tattoos, but too late to prevent them from being trucked to the Viande Richelieu slaughterhouse in Massueville, Quebec, where they were killed for meat.

Ray Paulick of *The Paulick Report*,

a leading horse racing industry blog, reported that “Lefever was a regular visitor to the secured stable area” at the Penn National track in Grantsville, Pennsylvania, “bringing her truck and trailer to the stable area despite not being licensed in any capacity by the Pennsylvania Horse Racing Commission.”

Posing as a horse rescuer, Lefever solicited donations of horses who were no longer running well, and also received money and feed to help her care for the horses, according to witness statements.

“There were, however, some skeptics like Tera Schauer of the Happy Tails Holistic Rescue Rehabilitation and Sanctuary in Paxinos, Pennsylvania,” Paulick wrote. “Schauer was concerned that Lefever was posting an unusually high number of ex-racehorses for sale on Facebook and noticed that when someone posed a question about one of the horses, Lefever would reply that the horse was gone.” Eventually Deborah Jones of Thoroughbred Identification, Protection, and Advocacy in California “notified Schauer that Lefever had claimed to be fostering horses on behalf of Happy Tails,” Paulick continued.

As investigators closed in, Lefever solicited help in constructing an alibi from an acquaintance who told Pennsylvania state trooper Colleen J. Shelly, according to Shelly’s affidavit, that Lefever boasted of selling as many as 120 horses to slaughter.

## Ton of Love

The Lefever case moved toward trial shortly after Stephanie Algieri-Hanchette of Guilford, New York, on November 22, 2011 pleaded guilty to reduced charges in Guilford Town Court, after originally being arrested for alleged fraud and cruelty to animals.

Operating as A Ton of Love Draft Horse Rescue, Algieri-Hanchette collected about \$1,100 on behalf of a horse who needed hernia surgery, reported Lindsay Nielsen of WBNG-TV in Binghamton. Chenango County sheriff’s deputies found that the horse did not receive the surgery. Twelve horses who were discovered in Algieri-Hanchette’s custody were removed from her premises due to alleged neglect. One horse was found dead.

## St. Hubert’s Animal Welfare Center to sell Geraldine Rockefeller Dodge art collection

MADISON, New Jersey—Hoping to raise \$500,000 toward the estimated \$2.3 million cost of completing a shelter that has already cost \$10 million and taken more than three years to build, St. Hubert’s Animal Welfare Center president Heather Cammisa on January 22, 2012 announced the forthcoming sale of 150 works from founder Geraldine Rockefeller Dodge’s extensive art collection. “It was an emotional decision to sell the art—bittersweet,” Cammisa told *Daily Record* of Parsippany staff writer Cara Townsend.

“We have a shell, but not a single square inch is functioning space yet,” Cammisa said of the building project. “We plan to outfit one segment this spring. To do more, we’ll need more funds.” Cammisa came to St. Hubert’s in July 2010, about mid-way through the building project. Cammisa previously headed the Jersey Shore Animal Center in Brick, New Jersey, where she directed a multi-year renovation, and was

New Jersey state director and Gulf Coast spay/neuter project leader for the Humane Society of the U.S.

The items to be sold are to be exhibited before sale from February 11 to March 24, 2012 at the William Secord Gallery in New York City. Opened in 1990, the Secord Gallery specializes in 19th century art depicting dogs.

“The favorite niece of oil industrialist John D. Rockefeller, Dodge was a collector, philanthropist, dog show judge and breeder of champion dogs at her Giralda Farms Estate in Madison,” recalled Townsend. Founding the Morris and Essex Kennel Club in 1927, Dodge authored books about the cocker spaniel and German shepherd breeds. Her dogs won

at prestigious shows 30 sterling silver trophies that are among the items going up for bid.

In 1939 Dodge converted the former Giralda Farms Estate hunting kennels into the St. Hubert’s Giralda animal shelter. The shelter was directed from inception by Ed Sayres Sr., the father of current American SPCA president Ed Sayres Jr., who grew up helping at the shelter. Ed Sayres Jr. later headed St. Hubert’s Giralda himself as first stop in a long career as a humane society executive.

St. Hubert’s Giralda received Dodge’s 109 dogs after she was declared

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## Public may vote on Miami pit bull ordinance

**MIAMI, Florida**—The Miami-Dade County public safety and health care administration committee on February 14, 2012 recommended to the county commission that voters should be asked on the August 2012 county ballot whether a 23-year-old ban on possession of pit bulls should be repealed. This would apparently be the first time anywhere for a pit bull ban to be put before voters.

Long-smouldering opposition to the Miami-Dade ordinance caught fire in December 2011, after the Miami Marlins signed pitcher Mark Buehrle, a Best Friends Animal Society celebrity spokesperson, to a four-year contract for \$58 million. Buehrle, who has a pit bull, howled to media that the ordinance obliges him to live in neighboring Broward County.

Miami Republican state representative Carlos Trujillo in January 2012 introduced a bill to overturn the Miami-Dade ordinance. Trujillo “indicated from Tallahassee that he would stop pushing his bill if commissioners follow through on putting the pit-bull ban to voters,” the *Miami Herald* reported.

“I think it’s only fair that the people of Dade County decide,” Trujillo told the *Miami Herald*.

Pit bull advocates expressed confidence that the ordinance would be repealed, but at least 10 newspaper public opinion surveys conducted in the U.S. since 2005 have shown respondents favoring restrictions on possession of pit bulls. The majorities have ranged from 50% to 69%, with the average at 59% and the median at 63%.

Miami-Dade enacted the pit bull ordinance, imposing a fine of up to \$500 for keeping a pit bull, in 1989, soon after a disfiguring attack on an eight-year-old girl, and

just ahead of the 1990 passage of a state law prohibiting new breed-specific legislation, which exempted Miami.

Calls for the Miami ordinance began in 1945, after Miami resident Doretta Zinke, 39, was killed during an evening walk by nine pit bull terriers kept by Joe Munn, 43, of Hialeah. Pit bulls had already killed more people in the U.S. than all other breeds combined, according to archival research by Dogsbite.com, but Zinke was the first victim whose death drew national notice. Twenty-six pit bulls, some implicated in previous attacks on humans, were impounded from Munn and killed, despite hundreds of calls of protest from pit bull advocates to the Humane Society of Greater Miami, which then held the Miami animal control contract. Munn served one year of a five-year prison sentence for manslaughter. Back in Miami, Munn acquired more pit bulls, two of whom in 1955 mauled Harry Smalley, 73, after attacking Smalley’s dog.

**ANIMAL PEOPLE** found in 2009 that Miami-Dade County ranked second only to Denver among major U.S. cities in fewest pit bulls impounded and killed per 1,000 human residents. New York City and San Francisco ranked third and fourth. Denver has a limited restriction on possession of pit bulls; San Francisco requires that pit bulls be neutered.

In the three fiscal years before the San Francisco ordinance took effect in 2006, the city Department of Animal Care & Control impounded 1,891 pit bulls, 210 of them for biting, and killed 1,129 pit bulls. In the three most recent fiscal years, San Francisco impounded 956 pit bulls, 39 for biting, and killed 873—declines of 50%, 81%, and 26%, respectively.

## NIH ends funding for buying cats from Class B dealers (from page 1)

Animal Welfare Institute to continue the fight against pound seizure. Former AHA publicist Fred Meyer and former ASPCA secretary Helen Jones founded the Humane Society of the U.S. in 1954, also initially to fight against pound seizure. Jones went on to form the National Catholic Animal Welfare Society in 1959, renaming it the International Society for Animal Rights in 1977.

Except where pound seizure laws were in effect, shelters mostly continued to refuse to sell cats and dogs to labs. That expanded the opportunities for bunchers, who typically provided animal control service to small towns at nominal cost, making a profit through lab sales. Some bunchers became notorious for trading in stolen pets. Humane societies in larger communities often took animal control contracts at much less than the cost of providing the service, to keep the contracts away from lab suppliers.

The Laboratory Animal Welfare Act of 1966 was adopted in response to a series of exposés initiated by nationally syndicated journalist Ann Cottrell Free in 1959, culminating in a February 1966 *Life* magazine photo essay by Stan Wayman that generated more than 60,000 letters to Congress. Christine Stevens helped to inform both investigations, and lobbied for more than 35 bills to reform the random source animal procurement system before the 1966 act passed.

“We are pleased with the prompt

implementation date,” of the phase-out of NIH funding for acquisition of cats from Class B dealers, “and wish the [phase-out of NIH funding for acquisition of] dogs could be sooner,” said Cathy Liss, Stevens’ assistant for nearly 30 years and president of AWI since Stevens’ death in 2002, at age 84.

“Support is still needed for the Pet Safety and Protection Act,” an Animal Welfare Act amendment long sought by AWI, “as a means to stop the sale of Class B dogs and cats for testing, teaching and non-NIH-funded research,” Liss added.

Said the NIH announcement, “This transition plan is in accordance with the recommendations of the Institute for Laboratory Animal Research [*Scientific and Humane Issues in the Use of Random Source Dogs and Cats in Research* (2009)]. In FY2008, the NIH Appropriations language asked the NIH to ‘seek an independent review by a nationally recognized panel of experts of the use of Class B dogs and cats in federally supported research to determine how frequently such animals are used in NIH research and to propose recommendations outlining the parameters of such use, if determined to be necessary.’”

The outcome, a National Academy of Sciences study, “concluded that continued access to animals [for biomedical research] can be accomplished with existing alternative mechanisms other than Class B dealers,” the NIH said.

## Westminster dog show drops Pedigree over pro-adoption ads

**NEW YORK CITY**—Mars Petcare U.S., maker of Pedigree brand dog food, lost the 2012 Westminster Kennel Club Dog Show television advertising contract to Nestle Purina Pet Care, but won the publicity war after Westminster spokesperson David Frei on February 10, 2012 confirmed to Ben Walker of Associated Press that Pedigree was dropped for airing tear-jerking commercials that promoted shelter adoptions of mutts during the 2011 Westminster show.

“Show me an ad with a dog with a smile. Don’t try to shame me,” said Frei. “We told them that, and they ignored us.”

Westminster made clear in recent years “that we had become too focused on adoptions,” Pedigree senior brand manager Lisa Campbell told Walker.

Rumors of the split flew after *Media Post* correspondent

Tanya Irwin on January 7, 2012 noted that Pedigree staff had posted to both Facebook and Twitter “We are disappointed to learn that Westminster Kennel Club is ending our 24-year partnership, so that they can more completely focus on purebred dogs.”

“They shared with us, when we parted ways, that they felt that our advertising was focused too much on the cause of adoption and that wasn’t really a shared vision,” elaborated Mars Petcare U.S. brand communications manager Melissa Martellotti to Sarah Maslin Nir of *The New York Times*.

“I don’t think one has to be a PR genius to inform Mr. Frei that he’s stepped in something,” commented Peter Grier of the *Christian Science Monitor*.

Editorialized the *Boston Globe*, “For those who know the world of dog competitions mainly

through the 2000 comedy film *Best in Show*, it’s all too easy to dismiss the humans in this world as obsessive fussbudgets who’ve lost track of the bigger picture. The Westminster Kennel Club Dog Show surely hasn’t dispelled that image. The kennel club’s stance only highlights the disconnect between the plight of millions of mutts and the bizarrely cosseted existence of canine one percenters.”

But *The Dog Press*, a publication of “unaligned news for the dog show fancy,” reported that it had “surveyed 19,000 subscribers on the appropriateness of Pedigree’s 2011 advertising, finding that “Response was overwhelmingly against promoting adoption over purchase and mutts over purebreds. Hundreds were also put off by the bombardment of donation pleas,” made by Pedigree on behalf of animal shelters.

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## SHARK wins “2nd Battle of Broxton Bridge”

**EHRHARDT, S.C.**—Showing Animals Respect & Kindness on February 12, 2012 routed fewer than two dozen pigeon shooters at the second Battle of Broxton Bridge—but the shooters, in retreat, allegedly gunned down a SHARK drone helicopter camera platform moments after takeoff.

Celebrated for decades by Civil War re-enactors as one of the last stands of the Confederacy, the first Battle of Broxton Bridge on February 1, 1865 ended with fewer than 200 malarial Confederate troops abandoning 12 cannon and their outflanked fortifications. Union military history records it as a transient skirmish. Slavery at the Broxton Bridge Plantation effectively ended that day.

The plantation today is a “canned hunt club,” explained a January 17, 2012 SHARK news release. The club had promoted a four-day pigeon shoot for February 9-12. “Not only will we take pictures of all the shooters,” SHARK pledged, “but we will identify many of them and ask them, rather publicly, why they enjoy slaughtering animals in such a barbaric manner.”

The SHARK challenge attracted the notice of *Field and Stream* blogger Chad Love. “Animal rights activists, a remote-controlled helicopter, and a bunch of guys with shotguns. Now that’s a combination with some definite potential for the creation of a brand-new shooting sport,” Love mused in a February 9 posting.

“Attendance was low,” SHARK founder Steve Hindi observed on arrival. “We know Broxton Bridge invited 120 people—but only about 20 showed up!”

For three days high winds kept the SHARK helicopter grounded. On the fourth day, Hindi recounted, “As soon as we began

to prepare to launch our aircraft, the pigeon shooters ran away. And we mean that literally. They got into their cars and left Broxton Bridge rather than be caught on video! First they tried to intimidate us by sending out the police and a lawyer. We ignored them, as what we were doing is perfectly legal. Once they knew nothing was going to stop us, the shooting stopped and the cars lined up to leave. We decided to send the copter up anyway,” flying it on the far side of U.S. 601 from the Broxton Bridge Plantation.

“Seconds after it hit the air numerous shots rang out,” from shooters apparently firing across the road, Hindi said. Crashing on the road, the helicopter was quickly retrieved by SHARK volunteers. SHARK filed a complaint with the Colleton County Sheriff’s Department, Hindi told **ANIMAL PEOPLE**, and “will follow through on charges,” he promised.

The incident was the fourth time a SHARK drone has been hit by gunfire since January 2, 2011. That drone remains caught high in a tree above the Wing Pointe Gun Club in Hamburg, Pennsylvania. The other damaged drones were recovered and repaired, with their video payloads intact.

The Broxton Bridge retreat was the second time in two months that pigeon shooters fled from SHARK exposure. “December 18, 2011 was supposed to be another Wing Pointe shoot,” Hindi recounted. “We had our cameras set up for when the would-be killers started arriving. A Wing Pointe employee came out in a tractor to prepare the slaughter area. He saw the bank of cameras waiting for him, made a phone call, and then left. Shortly thereafter, carloads of cowards starting heading home.”

## AHA rebuilds staff

**WASHINGTON D.C.**—American Humane Association president Robin Ganzert on January 18, 2012 announced the hirings of former Morris Animal Foundation executive vice president Paul Raybould as senior philanthropic advisor and of Sean Hawkins as director of strategic partnerships.

Founder of the Spay/Neuter Assistance Program and later Saving Animals Across Borders (now defunct) in Houston, Hawkins was later executive director of the California-based Cesar & Ilusion Millan Foundation.

Rebuilding staff after relocating from Englewood, Colorado to Washington D.C. in February 2011, selling the former AHA head office for \$2.7 million in September 2011, the AHA also announced that ten other executive positions have been filled, four through hiring, six by promotion.

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Seen as “normal” in U.S., “bully breed” attacks on wildlife raise concern in U.K.

DENVER, HONOLULU, LONDON—KUSA/Denver television news anchor Kyle Dyer on February 8, 2012 suffered facial injuries requiring 70 stitches from an 85-pound Argentine mastiff named Gladiator Maximus, called Max for short, whom she was petting during a live interview with Lakewood, Colorado firefighter Tyler Sugaski. Sugaski two days earlier rescued Max after he fell through thin ice while chasing a coyote.

Denver Environmental Health Department spokesperson Meghan Hughes told reporters that Michael Robinson, 39, of Lakewood, was cited with failure to have his dog on a leash, allowing a dog to bite, and failure to have a vaccinated dog.

Robinson in an online statement said Max was “current in his vaccinations,” and asserted that although Max chased the coyote while being walked off-leash, he “has no history of aggression.” Robinson acknowledged that “letting him off-leash in an open area away from anyone was still a mistake. We will never walk him off-leash in public areas after this,” Robinson pledged.

Created by crossing mastiffs with fighting dogs, Argentine mastiffs resemble an oversized pit bull, and are usually considered a “bully breed,” but Denver animal control director Doug Kelley told ANIMAL PEOPLE

that Robinson was not cited with violating the Denver ordinance against possession of a pit bull because, “Max is not a pit bull, any more than an American bulldog is a pit bull by definition in Denver’s ordinance.”

Neither was Robinson charged with a wildlife offense.

In the U.S. the pursuit of wildlife by “bully breeds” is mostly still regarded in the same light as the pursuit of squirrels and rabbits by dogs of any breed—as something any dog will do, if allowed the chance, and as a behavior protected by law in many states, along with traditional fox hunting, beagling, coonhunting, and hounding bears and pumas.

In Britain, however, the Royal SPCA and League Against Cruel Sports warned in January 2012 that “baiting” is making a comeback, though banned since 1835, and despite the much disobeyed 2005 Hunting Act, which nominally banned all hunting with dogs. “Baiting” consists of setting a dog against an animal, either tethered or cornered in a den, who has no chance of escape, and unlike the prey in beagling and hounding, will be killed by the dogs instead of being shot.

Driving the British baiting revival are “bully breed” fanciers. The dogs used, explained Patrick Barkham of *The Guardian*, are “bull lurchers, a relatively new cross breed

blending the speed of a lurcher [sighthound] with the strength and aggression of a pit bull or bull mastiff. Despite being the kind of anachronistic barbarity most people assume went out of fashion with the Victorians, badger baiting persists,” Barkham wrote, “amid an apparent resurgence of cruelty in the countryside,” including “cat coursing, in which domestic cats are pitted against fighting dogs.”

Continued Barkham, “The growth of lamping [night poaching] and badger baiting are priorities for the National Wildlife Crime Unit. According to Operation Meles, a police and charity partnership to combat badger persecution, there were 243 reports of badger fighting in 2009 and 2010. The RSPCA recorded 355 cases of badger persecution, including illegal snaring as well as digging and baiting, across Wales and England in 2010, compared with 255 reports in 2009.”

Added RSPCA national wildlife coordinator Geoff Edmond, “We’re getting a lot more lamping of deer, badgers and foxes. The old way was just using terriers [to hunt]. Now they are going out in gangs and throwing animals to the bull cross lurchers.”

The resurgence of baiting differs from the prey-specific activity of past generations of dog men, League Against Cruel Sports intelligence coordinator Mark Randell

told Barkham. Now, Randell said, “The criminality revolves around the dog and what the dog can do. The dogs are vehicles for the individuals and their criminal minds.”

Added Operation Meles lead investigator Ian Hutchison, “Where once illegal cruelty was the preserve of discreet chat in country pubs, participants now boast about their dogs and their fights, euphemistically referring to badgers as ‘pigs’ in ‘pig fights’ and posting graphic pictures of their trophies.”

Resurgent baiting is evident in the U.S. too, but in the U.S. the “pig fights” tend to feature pit bulls fighting actual pigs.

So-called “hog/dog rodeo,” in which dogs are pitted against pigs, is illegal in most states, but several dog-and-pig fights were prosecuted in Florida and Louisiana in 2011, among them a mother and daughter who posted to Facebook images of their dogs attacking a pig whose mouth was duct-taped shut. Yet another case surfaced in Hawaii via Facebook in January 2012, bringing charges against a 20-year-old and three 17-year-olds.

“We don’t condone what these kids do. Even I feel sorry for the pig,” Pig Hunters Association of Oahu president Oliver Lunasco told Keoki Kerr of KGMB-TV. Hawaiian pig hunters traditionally shoot or spear pigs who have been cornered by dogs, Lunasco said.

Veg or Non-Veg? India at the Crossroads by Mia MacDonald & Sangamithra Iyer  
Brighter Green, 2012. Free 46-page download: <[http://www.brightergreen.org/files/india\\_bg\\_pp\\_2011.pdf](http://www.brightergreen.org/files/india_bg_pp_2011.pdf)>

Brighter Green founder Mia MacDonald and associate Sangamithra Iyer ask, “Can India provide enough food for its people as well as support hundreds of millions of cows and buffalo and billions of chickens in increasingly industrialized conditions? And can it do so while protecting its natural resources and the global climate, and ensuring progress in human development?”

MacDonald, previously a researcher for the United Nations Population Fund, World Wildlife Fund, and Worldwatch Institute, describes Brighter Green as a “public policy action tank” addressing “issues that span the environment, animals, and sustainable development.”

The questions that MacDonald and Sangamithra raise are not new. They also troubled Sir Sardar Datar Singh, founder of the first modern dairy farm in India. Singh headed the Indian Dairy Science Association from 1948 to 1955, by appointment of the first Indian prime minister, Pandit Jawaharlal Nehru, at recommendation of Mohandas Gandhi.

Singh on the one hand led Indian animal agriculture in the present direction, and on the other, inspired and encouraged his granddaughter, Maneka Gandhi, who has for 30 years been the most prominent vegan in India, and the most caustic critic of the Indian dairy industry.

*Veg or Non-Veg? India at the Crossroads* does not introduce much that Singh did not consider, though he is not known to have foreseen global warming. By now, however, the consequences of the various trade-offs that Singh promoted in his efforts to help feed India are much more evident.

India in Singh’s time had recently endured several of the most catastrophic famines of the 20th century. India today feeds nearly four times as many people, and is a net food-exporting nation. Yet much of the progress that Singh helped to introduce was possible only because most Indians of his era were vegetarians, who rarely consumed non-dairy animal products and byproducts. Neither then nor today could India grow enough fodder and pump enough water to sustain high-volume production of meat and eggs. Whether India can sustain the present volume of dairy production is among the questions that MacDonald and Iyer examine.

“India has a several-thousand-year history of ethical vegetarianism,” MacDonald and Iyer open. “Vegetables, legumes, and grains lie at the center of the country’s varied regional cuisines, but cultural, ethical, and economic strictures on meat eating are weakening. India is no longer a majority vegetarian nation. Only about 40% of India’s 1.2 billion people identify themselves as vegetarian, according to a 2006 survey.”

India’s fast-expanding middle class “is driving growing demand for meat, eggs, and dairy products like ice cream and cheese, as well as milk,” MacDonald and Iyer assess. “India is now among the world’s largest producers of milk, poultry meat, and eggs. It has the world’s biggest dairy herd,” leading the world in production of buffalo milk, ranking second in production of cows’ milk. Total Indian milk production increased by 44% during the first decade of the 21st century.

“An estimated eight million male buffalo calves die from neglect or starvation each year in India, to preserve their mother’s milk for human use,” note MacDonald and Iyer. In response, “India’s national Department of Animal Husbandry, Dairying, and Fisheries has launched a program to encourage raising male buffalo calves for meat, specifically for export.”

“Cows are sacred to Hindus,” who are about 80% of the Indian population, MacDonald and Iyer explain, “and their slaughter remains controversial, but beef from buffalo is now the second most widely consumed meat in India after poultry.”

“India is also the world’s fourth largest producer of eggs and fifth largest producer of poultry meat, principally from chickens,” MacDonald and Iyer continue, offering frequent footnotes and sidebars to document their contentions. “In 2010, India was the world’s fastest-growing poultry market, outpacing Brazil, China, the U.S., the European Union, and Thailand. The costs of producing chickens for meat in India are

the world’s second lowest, and production of eggs in India is cheaper than in any other country, according to the Poultry Federation of India.”

World Society for the Protection of Animals president Mike Baker has enthusiastically endorsed the Rural Backyard Poultry Development program, introduced by the Indian Cabinet Committee on Economic Affairs in 2009. The idea was to help local egg producers keep the 30% of Indian national egg market share that they then still had, after losing 70% to industrial poultry conglomerates. But that battle has already been lost. “Just 10% of India’s poultry production remains small-scale or ‘backyard,’” wrote MacDonald and Iyer just two years after the Rural Backyard Poultry Development program debuted. “About 90% of the more than two billion meat chickens produced in India each year are raised in industrial-style facilities,” MacDonald and Ayer report.

“In the 1950s an average of five eggs were produced each year for every Indian,” MacDonald and Iyer write. “Now, 50 eggs are technically available for each Indian,” but while urban Indians eat an average of 100 eggs a year, “a rural Indian eats an average of 15, slightly more than one egg a month.

The poor & the food chain

“Although more Indians are eating higher up the food chain, under-nutrition remains stubborn and persistent,” MacDonald and Iyer emphasize. “Forty-four percent of Indian children under age five are malnourished. One of every three of the world’s malnourished children lives in India.”

Yet, paradoxically, “More than 20% of Indians in urban areas are overweight. In India today,” MacDonald and Iyer summarize, “both malnutrition and obesity-related diseases are among the leading causes of death.”

The situation is not improving, especially for the rural poor. “India is the world’s third largest producer of cereals,” MacDonald and Iyer explain, “after China and the U.S. But after decades of increases in the post-Green Revolution period, availability of food grains per capita is now declining.”

Increasingly the rural poor are squeezed between drought cutting into grain and vegetable production and food prices driven up by rapidly increasing demand from livestock producers. But the steep rise in meat production and decline of vegetarianism paradoxically do not mean that Indians are on average eating more meat. “Consumption of meat [in India] is less than one-sixteenth of levels in China, and one-thirty-fifth of those in the U.S.,” MacDonald and Iyer explain. “Data show that for the period 1997–2007, per capita meat consumption was static or declining. Most of India’s meat, eggs, and milk are consumed by those in middle and upper economic brackets. And while India’s middle class comprises at most just one quarter of the population, it is the segment growing most quickly—and where shifts in diet are seen most clearly.

“Livestock industry analysts predict that Indians will never eat as much animal protein as people living in the U.S. or China,” MacDonald and Iyer continue, but because the Indian human population is so large, and because the Indian middle class is growing rapidly, “small shifts can have large consequences.” In particular, MacDonald and Iyer warn, “Water scarcity is a reality in all of India’s states, and animal agriculture is a significant source of water pollution.” Much of the Indian subcontinent is already arid. Global warming is exacerbating the trend. United Nations Food & Agricultural Organization director Jacques Diouf recently warned that as much as 18% of Indian grain production might be lost to drought resulting from anticipated effects of climate change.

Offering a succinct yet comprehensive diagnosis of the threats to Indian food security presented by the growth of animal agriculture, MacDonald and Iyer conclude with a disappointingly weak and politically unrealistic set of recommendations. Most call upon the Indian government to reverse policies supportive of animal agriculture that originated with Sir Sardar Datar Singh. These policies are supported by an ever-expand-

ing bureaucratic infrastructure, including the National Meat & Poultry Processing Board, established in 2009, committed to expanding the meat industry and building the meat export trade. A government with these goals is unlikely to reverse course except under political, economic, and ecological duress felt more acutely than the perennial pressure to secure re-election by continuing policies that have proven popular among middle class voters and campaign donors.

The mission that MacDonald and Iyer meanwhile envision for “Civil society organizations working on environmental, food security, rural development, gender, agricultural, or animal welfare issues” is to “seek opportunities to work more effectively together to counter the growth of intensive animal agriculture in India.”

Kindness Farms

Completely omitted from *Veg or Non-Veg? India at the Crossroads* is any imagination of a role for private economic investment in altering the present catastrophic trends.

Yet among the most ambitious projects underway in India to counter the expansion of animal agriculture are the Kindness Farms funded by Australian investment banker and vegan philanthropist Phil Wollen.

The Kindness Farms might be described as a hybrid of Gandhian ideals with the notion that doing good can at least break even, and perhaps inspire profitable business ventures.

“We have inaugurated our latest Kindness Farm in Visakhapatnam,” Wollen e-mailed on January 29, 2012. “It is huge, attractive, and productive,” raising “fruit, vegetables, feed-grasses, and flowers,” as well as housing rescued cattle, buffalos, dogs, and horses.

“Kindness Farms will produce significant quantities of organic food, which is almost impossible to buy in India,” Wollen said. “Organic vegetables and fruit command a high premium in all the Indian cities. So we will soon acquire a retail outlet and will sell our produce directly to rich Indians at a premium. The money will be used to support our animals. The food will be branded Kindness Fresh Foods.

“We have also launched our fourth Kindness Mobile Restaurant, feeding hot vegan meals to impoverished street people,” Wollen continued. “The recipients are encouraged to see the food not as charity but as a stipend. They already share the streets and their meager meals with the street dogs. So we ask them to keep their eyes open. If they see puppies being born, or a man whipping a horse, or a lorry hitting a cow, they should call our shelter and we will send our ambulance. This idea is gaining traction in the community.

“We have committed to a third Kindness Farm in Bangalore, within the Morning Star orphanage,” Wollen added. “It is already productive—sown, nurtured, harvested, cleaned and cooked by the orphans.”

An older Kindness Farm in Puttaparthi “is growing massively,” Wollen said. “The food is sold in our organic shop on the main street. We have decided that every Kindness Farm will now have a Kindness Kitchen,” Wollen finished, “which will provide a hot meal to all the shelter staff and animal herders before they start the day. This means we are assured that they have a full stomach, a healthy vegetarian meal, and good health. They also become very loyal employees. We have also decided to employ as many people as possible from the local village and teach them trades. We also intend to educate their children and teach the parents to read.”

Countless charitable projects have tried to alleviate animal and human suffering in India. There is no guarantee that the Kindness Farms will be more successful than many that have long since failed and been forgotten. But just as Sir Sardar Datar Singh understood that he had to develop and make an economic success of his own dairy farm before he could influence government policy, Wollen understands the importance of demonstrating his ideas before prescribing them.

—Merritt Clifton



## First immunocontraceptive for animals wins EPA approval

**BILLINGS, Montana**—The Environmental Protection Agency on February 16, 2012 gave regulatory approval to an immunosterilant contraceptive for wild horses called ZonaStat-H, made by the Science & Conservation Center at ZooMontana. Developed by former ZooMontana

director Jay F. Kirkpatrick, with funding from the Humane Society of the U.S., ZonaStat-H has been produced experimentally since 1998. Based on porcine zona pellucida, extracted from the ovaries of slaughtered pigs, ZonaStat-H has been tested successfully in horses and deer.

## ANIMAL PEOPLE festive tofu roast (serves 15-20)

Start with six pounds (96 ounces) of extra firm tofu—the type sold in plastic wraps, not in tubs of water. If you can only obtain tofu that is sold in tubs of water, you will have to mash it up well, put it in a cheesecloth-lined colander, put a heavy (5-pound) weight on it, and leave it for several hours (or overnight) so that as much water as possible drains out of the tofu.

Do not freeze the tofu, as that will change the texture of the tofu so that it will not bind to the oil and soy sauce that will be mashed into it.

Finely mash the tofu with your hands along with 10 fluid ounces of toasted sesame oil and 6 fluid ounces of soy sauce.

Lightly oil the bottom of a large baking pan with toasted sesame oil (pan size at least 12" wide by 17" long and 3" deep).

Shape the tofu mixture into a 2" deep loaf in the baking pain, leaving enough room between the tofu mixture and the sides of the pan for a quantity of the oil to cook out.

Place the pan in the top half of the oven so that the bottom of the roast does not become overly crisp. Do not cover the pan.

Baste the top and sides of the roast with a mixture of two fluid ounces of toasted sesame oil and 4 fluid ounces of soy sauce three times, at intervals of 30 minutes (in other words, after the roast has baked 30 minutes, then after it has baked 60 minutes, and then after it has baked 90 minutes, after which it will bake a final 30 minutes).

Bake a total of two hours in a preheated 350 degree oven.

After taking the roast out of the oven, let it cool for about 10 to 15 minutes and then lift it out of the baking pan using spatulas and a cookie sheet



to slide under it so that the roast doesn't break up while being lifted. You can serve the roast on the cookie sheet or slide it onto a more elegant platter. —Kim Bartlett

## Beaver & Climate Change Adaptation in North America: A Simple, Cost-Effective Strategy

by Bryan Bird, WildEarth Guardians, Mary O'Brien, Grand Canyon Trust, & Mike Petersen, The Lands Council

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<[www.wildearthguardians.org/site/DocServer/Beaver\\_and\\_Climate\\_Change\\_Final.pdf?docID=3482](http://www.wildearthguardians.org/site/DocServer/Beaver_and_Climate_Change_Final.pdf?docID=3482)>

"The reestablishment of American beaver and its habitat is a viable and cost-effective climate change adaptation strategy," begins *Beaver & Climate Change Adaptation in North America*. "Due to the unique hydrological engineering accomplished by dam-building beaver, support and reestablishment of beaver constitute an important climate change adaptation tool in the United States."

The implied premise is that encouraging beaver might help to mitigate the effects of global warming, even if there is never a national consensus on the need to regulate greenhouse gas emissions. This is a tempting hypothesis. Certainly more beaver could help to conserve water and other wildlife in regions of intensified drought. Water impoundment by beaver

dams also in itself helps to cool and stabilize the surrounding micro-climates. As diagrams demonstrate, most of North America was beaver habitat as recently as 300 years ago. Beaver need little more help in repopulating most of their former range than a respite from fur trappers, who currently kill about 125,000 beaver per year in the U.S., and to be tolerated by the owners of flooded property, whose complaints result in USDA Wildlife Services killing a recent average of 23,000 beaver per year.

Unfortunately, climate change deniers are probably no more likely to accept more beaver than they are to accept that global warming is occurring. But even if climate change deniers were more receptive to the prescriptions of co-authors Bryan Bird, Mary O'Brien, and Mike Petersen than those of Al Gore, *Beaver & Climate Change Adaptation in North America* does not really support

the premise of their opening sentence. Indeed, Bird, O'Brien, and Petersen barely discuss global warming. Greenhouse gases get only transient mentions.

Most of *Beaver & Climate Change Adaptation in North America*, in the words of the authors, "demonstrates the critical roles beaver play in ecosystem structure and function." Yet these arguments were already widely recognized more than a century ago, when beaver restoration projects began. What is lacking from *Beaver & Climate Change Adaptation in North America* is a coherent argument that shows how beaver restoration might stack up as a climate change mitigation strategy in comparison to the Kyoto treaty that the U.S. never signed, the cap-and-trade carbon emission proposals that have never cleared Congress, and going vegetarian. —Merritt Clifton



## Defends author of Dewey's Nine Lives

In your November/December 2011 edition was a review of Vicki Myron's book *Dewey's Nine Lives*, her fifth about the cat she kept at the Spencer Public Library in Spencer, Iowa, 1988-2006. The review mentioned that, "Dewey was declawed, front and back. At the time, more than 20 years ago, this was not yet widely recognized as inhumane. Has Myron changed her perspective about declawing?" Declawing Dewey may have been at the library board's behest because it all happened early on when the board was agreeing to his residence in the library. All of Dewey's vet bills during his lifetime were paid by Myron, rather than the library.

The review went on to ask, "What does the Dewey story and the similar stories of other kittens, including Myron's current cat, say about the public image of humane work and the need to extend

free and low-cost pet sterilization services? Is Myron herself involved in organized humane work? Is she a donor to any humane society?"

It is no one else's business what charity an individual donates time and money to. Maybe Myron has donated to a local shelter, and the public does not know about it. She did donate a large sum to the library two years ago with "more to follow." For Myron an example of animal charity, as formerly with Dewey, was adopting her current cat, Page Turner, rescued by a former library employee from the streets of Spencer after a heavy snowfall.

As a side note, I much appreciated a well-detailed and argued letter to the editor by Nedim Buyukmihci, DVM regarding the definition of euthanasia, which appeared in that same edition.



—Susan Hess  
Elgin, Illinois

## Behavior of North American Mammals

by Mark Elbroch & Kurt Rinehart

Houghton Mifflin Harcourt (22 Berkeley St., Boston, MA 02116), 2011.  
374 pages, hardcover. \$35.00.

"*Behavior of North American Mammals*," says the publisher's flack sheet, "is a guide not for identifying mammals, but to understanding what they do," including "information on seasonal activity, food and foraging, home range and habitat, communication, courtship, and mating, development and dispersal of young, interactions with their own species, and interactions with other species."

Fifty-one chapters cover the mammals that wildlife watchers in North America are either most likely to see, or most likely to want to see. Most chapters discuss several closely related species, typically regional variants. Though *Behavior of North American Mammals* is not a field guide, each chapter includes most of the information found in field guides, with additional notes that mostly put field guide data into context. *Behavior of North American Mammals* might be used either to gain a more thorough understanding of an animal one hopes to observe in the wild, or to confirm and clarify observations of whatever one has seen.

As with field guides, few people are likely to sit down and read *Behavior of North American Mammals* straight through. It is designed to be used more like an encyclopedia.

The referential rather than narrative approach is realistic in the present day, when most people with an interest in wildlife are likely to have accumulated a great deal of information from electronic media before ever picking up a book to expand their knowledge further.

Yet this is not the only way to present the material that *Behavior of North American Mammals* offers. Such ancestral works as Hornaday's *American Natural History* (1904), by Wildlife Conservation Society founder William T. Hornaday, and *Wild America* (1955), by pioneering field guide editor/illustrator Roger Tory Peterson and James Fisher, were meant to be read straight through. Though somewhat obsolete in some of their information content, these narrative texts remain engrossing.

Ironically, Hornaday and Peterson espoused and led the trend toward nature books which emphasized fact over anecdote, away from story-telling that often emphasized the atypical, rather than normal animal behavior, and came to be known as "nature-faking." But Hornaday and Peterson remembered the value of

story-telling itself, largely discarded by later authors of nature reference works.

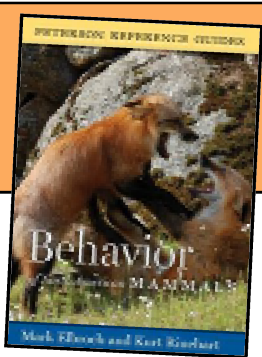
*Behavior of North American Mammals* represents a halfway step back toward references that enable users to understand the stories that animals themselves tell, rather than just reciting biological data.

Having shelves sagging with wildlife references, to which I refer much less often than to narratives by informed observers such as Farley Mowat and Hope Ryden, I am inclined to believe that most of us who wonder "What is that animal doing?" might still spend more time with a narrative giving some sense of the animal's personality, given the choice, than with an objectively written summary of facts.

Thirty-six chapters of *Behavior of North American Mammals* discuss species I have watched in the wild. Most of the remaining chapters cover animals I have seen often in captivity. For about three months I kept *Behavior of North American Mammals* within reach as I worked, comparing day-to-day observations of Pacific Northwest species with those of authors Mark Elbroch and Kurt Rinehart.

I did not observe much, if anything, that Elbroch and Rinehart do not explain. I will be shelving *Behavior of North American Mammals* alongside the three most used wildlife references in my collection: *American Wildlife & Plants: A Guide to Wildlife Food Habits*, by Alexander C. Martin, Herbert S. Zim, and Arnold L. Nelson (1951); *Animal Tracks*, by Olaus J. Murie (1954); and *Guide des Mammifères Terrestres du Québec, de l'Ontario, et des Maritimes*, by Louise Beaudin and Michel Quintin (1983), which is unique in that Quintin personally photographed in the wild every species included, even when he had to hike hundreds of miles inside the Arctic Circle to do it.

*Behavior of North American Mammals* does not include as much detail as each of these individual works about what animals eat, or their tracks, or include range maps and strikingly original photos, but it does connect the more specialized information in my other favorite wildlife references into a comprehensive introduction to each listed species. —Merritt Clifton



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## OBITUARIES

*“I come to bury Caesar, not to praise him. The evil that men do lives after them. The good is oft interred with their bones.” —William Shakespeare*

**Joseph T. Collins**, 72, died on January 12, 2012 from a heart attack suffered while studying reptiles in Florida. A former instructor at the University of Kansas, Collins authored 27 books about reptiles and other Great Plains Wildlife, and co-authored the 1998 *Peterson Field Guide to Reptiles and Amphibians of Eastern and Central North America*. Collins in 2005 founded the Center for North American Herpetology, an online resource offering downloadable copies of nearly 1,400 herpetological studies.

**Abdullahi Mohammed**, a Wildlife Works ranger working with Kenya Wildlife Service rangers to track a Somali elephant poaching gang, was fatally shot on January 13, 2012 near Voi in the Kasigau Corridor wilderness area, located between Tsavo East and Tsavo West national parks. A second Wildlife Works ranger, Ijema Funan, suffered a severe shoulder wound. “This is the first time in 15 years that any of our rangers have been killed in the line of duty,” said Wildlife Works founder Mike Korchinsky, who attributed the shootings to “an escalation in violence caused by the increasing demand for ivory in the far eastern markets, especially China.”

**John Spanish**, 90, died on December 7, 2011 in Hibbing, Minnesota. A four-term member of the Minnesota House of Representatives, Spanish lost his seat after he introduced a failed bill in 1978 to allow elderly, blind or disabled people to hunt and fish without licenses. Defeated in each of 12 attempts to regain the seat, Spanish was in March 2011 “charged with 33 counts of animal neglect and one public nuisance count for keeping dozens of cats inside his Hibbing home and for disposing of raw sewage in the city’s storm drains. All but seven of the cats were euthanized,” recalled John Lundy of the *Duluth News Tribune*, “and his home was declared unfit for human habitation.”

**Nick Santino**, 47, a New York City soap opera actor who had performed in *All My Children* and *Guiding Light*, on January 24, 2010 had his pit bull Rocco euthanized, after receiving veterinary advice that the dog was aggressive, and although New York City has more resources for retraining and rehoming pit bulls than any other city, with the possible exception of Los Angeles. Less than 24 hours later Santino killed himself with an overdose of sleeping pills, attributing his suicide to guilt over killing Rocco. Other residents of the building in which Santino owned a condominium had reportedly complained about Rocco, who according to building rules could not ride in the main elevators and was not allowed to be left in Santino’s apartment alone for more than nine hours. Santino reportedly attributed Rocco’s behavior to his own depression.

Wildlife cinematographer **Michael DeGruy**, 60, was killed with pilot and underwater documentarian Andrew Wight on February 4, 2012 in a helicopter crash at Jaspers Brush, New South Wales, Australia. DeGruy contributed to productions including *Sharks on their Beast Behavior* (1990), *Inside the Animal Mind* (2000), and *The Life of Mammals* (2002). “In 2008 Discovery Channel sent me to the Coral Sea for the filming of their Shark Week documentary *Mysteries of the Shark Coast*,” recalled writer and photographer Wendee Holtcamp. “The first day aboard the boat we’d live on for the next two weeks, I joked about his mangled arm—‘What happened? Shark bite?’ Mike answered, ‘Actually, yes.’ He had been attacked by a grey reef shark after his camera flash went off in Enewetak Atoll while diving and photographing. He barely survived. It was a running conversation starter for him about why we should not fear sharks—they have much more to fear from us than we do from them.”

## MEMORIALS



*C.P. Ramaswami Aiyar Foundation director Nanditha Krishna holds Dr. Moosa on lead among seven of his “patients.”*

In memory of Dr. Moosa, an eight-year-old black Labrador cross who worked with the children at the Saraswathi Kendra Learning Centre in Chennai, India. During six years of service Dr. Moosa helped more than 100 autistic children. He will be sorely missed by us and by the children and our volunteers.

—Chinny Krisha

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Based on Hindu mythology, this is the story of Yudisthira, a pious king whose place in Heaven is determined by his love for a dog. Animated by Wolf Clifton in the style of an Indonesian shadow puppet play.

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## Meat consumption falls 12.2% amid health concerns

**CHICAGO**—“Americans will consume 12.2% less meat and poultry in 2012 than they did in 2007,” the U.S. Department of Agriculture projected in December 2011.

Analysts ranging from the commodities trading firm CMI Group and the *Daily Livestock Report* mostly attributed falling meat consumption to higher feed grain prices, which have made meat and poultry more expensive. Food writers, however, tended to note that the number of self-declared vegetarians in the U.S. has increased from 1% in 1971 to 3.4% in 2009.

Consumers Union suggested that a key factor is increasing public concern about contaminated meat. “At a time when government oversight of food safety should be strengthened to combat life-threatening risks such as mad cow disease and E. coli contamination,” Consumers Union warned, “just the opposite is happening.”

The discussion occurred as the U.S. Food & Drug Administration took what Union of Concerned Scientists food and environment program outreach associate Ashley Elles termed “two steps backward, one tiny inch forward” in regulating the use of antibiotics in animal agriculture. About 80% of the antibiotics used in the U.S. are fed to livestock in low doses, mixed into food or water, not to treat any specific illness, but to reduce bacterial activity in the animals’ stomachs that may inhibit weight gain, and to prevent disease outbreaks in crowded barns.

**Andrew Wight**, 52, was killed with wildlife cinematographer Michael DeGruy on February 4, 2012 when a helicopter he was piloting crashed at takeoff at Jaspers Brush, Australia. A mechanical failure is suspected as cause of the crash. An agricultural scientist and researcher, Wight took up cave diving. Named “Australian Adventurer of the Year” in 1988, Wight became a successful maker of underwater documentaries, usually focused on wildlife, videotaped in many parts of the world.

The FDA in December 2011 “withdrew several longstanding regulatory actions that would have restricted antibiotic use in feed and water for nontherapeutic purposes,” Elles explained, but “on January 6, 2012 announced new restrictions on how a specific class of antibiotics called cephalosporins could be used in animal agriculture.”

The FDA moved to limit use of cephalosporins in response to repeated scientific warnings, including from the World Health Organization in October 2011, that excessive use of antibiotics in livestock has contributed to the emergence of antibiotic-resistant human diseases, including an antibiotic-resistant form of tuberculosis now hitting parts of Asia, Africa, and eastern Europe.

The FDA withdrew a proposal to regulate agricultural use of a broader range of antibiotics that originated with a 1977 recommendation by an advisory committee that subtherapeutic uses of penicillin and tetracycline should cease immediately. Congressional intervention blocked the original regulatory proposal. The Natural Resources Defense Council in 2011 filed a lawsuit meant to compel the FDA to resume the agricultural antibiotic regulatory process.

Also in the news in early 2012 were livestock disease outbreaks in Maryland and Mexico which were tentatively linked to the common practice of fattening cattle for slaughter with feedstock consisting of grain mixed with processed chicken manure.

**Michael Tyner**, 35, field supervisor for the California Condor Recovery Program at the Ventana Wildlife Society, was killed by a falling oak branch on December 3, 2011 in Los Padres National Forest. Checking on the status of a recently released condor amid high winds, Tyner telephoned to colleagues by cell phone that the condor was okay just before the accident. Tyner was previously a condor nest technician for the Santa Barbara Zoo, and was involved in several other rare bird conservation programs.

## Failure of Armenian s/n program brings NYC success

**NEW YORK CITY**—Newly released New York City Center for Animal Care & Control shelter surrender numbers gave Companion Animal Network founder Garo Alexanian cause for celebration on February 4, 2012—and a message for Yerevan, the capital city of Armenia.

“After five years of virtually unchanged numbers of dog and cat surrenders to the CACC,” Alexanian said, “the total dropped by 15%,” or nearly 6,000 animals, “during 2010, the first full year that we operated our Low Cost Vet Mobile, and fell another 9% in 2011, our second full year.”

The theory that providing free or low-cost veterinary care to pets in low-income neighborhoods could reduce shelter surrenders and killing emerged in New York City more than 100 years ago. This was the founding concept behind the Animal Medical Center, opened in 1910, and behind the Henry Bergh Memorial Animal Hospital, operated by the American SPCA since 1912.

But before high-volume, low-cost pet sterilization techniques were developed and popularized, whatever effect the Animal Medical Center and Bergh Memorial Animal Hospital had was lost among the torrent of unwanted litters. Demonstrating the effects of taking free and low-cost vet care to hardscrabble neighborhoods without resident vets was left to the Low Cost Vet Mobile, deployed in July 2009.

The Companion Animal Network purchased the Low Cost Vet Mobile to do the same job in Yerevan, using it in New York City only after failing to accomplish the Yerevan project. “We tried for ten years to work with Yerevan’s government to let us create a spay/neuter program,” Alexanian fumed. “We tried with two Yerevan administrations. We sent people to Yerevan numerous times, built an animal hospital and a shelter there, and invested over \$75,000 to send American veterinarians to train Armenian vets in spay/neuter techniques. We also sent Armenian vets to Romania to train.”

Corruption eventually ended Alexanian’s efforts in Armenia—the same problem which recently caused U.S. President Barack Obama to announce a 19% cut in U.S. aid to Armenia, Alexanian said. Meanwhile, Alexanian lamented, “Armenia has stepped up shooting of dogs, even pet dogs. Yerevan announced it had

opened a municipal spay/neuter facility on the TV news,” Alexanian charged, “but actually opened an animal killing facility at that location instead.”

Similar issues have afflicted humane work in Romania, where progress in sterilizing street dogs and feral cats has time and again been undone by animal massacres ordered by city governments in blatant violation of the national animal control law. Traian Basescu, the Romanian president since 2004, as mayor of Bucharest in 2001 established his reputation for enforcing law-and-order by directing the most aggressive dog massacre of all.

The Romanian Chamber of Deputies, dominated by the Democratic Liberal Party that Basescu founded, in November 2011 ratified a new animal control law meant to expedite killing impounded dogs.

But the Romanian Supreme Court on January 11, 2012 declared in an 8-1 verdict that the new animal control law is unconstitutional. The law was referred back to the Chamber of Deputies for revision.

Vier Pfoten, the Austrian-based charity whose Romanian dog and cat sterilization program Alexanian sent Armenian vets to learn from, has meanwhile expanded operations to Ukraine, where dog massacres erupted in 2011 in alleged preparation for the Euro 2012 Football Championships.

Responding to international exposure mobilized by the British animal charity Naturewatch, Ukrainian environment minister Mykola Zlochevskiy in November 2011 pledged a moratorium on the dog killing.

Following up, Vier Pfoten president Helmut Dangler on February 4, 2012 signed an agreement with Zlochevskiy to conduct high-volume dog sterilization in the Euro 2012 host cities of Kiev, Kharkov, Donetsk, and Lvov. “Vier Pfoten will go with mobile animal ambulances to each city, neuter and vaccinate the stray dogs, then release the animals back to their homes,” said Vier Pfoten spokesperson Kim Phillips.

“As soon as these cities prohibit killing of stray dogs, Vier Pfoten will start the neutering project. The city of Lemberg already issued such a ban,” Phillips noted.

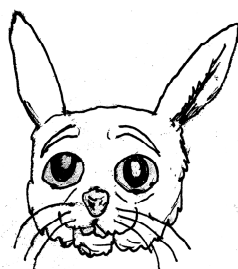
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