

AFL-CIO VOTES TO SAVE WHALES

The American Federation of Labor and Congress of Industrial Organizations passed a Resolution at its last annual convention to Save the Whales. The full text of the Resolution follows:

Preservation of World Whale Stocks

WHEREAS, With the passage of the Marine Mammal Protection Act in 1972, the United States committed itself to a major campaign to reduce the senseless and wasteful killing of marine mammals. Many of these animals, including seals, porpoises and whales, were considered to be endangered and had been hunted to the point where stocks were seriously depleted and in some instances exhausted, and

WHEREAS, Since the passage of the Marine Mammal Protection Act, significant steps by the U.S., both unilaterally and multilaterally, have succeeded in setting up reasonable programs to preserve ocean mammals, and

WHEREAS, However, one species of mammal, the whale, continues to be hunted by several foreign nations, and the future survival of this ocean creature is in jeopardy. The major hunters of whales are the Japanese, and to a lesser degree, the Soviet Union. Together, the two nations account for over 90 percent of the whales killed throughout the world, and

WHEREAS, The continuing desire of these two nations to maximize their whale harvest runs contrary to the views of the majority of the nations, including the United States, represented on the International Whaling Commission, the body which regulates the worldwide hunt for whales, and

WHEREAS, At a recent conference of the Commission in London, Japan and Russia voted to continue to take whales in the face of worldwide sentiment that all whale killings should be halted, U.S. representatives pointed out that forecasts of whale populations are unreliable and that even with quotas, there is a grave risk of stock depletion. They urged that all nations follow the U.S. lead in declaring whales "endangered species" and prohibit either the hunting or importation of whales or whale products, and

WHEREAS, Thus it is vital that if effective management of this ocean resource is to take place, then the wholesale killing of whales must be prohibited until there is sufficient knowledge about the size and habits of whale stocks. This is particularly true in light of the many other less depleted fish stocks available to the Russians and Japanese that could replace the whale's limited role as food for humans and animals; therefore, be it

RESOLVED: That the AFL-CIO calls upon Japan and Russia to abide by world opinion expressed at the recent London meeting of the International Whaling Commission, and cease the hunting of whales in order that this important sea mammal can be preserved and allowed to grow in numbers, and also urges the Administration to bring pressure on these nations to comply with world sentiment that whales are endangered and must be preserved.

INTERIOR PROPOSES MAJOR RESTRICTIONS ON WILDLIFE IMPORTS

In Proposed Regulations published December 20, 1973 in *The Federal Register*, the U.S. Department of the Interior, under the authorization of the Lacey Act (18 U.S.C. 42) would ban importation of most wildlife for purely commercial purposes. The dangers of introducing exotic species are well-known, and the proposed regulations are published under the title, "Injurious Wildlife". This is a courageous step in the public interest, opposed solely by those with a vested interest in buying and selling wild creatures made captive against their will and subjected to suffering in transit to market which is so severe that it frequently ends in death.

TALBOT PRESENTS MEDAL TO McVAY

The 1973 Albert Schweitzer Medal of the Animal Welfare Institute was awarded to Scott McVay for his distinguished service to the cause of the whales, tens of thousands of whose dwindling numbers are being painfully killed by explosive harpoons to satisfy commercial avarice. The presentation was made by Dr. Lee M. Talbot, an intensive fellow fighter for the whales in his capacity as Senior Scientist of the Council on Environmental Quality.

Jason Robards, star of *A Moon for the Misbegotten*, and of countless other plays and films, spoke movingly at the ceremony of his love for the gray whales he watches on their annual migration as they pass his home on the coast of California. Robards called for decisive action by Secretary of State Henry Kissinger to halt the slaughter by Japan and the Soviet Union.

Texts of the presentation and acceptance speeches follow:

Remarks of Dr. Lee M. Talbot, Senior Scientist of the Council on Environmental Quality, at the presentation of the Albert Schweitzer Medal to Mr. Scott McVay. Kennedy Center, Washington, D.C. December 18, 1973

It is a great pleasure and honor to have been invited by the Animal Welfare Institute to make the 1973 Schweitzer Medal presentation to Mr. Scott McVay.

The Albert Schweitzer Medal is presented annually by the Animal Welfare Institute to individuals who have made an outstanding contribution to animal welfare. It is particularly significant that both last year's and this year's medals have been given to individuals involved with the conservation of whales.

In its early days, the Schweitzer Medal was awarded to individuals who had contributed to animal welfare through work involving humane handling of experimental animals. The fourth Medalist, then Senator Hubert Humphrey, authored the first humane slaughter bill introduced to Congress. Subsequently, the basis for the award broadened as our awareness of the ecological facts of life has increased.

We have gradually become aware that animals do not exist in isolation, but that they must be considered to exist at the center of a web of interrelationships — and that the welfare of the animal depends upon the welfare of that web.

More recently, yet, there has been broad recognition that this factor applies as much to man as to any other living thing with which we share the earth. We have come to realize that our own welfare, indeed our own survival, depends upon maintaining intact and healthy the ecosystems on which we rely; and the survival of any of the species which are components of these ecosystems is a part of this. There has also been a growing international component to this new environmentalism. This was epitomized by the Stockholm Conference on Human Environment where 113 nations to a large degree laid aside their political differences to concentrate their efforts on the world's environmental problems.

The results of the Stockholm Conference included agreement on over 100 specific actions, on United Nations environmental institutions and a declaration of environmental principles; yet the issue which became the symbol of the Conference was the whale. There is probably no living thing today that has come to be as representative and symbolic of our environmental awareness as the whales.

Whales have become a focal point for international conservation concern. They have represented a true tragedy of the commons. They have been all-too-exemplary of the over-exploitation and abuse of the environment and its resources by shortsighted human action. In the past they represented a significant natural resource. With successful conservation, they may again in the future. More than that, they represent what is widely believed to be a high order of intelligent being. The public responds to whales because of their unique size, their social structure, their songs, and

from what many believe to be their kinship to us as intelligent mammals, and their continuing plight and endangerment at the hands of a handful of greedy industries and peoples. Beyond all this, whales no longer represent a truly significant economic or food resource. If we prove unable to manage whales, it does not augur well for our ability to manage any of the other species for which there is so much greater incentive of exploitation. In other words, if we cannot find a way to manage whales successfully, it is unlikely we will be able to do so successfully with any other component of our living environment.

As a scientist, I cannot say it is more important to conserve the whales than it is to conserve any other group of living things; but as one concerned with conservation in general and with the politics and policies of international environmental concern, I can say that there is probably no one group animal which has the significance of whales to world conservation.

Scott McVay is at once a most unlikely protagonist of the whale issue and a most appropriate one. He is unlikely because there is little in his background to suggest whales. In Princeton he majored in English and wrote his senior thesis on George Bernard Shaw. When he graduated, he listed sculpture among his special interests and indicated he planned an architectural career. He subsequently became, among other things, recording secretary, assistant treasurer, and assistant to the President of Princeton. He is currently Executive Director of the Robert Sterling Clark Foundation in New York. This I submit is a most unlikely background for a champion of the whales.

Yet, at the same time, it is a highly appropriate background. As I have described earlier, the whales have become a symbol to a great many people in a great many countries. Indeed they are doubtless more important to the general public than they are to the scientific specialists.

Scott says that his interest in whales was first aroused by Melville's *Moby Dick*. In any event following his work at Princeton he went to the Communication Research Institute at Coconut Grove, Florida, to work on a study of the life and language of the bottle-nose dolphin, and by 1965, he wrote in his college year book that his intent was to contribute to man's understanding of the life and language of the whales.

Since that time, he has made truly significant contributions to the public understanding and awareness of the problem of conservation of the whales. In 1966 his article in *Scientific American* "The Last of the Great Whales" provided one of the first definitive views the public had received of the tragic results of modern whaling. His subsequent articles, for example, in *Natural History Magazine*, the *Bulletin of Atomic Scientists*, *National Parks*, *Audubon*, the *American Scientist*, and two op-ed pieces in *The New York Times* have all contributed to a growing public awareness of the problem and concern with it.

In his role as spokesman for the public concern with whales, he has served as the lead witness invited from outside government at the congressional hearing in 1971 which led to the congressional resolution calling for a moratorium on whaling; he was an invited speaker representing the conservation viewpoint at the 1971 International Conference on Whale Biology, and further in his role as a citizen spokesman, he was Observer to the International Whaling Commission meeting in 1970, and a full member of the U.S. delegation to the IWC in 1971 and 1972.

He made a significant contribution to the decision of the Mexican Government to declare Scammon's Lagoon in Baja, California, as a permanent whale sanctuary.

In 1970, he traveled to Japan to encourage six leading scientists to form a committee for preservation of whales under the chairmanship of Dr. Seiji Kaya, former President of the Tokyo University.

Following his work on dolphin communications in Florida, he expanded his interests to larger whales and has organized two expeditions to the Arctic to study the bowhead whale along the northwest coast of Alaska, one in 1971 and another this year. In conjunction with the bowhead work he traveled with us to the Soviet Union in January of this year as a member of the first working group to be convened under the US-USSR Environment Agreement. He is also co-author of "Songs of the Humpback Whale" which appeared in *Science* in 1971.

From this I believe it is clear that he had indeed accomplished his aim of contributing to man's

understanding of the life and language of whales, but — and this is somewhat heretical coming from a scientist — in my opinion far more important is his contribution to public understanding and awareness of the plight of the whales and as a citizen spokesman, his contribution to Government actions on behalf of the whales.

Last year's Schweitzer Award went to Russell Train because of his key role personally in our Government's efforts to conserve whales, but he also symbolized the efforts of our Government.

But in this as in other endeavors the Government and the public represents an essential partnership. This year's Schweitzer Award is being presented to Scott McVay both because of his personal key role in and contributions to whale conservation and also because he is symbolic of the citizen role in this endeavor which is so important to animal welfare and welfare of our environment.

It therefore gives me very great pleasure to present to you, Scott, the Albert Schweitzer Medal of the Animal Welfare Institute.



Schweitzer Medalist Scott McVay speaking on whales.

Remarks of Scott McVay Chairman, Committee on Whales, Environmental Defense Fund

"WHAT ON EARTH WAS A WHALE? THE CHILD ASKED US IN AN INNOCENT VOICE"*

This occasion gives me a chance to mention several persons who have made substantial contributions to whale conservation and acknowledge many more besides who may be unrecognized, many whose contributions in the weeks ahead will tell whether some species of whales will survive. The crisis today is sharply defined, carrying the unanimous conviction of the United Nations conferences in Stockholm and Geneva — and the principal conservation groups around the world — *the Killing of Whales Must Stop*.

The scale of the whale tragedy may be sensed by the fact that no one is working full-time on the conservation of the whale, although two countries participate year around in the continuing destruction of the whale, repudiating recently even the moderate accords reached at the International Whaling Commission meeting last June in London. The time is ripe for sterner measures that may be more keenly felt than the reason of science or a planetary ethic that transcends terrible pockets of wastefulness, aggression, and greed, or an obligation that reaches down the centuries to leave as much of the natural world whole and intact as we can.

To understand where we are going, we recall where we have been. Conservation of the whale has had the intermittent attention of a remarkable set of men and women. At the top of the roster is the late Remington Kellogg of the Smithsonian who worked toward international regulation of whaling in the 1930's and caused the International Whaling Convention to meet in Washington in December, 1946. With Johan Ruud of Norway, Dr. Kellogg led efforts within the International Whaling Commission in the 1950's to curb unrestrained whaling by five nations for an annual quota of 16,000 blue whale units which was no quota at all. Through the efforts of Ruud and Kellogg, a Committee of Three Scientists was appointed in 1960 to review the data and make recommendations. In violation of the Commission's pledge to comply, the recommendations of the scientists were deferred and deferred again in 1963 and 1964.

I first met Dr. Kellogg in 1959 or 1960. On my third

*from *The Day the Whale Becomes Extinct*, by Kenzaburo Oe.

visit to his office at the Smithsonian within the next year or two, I pressed this fine old gentleman, who had high black shoes propped up on his desk, why so little progress was being made to conserve whales. His heavy mailbag as U.S. Commissioner to the IWC suggested widespread concern. He countered by saying the whale had no lobby, and only one person came back three times. He said he was tired of pounding his head against a stone wall and that others would have to take up the cause.

As each of us in the conservation community and the Federal bureaucracy has learned, things which matter most with us must be acted upon. You can not assume that someone else is carrying the ball. With Dr. Kellogg's encouragement, "The Last of the Great Whales" was written in 1964 and eventually appeared in *Scientific American* in 1966.

A member of the Committee of Three Scientists who saw *beyond the data* the true scale of the whale tragedy was Sidney Holt, a biologist for 16 years with FAO, who showed leadership, vision and good sense at the International Conference on Whale Biology in June, 1971, making a major contribution to the basic recommendations of the conference.

In Japan, Dr. Teizo Ogawa, who is completing a history of Japanese medicine, is an authority on the anatomy of the whale and in particular its brain. His work over four decades testifies to the significance of the cetacean brain and its importance in understanding the human brain. In one paper he wrote,

The present author has often told his students a fable of his own, imagining two high peaks in the realm of Mammalia, namely, Mt. HOMO and Mt. CETACEA, the latter boasting of a much greater height than the former.

Dr. Ogawa is a member of our committee for the preservation of whales in Japan, and he is especially upset by the unchecked slaughter of dolphins and porpoises by the Japanese.

Another staunch advocate for the whale is Rod Cameron, Executive Director of the Environmental Defense Fund, who approached me in 1969 to head up the EDF whale effort. Among his contributions was testimony in 1970 in Washington at an Interior hearing to consider the placement of the Sperm whale on the endangered list and later in San Francisco at a Department of Commerce hearing to consider closing down whaling operations in California. If the whales have an attorney, it is Rod Cameron.

One biologist exemplifies a new approach to the study of the whale, Roger Payne. For five years he observed and recorded the Humpback whale off Bermuda, working on the assumption that you must spend extended periods of time with whales in their ocean habitat to understand them. Our joint discovery of the Song of the Humpback Whale and its detailed analysis was published in *Science* in 1971, and through Roger's efforts a record was made which has sold 100,000 copies. (The whale is still more eloquent than any of his surrogates!) It was Roger's idea to recommend the great whales for Interior's endangered species list. Payne is now nearing the end of more than 18 months' study of the Southern Right whale off the Patagonian coast of Argentina. When he returns, his films and reports will contribute substantively to our future view of whales.

The first of a progression of events which have led to a consolidated U.S. position on the whale problem, with a close working relationship between the environmental community and Federal agencies, was the designation by Secretary of Interior Walter Hickel of eight whale species as endangered in the Federal Register of December 2, 1970, following six months' debate. "Buff" Bohlen ably sustained this decision against heavy pressures within government and from the importers of Sperm whale oil. Indeed, his role cannot be overestimated.

The Secretary of Commerce followed in due course with the closing of whaling operations in California in December, 1971.

Perhaps we should pause to acknowledge the leadership of the next Secretary of Commerce, Peter Peterson, who took steps to deal with the large-scale slaughter of porpoises by the tuna fishery working out of southern California. (This is usually referred to as "the *incidentail* slaughter of porpoises." The slaughter is not incidental. It is part and parcel of the purse-seine technique since the pole and line were put aside.)

A quarter million porpoises have been lost every year for many years. How big a number is that? It is the number of people in this room plus one thousand like gatherings. In the early 1960's as many as one million porpoises perished every year. Secretary Peterson gave this problem high priority, and substantial funds and personnel have been committed to its resolution. Robert White, the Administrator of NOAA (National Oceanic and Atmospheric Administration), shares this commitment and is seeing to its implementation. The tragedy is of staggering proportions. Six to eight times as many porpoises were lost in tuna nets in the first three months of this year as there were whales taken on the high seas last year (upwards of 300,000 against 37,000). This remains a National Tragedy, and when an extension is sought for the two-year exemption to the Marine Mammal Protection Act, the appear warrents close scrutiny. (The Environmental Defense Fund recently filed a letter prior to the December 10, 1973 deadline for comment at this juncture.)

Perhaps we should pause to recognize another dimension of the whale saga, the aesthetic one. Not only have symphonies been composed using the song of the Humpback whale, but the whale's sounds and motions have inspired performances of considerable diversity among professional and college groups across the country.

An artist has emerged who has done a series of whale works, major drawings and illuminated sculpture. He will be regarded one day as an artist of the first rank. William Scoresby noted in 1820, ". . . the drawings hitherto given of many of the whale tribe are so unlike, and so preposterous, that they tend rather to mislead than to assist the practical zoologist." The comment still obtains today, but we are fortunate that Larry Foster of Oakland, California is contributing to an improved understanding of the shape, markings, and motion of the whale. He is known for the beauty and precision of his work, and to see his originals is almost as exciting as seeing a great whale. . .

Philippe Cousteau's underwater film of the Humpback whale showed a fantastic underwater ballet of a mother swimming on her back with outstretched flippers cradling, but not touching, an infant breathing frequently at the surface. . .

The image of the great Arctic whale, the Bowhead, is a *living one* now — after our expeditions of 1971 and 1973 — an image of a whale that breaches in Spring, a great whale that may on occasion be surrounded by a "halo" of smaller belugas, a whale that can rise before you in those frozen seas like the fabled Atlantis, again and again as it spouts nearer. (A one-hour film documentary of this year's expedition will be completed in April.) . .

Permit me to read a rough translation of a passage from a recent book, *The Day the Whale Becomes Extinct*, by Kenzaburo Oe, the leading writer in Japan today.

One desolate twilight evening
on a high tower overlooking a valley
deep in the woods where I grew up,
together with several adults
I stood looking toward the West.
The dream was unlike other dreams,
because I was no longer a child
but was now one of those adults,
and yet in the sense that
I had been included in the group
as the one who least understood what was going on,
this dream was after all like all the others,
it became like one of those daily nightmares,
as the western sky took on a dark red hue
without a sign of light,
and we all sunk into the darkness and
were buffeted by profuse winds which blew up.
One old man, bursting the silent atmosphere of
expectation, said: "Ah, finally, the last whale died."
We pushed each other for the first position,
pounding down the hill as if trying to crush
pebbles beneath our sandals with our feet,
we went down to the valley,
but as we were about to say,
"finally the last whale. . ."
to the child who was standing
on the cobbled path in the dark valley,
"What on earth was a Whale?"
the child asked us in an innocent voice.
I tried to explain to him about whales,
but since I didn't remember a thing about whales
myself, I clammed up.
And then I realized with a sense of fathomless
annihilation that the old man of just now

was the "me" of the past
and the child none other
than the "me" of the future.
The face of the child,
looking up silently at me,
distinct in the evening light,
was crumbling away.

Besides major literary contributions in Japan by Kenzaburo Oe and Sakyō Komatsu, and others, six distinguished scientists led by Dr. Seiji Kaya, former president of Tokyo University, have been working for the preservation of the whale through articles, appearances on television, and meetings with top government officials.

Also, the actions of our neighbors to the South and to the North are encouraging. In response to a proposal we submitted in June, 1971, to Eduardo Jimenez Gonzales of the Mexican Embassy, President Luis Echeverría declared Scammon's Lagoon a permanent whale sanctuary. In December, 1972, the Canadian Commissioner of Fisheries, Jack Davies, closed their three remaining whale stations (two in Newfoundland and one in Nova Scotia).

A year ago Russell Train's formidable contribution was recognized in this ceremony. Thanks to his interest and leadership in June, 1972 the first resolution reported out of the Stockholm Conference on the Human Environment called for a ban on the killing of whales by a vote of 53 to zero. (It is worth noting parenthetically that someone on the periphery suggested a second somewhat similar resolution be submitted substituting the words "human being" for "whale". Thus, a ban on the killing of human beings for ten years was briefly considered but quickly abandoned since it would be such a departure from past and current practices. . . And yet if we do achieve a moratorium on the killing of whales, it may prove a useful precedent.)

Chairman Train led the U. S. delegation to the International Whaling Commission two weeks later, providing inspired leadership, and he was ably followed by Robert White, the new U. S. Commissioner, in June 1973. (By the way tomorrow evening you may watch Dr. White on the Dick Cavett show and sense the depth of commitment within government to the whale problem; he will speak about the follow-up to Secretary of State Kissinger's tough cables recently to Tokyo and Moscow and perhaps of the leverage in soybeans and wheat.)

Six months ago, the moratorium was approved by 8 of the 14 delegations to the IWC, a majority but not the necessary three-fourths vote required for adoption. As a compromise three modest accords were reached. Fin whaling was to be phased out in three years. A quota for Minke whales of 5,000 was set, as was a by-area quota for Sperm whales in the Antarctic. The Japanese have now repudiated these three agreements, and the Russians the last two. (The Russians have given up on the Fin Whale.) The blatant disregard of the Commission means that we have essentially an *outlaw* situation, and the imminent collapse of the International Whaling Commission puts other international negotiations, which also must proceed on good faith, in jeopardy. We'll come back to this shortly.

First, we should acknowledge four major books over a five-year span written on this continent that have contributed to the growing awareness about the plight of the whale and our interconnected destiny. We will sample a couple lines from each.

The Year of the Whale by Victor B. Scheffer (1969)
"Will the orbiting satellite speak through space to tell the hunter where to find the last whale?"

The Blue Whale by George L. Small (1971) "The tragedy of the blue whale is the reflection of an even greater one, that of man himself. What is the nature of a species that knowingly and without good reason exterminates another? How long will man persist in the belief that he is the master of the Earth rather than one of its guests?"

A Whale for the Killing by Farley Mowat (1972) "(It was) identified as a Fin whale, the second largest animal ever to live on earth. We could see the marks of bullets—holes and slashes—across the back from the blowhole to the fin. It was just beyond me to even begin to understand the mentality of men who would amuse themselves filling such a majestic creature full of bullets. Why *try* to kill it?"

Lord of the Fish by Faith McNulty (1973) "Leaders of the conservation fight in this country talk of a United States boycott of Japanese goods and an appeal to the Common Market to close off Europe as a market for whale products. . . such tactics, which reduce the issue to dollars, rubles, and yen, are the only ones likely to work where appeals to humanity, ethics and pure reason have failed."

One American scientist who has kept a low profile (that's how things get done) deserves our special thanks today. He drafted U. S. policy for the 1971 IWC meeting in Washington. He drafted the U. S. resolution at Stockholm calling for a ten-year moratorium on the killing of whales. He has been accessible to conservationists except when behind the wheel of his sports car. Reminding all hands of the shaky data base, he has contributed to the formulation of U. S. policy for the past two IWC meetings in London and has been a skillful negotiator in the hour-by-hour deliberations with the Russians and Japanese. Last January in Russia, he showed a gift for working with the Russians on the development of joint studies of endangered species. Lee Talbot, we are in your debt.

One of the perquisites of the pilgrimage for whales is the people you meet along the way. Some join for a time and are most welcome. Others are in for the duration. Such is Christine Stevens, who if I could put her into one word, and could pronounce it, it would be "indefatigable". She has stuck to the central issue — to stop the killing of whales. Singlehandedly, she pushed the moratorium resolution through the Senate in 1971, and in due course, following public hearings, it was adopted by the House of Representatives. This step made possible the next step at Stockholm where the consolidated U. S. view found the support of 52 other countries. Mrs. Stevens has, furthermore, been a prime mover behind the broadly supported boycott of Japanese and Soviet goods in the United States which will persist until the whaling irons rust in the racks. This gentle woman's reverence for life and tenacity for its preservation must become more widely shared if we are going to make it.

Others making lasting contributions from the private sector are known to you, the gentleman-from-Wyoming Tom Garrett, journalist Michael Frome, biologist Steve Seater, Lewis Regenstein of the Fund for Animals, and the anonymous heroes of the editorial pages of *The New York Times* and *Washington Post*. Joan MacIntyre is leading the children's crusade. Tom Kimball's strong unequivocal stand on the boycott commands respect, as he speaks for three-and-one-half million members of the National Wildlife Federation.

Tomorrow morning Senator Magnuson, a previous Schweitzer medalist, and Senator Pell will introduce a resolution expressing the concern of the United States about the exploitation of certain marine resources, which encompasses not only a condemnation of Japanese and Soviet whaling malpractice but also deals with the depleted salmon and halibut resource.

Finally, I wish to acknowledge my magnificent wife, Hella, who has made my participation in the whale effort possible and much more besides.

Henry David Thoreau once wrote,

Can he who has discovered only some of the values of whalebone and whale oil be said to have discovered the true use of the whale? Can he who slays the elephant for his ivory be said to have 'seen the elephant'? These are petty and accidental uses; just as if a stronger race were to kill us in order to make buttons and flageolets of our bones...

We wonder, is our obituary scrawled in the fate of the whale? Maybe. But we have made a beginning at restitution. We are dimly sensing the outlines of whales, when spouting, breaching, courting, loving, nursing. We know the True Use of the Whale transcends the marginal uses of blubber, beef and bone. We sense that our own humanity is inextricably wedded to the destiny of the whale. We know that time is short, and the next few weeks will spell the outcome of the struggle. Reluctantly, because of other problems for the Japanese, we must carry the call for the boycott of goods to the corners of the land and beyond. These may be uncertain times, but of one thing we may be certain. If the last whales die, something in us will die, too. When the children ask later, "What on earth is a whale?" — I hope we may answer, "THAR SHE BLOWS!"

LORENZ, VON FRISCH AND TINBERGEN AWARDED NOBEL PRIZE

"The Nobel prize for Physiology or Medicine has been awarded jointly to three zoologists," an article in *Science*, 2 November, 1973 announced. The authors, P. Marler and D. R. Griffin of Rockefeller University provided extremely interesting background on what they termed "a new departure for the Nobel Committee of the Karolinska Institute, acknowledging for the first time major advances in our understanding of sociology, especially in the area of behavioral science known as ethology."

The prize was awarded to Karl von Frisch, 86 years old, of the University of Munich, Konrad Lorenz, 69 years old, of the Max Planck Institute for Behavioral Physiology at Seewiesen, near Munich; and Niko Tinbergen, 66 years old, of the Department of Zoology at Oxford University, for their discoveries concerning organization and elicitation of individual and social behavior patterns.

"At a time when studies of learning in animals were generally conducted in the laboratory, thereby posing problems largely irrelevant to their natural biology, these three men discovered in the natural behavior of animals both learned and innate patterns, exquisitely adapted to their particular phylogenetically determined ways of life," Marler and Griffin wrote. "At one stroke they explained some of the most remarkable examples of the fine control of elaborate patterns of behavior by external stimuli known to science, sometimes learned, sometimes not, while leaving in no doubt the crucial importance of genetic difference in understanding the development of behavior."

Karl von Frisch, inspired pioneer of comparative physiology, has opened our eyes to several unsuspected 'sensory windows' through which animals view the world, and to complex and versatile communication behavior controlled by insect nervous systems formerly thought capable only of rigid mechanical responses. . . in 1944 he found the real "Rosetta Stone" to decipher the language of bees: Round dances mean a food source nearby, waggle dances one at some distance. More important, the direction of the straight portion of the waggle dance points the way to the food, and its duration signals the distance. On a horizontal surface the dancing bee points directly toward the food, but ordinarily the dances take place inside a dark hive on a vertical surface. Here *straight up* corresponds to the direction of the sun, which serves as a directional reference point. . .

"Konrad Lorenz, acknowledged founder of the science of ethology, derived his insights into the causation and organization of behavior from studying fish and birds. At Altenburg in Austria, the house of his father, a Viennese orthopedist, was always full of animals and birds. A precocious naturalist, Lorenz developed early what became a lifelong passion for raising both wild and domestic animals by hand, and for living with them in the closest quarters, and so gaining insights into the relation between genome and experience in ontogeny. . .

"Some of his viewpoints as expressed in the popular book *On Aggression*, which suggests an endogenous motivation to seek out opportunities for fighting in fish, and perhaps in man as well, proved highly controversial. However one senses deeper roots to the outrage with which some react to analogies between animal and human behavior. In the introduction to the 1970 translations of his work, Lorenz reflects wryly, 'The fact that the behaviour not only of animals, but of human beings as well, is to a large extent determined by nervous mechanisms evolved in the phylogeny of the species, in other words, by "instinct", was certainly no surprise to any biologically-thinking scientist. It was treated as a matter of course, which, in fact, it is. On the other hand, by emphasizing it and by drawing the sociological and political inferences I seem to have incurred the fanatical hostility of all those doctrinaires whose ideology has tabooed the recognition of this fact. The idealistic and vitalistic philosophers to whom the belief in the absolute freedom of the human will makes the assumption of human instincts intolerable, as well as the behaviouristic psychologists who assert that all human behaviour is learned, all seem to be blaming me for holding opinions which in fact have been public property of biological science since *The Origin of Species* was written.'

"The young Niko Tinbergen, an avid naturalist from his boyhood in the sand dunes and pine forests of Hulshorst in Holland, saw the intricacies of insect behavior, specifically that of digger wasps hunting other insects and provisioning

nest burrows with the corpses, as a testing ground for hypotheses about the sensory control of behavior. An opportunity while a graduate student in zoology at the University of Leiden to participate in 1931-32 in an Arctic expedition added snow buntings, phalaropes and Eskimo sled dogs to a growing list of animals into whose behavior Tinbergen was to cast profound evolutionary insights. . .

With von Frisch and Lorenz, Tinbergen has expressed the view that ethological demonstrations of the extraordinarily intricate interdependence of the structure and behavior of organisms are relevant to understanding the psychology of our own species. Indeed this award might be taken not only as fitting recognition of the outstanding research accomplishments of these three zoologists, but also as an appreciation of the need to review the pictures that we often seem to have of human behavior as something quite outside nature, hardly subject to the principles that mold the biology, adaptability, and survival of other organisms."

ORLANS IN THE WALL STREET JOURNAL

A front-page article in *The Wall Street Journal*, January 25, 1974 reported at length on the work of F. Barbara Orlans, Ph. D., a long-standing member of the AWI Scientific Committee of Advisors, well known to readers of the *Information Report* for her untiring efforts to prevent cruel experiments on animals by untrained youths.

Dr Orlans' carefully documented analyses of science fairs showing the high proportion of projects causing pain and/or death to vertebrate animals have appeared in *Information Reports* Vol. 21, No. 4, Vol. 21, No. 3, Vol. 19, No. 2, Vol. 19, No. 1, and Vol. 17, No. 2. She played an important role working with the Special Study Committee on the Use of Animals in Biomedical Research and Testing, of the Humane Society of the United States, in developing Guiding Principles for Use of Animals in Elementary and Secondary Schools. These Principles clearly designate procedures which must not be undertaken by high school students. They state in Part: "No procedures shall be performed on any warm-blooded animal that might cause it pain, suffering, or discomfort or otherwise interfere with its normal health. Warm-blooded animals include man, other mammals such as gerbils, guinea pigs, mice, rabbits, hamsters and rats. It also includes birds, such as hens, quail, and pigeons. This means that a student shall do unto other warm-blooded animals only what he can do to himself without pain or hazard to health. No surgery shall be performed on any living vertebrate animal (mammal, bird, reptile or amphibian)".

It was highly encouraging to read in *The Pharmacologist*, Vol. 15, No. 2, Fall, 1973, the following report: "Guiding Principles for Use of Animals in Elementary and Secondary Schools submitted by Dr. Barbara Orlans were brought to the attention of the Council. They have already been approved by the Humane Society of the United States, the Veterinary Advisory Committee, and the Special Study Committee on the Use of Animals in Biomedical Research. After reviewing these principles, Council voted to endorse them."

The Council referred to is the Council of the American Society for Pharmacology and Experimental Therapeutics, a member organization of the Federation of American Societies for Experimental Biology.

U.S. PETITIONED TO BAN SALES OF BABY TURTLES

A total ban on the sale of baby turtles has been called for in petitions to the Food and Drug Administration, the Center for Communicable Disease Control in Atlanta, and the Consumer Product Safety Commission. The legal documents submitted by Consumers Union and the Humane Society of the United States are fully documented showing the complete failure of current regulations to control the turtle mongers who sell diseased animals by the millions to the public. The result: serious illness and hospitalization of children; suffering and slow death to infant turtles.

Humane organizations have protested in vain for years over the cruelty inextricably involved in the turtle trade, for the overwhelming majority of these small creatures slowly starve to death. The serious public health considerations most justifiably raised by Consumers Union should help to put an end to this nefarious trade once and for all. (See A.W.I. *Information Report*, Vol. 22, No. 4).

AWI INFORMATION REPORT ARTICLE INSPIRES BOOK

Author Elizabeth Yates McGreal wrote to the Animal Welfare Institute February 4, 1974, telling how her popular book about an unusual dog had come to be written.

"The story of Skeezer," Mrs. McGreal wrote, "was published by Harvey House last spring, but I have been intending to send you notice of it for a very particular reason.

"There never would have been a story at all had I not read in the late winter of 1970 an article in your Bulletin about this very dog. I was intrigued by the fact that Skeezer was serving the cause of medicine with her life, not by forfeiting it in a laboratory.

"A sequence of events resulted in my spending some time at Children's Psychiatric Hospital, University of Michigan, Ann Arbor, to see Skeezer in action, then the book was written, checked with authorities for accuracy, and published last spring.

"It is soon to be released in a paperback which pleases me as it will be able to reach many more people with a lower price."

The Animal Welfare Institute salutes Mrs. McGreal for her tribute to this mongrel dog.

Skeezer's photograph appears as the frontispiece of the book, *Skeezer, Dog With a Mission*. It is reproduced below with the accompanying description.



Courtesy Ira Rosenberg - Detroit

"This is Skeezer, who helps to heal emotionally disturbed children. She lives and works at the Children's Psychiatric Hospital at the University of Michigan Medical Center at Ann Arbor. Skeezer's job is to reach troubled children who have retreated within themselves and become resistant to human help. Carefully trained, but responsive in her own way, Skeezer makes her comforting presence felt by a child starved for affection, by one who wants just to be listened to, and by those in need of a playmate.

"Now in her seventh year of residency at CPH, Skeezer is the trusted and beloved member of a medical team, carrying out her mission as 'canine co-therapist.'"

The original article about Skeezer (Ann Arbor News, July 16, 1970) noted: "Unlike her professional associates, Skeezer never goes off duty. Her home is beside Miss Williams' desk at the nursing station. But she has learned to take free run of the hospital, through a combination of great patience and uncanny knowledge of where she is and where she wants to go.

"To commute through the six-story building with its many closed or locked doors, Skeezer prefers the elevator. When ready to travel she takes up a position at the-elevator door and simply waits for a human to enter or leave the cage. Then she darts in and rides patiently up and down until the door opens on the floor she wants to visit."

FOUR-FOLD INCREASE IN A.P.H.I.S. INSPECTION LOAD Enforcement of Animal Welfare Act Penalizes Dealers

The Animal and Plant Health Inspection Service issued a summary of current animal care enforcement work on February 11, 1974, four paragraphs of which follow.

Inspection burdens become heavier as the number of persons licensed or registered under the Animal Welfare Act increases. On February 1, USDA had licensed 4,385 animal dealers; registered 904 research facilities; and licensed or registered 913 animal exhibitors. Lists of these, current as of November 1, 1973, are available. Inspectors now cover about 7,500 premises — a more than four-fold increase over 1971. At current budget levels, inspections are limited to two per year. Complaints, however, continue to get first inspection priority.

Charges were filed December 3, 1973 against a New Jersey animal dealer for shipping cats in substandard crates and keeping improper records. Henry Christ of Farmingdale will appear before an administrative law judge to hear the charges. He also will have to appear in U.S. District Court at Newark on charges filed October 23 that he violated a 1970 USDA cease-and-desist order. (See A.W.I. Information Report, Vol. 22, No. 4)

As a result of legal action on unrelated alleged violations, K.G. Farms, Inc., Parsippany, N.J., and Edward Radzilowski, Memphis, Mich., have signed separate cease-and-desist orders. Mr. Radzilowski also received a 14-day license suspension.

USDA's dealer licensing requirement was upheld in court, when Gary Te Stroete, a Sioux Center, Iowa, dog dealer, was fined a total of \$450 on six counts of violating the Animal Welfare Act. He had been charged on December 11 with failure to obtain a license and shipping dogs across state lines without proper identification.

RECENT CONGRESSIONAL ACTION ON PROTECTION OF ANIMALS

The new strengthened Endangered Species Act became law December 21, 1973. Following this action, the U.S. Government deposited at Morges, Switzerland its ratification of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Our country is the first to take such action. Nine other countries must do the same before the treaty goes into effect.

A Joint Resolution, to protect whales, S.J. Res. 184, was introduced by Senator Warren Magnuson (D., Wash.), December 21, 1973, and a companion Resolution, H.J. Res. 866, was introduced by Congressman Alphonzo Bell (R., Calif.). The Resolution paves the way for economic sanctions by the United States to halt Japanese and Soviet commercial whaling.

A report on Problems in Air Shipment of Domestic Animals was issued, December 21, 1973, by the Special Studies Subcommittee of the House Committee on Government Operations. It recommended an interagency committee of the U.S. Department of Agriculture, Civil Aeronautics Board, and Federal Aviation Administration to try to meld jurisdictions (USDA has no authority over common carriers on the way they transport animals). "Only CAB has the authority to compel airline compliance", the Report underlined. The Report also emphasized the extreme understaffing of USDA: "One witness, a Kansas breeder, pointed out that each of seven USDA inspectors in Kansas is supposed to inspect 193 kennels per month or 9½ kennels per day. As the witness put it, 'In a place like Kansas, that is a lot of driving.'"

Oversight hearings on the Marine Mammal Protection Act were held January 16, 1974 by Congressman John Dingell (D., Mich.).

Hearings were held by Senator Claiborne Pell (D., R.I.) January 23, 1974 on S. 2774 which would create a National Zoological and Aquarium Board. Senator Mark Hatfield (R., Ore.) is the author of the bill.

On February 7, 1974, the House of Representatives passed H.R. 11873, Congressman John Melcher's (D., Mont.) bill to provide funds for veterinary research, including research on animal birth control, a provision added at the request of the Society for Animal Protective Legislation. The bill now goes to the Senate where hearings have already been held.

ANIMAL WELFARE INSTITUTE

Scientific Committee on Humane Standards for Research Animals

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Bennett Derby, M.D.
Lee R. Dice, Ph.D.

Paul Kiernan, M.D.
F. Barbara Orlans, Ph.D.

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Major C.W. Hume, O.B.E., B.Sc., M.I. Biol. — United Kingdom

David Ricardo — Canada

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April, May, June, 1974

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THE IWC MEETS, AND THE KILLING CONTINUES

Every day of the week beginning June 24th, delegates of the 15 member nations of the International Whaling Commission argued over and voted on the killing of whales. On the opening day, the Japanese delegation told the press that although their country was opposed to any blanket moratorium it would accept a reduction in the size of the catch. * But the decrease in number of whales to be harpooned this year is only about a half of one percent: 37,300 as compared with last year's quota of 37,500. The Japanese Commissioner, Mr. Iwao Fujita voted consistently for the highest quotas at every opportunity.

The ten-year moratorium on commercial whaling, unanimously adopted at the Stockholm Conference on the Human Environment in '72 and at the United Nations Environment Program meetings in Geneva and Nairobi in '73 and '74, and proposed by the United States for the third successive year at the IWC, was amended by Australia to provide a selective moratorium on species or populations of whales when their numbers fall below optimum population levels. Adopted by a vote of 13-2, the proposal is not due to be put into practice till after the *next* IWC meeting, a year from now. It is widely believed that this will result in an end to the killing of fin whales for an indeterminate period while this persecuted species tries to repopulate itself; however, Japan and the USSR both voted against the selective moratorium. Although they have ninety days to lodge objections and bow out of the whole scheme, under the provisions of the loophole-ridden IWC treaty, it is obvious that their vested interests are best served by a *seeming* compliance while foot-dragging in all the time-honored ways known to international negotiations.

An *Asahi Evening News* headline gave the Japanese Government position: "Japan will not protest selective whaling ban". The Government "feels it would be more realistic to present the Japanese case strongly during the process of working out whaling curbs on the basis of the London decision". A few days earlier in *Yomiuri*, the Director of the Ocean Fishery Department predicted the reaction to the moratorium on killing fin whales which is expected under the terms of the selective moratorium: "The Government will not change its attitude of opposing it to the last".

Clearly, there is no basis for optimism in saving the fin whales or any other great whale from extinction. Each one of these animals is worth about \$25,000. Commercial instincts operate powerfully to fight for every last whale.

**The New York Times* (UPI), June 24, 1974

(Cont. on page 2)

HEARINGS, BILLS AND REGULATIONS AFFECTING THE WELFARE OF ANIMALS

June tenth hearings on H.R. 15039 introduced by Congressman Dingell to protect whales by providing authority to embargo all products from nations that diminish the effectiveness of an international agreement for the conservation of Marine Resources, put Japan and the USSR on notice prior to the annual meeting of the International Whaling Commission that the Congress takes their violations seriously.

Senator Warren Magnuson (D.Wash.) sponsor of the Senate bill, S. 3575, said in introducing his bill, June fourth, "If current trends prevail, we face...the probability that most, perhaps all, of the populations of great whales will have disappeared by the year 1980. . . The fate of these unique and magnificent mammals has come to symbolize to vast numbers of people, the ruthless immolation of marine life on the altar of short-term profit. The cause of the conservation of whales has been adopted by the U.S. Government, and the concept of a total moratorium on commercial whaling endorsed by the U.N. Conference on the Human Environment and the U.N. Environmental Secretariat. Conservationists throughout the world continue to clamor for an end to the destruction of the leviathans. In

(Cont. on page 2)

SAVING WILDLIFE BY ENFORCING THE LAW

The U.S. Fish and Wildlife Service, an agency of the Department of the Interior, has made headlines this year by taking action to enforce the Lacey Act, a 74 year old federal law which forbids the importation of rare animals which were captured contrary to the laws of the country of their origin. This Act covers not only live animals but also fur, leather, bone and the eggs of birds. Protection of endangered species of wildlife has been an important concern both to former Secretary of the Interior, Walter J. Hickel, and to the present Secretary, The Hon. Rogers Morton. Another enthusiast for conservation is the Assistant Secretary of the Interior for Fish & Wildlife, Nathaniel Reed, who believes in enforcing existing wildlife protection laws, whether the culprit is a professional smuggler, a well known New York department store, or a Professor at Yale University.

As part of the new hardline, Fish & Wildlife Service Law Enforcement Chief, Clark Bavin, is recruiting a new kind of enforcement agent, men with experience in the F.B.I., Customs, police, and military intelligence. His Deputy Director, Bertram Falbaum, formerly directed U.S. Customs Operation Intercept against narcotics traffic on the west coast. The Service has so far confiscated contraband animal material worth an estimated value of \$2,000,000.

In one much publicized case a professor of ornithology at Yale University was convicted of illegally importing the eggs of protected birds. *Nature*, a British publication, described the incident: "For several months now there has been an excited twittering in international ornithological circles as the news went round that Professor Charles Sibley, formerly of Cornell University and now of Yale University, who was awarded the American Ornithologists' Union's Brewster Memorial Award for the electrophoretic analysis of egg-white proteins in 1971 and subsequently elected a Vice-President, has been found participating in the international egg trade. It seems that by a skilful piece of deduction Richard Porter, of the British Royal Society for the Protection of Birds, concluded that a local egg collector must be dealing with foreign parts, located allegedly incriminating correspondence with Professor Sibley and referred it to the American authorities. Professor Sibley's files at Yale were then inspected, with the result that on May 20 he was fined \$3,000 under the Lacey Act for six cases of 'illegally importing bird parts taken abroad in violation of foreign wild life laws', five of them in Britain.

"The situation is made worse by the fact that for at least fifteen years the British Home Office Advisory Committees had already been stretching the law to the limit to enable Professor Sibley to obtain material legally, and many British ornithologists had been assisting him with this. He justified his decision to exceed his allocation by telling the British *Sunday Times* (June 16) that it was an insult to his scientific standing imposed by emotional bird conservation groups with little knowledge of bird population dynamics, which he felt entitled to ignore because 'the idea that taking a few eggs could endanger a species is the most ridiculous thing you could imagine . . . I say "fine, we'll pay the penalty, but you are going to have to listen to the real experts, because you are not the real experts."'

"The British Home Office Advisory Committees consist of people of a most unemotional sort who are internationally recognised to have made more important contributions to the study of population dynamics than Professor Sibley. They must have been watching the amount of material that he had already received through legal means, which is known to have been large, rather carefully, and it would be interesting to know where Professor Sibley expects to find greater 'experts'. It is surprising to find a person in such a responsible position at such a distinguished institution first behaving in such a way and then indulging in such an outburst when he was found out. If senior people behave like this, it is hardly surprising that the conduct of some

(Cont. on page 2)

Saving Wildlife by Enforcing the Law

(Cont. from page 1)

junior American ornithologists is not all it should be. It is good to see the American authorities take the first steps towards putting their house in order. But there is still bigger game in the woods."

The *Christian Science Monitor* reported another sensational prosecution initiated by the Fish & Wildlife Service: "WASHINGTON, D.C. - Special Agent Jim Beers received a telephone tip-off at John F. Kennedy International Airport. An alert Pan American Airways employe had noticed a shipping crate from Brazil marked leather; instead, sticking out of a hole was something that looked like the pelt from a spotted cat.

"That began a year-long international search, a grand jury seizure of more than 60,000 documents, and breaking up a \$5-million ring of illegal fur traffickers, operating in 30 countries.

"Veseley-Forte, a Manhattan fur merchant, was found guilty on 50 counts of purchasing and receiving illegal skins under the Lacey Act, which forbids trafficking of wildlife in violation of a U.S. law or any foreign laws. The firm was fined \$500,000, all but \$10,000 of which was suspended for as long as the offense was not repeated. Thirty-two other furriers signed consent decrees enjoining them as well from any further illegal trafficking in skins.

"But the real losers were the 30,068 ocelots, 46,818 margay, 13,470 otters, 5,644 leopards, 1,939 jaguars, 1,867 cheetahs, 468 pumas, and 217 ariranhas (giant otters) killed for their pelts and shipped by this ring to various European markets to fill the insatiable, and growing, world appetite for rare furs."

Smuggling of whale meat had been repeatedly intercepted by the Department, and a report from Mr. Bavin includes the following:

1. March 11, 1971 - Japan Food Corporation. Three cartons dried whale meat \$100 penalty and forfeiture of merchandise
2. June 23, 1971 - Holly World Food 200 bundles, 4,000 pounds sperm whale meat \$350 penalty and forfeiture of merchandise
3. January 17, 1972 - Pier I Imports 189 cartons and 5 tins and 62 bundles and 49 tins of smoked and barbecued whale meat. Merchandise forfeited
4. April 14, 1973 - Gourmet Food, Inc. 152 cases broiled whale meat. Forfeited by HEW because of mislabeling

The Animal Welfare Institute feels that the FWS deserves to be congratulated on the effectiveness of their enforcement program and the fairness with which they have initiated prosecutions against some Americans who feel that they are above the law.

Hearings, Bills and Regulations. . .

(Cont. from page 1)

this country and the United Kingdom, influential groups have declared a citizens' boycott of Japanese and Soviet products to protest the killing".

Major hearings were conducted by Congressman Thomas Foley (D., Wash.) Chairman of the Subcommittee on Livestock of the House Agricultural Committee and author of H.R. 15843, Animal Welfare Act Amendments of 1974. The bill would require humane standards for the shipment of warm-blooded animals by air and other common carriers currently exempt from the Act. It would authorize the Secretary of Agriculture to issue regulations to assure humane handling of livestock in trucks. Seven days of hearings were scheduled by the Committee, the first three weeks of August.

Hearings were held July 29, on a bill, H.R. 16079, to amend the Endangered Species Act, and on August 8 and 9, on H.R. 16043 to amend the Marine Mammal Protection Act. Both hearings were called by Congressman John Dingell (D., Mich.) Chairman of the Subcommittee on Fisheries and Wildlife Conservation and the Environment of the House Merchant Marine and Fisheries Committee. Both bills would weaken the laws they propose to amend, and were inspired by vested interests; in the case of H.R. 16079 the scrimshaw industry which wishes to sell the teeth of endangered whales in interstate commerce, and in the case of H.R. 16043, the tuna fish industry, which wishes to have two more years of exemption from prohibition against the killing and injuring of dolphins in the huge purse seines used in catching yellowfin tuna. Conservationists unanimously testified against the bills.

An amendment to the Armed Services Appropriations Authorization Bill made by Senator Hubert H. Humphrey (D., Minn.) on the Senate floor June 4, proposed to prohibit the use of dogs for research and testing of poison gas, radioactive materials and chemical warfare agents. The Amendment passed the Senate by 76-12. In a July eighth

editorial, *The Cleveland Plain Dealer* stated, "Despite the fact the Defense Department has indicated it will not use beagles for such testing, as had been originally planned, it would be wise for Congress to insist that its humanitarian desire be spelled out in the final measure. The House bill, passed earlier, did not include language similar to the amendment written by the Minnesota Democrat. The Conference committee should correct that oversight". The Conference report issued July 30th states, "The language as agreed to by the conferees will prohibit the utilization of dogs in research for the purpose of developing biological or chemical weapons. However, it will not prohibit research on dogs for other purposes such as establishing immunologic levels, occupational safety hazard levels and other vital medical research designed to improve and save lives".

An amendment proposed by the Society for Animal Protective Legislation to provide funds for animal birth control in H.R. 11873 the animal health research bill, was included in the final version of the bill approved by the Senate-House conference committee and passed. The bill was vetoed by President Ford.

Hearings were held by U.S. Department of the Interior Hearing Examiners on the proposed regulations on importation of injurious wildlife, August 5th, 6th and 9th in Washington, D.C., Miami, Kansas City and San Francisco. At the D.C. hearings dealers in exotic animals, pet trade, and some zoo interests behaved in a raucous manner seldom seen at government hearings, hissing representatives of conservation and humane groups who crossed the will of wildlife exploiters. They object to Interior's proposal under the Lacey Act, to limit importation of exotic wildlife to scientific, medical, educational and zoological purposes.

The IWC Meets. . .

(Cont. from page 1)

Even a discussion on development of a humane killing method for the thousands of whales whose deaths the IWC formally approves, was blocked by the Japanese Commissioner when the American Commissioner, Dr. Robert White, asked that it be placed on the agenda. Because of the Japanese action, another year must go by before humane methods can even be talked about, much less implemented, as the killing continues.

The ten-year moratorium is needed more than ever, and the boycott of Japanese and Russian goods, combined with a government embargo of as many of these goods as possible, is the only sure route to success in saving the whales.

Nearly all of the counter-argument offered by the Japanese whaling industry is based on the use of whale meat for human consumption in Japan. But if the industry were genuinely concerned with providing the maximum amount of protein to feed people, it would have to take a completely different point of view. Based simply on the amount of tons of dead whale to be procured over a period of years, it would have to stop killing fin, sei and sperm whales now. In a statement at the conclusion of the meeting John Burton of Friends of the Earth, Ltd. said, "It is perhaps worth reminding the Commission of the price the world is being asked to pay for the compromise which you have reached. One way of looking at it is to calculate the loss of whale catch in the future, if you continue to permit a catch of 1000 fin whales in the Antarctic instead of a zero quota, in the recovery period. The figure is a loss of about one to one and a half million tons over the recovery period."

These figures lend credence to the belief of many conservationists that the whaling industry is quite prepared to "kill the goose that laid the golden egg" so long as their short-term profits continue up to the cut-off point they select, and that they have as little interest in the welfare of their own species as they have in that of the whales.

23,000 sperm whales are scheduled to be slaughtered in the coming season, but Mr. Burton continues, "If sperm whales are calculated on the real basis of weight, they are already far below maximum sustainable yield level. So in terms of the Australian amendment, the sperm whale should be classified as a 'protected stock' and have a zero quota next year."

As never before, scientists are in the forefront of the battle over whales, for the action taken at the 1974 meeting of the International Whaling Commission puts the burden of proof squarely on their shoulders. With a data base so uncertain that there is a range of disagreement among scientists from 300 to 1000%, the decisions they take on the symbol of the Stockholm Conference on the Human Environment, the most enormous creature ever to exist, the gentle, musical whale, cannot be casual.

The *Japan Economic Journal* (July 9, 1974) is crowing over the "defeat of the U.S. which sought a 10-year ban on whaling". It is delighted that IWC action "revived the or-

thodox method of control of fishing resources with regard to ways and degree of restraint of fish (sic) catch". It urges that "Japan should keep asserting" that blue whales "are on a steady rise". This last recommendation suggests that Professor George Small's, "The Blue Whale," winner of the National Book Award for Science two years ago, hit home with its incontrovertible analysis of the decimation of the species.

To date, the economic has successfully dictated to the scientific where whales are concerned. Scientists from whaling nations have slavishly followed the recommendations or, more likely, the orders of the captains of commerce. An interesting example of this relationship was reported at the 1974 annual meeting of the American Association for the Advancement of Science by Dr. Lee Talbot, Senior Scientist of the Council on Environmental Quality. His paper included this passage:

"The following incident from last year's Scientific Committee meeting is illustrative of the way in which the Committee and through it, the IWC, has been used. There had been considerable discussion about the recommended quotas for Minke whales in the Antarctic. The Japanese had come in with an estimate of the number of Minke whales that was twice the previous year's estimate. On that basis they insisted that the Minke quota be increased from the 5,000 of last year — which in any case had been exceeded — to 12,230. Since the data base was essentially the same as last year, the Japanese conclusion was a statistical reshuffle and was strongly challenged by various members of the Committee from various nations. A rigorous reassessment of the available figures by the Scientific Committee failed to support the Japanese figures and supported the 5,000 quota. In discussion it had been suggested that the reason for the changed figures of the Japanese was that their industry required about 5,000 Minkes and that they had agreed the previous year to a quota of 5,000 not realizing that the Russians were also going to take Minkes. Consequently, with the Russians involved, the only way to assure that Japan got its 5,000 was to produce figures which doubled the base population. With this in mind the following interchange is instructive. It is as near to verbatim as my notes taken at the time would allow:

"Japanese representative, obviously irritated and frustrated at the refusal of the rest of the Committee to accept the higher population figures, 'It is embarrassing for me to say this, but my government plans to take this many Minke whales and what does the Committee think about this?'

"Talbot: 'Do you mean to tell this Committee that your government has decided in advance what number of whales they are going to catch this coming year, and that you are asking this Scientific Committee to endorse your industry's prior decision?'

"Scientist from a southern hemisphere country, jumping to his feet and hitting the table, 'Why that's criminal!'

"Scientist from another southern hemisphere country, 'What do you think they have been doing in here all along?'"

A recommendation to assert that the pitiful remnants of the blue whale populations are steadily rising is of a piece with the "scientific" findings about the Minke whales.

The *New York Times* (July 15, 1974) editorialized in response to a letter from the Japan Whaling Information Center, remarking in part, "Other misinformation put forward by the 'Information' Center is equally puzzling. If 'meat is the prime reason' for Japanese whaling, why is half the catch composed of sperm whales, which are not eaten at all?"

Perhaps we should look for that answer to a report on a Japanese whaling company in Peru, Cia. Ballenera del Kinkai S.A. In a ten-page report, Nelson Puch Chang includes the following information: "Crew: 16 seamen of Japanese nationality, Captain, officers and harpooners. The former engaged directly by Cia. Victoria del Kinkai, and 9 Peruvian seamen taken on by Cia. Ballenera del Kinkai . . . Whales are generally harpooned at the height of the thoracic cavity. This is due to the fact that harpooning the sperm whale in the head is avoided, as it is the head which contains the spermaceti . . . the cable is let out gradually, in synchrony with the tugs produced by the wounded animal in its eagerness to get away . . . During the visit, both to the processing plant and to one of the Ballenera del Kinkai's whalers, it was possible to observe the following points: Nervousness and reserve in the various tasks carried out by the company. The employees, workmen and seamen working at the land station seemed to have their lips hermetically sealed, as if they had been given orders not to reply to any type of question . . . The total number of whales and sperm whales caught during the undersigned's visit to the

Colorada Paita installations by the whalers operating for the company was 46 specimens in all . . . Of these 24 specimens were not of the minimum size stipulated in Articles 11 and 12 of the South Pacific regulations . . . The Kinkai Whaling Co. does not intend the flesh of the sperm whale to be used for direct consumption by persons or animals . . . The Union Secretary also said that one of the members of the crew of the whaler Victoria 8 had told him that two whales were hunted which were measured by the whaler's crew, and as the size of these whales was much smaller than the stipulated minimum given in Article 11 of the Regulations, they were thrown back . . . No strict control exists, as there is no permanent staff either in the factory or on the whalers . . . a kilo of sperm whale tooth costs \$155 to 160 delivered to Paita. The cost is high considering the means of the Peruvian artisan . . . The export of sperm whale teeth should be prohibited."

Mr. Chang concludes his damning report with a recital of the penalties to which the Japanese whaling company, Kinkai, should be liable including confiscation and fines (for a repeated offense), up to "the market value of the ships perpetrating the infringement," and also ten times the value of the product. To date, Peru, which collected a three million dollar fine from Onassis in 1954, has looked the other way with respect to the Japanese violations.

It is interesting that release of the report on the high cost of sperm whale teeth reported by Mr. Chang should coincide with introduction of bills in the Senate and House of Representatives to amend the U.S. Endangered Species Act to provided an exemption for the merchants of whales' teeth and scrimshaw. The difficulty of discriminating between the teeth of whales long gone and that of recently killed ones poses difficult questions of enforcement. Hearings were held on the Studts bill, H.R. 16079 (similar to Senator Kennedy's bill, S.3751) on July 29th. One supplier states (*New Bedford Standard Times*, June 24, 1974) he has "about \$30-40,000 invested in whale ivory and can't afford to write that investment off". Commercial profit at every level is the enemy of the whale.

The essence of the International Whaling Commission meeting was captured by the Mexican Commissioner, a veteran of three meetings. Her closing statement is quoted below in full:

STATEMENT BY MEXICO by Miss S. Fuentes-Berain

"It is for three years now that I have sat on this Commission as the representative from Mexico and my statement of disappointment at the end of our discussion has become, sadly, almost an item of the agenda. I have hoped that with patience and understanding we would see the Commission assume its global responsibility to adequately protect endangered species of whales. The Stockholm's UN recommendation for a world wide moratorium on commercial whaling was greeted by my Government as a serious sign that the time had come to take decisive steps to fulfill our commitment to protect and conserve whale stocks — not only for present utilization, but for the future needs of unborn generations. As you may recall, my Government, in recognition of this need, declared the first international whale haven in Baja California in 1972. We have, as you also know, consistently and hopefully supported the proposed moratorium. We feel it is still the most effective way to insure the survival of stocks in questionable condition, and insure adequate understanding of the status of all stocks through an intensified scientific programme.

"We must admit, ladies and gentlemen, that this recent meeting causes us little optimism. Unlike Mr. Rindal, we see no essential change in either heart or policy concerning our basic responsibilities. We are deeply concerned over the action of those delegations which support the ten year moratorium on all commercial hunting, and yet, consistently vote for high quotas on individual species. We are also deeply concerned over the failure of the Commission as a whole to recognize the serious danger to Antarctic and North Pacific fin whales and to put conservation considerations ahead of economic considerations at this critical juncture. It is difficult for us to understand how delegations can support a total moratorium, and then abstain from, or vote for high quotas on fin whales.

"Perhaps the most encouraging sign at this year's meeting is the Commission's willingness to not only strengthen, but to broaden the scientific basis of its management policies. We feel that attention should be paid to obtaining data on the breeding behaviour of whales as it influences reproduction; as well as making allowances for behavioural influences on sighting data. We hope that there will be a more complete flow of scientific information on the subject and welcome the increased input of scientific information from FAO and the United Nations Environment Programme.

"In conclusion I would like to say, somewhat sadly, that if the immediate future does not bring significant protection for the whales where they are endangered, and the ten year moratorium with a broadened and deepened international research effort, is not approved, this Commission will be known to history as a small body of men who failed to act responsibly in the terms of a very large commitment to the world and who protected the interests of a few whalers and not the future of thousands of whales."

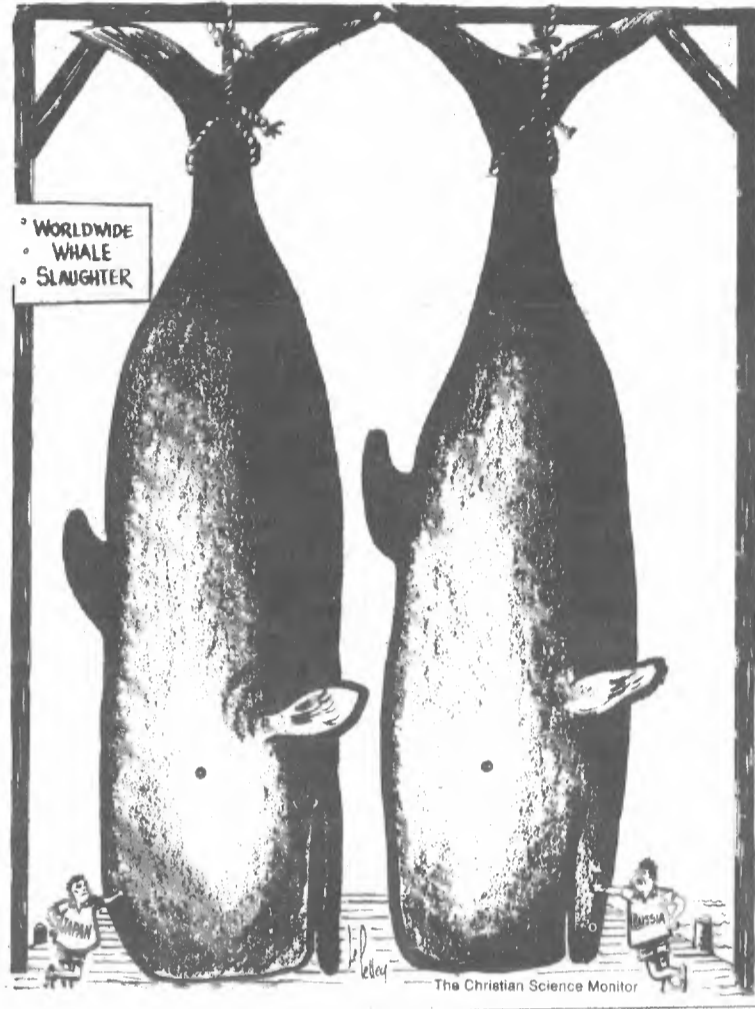
CHRISTIAN SCIENCE MONITOR

"First the blade, then the ear, ~~then~~ then the full grain in the ear"

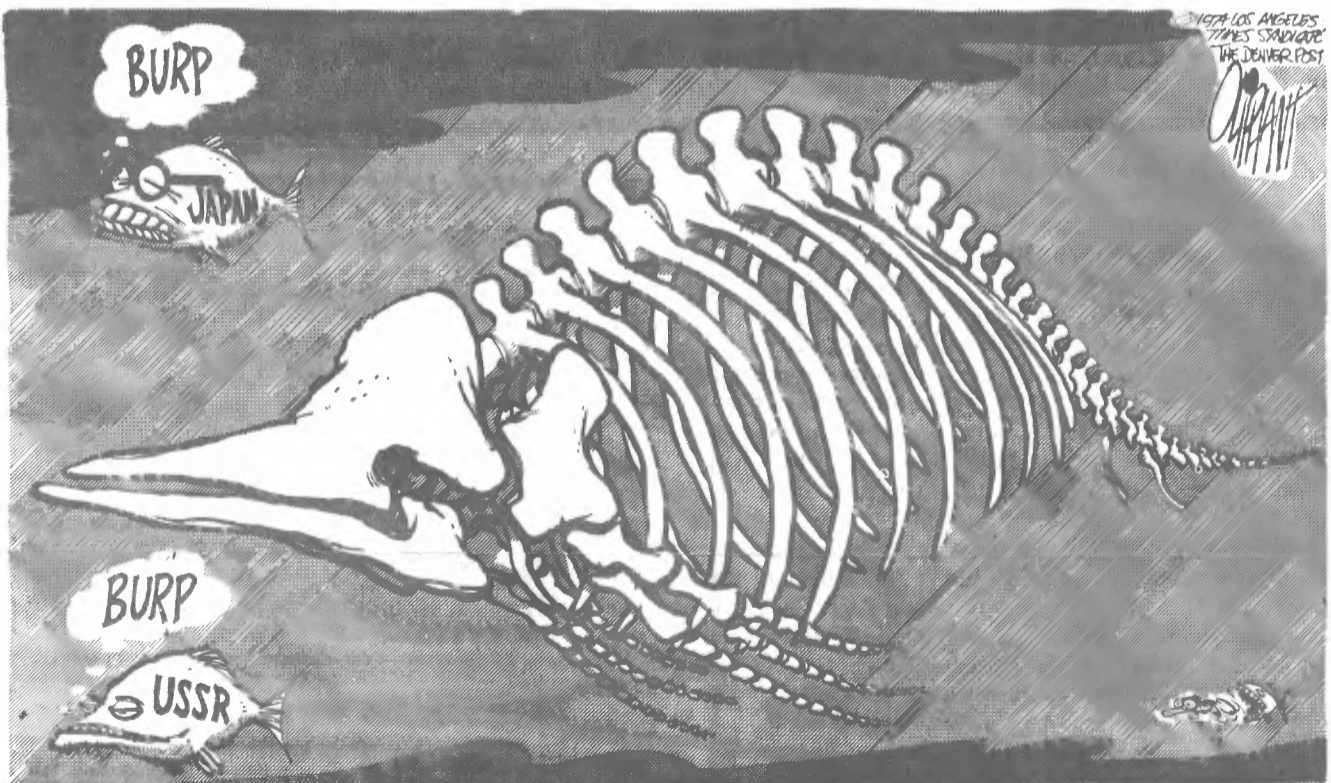
July 9, 1974

Opinion and commentary

Moby Dictators



24 THE DENVER POST Wed., July 10, 1974



SAVE THE WHALE

ANIMAL WELFARE INSTITUTE

Scientific Committee on Humane Standards for Research Animals

Marjorie Anchel, Ph.D.
Bennett Derby, M.D.
Lee R. Dice, Ph.D.

Paul Kiernan, M.D.
F. Barbara Orlans, Ph.D.

Samuel Peacock, M.D.
John Walsh, M.D.

International Committee

T.G. Antikatzides, D.V.M. — Greece
Major C.W. Hume, O.B.E., B.Sc., M.I. Biol. — United Kingdom

David Ricardo — Canada

N. E. Wernberg — Denmark
P. Rousset-Blanc, D.V. — France

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SOUTH AFRICAN SEALS WHIMPER AND SQUEAL IN AGONY

Dent Denies Import Permit for Skins

On September 12th, Secretary of Commerce Frederick Dent denied the permit requested by the Fouke Fur Company to import unlimited numbers of skins of nursing seals from South Africa. Under the terms of the Marine Mammal Protection Act, no permit may be granted for importation of a seal or other ocean mammal or any part or product of the creature if it has been taken in an inhumane manner.

The horrors of the South African seal kill were graphically described in an illustrated article in the September 15, 1974 edition of *The Sunday Telegraph* (London, England). *The Telegraph's* Cape Town correspondent wrote:

"About 80,000 semi-weaned seal pups have been culled in the three-month culling season, just ending, along 1,000 miles of the South African and South-West African coasts. Their pelts will soon be on the way to fur brokers in London and other European cities.

"This skin trade is highly lucrative. It earns South Africa at least \$1 million a year in foreign exchange.

"Renewed allegations that the culling involves cruelty have been denied by the Department of Sea Fisheries. The department awards culling concessions to private contractors who submit tenders annually.

"Mr. C. S. Bosman, assistant director of the Sea Fisheries department in Cape Town, said to me that there was no cruelty. His department maintained an inspectorate to see that the regulations were observed.

Photographer 'repelled'

"The latest charges of cruelty come from Mr. Woolf Avni, a photographer. He said he was utterly repelled by what he saw when he went to take pictures in Seal Island, one of South Africa's main seal colonies, in Falsebay, near Cape Town.

"Landing on the island, which is no more than a rocky outcrop over which the long South Atlantic swells break continuously, is a hazardous operation. The winter just ending has been the worst South Africa has had for 50 years and fierce storms have left a litter of wrecks and miles of oil polluted beaches around its coast.

"Throughout July and most of August the unusually bad weather gave the seals a stay of execution. When *Malgas Two*, a converted fishing boat with a crew of eight, eventually set out for the island the men were clearly in a hurry to make up for lost time and to achieve their target of 3,000 seal pups culled.

"What happened on Seal Island may not be typical of the culling operation as a whole, but this is how Mr. Avni described it:

"The men, each armed with a wooden stave about 6 feet long and as thick as a man's arm, formed into a rough line abreast and started herding the seals towards a rocky ledge, clubbing as they pressed forward. Many of the seals were left whimpering and squealing in agony as the hunt went on. Soon the rocks were red and slippery with blood.

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Boatman clubbing young seals on Seal Island, off the coast of South Africa. (from *The Sunday Telegraph*)

WORLD CONGRESS FOR ANIMAL PROTECTION

The World Federation for the Protection of Animals holds an International Congress every four years. The most recent, held under the auspices of the Council of Europe in Strasbourg, France, September 10-14, 1974, was, by general consensus, considered to be the most valuable to date. Its theme, "Animals in a Changing World," put emphasis on modern problems such as factory methods of livestock production in which animals are denied many of the opportunities they formerly enjoyed under traditional farming methods.

The commercial killing of whales and exploitation of other endangered species received frequent attention by speakers. Laboratory animals and the use of alternative methods for research and testing were the subject of a working group discussion.

In opening statements by officials of the Council of Europe, the position of the Council in defense of human rights was emphasized with ethical values including the decent treatment of animals, both domestic and wild, as a corollary. The Council was characterized as a guardian of the rights of nature.

Convention on Animal Transport

Dr. Golsong, Director of the Council's Legal Department, recognized the important role of the World Federation for the Protection of Animals in framing the

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MAGNUSON, FOLEY URGE ANIMAL TRANSPORT REFORMS, ABOLITION OF SADISTIC ANIMAL FIGHTS

Two major animal welfare bills were introduced September 30th by Senator Warren Magnuson (D., Wash.). In introducing the bills he said:

"Mr. President, today I am introducing a bill similar to one introduced in the House by my friend and colleague from the Fifth District of the State of Washington, Representative Thomas Foley. Known as the 'Animal Welfare Act Amendments of 1974,' the legislation is designed to improve the conditions of animals in transit. Mr. Foley's bill also contains a prohibition against the shipment of dogs in commerce for use in fights conducted for sport and wagering. I plan to introduce separate legislation today dealing with the subject matter.

"The need for national legislation to protect animals in transit has been proven during hearings conducted by several congressional subcommittees, most recently at hearings held by Congressman Foley's Subcommittee on Livestock and Grains of the House Agriculture Committee. Witness after witness has recounted the neglectful and inhumane handling of pets and laboratory animals during commercial shipment. During transit by flight, for instance, there is often no way to control the temperature or other environmental conditions of the compartment in which animals are carried. And some have suggested that the most dangerous time for animals in transit is not actually during shipment from one terminal to another, but after they have arrived at the second terminal and before they are either picked up or delivered to their final destination. For instance, a recent shipment of laboratory mice bound for NIH, having survived the plane ride, was subsequently roasted to death when the crates in which they were shipped were left out on the airport runway under the blazing sun for several hours. One need only travel across the Potomac to Washington National Airport to witness the crowded and substandard conditions which exist for animals in transit - conditions common at many airports and other terminals throughout the country.

"The present Federal Animal Welfare Act provides standards for the care and housing of animals in laboratories and other facilities through regulation of animal dealers, exhibitors, and research facilities. That law does not provide standards for the care of animals by the common carriers and intermediate handlers who transport the animals to the dealers or researchers. The 'Animal Welfare Act Amendments of 1974,' which I introduce today, will rectify this situation and bring common carriers and intermediate hand-

Continued on page 2

lers under the purview of the Animal Welfare Act. To facilitate enforcement of the act, all common carriers and intermediate handlers who deal in animal shipments will be required to register with the Secretary of Agriculture and keep such records as are required by the Secretary. The act directs the Secretary to promulgate standards for the care of animals in transit, including standards for containers, feed, water, ventilation, temperature, and veterinary care. The bill also requires the issuance of a veterinary certificate prior to the shipment of an animal certifying that the animal is healthy enough to withstand the shipment. It prohibits, in most instances, the shipment of dogs and cats younger than 8 weeks, and permits the Secretary of Agriculture to make similar rulings for other animals.

"The need for this legislation is obvious. Consideration of the Animal Welfare Act Amendments of 1974 will be high on the list of priorities of the Senate Commerce Committee during the remainder of this Congress and during the next Congress. . .

In introducing his anti-dog-fight bill, Senator Magnuson said, in part:

"Dogfighting is a terrible thing. A young puppy destined for a life in the fight ring is 'fed' a score or more of cats and younger dogs to hone its blood instincts. As the puppy develops a trained appetite for blood and killing, it is physically attuned and "conditioned" for fighting. The training period ends and the animal is brought to the ring to face other dogs of similar size and weight. These matches are barbaric. A match will last anywhere from 30 minutes to 2½ hours. The dog will attack various parts of its opponent's body, such as the ears, legs, or throat, and chew incessantly. The match ends when one dog dies or "curs out" - turns away and refuses to fight any longer.

"Money, as well as blood, flows freely at these matches. The Times claims admission costs run between \$3 and \$10, and the average bets at a big fight equal around \$500. Sometimes these fights are turned into degrading family affairs, with children as well as adults attending. . . . Other animals such as raccoons and bears, are also pitted against each other for sadistic entertainment. The legislation which I will introduce today is designed to prevent the use of all animals in these barbaric affairs. In addition, my bill would ban the manufacture and shipment of any equipment or devices such as spurs or gaffs used in these fights. The bill would be administered by the Department of Agriculture, which would have the authority to draw up regulations under the act, and would be jointly enforced by the Departments of Agriculture and Justice.

"Mr. President, our society is subjected to enough cruelty and violence without these scurrilous activities. This situation demands immediate national legislative attention."

MEETINGS SCHEDULED IN GREECE

Dr. T. G. Antikatzides, who represents Greece on the International Committee of the Animal Welfare Institute, has suggested that an announcement be published in this issue of the Information Report on two international meetings to be held July 9-12, 1975 in Thessaloniki: the World Veterinary Congress, which meets every four years, and the International Committee on Laboratory Animals which will hold its sixth Symposium concomitantly. Dr. Antikatzides is in charge of the local organizing committee for ICLA. The Committee states:

"Symposium themes are:

"1. Training in laboratory animal science. Areas of special interest: Place of laboratory animal science in bio-medical research; training of research workers; training of animal technicians; training of veterinarians in laboratory animal medicine; training in laboratory animal science in developing countries; impact of legislation regulating animal experimentation on training in laboratory animal science.

"2. The laboratory animal in the study of reproduction. Areas of special interest: Choice of animal models, especially primates, for studying human reproduction; comparative chemistry and physiology of the gametes; animal models for research on: ovum implantation, maturation and early development, genetics, immunological aspects, testing of drugs for mutagenicity and teratogenicity; in vitro methods using animal eggs and cells; differences in metabolism and effects of contraceptive steroids between common laboratory animals and primates."

The opportunity for advancing good training of everyone who works with laboratory animals, whether the scientist who designs the research, the animal technician who cares for the animal, or the veterinarian who ministers to it; for discussion of sound regulatory legislation; and for improving animal birth control methods, should make this a most valuable symposium.

Abstracts should be submitted before February 1, 1975 to the Chairman of the ICLA Program Committee, Dr. Nicolae Simionescu, Yale University School of Medicine, Cell Biology Department, 333 Cedar Street, New Haven, Connecticut 06510.

"As the seals were cornered and dragged squealing to the ledge for the final stabbing, flocks of cormorants were crushed against them, too.

"Soon there was a sort of trench about 20 feet long and three feet deep full of dead birds as well as dying seals. Finally when about 400 dead and dying seals had been herded against the ledge, the men moved in to dispatch them finally by stabbing them through the heart.

Lying in agony

"This part of the operation took about one and a half hours, which means that some of the seals were lying there in agony for the whole of that time."

"Mr. Avni added: 'It was a total exercise in butchery, unspeakably cruel and wasteful. There were rivers of blood pouring off the rocks.'

The horrors described by the photographer were confirmed by scientific observation of the veterinarians and Commerce Department personnel from the United States who were present during several of the "knocks." Dr. W. M. Wass, Professor and Head, Veterinary Clinical Sciences, Iowa State University reported in part: "In South African sealing the procedure is one of clubbing the animals while they are moving. In most cases while they are striving to escape to the water. The ineffectiveness of the clubbing done in the kills observed is probably demonstrated by the fact the 25% of the skulls we examined at necropsy did not contain significant fractures. Sticking and bleeding were likewise inadequate. It appeared in many instances that the chest and major vessels were not opened and that the animals did not in fact die quickly from exsanguination. Due to the hasty and frantic nature of the killing process, it appeared that many animals were killed which were not of marketable size, that is, they were either too small or too large. . . . Many animals were observed to vomit milk. Their use for pelts would appear to be explicitly prohibited by the U. S. Marine Mammal Protection Act as it now reads."

Dr. L. E. McDonald, Professor of Physiology and Pharmacology, Associate Dean, College of Veterinary Medicine, University of Georgia, noted in part: "Approximately one-half of the animals received a proper first knock over the cranial cavity which rendered unconsciousness. Nearly all animals are hit more than once, the average being three knocks per animal. Several were observed to receive the first knock in the middle of the back or on the nose. Several seconds to several minutes elapsed before a satisfactory knock followed. . . . On August 12, one animal vomited one quart of milk twelve minutes after end of clubbing. The lungs were protruding from the thoracic opening and regular gasping was occurring. At fifteen minutes post clubbing, this consultant requested a second blow to the seal's head which induced two feeble gasps then no movements. At twenty-five minutes post-knocking, two seals were having regular respiratory gasps although the thorax had been opened. A sticker returned and cut the great vessels or heart at this time in one animal which caused a gush of blood followed by a lack of respiratory movements. On August 13, even though the S. A. Seal Scientist and the foreman warned the stickers to be certain to cut the great heart vessels, several thoraxes were not opened. Sixteen minutes after clubbing ended, one animal made vomiting movements and expelled 1-2 quarts of milk. . . ."

AWI SCIENTIFIC COMMITTEE MEETING

A meeting of the Scientific Advisory Committee of the Animal Welfare Institute was held to review enforcement of the Animal Welfare Act, P. L. 91-579, in particular the research facility reports. An analysis submitted to the U. S. Department of Agriculture was approved by the Committee. Of particular concern to the Committee was development of more uniform and accurate reporting.

The analysis stated in part, "A seemingly better form of reporting is the following: 'If the use of anesthetics, analgesics, or tranquilizers to prevent pain or distress would be inconsistent with my research protocol or experimental design, I will submit a detailed description of the protocol including procedures to be performed and evidence why anesthetics, analgesics or tranquilizers would interfere with the experimental design in writing to the attending veterinarian (Director of Laboratory Animal Medicine)'. (Cornell University Medical College). The report states: 'Two research projects that were planned would have caused pain to animals. At the request of the veterinarian, the protocols were modified to prevent pain. Therefore, there were no experiments causing pain'. The modification of experimental procedure referred to is certainly praiseworthy and suggests that something along the lines of this form would be desirable for all institutions. However, nothing in this or most other annual reports indicates whether analgesics and/or tranquilizing drugs were used *in addition to* anesthetics, or *following* procedures which, although painless to begin with caused later suffering. It is essential that next year's form for annual reports should be so designed as to elicit this information".

European Convention for the Protection of Animals During International Transport. This Convention has been in force since 1968 and requires introduction of legislation at the national level to ensure that:

- 1) animals are fit for transport;
- 2) animals receive adequate rest before transport;
- 3) animals are given adequate space, food, and water during transport;
- 4) inspection by veterinary officers is carried out;
- 5) port and harbor installations are adequate.

The requirements are binding on the 13 states that have ratified the Convention: 12 Council of Europe member nations and Spain. The Netherlands and Ireland have not yet ratified.

The Convention, Dr. Golsong stated, is now open to accession by non-European, non-member states; and if the majority of contracting parties should come from non-member states, he noted the Council of Europe would gladly relinquish the administration of this Convention, the first to deal with animal protection at the international level. He noted further that this year it is expected that a Convention of farm animals will be completed and that two further Conventions, one on slaughter methods, the other on laboratory animals, are also being planned.

Factory Farming

Ruth Harrison, author of *Animal Machines**, speaking on factory farming, pointed out that by switching subsidies and grants, governments can quickly change the systems used in production of meat and eggs. In Britain an annual price review on farm products is held.

Dr. Paul Leyhausen of the Max Planck Institute suggested that battery rearing of chickens is linked up with the overcrowding of human populations in what he termed "our own overdeveloped countries".

Dr. G. Van Putten of the Research Institute for Animal Husbandry (Netherlands) emphasized the suffering caused animals by lack of occupation resulting in boredom. Busy for about 20 minutes a day (two 10-minute eating periods), during the other 23 hours and 40 minutes, the animal can't do anything. In a pen or cage made from concrete or steel, with no straw in it and no possibility to move, "I think they suffer very much from inability to do anything," said Dr. Van Putten. He described his observations of veal calves during the night as well as the daytime. "We see in these veal calves faint ruminating. You can see them grinding their teeth or wagging their tails for 15 minutes. The faint ruminating can go on for hours, and they don't have anything to ruminate."

Commenting on pigs kept on concrete without straw, he said, "Swine are very active animals . . . the only thing they can do is gnaw on each other, bite each other's hair, hooves, or tails, and, at last, change over to cannibalism."

An oversimplified environment without distraction leads to the inability to stand stress, Dr. Van Putten explained. Animals in such an environment have no means of getting used to stress.

Illness caused by bad housing has been studied in Sweden where data has been collected on the results of keeping veal calves in darkness, on bad ventilation which results in pneumonia in swine, and dusty conditions causing lung infections both in the animals and in farmers who enter their quarters.

Professor Ingvar Ekeshbo of the Swedish Royal Veterinary College pointed out that the real cost of highly intensive methods is not generally computed, for example, costs for manure disposal are not usually included, and in one case, manure went directly in a European river.

Dr. Ekeshbo's paper, "Animal Environment and Health," stated in part:

Modern animal husbandry implies alterations in the animal phenotype, in animal environment, and in the relationship between animal and environment. These changes have proved to affect animal health as revealed by alterations in animal disease patterns and their incidence (3). The Swedish District Veterinary Officer's annual reports show that between 1957 and 1967 the reported total disease incidence increased for cows from 23 to 44% of the total cow population and for swine from 9 to 20% of the total number of pigs for slaughter. An analysis of these figures shows that these increases are mainly due to diseases of man-made environmental origin. Some examples of that will be given.

The incidence of stillborn calves has proved to increase with increasing herd size. The incidence of stillborn heifer calves in 1969 in dairy herd sizes of 10-15, 20-30 and more than 50 cows was 3.05, 3.53 and 4.51% respectively. Corresponding figures for bull calves were 4.19, 4.58 and 6.64% (7). This can be explained as an effect of the diminished time for attention as this time will normally decrease for each animal with increasing herd size. One of the main objectives, with increasing herd size, is to reduce the ratio of man-hours per animal and year.

*Now available in paperback from Ballantyne.

"There is positive correlation," he said, "between the incidence of 'trampled teats' and mastitis and lack of bedding for dairy cows. Fattening pigs without access to straw as bedding have a higher incidence of tail biting than pigs with straw. Diseases of environmental origin can be effectively controlled only by preventive measures as conventional therapy cannot be directed against the original cause of disease."

In Sweden post graduate courses in animal hygiene and preventive medicine are being taken by all District veterinary officers; plans for building or remodeling livestock facilities must be approved by these veterinarians, and manufacturers of new equipment for animal environment are subject to requirements for testing and approval for animal health and welfare before the product is put on the market.

Mr. George S. Drysdale, Senior Vice President of WFPA, reminded the Congress that Professor Brambell, author of the major scientific report to the British Government on intensive livestock rearing, said it was a moral question rather than a scientific one. Birds should be able to stand up and stretch their wings; animals in sweat boxes should be able to turn around. But the Brambell Report was not accepted by the government, and the system continues, including such mutilations as the debeaking of poultry and removal of tails of animals in dairy farming.

Cruel Netting of Song Birds

Madame E. Breydel of Belgium reported that the netting of migrating song birds was banned in her country in 1972 but allowed again last year. The netting is scheduled to begin this year on October first. The dead and injured birds are eaten, the survivors sold to bird collectors. The trade is said to be very lucrative. Letters of protest should be directed to:

Mr. Lavens, Minister of Agriculture
rue de la Loi
Brussels, Belgium

A documentary film produced by Dr. A. G. Grasmiller entitled "Vogelmord" (Death of Birds) was shown to the delegates and may be obtained through WFPA.* The struggles of the delicate little finches and larks in the heavy nets is a gruesome sight. Equally revolting is the tying of the decoy birds with hooks through their wings to lure their fellows into gunshot range. One bird is shown tethered near a can full of water but just short of it. The bird's desperate fluttering as it tries and fails over and over again to get a drink is one of the most loathsome pieces of cruelty to have been documented in this way. The film continues through the sale of the mountains of tiny carcasses in the market square of Verona, Italy, their plucking, cooking, and consumption. Two million signatures on a petition to the Italian Government failed to stop the slaughter. A boycott campaign against Italian goods and a petition to the Pope have now been undertaken in an effort to end the cruel decimation of the birds, many of them rare species, as they run the gauntlet through the Italian, French, and Belgian barrage.

Alternatives to Laboratory Animals

Dr. Stefan Chorherr of The Microbiological Institute, University of Munich, presented a paper on the history of developments of cell cultures for production of vaccines. He emphasized the great suffering formerly undergone by animals infected with rabies in order to produce anti-rabies vaccine to protect other animals. Today, he pointed out, it is possible to reproduce all cell types in test tubes. Cell culture, he said, is a great step forward. He emphasized that it is high time that all rabies vaccine come from cell cultures. "Everybody engaged in the protection of animals," he said, "should support scientists in their search for procedures alternative to those involving experimental animals and the wholesale implementation of the procedures worked out in order to effect substantial curbs on the number of animal experiments necessary."

Dr. Josef König reported on his visits to experimental laboratories in eight different European countries and the new Austrian law on animal experiments which came into force July, 1974. His paper provides a summary of conditions in England, France, Germany, Holland, Switzerland, Austria, Italy and Denmark. In the latter country, he noted: "Heads of laboratories visited produced inevitably a rather thick ledger: the so-called 'Journal' which is required by law and issued by the Minister of Justice. The chronological entries therein include number and species of animals used, object and detailed description of the experiment, method used for anesthesia and euthanasia, stage of experiment at which euthanasia was carried out, etc. If the animal was not destroyed, the reasons must be given in the 'Journal.' In the case of dogs, cats and monkeys, the future fate of surviving animals must be stated."

The Animal Welfare Institute was represented at the Congress by its President who gave a paper entitled "Animals in Laboratories Throughout the World, With a Review of the Present Situation in the United States."

*World Federation for the Protection of Animals
37, Dreikönigstrasse, CH 8002 Zürich, Switzerland

Meat Animals

In the working session on transport and slaughter, Mrs. Eileen Bezet of the Dartmoor Livestock Protection Society reported that the British Veterinary Association this year has expressed the opinion that animals should be slaughtered as near to their home farms as possible. This view was unanimously endorsed by the Congress. Mrs. Bezet gave examples of mass suffering and death in transit, for example: "Calves were being flown to the Canary Islands off the coast of Morocco. On a single flight from the south of England, 174 out of 240 died of suffocation and heat stroke."

Dr. A. S. Venkatchalam of India called for pragmatic measures to protect animals, citing the teachings of Buddha, Ashoka, St. Francis, Richard Martin, Henry Bergh, Albert Schweitzer, and Mahatma Gandhi.

Jaqueline Gilardoni of Paris spoke on transport, restraint and slaughter of meat animals in France, emphasizing the difficulty in obtaining enforcement of the laws that have been passed to protect these animals.

Wild Animals

Heinrich Windischbauer, who gives the large birds at the Hellbrunn Zoo complete freedom to come and go as they please, summarized his paper as follows:

The modern zoo should forget about bars and cages and should establish as close a contact as possible between animals and humans (meaning attendants and visitors). If animals are kept happy and content they will approach the human with confidence instead of aggressiveness. The Hellbrunn zoological garden near Salzburg, Austria, in its natural setting of mountain rocks, does not aim at displaying a great variety of animal species but at allowing visitors to come near and get friendly with such species it has. This does not exclude predators or big, wild cats which are kept behind simple wire fences. None of the other enclosures are higher than 3 feet. Animals are kept busy and distracted at Hellbrunn where all of them live an outdoor life. And they are being well treated. Kindness and good food attract them to an extent that vultures and other large birds are absolutely free to fly as they please — and they will always return to their home.

Sue Pressman of the Humane Society of the United States spoke on inspections and efforts to improve American zoos.

Professor H. Kraft of the University of Munich's Veterinary Clinic spoke on control of animal populations and urged that biological methods be employed; that is, sterilization and use of natural enemies. He stressed that use of any kind of poison must be avoided for environmental, ethical, and humane reasons.

At a work session on control of animal populations, Dr. Ralph Korkhaus of Hanover, described a newly developed product which gives promise as a birth control substance not only for pigeons, for which it was developed, but for dogs and cats. He condemned the cruel poisoning of pigeons.

Dr. Paul Leyhausen, who serves on The Survival Service Commission of the International Union for the Conservation of Nature, urged member organizations of WFPA to ask their governments to ratify at the earliest possible moment the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Ten ratifications are necessary before the Convention goes into effect. To date, countries that have ratified are: the United States, Nigeria, Uruguay and Switzerland.

Patricia Forkan of the Fund for Animals spoke on protection of whales. She urged member societies to "start a boycott of Japanese and Russian products, work with your governments to ban the import of any whale product." Boycott literature and buttons were made available to all the delegates by the AWI.

Mr. H. J. Weichert, Vice President of WFPA, also gave his attention to the plight of the whales:

Animal protectors and biological scientists have been trying for years to stop whaling. On account of intensive catching, the whale population has been severely reduced, some species are facing extinction.

At present, it is merely Soviet Russia and Japan who, together, have 85% of the whaling fleet . . .

The United States repeated their proposal to stop whaling for 10 years at this year's Whaling Conference on 29th June, and again it was rejected



Patricia Forkan

Congress of The World Federation for the Protection of Animals in session at Europa House, Strasbourg, France.

by Soviet Russia and Japan. Both countries also voted against quota limitation of minke whales and against a geographical restriction for sperm whales in the southern hemisphere. Japan also opposed the planned stop of fin whale catching in the Antarctic Sea as from the middle of 1976. The Soviets, however, would be prepared — so they declared — to do away with the larger part of their whaling fleet, but only if Japan would do the same. However, Japan is not prepared. In 1973, 123,000 tons of whale meat was processed in Japan.

The next Congress of the WFPA is planned for 1978 in Mauritius.

USDA PROMULGATES REGULATIONS

Proposed Veterinary Care, Space and Exercise, and Audio-Visual Requirements

On September 25, 1974, regulations were promulgated under the Animal Welfare Act to require some release from cages for laboratory dogs. The regulations represent a compromise arrived at after eight years of argument. It is not surprising therefore, that they are modest and limited, requiring only that "random source dogs", that is, the mixed group obtained from dog pounds and dealers, must have half an hour's exercise daily during the business week. However, even these dogs according to the proposed regulations, would remain cooped up in their cages over every week end; their five-days-a-week brief exercise periods would not begin till they had spent 21 solid days in a cage; and even this extremely limited exercise would not apply to dogs bred for laboratory use — the thousands of beagles, for example, used by the military and many other research establishments.

The regulations state in part: "Dogs held in a restricted environment may develop abnormal behavior (exhibited by such signs as whirling, depression, inappetence, coprophagy, and self-inflicted injuries) or may refuse to eliminate body wastes. Dogs developing these or similar problems shall be provided veterinary medical care and released permanently to runs or other primary enclosures which may correct such abnormal behavior, assigned promptly to short term, terminal experiments, or immediately euthanized."

The fact that these horrors have been allowed to continue for years despite enactment of the Federal Laboratory Animal Welfare Act in 1966, demonstrates the unregenerate recalcitrance of a certain element in the medical research community. Long delay in the publication of the regulations is credited to complaints that compliance would cost too much. Such complaints are negated by the fact that large numbers of animal-using laboratories already comply with the proposed standards.

The AWI recommends that the proposed regulations be strengthened to require that all those laboratory dogs still housed in cages be provided with daily opportunity for exercise outside the cage from the time they are acquired. The rest of the proposals are sound and should be adopted as written.

Those who wish to add their voices to the demand for this simple decency in treatment of animals to whom the human race owes so much, are urged to write to:

Administrator
Veterinary Services
Animal and Plant Health Inspection Services
U. S. Department of Agriculture
Washington, D. C., 20250

Deadline for comments on the proposed regulations is November 25th. The date and page number of *The Federal Register* in which the proposals were printed should be included in such comments: September 25, 1974, pages 33420-21.

ANIMAL WELFARE INSTITUTE

Scientific Committee on Humane Standards for Research Animals

Marjorie Anchel, Ph.D.
Bennett Derby, M.D.
Lee R. Dice, Ph.D.

Paul Kiernan, M.D.
F. Barbara Orlans, Ph.D.

Samuel Peacock, M.D.
John Walsh, M.D.

International Committee
David Ricardo — Canada

T.G. Antikatzides, D.V.M. — Greece
Major C.W. Hume, O.B.E., B.Sc., M.I. Biol. — United Kingdom

N. E. Wernberg — Denmark
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UNNECESSARY MUTILATION OF LIVESTOCK PROHIBITED IN BRITAIN

The Veterinary Record, October 19, 1974 reports on a series of prohibitions which has just gone into effect in Britain against routine mutilation of farm animals. The abstract of the article by G.B. Taylor, MRCVS, Ministry of Agriculture, Fisheries and Food, Chessington states:

"Two new regulations and an order (see *Vet. Rec.*, June 1, p. 522 and June 29, p. 623) relating to the welfare of cattle, poultry and pigs came into operation in Great Britain on October 1, 1974 (Brown 1974). The regulations relating to cattle and poultry prohibit the tail docking of cattle, surgical castration of poultry, de-winging of poultry (other than feather clipping) and the fitting of blinkers to birds by any method involving mutilation of the nasal septum. The regulations relating to pigs require that the docking of pigs' tails should be by quick and complete severance of the part of the tail to be removed; and prohibit the docking of pigs more than seven days old except by a veterinary surgeon on health grounds or to prevent suffering from tail-biting. The order prohibits the docking without anaesthetic of a pig more than seven days old except when authorized under the Cruelty to Animals Act 1876 or in emergency for the purposes of saving life or relieving pain."

In the Discussion, the following appears: "Although the new regulations in relation to cattle and poultry prohibit some mutilations which are rarely carried out in this country today they will prohibit the introduction of 'new' mutilations along similar lines. We know, for example that total de-winging of day-old chicks has been carried out experimentally in the USA and such mutilations would be repugnant in this country. There is advantage in having a regulation to prohibit unacceptable mutilation to prevent it ever becoming re-established in this country."

ANIMAL EXPRESSIONS PUBLISHED WITH NEW FOREWORD

Dr. Francis J. Mulhern, Administrator of the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture, has written a new foreword for the AWI's photographic footnote to Charles Darwin's *The Expression of the Emotions in Man and Animals*, published under the title of *Animal Expressions*. Dr. Mulhern, Albert Schweitzer medallist in 1967, wrote the foreword when the manual was first published. As head of the agency which enforces the federal Animal Welfare Act and Horse Protection Act, he brings unusual experience and understanding to the expression of animal suffering and our country's efforts to remedy it. His foreword is reprinted below in full.*

"A glance at the calendar tells me that it's been seven years since I had the honor to write the foreword for the first printing of *Animal Expressions*. Where has all this time gone so quickly.

"In the interim, the original Laboratory Animal Welfare Act of 1966 has been extensively broadened, and many more animals and operations using animals have been covered. We can look into laboratories and laboratory animal dealerships—and now also into wholesale pet dealerships, exotic animal dealerships, zoos, and circuses—and see many improvements over what existed when I wrote the first foreword.

"Yes, today we can take more delight in the expressions of joy and contentment shown by animals in this book. They remind all of those in the humane movement who

[Continued on page 3]

* A single copy of *Animal Expressions* is free on request to any scientist, veterinarian, animal technician, librarian, teacher or humane society. To others it is available at the cost price of one dollar. Orders should be sent to the Animal Welfare Institute at the address on the masthead.

DESTRUCTION OF THE DOLPHINS

A Controversial Draft Report Surfaces at Commerce

On October 21, 1974 the two-year grace period, allotted the tuna fish industry by Congress to find a way to reduce dolphin mortality and serious injury rate to near zero, expired. Although there were reductions of dolphin deaths in the giant purse seines used to envelop huge schools of yellowfin tuna, these reductions were far from reaching zero. A bill was introduced in Congress to give the industry another two-year grace period. The industry threatened that it would move to a foreign flag if it were no longer allowed to harass the dolphins with motorboats, round them up, encircle them along with their yellowfin tuna retinue (which mysteriously accompany several species of dolphins) and haul in the valuable tuna catch. The tuna boat captains threaten to leave the United States even if they have to adhere to regulations they consider too strict—too much on the side of the dying dolphins suffocated under the monstrous canopies of webbing of the purse seines.

Just as the argument reached crisis proportions, a draft report, based on two years of scientific studies, suddenly made its way through the bureaucracy and became available for public scrutiny on the same key date of October 21st—the second anniversary of approval of the Marine Mammal Protection Act.

Hearings were held December 10th and 11th by the National Marine Fisheries Service (NMFS) to consider the report and the question of basic changes in regulations for that segment of the tuna industry which fishes, as it is called, "on porpoise."

The 163-page draft report has already caused so much excitement that no less than three other scientific committees have been appointed to scrutinize it. It is one of the most interesting documents to come out of government in years, and some of its information and implications can best be summarized by quoting from it in sequence.

After outlining the problem and reporting on the work of the biologists, statisticians, and NMFS observers on the tuna boats, the report, under the heading "Nature of the Fishery—Economics" notes "Of the tropical tunas, the yellowfin is larger, with lighter meat and brings a higher price. . . . The majority of yellowfin is captured with purse seines in contrast to pole and line, and about 45-85% of those landings are taken on porpoise.

"The fishery has growth potential for, at the present time, only yellowfin are possibly near the limit of their sustainable yield. The main stock of skipjack is still relatively untouched. Further, U.S. boats produce less than half of the total tuna packed in the United States and Puerto Rico, and the U.S. fishermen's share has been declining in recent years."

On the following page the report notes, "As the number of [purse seine] vessels and their capacity and range increased, the fishing pressure on yellowfin rose to an alarming level. The potential for overfishing became apparent in 1961 and after long deliberations in 1966 the IATTC delineated a 5.0 million square mile ocean area, The Commission Yellowfin Regulatory Area (CYRA) and established a quota on yellowfin that could be taken by member nations within this zone in one season. Other tunas, such as skipjack, can be fished within the zone throughout the year."

On page 22, we find the following: "The Pacific zone to the west of the CYRA is known as 'outside.' It is almost exclusively fished by large U.S. boats and approximately 95% of yellowfin sets are made on porpoise." A few lines further on, the heading, "Problems," appears.

"Despite its success and the controlling influence of the Commission it is a fishery beset with international problems. Other non-member nations exploit the tuna resources of the CYRA and are not obliged to follow the rules. For many years two nations, Ecuador and Peru, and

[Continued on page 2]

more recently one member nation, Panama, have unilaterally declared sovereignty over 200-mile areas adjacent to their coasts and islands. These nations arrest, impound and fine violating boats. (U.S. fishermen are essentially compensated by the State Department for the fines, but lose their fish and fishing time.)”*

The report further notes, “Porpoise populations are essential to economic welfare of U.S. tuna purse seiners.”

Under the heading, “The Industry” (page 23) this provocative sentence appears: “That the fisherman has been the least studied and least understood part of the tuna purse seining system is not an overstatement.” Under “The Fishermen” the reader learns “. . . he is not paid a wage, and under the ‘share system’ stands to lose expenses on every trip. He is fiercely competitive.”

Statistics from the NMFS observer program are detailed. The report then addresses itself to “Gear Dynamics and Development,” and continues with “Industry Methods of Rescuing Porpoise,” and “The ‘Backing Down’ Process,” described as follows: “When approximately two-thirds of the net has been brought aboard the hauling end of the net is secured and the vessel moves in a reverse direction through a wide area aided by the seine skiff secured by a towing bridle. Pressure caused by pulling the remaining amount of net through the water forms a channel approximately 300 feet long and up to 50 feet wide. During back down, porpoise congregate at the extreme end of the channel where the porpoise are located. As backing down proceeds, the corkline is pulled under the porpoises, releasing them unharmed.” However, as the report notes, “The procedures of backdown are not standard.”

On page 42, we find, “Of primary importance . . . is ‘control of the net,’ that is the ease and rate which the backdown area can be submerged to facilitate passage of the mammals over the corkline and out of the net at the opportune time while still being able to obtain a rapid rise of the corkline and net to prevent the fish from escaping. Aside from the skill and judgment of the captain and crew, control of the net is affected by such factors as the displacement, weight and movement of the vessel, its power capabilities, its responsiveness to the throttle, its turning radius, availability of a bow thruster, and the towing, rigging and operational characteristics of the seine skiff. The vagaries of the wind and sea can be added complications.”

How do the air-breathing dolphins die when they are unable to reach the surface? It had been assumed that they drowned. But on page 49 of the report, it is stated, “The animals ‘drown’ or more correctly suffocate, for several post-mortem examinations indicate they keep their blowholes closed and do not inhale water.”

On the facing page a table labelled “Causes of porpoise mortality (all species) as noted by 1974 observers” shows particularly large numbers in the following categories: Entangled in backdown; Trapped under webbing; Net collapse; Roll-up; and Overcrowded. In analyzing the reasons for the deaths, the report cites “Variations in effort to complete backdown among vessel operators mainly due to the possibility of losing fish.”

Prevention of Net Collapse

Under the heading “Adverse Ocean Currents,” the report indicates that “Fishermen usually have no means of knowing the magnitude and direction of differential currents prior to setting their gear. . . . Whenever wind velocity is low the vessels are inclined to set their gear in any direction. This can be disastrous since severe differential currents can sometimes exist even when the wind is calm and the ocean is glassy smooth. . . . During these studies it was found that the most serious situation occurred when both adverse currents and gear malfunction were present.”

The awkwardness of the huge purse seines is shown in a lengthy analysis of problems and potential solutions. For example: “‘Roll-ups.’ An examination of gear malfunction data from tuna purse seine vessels showed one common recurring gear malfunction which, if eliminated, could substantially reduce net collapse and its attendant porpoise mortalities. This malfunction is known as a ‘roll-up’. When roll-ups occur, purse seine webbing is wrapped around the steel purseline at the bottom of the net forming a long sausage-like roll of webbing. . . .”

The use of speedboats to hold the net open, the anti-torque cable, and the Medina panel are discussed and

NMFS charter cruises using new gear developments are described. These charter cruises are very expensive for the government. The tuna industry, despite their loud protestations of love for the dolphins and desire to stop the incidental kill, make their vessels available for research only at a handsome fee. Moreover the report states, (page 82) “. . . it should be noted that the results from a charter cruise are not strictly comparable with those made under competitive conditions.” In other words, more dolphins are killed when competition is involved.

Undoubtedly, sets are made “on porpoise” under conditions known to be especially dangerous to these animals. On page 145 we find, “Rough sea conditions significantly increase porpoise mortality.”

Nor are the immediate deaths the only ones. In Part III of the report, “Effects of Incidental Mortality on Porpoise Populations,” we are told, “In addition to the direct kill, there is the possibility that the mortality of the juveniles is high, through the killing of pregnant and nursing mothers during the extensive chasing and herding and the decrease in length of lactation period which is not completely accounted for in the estimated kill.”

Dolphins Suffer in the Chase

The report describes “Possible Harassment Effects” (page 147) thus: “Added to the effects on the porpoise population by direct or indirect mortality, there are other potential effects due to the general harassment associated with the tuna fleet’s use of porpoise. The animals are subject to chasing both by the seiner and by speedboats, to encirclement by a sound reflecting net, to containment for extended periods of time, before eventual release of most of the animals. The whole process takes about 1-1/2 hours on the average and may be repeated frequently. For an intelligent and highly social mammal this could potentially involve the expenditure of a large amount of energy reducing their overall viability.

“In addition to the effect on an individual porpoise involved in a net there is the potential effect on the school as a whole. While schooling in birds and fish is known to be a casual thing at times, work with spinner porpoise in Hawaii and similar work with ‘schooling’ mammals such as baboons suggest a strong school structure. Observations of marked or distinguishable individuals appearing in different schools on successive sets within short time periods suggest that being involved in a net set tends to disrupt school structure. This could reduce overall reproductive success and possibly survival of young animals. Similar disruption of group structure by harvesting is known to have a detrimental effect on social structure in African elephants (Hanks, 1971).”

Related to this disruption is the question of survival of the populations of dolphins that swim with the yellowfin tuna. The report states: “It should be pointed out that in the present case, the response of the spotted porpoise population to exploitation appears to have been to decrease the length of the lactation period and hence allow a more rapid reproductive cycle, as discussed in the section on biology. While this potentially represents a true reproductive response it might also be due to an increased mortality of juveniles, thus freeing the lactating female to ovulate again earlier. Further, while the lactating period may decline naturally, the learning period of the calf may be reduced and hence affect juvenile viability (either present survival or subsequent reproductive ability). Such possibilities have been demonstrated for some primates and have been suggested for cetaceans (Brodie, 1969).”

These scientific assessments when considered with the observations of fishermen are sobering indeed: “There have been recent reports that porpoise schools are ‘getting harder to catch,’” the report states (page 120). “According to the fishermen, the schools must be chased longer, are harder to encircle with the net, and once encircled, are more likely to escape from the net before it can be pursed than in the past. . . . Percentage of school captured (as estimated by crew): This index shows significant change over the period 1972-1974. The relative number of completely successful sets (entire school captured) has declined, and the number of complete failures has risen.”

A series of analyses based on available data show the dangers to the three different species most often set upon: *Stenella longirostris*, (spinner porpoise); *Stenella attenuata*, (spotted porpoise); *Delphinus delphis* (Whitebelly porpoise); other species sometimes caught in the purse seines include *Steno bredanensis* (rough-toothed porpoise); *Lagenodelphis hosei* (Fraser’s dolphin); *Stenella*

[Continued on page 3]

*Editor’s note: Last year’s fines amounted to more than three million dollars—paid by the U.S. taxpayer to support those who profit from purse-seining.

**THE BOYCOTT CAMPAIGN
TO SAVE THE WHALES
News from Foreign Correspondents**

From **Norfolk, England** a page of signatures on the boycott petition which reads: "To the Governments of Japan and the Soviet Union: We the undersigned, deplore and detest the thoughtless commercial slaughter of the world's whale populations, and we demand that this barbaric practice cease immediately. We hereby pledge that until you cease the killing of the great whales, we shall not knowingly purchase any product from, travel to, or have any traffic with your countries."

The accompanying letter notes, "I might mention all listed herein are commercial divers presently working the North Sea. We wish to congratulate you on your efforts and hope your energy in these matters continues with the same gusto. Very truly yours, R.D. Kross." The names include British, Canadian and American addresses for the divers.

From **Athens, Greece**, a page of signatures to the petition from medical and veterinary medical practitioners.

From **Toronto and Vancouver, Canada**, a series of clippings on demonstrations held at the time of Prime Minister Tanaka's visit in late September. "Chanting Demonstrators Urge Japanese Leader to End Whaling," read a banner headline in *The Toronto Star*, September 26th. Under a subheading, "Closeted With Barrett," the article stated, "Later in Vancouver, he was closeted in a 20-minute closed-door session with British Columbia Premier David Barrett. Barrett would not comment on the subject of the discussions, but an official in Barrett's office said afterward Tanaka was given a statement suggesting a 10-year moratorium on whaling."

Under the headline, "Tanaka Gets Call 'Save the Whales'" *The Vancouver Sun*, September 26th, stated: "Demonstrators demanding an end to Japanese whaling, hounded the footsteps of Premier Kakuei Tanaka on his official visit to Vancouver Wednesday."

"At the University of British Columbia where Tanaka unveiled a plaque on the site of the New Asian Centre, protestors from the Greenpeace Foundation picketed him with signs saying, 'Spare the Whales' . . ."

In *The Varsity*, September 27th, we are informed, "The visit was also marked with a demonstration outside Convocation Hall by people urging a boycott of Japanese goods in light of continued Japanese whaling. Japan has ignored calls for an international moratorium to preserve the endangered species."

"As he left the Convocation Hall, Tanaka accepted a copy of *The Varsity* which printed an article on whaling. The paper was thrust into his hand by demonstrators."

"After Tanaka left, University of Toronto President John Evans told the group he had explained their concern to Tanaka. According to Evans, the Japanese Prime Minister promised to look into it."

**HORSE PROTECTION ACT STRENGTHENED
IN SENATE VOTE**

On November 20th the United States Senate unanimously passed S.2903, "a bill to amend the Horse Protection Act of 1970 to better effectuate its purposes." Introduced by Senator Warren Magnuson (D., Wash.), Chairman of the Senate Commerce Committee, and Senator John Tunney (D., Calif.), the bill makes a series of powerful amendments to the Horse Protection Act of 1970. Opposition to the original bills by those who profit from the soring of Tennessee Walking Horses led to passage of a law which has proved inadequate to eliminate the deliberate torture of these horses for show purposes, despite numerous convictions.

At oversight hearings chaired by Senator Tunney, strengthening language was proposed by the Administrator of the Animal and Plant Health Inspection Service, Dr. F.J. Mulhern, and further strengthening provisions were added by Senator Magnuson. If S.2903 is passed, it will provide for forfeiture or seizure of a sore horse and for disqualification of owners and trainers from showing or selling horses for periods up to two years—this in addition to fines up to \$3,000 and imprisonment up to six months. Every judge will be required to affirm in writing at the conclusion of each horse show his qualifications to identify sore horses, to list the names of all sore horses and their owners, and to list in the same detail all those he affirms were not sore.

A more complete and specific definition of "sore" with respect to a horse is proposed, including the following: "A horse shall be considered sore if it demonstrates gross pathological lesions called callouses, granulating tissue,

or extremely thickened skin, or if it manifests sensitivity to both front pasterns or feet and shows evidence of lameness in both front feet."

The prohibited acts are increased in number and very specifically described so that owners, trainers, shippers, judges, and those who conduct horse shows are all under obligation to prevent soring or be subject to serious penalties.

Finally, the Secretary of Agriculture is required to submit concurrently to Congress any legislative recommendation, proposed testimony, or comments on legislation which he submits to the President of the Office of Management and Budget. "No officer or agency of the United States," S.2093 reads, "shall have any authority to require the Secretary to submit his legislative recommendations, proposed testimony, or comments on legislation, to any officer or agency of the United States for approval, comments, or review, prior to the submission of such recommendations, testimony, or comments to the Congress."

Dolphins [continued]

coeruleoalba (streaker porpoise).

For example on Page 151: "Preliminary results suggest that the current spotted porpoise population could be in the range of 30% to 80% lower than the pre-exploitation population in the early 1950's." On page 159, "If this interpretation were to be correct, then at the present levels of mortality in the fishery, the population of offshore spotted porpoise would decline to extinction."

The report discusses the possibility of the American purse seiners shifting to a foreign flag where they would no longer be subject to controls under the Marine Mammal Protection Act. However, if they desired to sell yellowfin tuna in the United States they would have to meet the standards set by NMFS.

The report does not mention the industry's announced plans to build \$200,000,000 worth of new purse seiners. If such a thing is to happen, the cruel harassment of the dolphins can be expected to continue and unless major changes in procedure are required, the United States may soon be joining Japan and Russia in driving members of the whale family—the cetacea to which the great whales and small dolphins all belong—to extinction.

*Animals Expressions
[continued]*

have worked diligently that the conditions of animals used in commerce have significantly improved. Also, these expressions should give satisfaction to those responsible in research laboratories, dealers, and exhibitors who have provided humane living conditions for the animals involved.

"Still, I am concerned about all the time that has passed. We need to balance what has been accomplished by the great deal of work left to be done. So I am reminded of the famous quote attributed to Dr. Albert Schweitzer—that giant among humanitarians—who said: 'Time is the gift of life. Use it carefully!'

"Perhaps I am too impatient. Perhaps I should listen to the voices that try to temper the civil rights movement in this country. 'Look at how much better the disadvantaged minorities have it today,' is their plea. And, indeed, like disadvantaged animals, disadvantaged people have seen some real improvements.

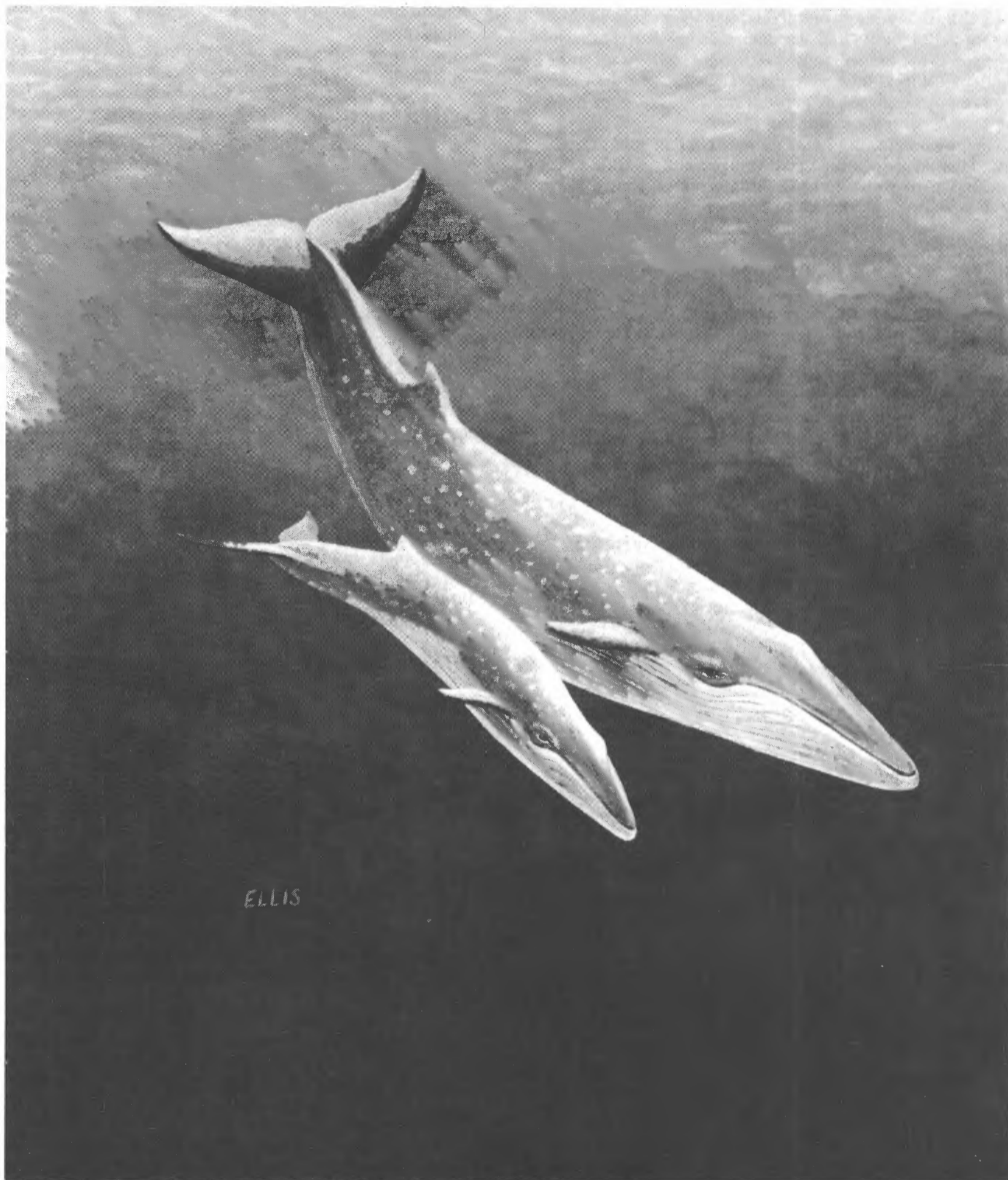
"But then I hear the voices of the disadvantaged themselves. They cry: 'Equality today!' They point with alarm at all the time that has passed since key court decisions and Federal legislation defined their rights. They want to be able to enjoy those rights in their own lifetime. They don't want to postpone realization of those rights until a brighter tomorrow that might come only in the lifetimes of their children's children.

"So, when I took another look at some of the expressions of animals in this book, it were as if I heard them also plead for realization of their legal rights today. I looked at images of fear, anger, and hate and felt them as accusations that we humans are responsible for many of the conditions that bring about animal expressions such as these.

"We should place ourselves, at least mentally, in the environment that these animals find themselves. Then, I believe, we would be able to hear them say to us with their friend, Dr. Schweitzer: 'Time is the gift of life. Use it carefully.'

"To that motto, we who care about animal welfare rededicate ourselves. And to that motto, I dedicate this foreword."

Mother And Calf: Sei Whales



This beautiful painting of the swiftest of the great whales was made by Richard Ellis for the Animal Welfare Institute campaign to Save the Whales. Whaling fleets from Japan and the Soviet Union are now on their way again to the Antarctic for the annual slaughter. Readers of the Information Report who wish to join in the fight for the whales are invited to use the coupon below. A full color print of the Richard Ellis painting will be sent without charge to everyone who contributes ten dollars or more to the campaign.

NAME _____
 ADDRESS _____
 ZIP CODE _____

CONTRIBUTION _____

Please send more information on the campaign to Save the Whales

Please send an 18" X 14" print, suitable for framing, of "Mother and Calf: Sei Whales."

ANIMAL WELFARE INSTITUTE

Scientific Committee

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