

# AWI Quarterly

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## SPOTLIGHT

### Rare Dolphin Gains ESA Protection

In a response to a 2016 petition by AWI and allies, the National Marine Fisheries Service (NMFS) agreed on May 8 to list the Taiwanese white dolphin (*Sousa chinensis taiwanensis*), also known as the Taiwanese humpback dolphin, as “endangered” under the Endangered Species Act (ESA). The decision could well mark the difference between extinction and survival for the dolphins, as it enables the United States to provide technical expertise and resources to help Taiwan mitigate the threats they face along Taiwan’s densely populated western coast.

The animal is a subspecies of the Indo-Pacific humpback dolphin. Fewer than 100 remain. Striking in appearance, they are born gray but turn pink or white—often with patches of

mottled gray—as they mature. NMFS initially denied a 2014 petition to protect them, concluding that the population was not distinct from the Chinese white dolphin, which swims near the mainland and is separated from the Taiwanese white dolphin by the deep waters of the Taiwan Strait. New taxonomy studies, however, conclude that the Taiwanese white dolphin has unique characteristics.

The dolphins are threatened by gillnet fishing, pollution, boat traffic, and development—including the potential construction of large wind farms. In April 2017, AWI marine mammal scientist Dr. Naomi Rose participated in an international workshop in Taiwan to assess the impacts of several large offshore wind farms proposed within the dolphin’s habitat. Naomi presented the workshop’s deliberations and concerns to the IWC Scientific Committee, of which she is a member. (See *AWI Quarterly*, fall 2017.) The report helped persuade the committee to issue strong recommendations to authorities in Taiwan to tread carefully as they proceed with the wind farm proposals—balancing the need for clean energy with the need to avoid irreparable harm to one of the rarest marine mammals on the planet. 🐬

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## Animal Welfare Institute

[www.awionline.org](http://www.awionline.org)



### ABOUT THE COVER

A hawksbill sea turtle (*Eretmochelys imbricate*) cruises the reef off Indonesia's Raja Ampat Islands. Habitat loss and degradation, entanglement in fishing gear, ingestion of marine debris, slaughter for meat, and the tortoiseshell trade have taken a heavy toll on this critically endangered animal.

AWI is partnering with acclaimed author Katherine Applegate and HarperCollins Children's Books to raise awareness about species threatened by human activities and our responsibility to ensure we don't cause their extinction. See page 16 to learn more about the partnership and Applegate's new endangered-species-themed "Endling" series. Photograph by Pete Oxford/Minden Pictures.

## VIRGIN HOLIDAYS INVESTS IN DOLPHIN SANCTUARY

Virgin Holidays has pledged \$300,000 to support the creation of North America's first dolphin sanctuary and the move of seven captive dolphins at the National Aquarium in Baltimore to the facility. Last year, Virgin Holidays announced—after consultation with AWI and other stakeholders—that it would support the creation of seaside sanctuaries for dolphins and would not sign up any new attractions featuring captive dolphins performing or swimming with tourists.

The sanctuary's exact location has yet to be determined, but the focus is currently on Florida. As stated in an April press release from Virgin: "The sanctuary will provide the dolphins with a much bigger living space, and allow them to enjoy a fully natural seaside location including ocean tides, temperature variations, and other natural ocean life such as fish, crabs and seaweed." Humans would still care for the mostly captive-born dolphins, however.

The National Aquarium announced in June 2016 a revolutionary plan to move its colony of formerly performing dolphins from its indoor amphitheater

pool to a seaside dolphin sanctuary by 2020. At the time, the aquarium's CEO, John Racanelli, opined, "Although this decision is about a group of dolphins, it is every bit as much about our humanity; for the way a society treats the animals with whom it shares this planet speaks volumes about us."

## LESSER PROTECTION FOR LEATHERBACK TURTLES?

The Northwest Atlantic subpopulation of leatherback turtles could soon lose important protections under the Endangered Species Act in response to a September 2017 petition filed by the Blue Water Fishermen's Association. The petition requested that the turtles be downlisted from endangered to threatened. Changing the turtle's status could ease critical restrictions and efforts to mitigate bycatch impacts.

In December, the National Marine Fisheries Service announced a 90-day finding on the petition, stating that the petitioned action may be warranted. Such a finding triggers a status review, and the agency solicited scientific and commercial information pertaining to this leatherback subpopulation. AWI submitted comments, attaching

scientific evidence showing that the turtles are still highly endangered, and that the Northwest Atlantic subpopulation in particular faces severe threats from bycatch, habitat loss, and myriad impacts associated with climate change.

## BOWHEADS: 100-TON DUKE ELLINGTONS

The haunting songs of the humpback whale are well known. (They are literally unearthly—phonograph recordings of their communications are currently passing through the outer reaches of the solar system and into interstellar space aboard the Voyager spacecrafts, launched in 1977.) All male humpback whales in the same area famously sing the same melody and, as songs evolve, the whales adopt the changes.

Scientists at the University of Washington are now reporting—after years of recording along bowhead whales' polar migratory routes—that this whale is also an impressive sea songster. The twist is that bowheads seem to follow fewer rules than humpbacks. Scientists compare the bowhead's free-form songs to riffing jazz musicians. Over three years, an underwater microphone captured 184 distinct bowhead whale songs from a small population. The researchers surmise that each male has a different song and that it changes from season to season.

The study is described in the Royal Society's *Biology Letters*. Want to hear the bowhead song? Visit [www.awionline.org/jazz](http://www.awionline.org/jazz).

*Leatherback sea turtle hatchlings face long odds on their way to the sea and adulthood. Downlisting the Northwest Atlantic subpopulation from endangered to threatened could make life even harder.*



FLORIDA FISH AND WILDLIFE



FIN WHALE | ISTOCK

## Norway and Iceland Resume Whale Slaughter

It appears 2018 will be a deadly year for whales in the northern hemisphere, as both Norway and Iceland have issued their highest whaling quotas in years. In all, as many as 1,287 minke whales could be killed by Norway, while the Icelandic government has issued a base quota of 217 minke whales and 209 endangered fin whales. These quotas have not been approved by the International Whaling Commission (IWC) and defy the intent of the IWC global moratorium on commercial whaling.

The Norwegian whaling season opened the first week of April. Some 15 vessels requested a whaling permit—up from 11 last year, when 432 minke whales were killed. Two vessels in particular, the *Reinebuen* and the *Kato*, were responsible for the greatest number of whales taken in 2017; both are engaged in exporting whale products to Japan. As domestic demand for whale products in Norway continues to wane, Norwegian whalers are struggling to turn a profit, and even the companies linked to the two whaling leaders have seen falling income in recent years.

In Iceland, the Hvalur hf whaling company announced in April that it would resume hunting fin whales on June 10, after a two-year hiatus. Hvalur exports fin whale meat and blubber to Japan, some of which ends up as dog treats. The company has seen little profit from its exports, however, and has explored alternative ways to make money from killing whales. Hvalur is now developing iron supplements from whale meat and is rendering bones and blubber to make gelatin and food additives.

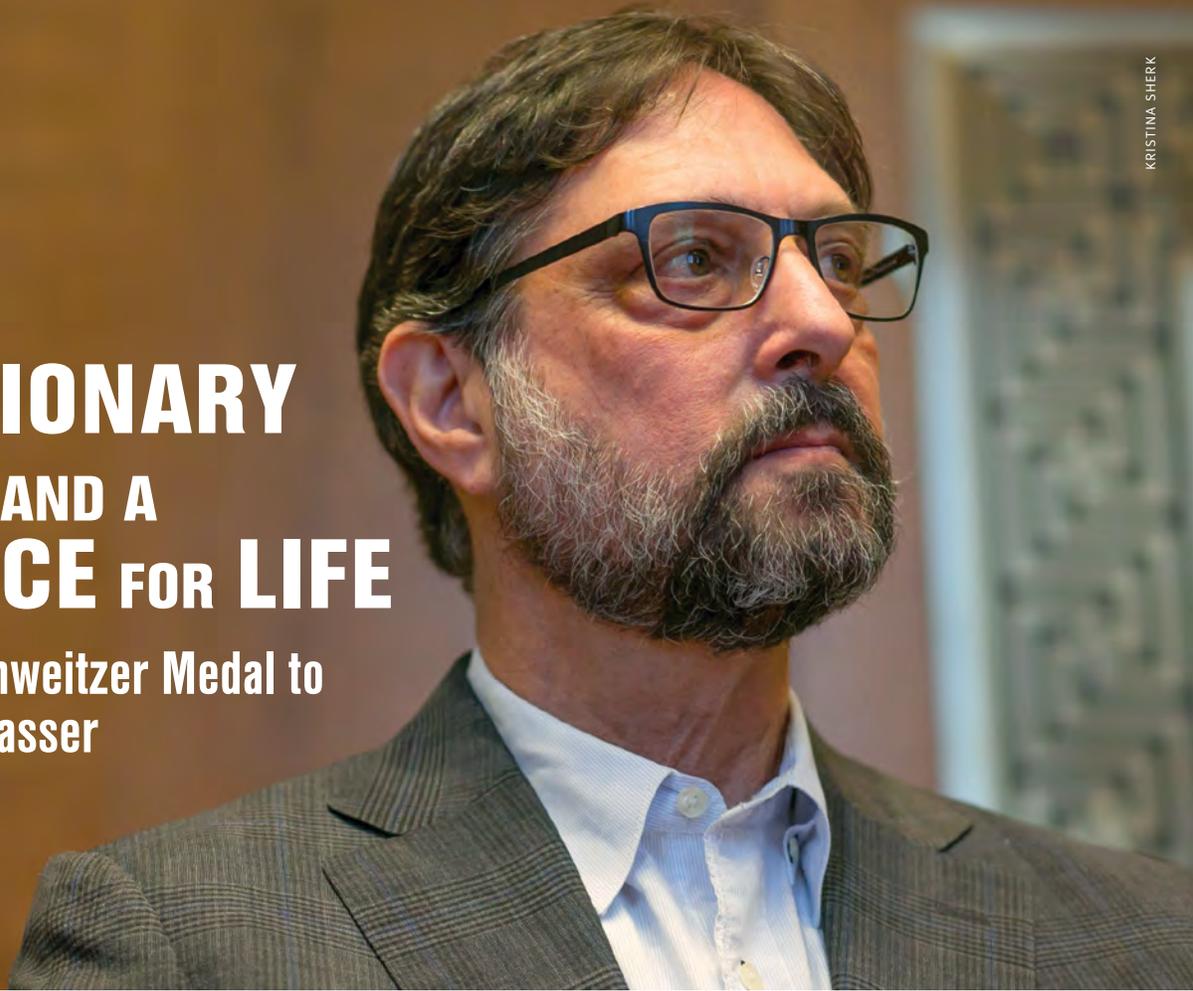
The announced resumption of fin whaling caused an immediate outcry, including from the “Don’t Buy from Icelandic Whalers” coalition—of which AWI is a founding member. The coalition has gained commitments from several seafood retailers not to buy seafood from Icelandic seafood company HB Grandi due to its ties to Hvalur. High Liner Foods, Wegmans, and Ahold (the parent company of Stop & Shop and Giant) are among the dozens of companies that have made the pledge. (See [www.DontBuyFromIcelandicWhalers.com](http://www.DontBuyFromIcelandicWhalers.com) for campaign updates.)

Until recently, Hvalur held over 34 percent of HB Grandi’s shares and Hvalur CEO Kristjan Loftsson chaired the seafood company’s board of directors. Two days following the announcement that Hvalur would resume fin whaling came the news that Hvalur would be selling its HB Grandi shares to another company. HB Grandi CEO Vilhjálmur Vilhjálmsson admitted to AWI that the sale of the shares were indeed due to Hvalur’s decision to resume fin whaling, and that marketing seafood had become difficult due to the whaling issue. At its May 4 annual meeting, HB Grandi shareholders voted for a new board of directors. For the first time since the company was founded in 2004, Kristjan Loftsson was not elected.

The whaling issue has also been raised in the Icelandic Parliament, and the prime minister has indicated her intention to thoroughly review whaling’s impact on Iceland’s image and economy prior to renewing any quotas in 2019. 🐾

# REVOLUTIONARY SCIENCE AND A REVERENCE FOR LIFE

## AWI Awards Schweitzer Medal to Dr. Samuel K Wasser



**SAM** Wasser's life is bound by threads so small that a thousand of them braided together wouldn't amount to a single eyelash. These threads are strands of deoxyribonucleic acid, better known as DNA. DNA's double helix—the two strings of nucleotides that caress each other in a spiraling embrace—provides the genetic instructions for everything that lives. To Dr. Wasser, DNA provides clues—information he can use to illuminate the lives of imperiled animals and track the movements and methods of poachers who plot their demise.

At the University of Washington, in Seattle, Wasser is the endowed chair in Conservation Biology and director of the Center for Conservation Biology. On April 10, at a ceremony held at the Dirksen Senate Office Building in Washington, DC, AWI awarded the Schweitzer Medal to Wasser in recognition of his groundbreaking work that has contributed enormously to the fight against wildlife trafficking. Senator Maria Cantwell (D-WA) presented the medal on AWI's behalf.

In one of his most noteworthy accomplishments, Wasser has assembled a DNA reference map of elephants across Africa, which is now widely used to determine the geographic origins of poached ivory. This work has led to prosecutions of major transnational ivory traffickers and nurtured key collaborations

with the International Consortium on Combating Wildlife Crime, INTERPOL, US Homeland Security Investigations, the US Task Force on Wildlife Trafficking, the US Fish and Wildlife Service, the US Department of State, and wildlife authorities in numerous source and transit countries across Africa and Asia. DNA detective work at Wasser's lab has also benefited orcas, pangolins, wolves, baboons, and a host of other species.

Wasser is guided not only by the intertwined threads of DNA's double helix, but also by the intertwined attributes of meticulous science and ethical values. In explaining what motivates him, Wasser states, "I started working in Africa when I was 19 years old because I loved animals. That was 1973. Since then, I have watched the rising toll that overconsumption, habitat destruction, and poaching has had on the world's most spectacular terrestrial and marine organisms. I was unable to just stand by, and my life's mission became developing and applying noninvasive methods to uncover these human impacts, show them to the world, and offer solutions for change."

The "noninvasive" aspect of his work is underscored by how he handles his study subjects—or rather, how he avoids handling them: He manages to uncover volumes about a wildlife population's abundance, distribution, and physiological

conditions without ever disturbing, or necessarily even seeing, a single animal. That is because all the information he needs is (not so neatly) packaged in what they leave behind.

In no small measure, Wasser reimages the living individuals—their health, their wanderings, their family relationships—from their feces. Laboratory examination of dung dropped by animals in their natural habitats reveals trace amounts of hormones that provide reliable information about their stress levels, nutrition, and reproductive status. Extraction of the animals' own DNA from feces has helped Wasser identify individual animals and place them within a larger web of elephants throughout the continent.

ivory confiscated somewhere in the Far East—and match it against all those reference samples on his DNA map. Thus, he can pinpoint the area where the elephant lived and ultimately was killed.

Along the way, Wasser has developed some impressive new tools to solve vexing problems. For instance, how can a scientist extract DNA from something as hard as elephant ivory? Grinding the stuff into a powder creates so much heat that the DNA is obliterated in the process. Wasser's inspiration was to use a powerful electromagnet to vibrate the ivory at high frequency while it is submerged in liquid nitrogen at  $-321^{\circ}$  F. This pulverizes the ivory without destroying the DNA.

**“ I was unable to just stand by, and my life's mission became developing and applying noninvasive methods to uncover these human impacts, show them to the world, and offer solutions for change. ”**

Wasser has collected dung samples from more than 3,000 elephants across Africa. He has identified 16 locations on the chromosome containing genetic markers. Genetic variations at these loci are linked to the geographical site where the DNA was acquired. From such information, Wasser created his detailed elephant DNA map.

With this resource in hand, Wasser can take a sample of DNA from an unknown origin—for example, DNA extracted from

Repeated tests of the system have verified that it is exceptionally accurate. This accuracy makes Wasser's results very much welcomed by the various national and international agencies engaged in efforts to combat ivory trafficking. The most obvious benefit of such analyses is that they can be used to identify poaching hotspots. They can also be used to reveal internal smuggling routes in Africa, link separate seizures, and illuminate the strategies employed by criminal syndicates. And they have served as evidence in the successful prosecution of



*Dr. Wasser inspects six tons of contraband elephant ivory seized by Malaysian authorities. Wasser's team will extract DNA from the ivory and analyze it against precise genetic markers. The samples can then be matched to specific locations in Africa based on a DNA reference map Wasser developed.*



KRISTINA SHERK



KRISTINA SHERK

*Above: AWI staff and guests mingle at the Albert Schweitzer Award ceremony on Capitol Hill to honor Dr. Wasser for his contributions to the fight against poaching and illicit trade in wildlife. Below: Wasser poses with the Schweitzer Medal alongside Sen. Maria Cantwell (center) and AWI President Cathy Liss.*

infamous ivory traffickers such as Emile N’Bouke and Feisal Mohamed Ali. (See *AWI Quarterly*, fall 2016.) Because of the crime-solving component of Wasser’s work, he is sometimes referred to as the “Sherlock Holmes of the illegal wildlife trade.” (His preferred source material for sleuthing has also earned him a more colorful moniker: the Guru of Dudu.)

The medal’s presenter, Senator Cantwell, has long supported Dr. Wasser’s work and has her own distinguished record on animals and the environment. During her tenure in Congress, Cantwell has sought to combat animal cruelty, protect vulnerable wildlife species and natural resources, increase transparency in government as it relates to the enforcement of environmental and animal welfare laws, and uphold and support sound science—oftentimes fending off efforts to weaken existing laws and policies that address these issues.

Prior to the ceremony, Cantwell said that “Dr. Samuel K Wasser has been instrumental in safeguarding key protections for some of the world’s most vulnerable animal populations. At every chance, he has fought for endangered animals, and in each case, he has made significant contributions to wildlife conservation efforts around the globe. We cannot thank Dr. Wasser enough for all he has done

and will do to advance global conservation efforts and fight back against poaching.”

In her address at the award ceremony, Cantwell recalled Wasser’s prediction—made at their first meeting—that, once he told her what he does, she would never forget him. “I follow whale scat,” he said. Indeed, much of Wasser’s early work involved the use of trained scent-detection dogs on boats (pictured below) to gather scat samples used to study endangered southern resident orcas. True to this prediction, Cantwell never forgot him.

Dr. Albert Schweitzer once said, “the friend of nature is the man who feels himself inwardly united with everything that lives in nature, who shares in the fate of all creatures, helps them when he can in their pain and need, and as far as possible avoids injuring or taking life.” The virtues that make Wasser’s science so exceptional is its verification of the kinship of all life—empirical discipline coupled with deep reverence for what he studies.

For his dogged pursuit of this mission, and the many benefits that have accrued from his ingenious efforts, AWI is proud to award the Schweitzer Medal to Dr. Samuel K Wasser. 🐾



KRISTINA SHERK

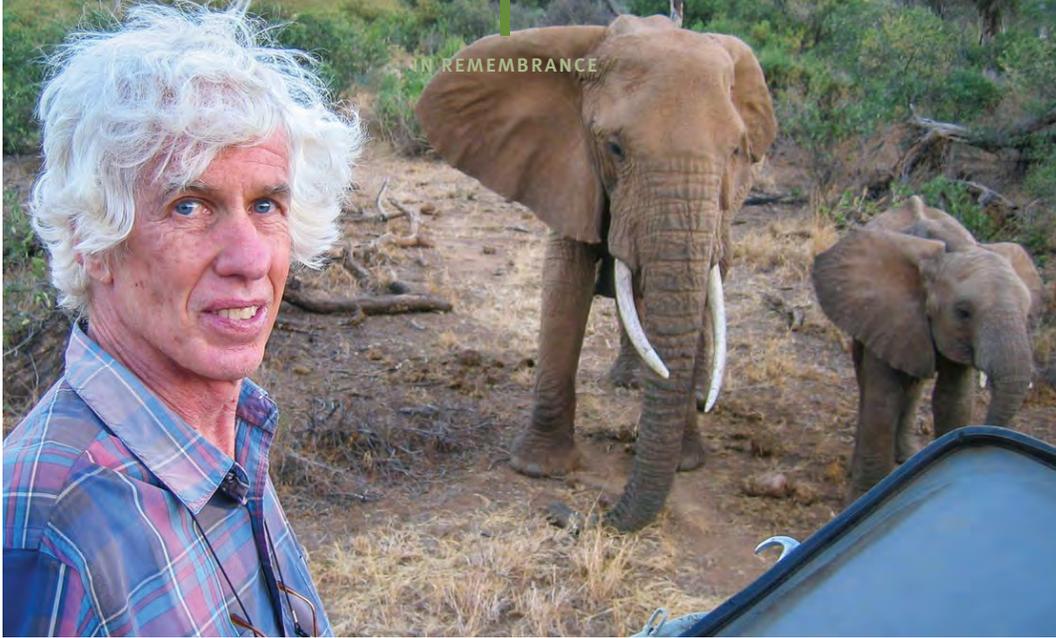
## About the Schweitzer Medal

Shortly after AWI was founded in 1951, Dr. Albert Schweitzer gave the organization permission to create a medal—bearing his name and honoring his legacy—to be presented for outstanding achievement in the advancement of animal welfare. In December 1953, a gold replica of the medal was presented to Schweitzer by Dr. Charles Joy in Oslo, Norway, where the famed humanitarian had gone to accept the Nobel Peace Prize. In his Nobel acceptance speech, Schweitzer admonished his listeners that “compassion, in which ethics takes root, does not assume true proportions until it embraces not only man, but every living being.”

For over 60 years, the Schweitzer Medal has been a symbol of outstanding achievement in the advancement of animal welfare. AWI has now awarded the medal to 46 individuals representing myriad disciplines—to Dr. Samuel K Wasser and other scientists, such as Dr. Jane Goodall and Rachel Carson, who helped us understand the social and emotional lives of wild animals and how our actions profoundly affect the natural world; to political leaders, such as Sen. Hubert Humphrey and Sen. Robert Dole, who championed key animal protection laws in Congress; to reporters, such as William Carr, Ann Cottrell Free, and Tom Knudson, who exposed animal cruelty in research and inhumane wildlife management practices by our own government. The award has honored prosecutors and peace officers on the front line who tackle crimes against animals, foreign presidents and dignitaries who have helped preserve wildlife habitat, and individuals who did not set out to be champions for animals but who courageously stepped in when confronted with cruelty.



JANE COGAN



## Esmond Martin

by Bill Clark

We were never close but we were friendly—on the same side in every fight. And we cooperated so frequently over the years that we came to anticipate each other's involvement in the work that we shared. The news of Esmond Bradley Martin's murder shocked me deeply.

Esmond was an enigmatic geographer who researched and prepared meticulous reports on criminal trafficking of elephant ivory and rhinoceros horn. "How does he do it?" was the most common reaction to most of those reports. It was a question no one could answer.

He would select a stunning necktie and matching handkerchief, stuff a sheaf of papers into a briefcase, and hop on a plane flying off to some remote (and often dangerous) neighborhood. His penchant for impeccable attire and his carefully coiffed shock of alabaster white hair certainly made him the most conspicuous foreigner in any of those distant urban centers. Hardly the image of the traditional sleuth! He'd poke around among the sleazy ivory shops, strike up acquaintances with rhinoceros horn dealers, rub shoulders with potentially violent criminals, and then fly home to Lang'ata, a leafy suburb just west of Nairobi, Kenya, and compose another breathtaking report.

He'd document everything: wholesale prices, retail prices, volumes of contraband, descriptions of markets, skill levels of carvers, weekly inventory turnover, names, numbers, locations—the works. He did it again and again, for decades, often mystifying some of the world's most notable investigatory agencies.

I know he mystified those agencies because I worked with Interpol for 23 years, much of the time planning and

coordinating law enforcement operations that targeted criminals who were dealing in rhinoceros horn and elephant ivory. Before most operations, I'd contact Esmond and simply ask what information he might have on the dealers and markets in particular countries where operations were being planned. He'd usually provide some leads and these would be passed to national law enforcement agencies for surveillance and verification prior to the operation. Esmond's tips were precise, timely, and absolutely reliable.

We had a working relationship that spanned almost 40 years, often sitting at the same table in some CITES committee or working group, sometimes chatting for a while in a conference hall. Many commonalities helped us to gravitate toward each other: both born in New York City seventy-some years ago, both increasingly aware there were fewer and fewer "old timers" in our midst, both obsessed with efforts to suppress trafficking in ivory and rhinoceros horn, both worried about the infirmities of creeping age, both afraid of retiring from the work we loved.

Esmond never retired. He was profoundly engaged in his vocation until the day he died. The assailant struck on February 4 shortly after Esmond had returned home from another mission to Myanmar. Esmond's wife, Chrysee, discovered his body in their home that afternoon. Police say he had been stabbed in the throat during a botched robbery. Esmond Bradley Martin was not the first motivated activist who suffered a violent death. *Quarterly* readers will remember the loss of Wayne Lotter, Emily Kisamo, and others. Although arrests have been made in connection with the Kisamo, Lotter, and Martin murders, Global Witness reports that 197 environmentalists died violently in 2017, and few of the culprits have been apprehended. 🐾

# WILDERNESS WAY IN SENEGAL NAMED AFTER AWI FOUNDER

Swing open the main gate at Senegal's Ferlo North Wildlife Reserve and a broad avenue greets you, unfolding for more than two miles across an idyllic African landscape.

The landscape is idyllic because it has been rehabilitated. It now flourishes with abundant native grasses and trees. The broad avenue passing through it is Boulevard Christine Stevens, so named during a festive ceremony on April 22 to honor AWI's founder and first president.

"Boul Christine" as it is quickly becoming known, is an important thoroughfare. It provides wildlife rangers with direct access to the reserve's core. It is broad because it also serves as a firebreak. By next year, it should stretch nearly six miles into the expanding reserve.

The boulevard's new moniker is a gesture of goodwill and friendship

from AWI's Senegalese partners—an acknowledgment of AWI's energetic efforts to help create a sanctuary for endangered wild animals, restore the habitat where they live, and cultivate enduring friendly relations with the Fulani villagers who live near the reserve. (See *AWI Quarterly*, fall 2017.)

The Honorable Amédoune Diop, prefect of the Ranérou Ferlo Department, and Colonel Abdoulaye Diop, director of national parks, unveiled a Senegalese-style hand-painted road marker at the ceremony. Dozens of other dignitaries were in attendance, some of them making the arduous 10-hour journey from the coastal capital of Dakar for the event. One of the country's most popular reporters, Fatoumata Banel Bamba, from Senegal's public broadcasting company, *Radiodiffusion Télévision Sénégalaise*, was also there. Her report of the event was broadcast on national radio and television as part of the 8:00 p.m. evening news two days

later. As a result, the Ferlo project and AWI's involvement are now widely known throughout Senegal.

The Ferlo is within the Sahel, a fragile sub-Saharan savanna that stretches 1.18 million square miles across Africa and suffers throughout from the twin evils of overgrazing and climate change. Doing nothing to reverse the crisis would be catastrophic. AWI's partnership with Senegal's National Parks Directorate is demonstrating a new approach that can restore the natural landscape, help wildlife to recover, and provide the human community with a more hospitable place to live. 🐾

*Below: As Senegalese children, park rangers, and VIPs from the capital look on, the Honorable Amédoune Diop and Colonel Abdoulaye Diop preside over the unveiling of the sign marking Boulevard Christine Stevens at the entrance of Ferlo North Wildlife Reserve.*





*Animal waste being spread on agricultural fields. The enormous production of such waste at industrial farms is at the center of lawsuits in North Carolina and Delaware.*

DIETER MEYRL

## PLAINTIFFS PREVAIL AGAINST PUNGENT PIG FARM

A group of rural North Carolinians prevailed in court this April against Murphy-Brown LLC, a subsidiary of Chinese-owned global food giant Smithfield Foods. The landmark case concerned the stench of waste lagoons at the company's 15,000-hog facility in Bladen County. The jury initially awarded each of the 10 plaintiffs \$75,000 in compensatory damages and a whopping \$5 million in punitive damages. However, under a North Carolina law that limits punitive damages to three times the amount of compensatory damages or \$250,000, whichever is greater, the final award was reduced to \$325,000 each.

The lagoons contain millions of gallons of hog feces, attracting swarms of flies and putting nearby residents at risk of environmental contamination and health problems. The plaintiffs argued that the company's current disposal method, which has remained unchanged since the 1990s, should have been updated as technology changed to minimize odors. The lagoon

disposal method entails flushing hog waste into a pit, allowing bacteria to break down the material, and spraying it onto nearby agricultural fields.

This case was only the first in a series of 26 federal lawsuits filed against Murphy-Brown hog farms. Not satisfied with slashing punitive damages, North Carolina politicians in the pocket of Big Pork passed an even more draconian bill last year to limit recovery in such cases to mere property value—with no compensation for health effects, etc. But to ease passage, the bill was altered to make the pending Murphy-Brown lawsuits exempt.

## CHICKEN PLANT “FOWLS” THE WATER

Residents of Delaware's Inland Bays community are crying foul on a nearby Mountaire Farms chicken plant that produces millions of gallons of wastewater a month from slaughtering and processing chickens. The plant has incurred several state wastewater violations over the years for nitrate and fecal coliform releases. According to

Delaware officials, the factory released hundreds of gallons of effluent that contained up to 41 times the permitted levels for nitrates and up to 5,500 times the permitted level for fecal coliform, as well as other pollutants.

Contaminants in the community's drinking water have been traced by the US Environmental Protection Agency and the nonprofit Delaware Center for the Inland Bays to the Mountaire plant's spraying of wastewater onto nearby farmland. Lawyers for the residents filed a notice stating that the disposal system presents an “imminent and substantial endangerment to health or the environment.” Several scientific studies have found a link between elevated nitrate levels in drinking water and birth defects such as limb deficiencies, cleft palates, and brain damage.

## INSURER FOR BUTTERBALL BALKS AT CLEANUP COVERAGE

Butterball, a major turkey producer in the United States, is in court over insurance coverage of a \$3.5 million cleanup of pollution at a Carthage, Missouri, site. The insurer, Great American, claims that Butterball never listed the site as one covered by the policy. Butterball began cleaning the site when management became aware of unknown liquids leaking from unmarked tanks, overflowing containment areas, and other concerns at a site acquired in 2006. Butterball has since spent \$3 million to remediate the site, but expects that another \$500,000 will be necessary to complete the task.

## PERDUE TO END ELECTRIC STUNNING OF POULTRY

Perdue Farms has become the first major poultry producer in the United States to commit to adopting a process of stunning with gas, known as controlled atmosphere stunning (CAS), at all of its chicken slaughter plants. CAS is considered less stressful to birds than the industry's standard practice of electric stunning, which involves shackling conscious birds by their legs and hanging them upside down before running their heads through an electrified water bath. Since birds at CAS plants are stunned before handling by workers, both poultry welfare and the working environment for employees is improved.

In addition to switching to CAS, Perdue is implementing a process that allows trucks to deliver birds in redesigned crates to a fully-enclosed, temperature-controlled holding area prior to slaughter. *The Welfare of Birds at Slaughter in the United States*, a 2016 report by AWI, chronicled several instances of birds dying from exposure as they languished in holding areas during inclement weather at various

slaughter plants around the country. (None of the cited incidents were at Perdue plants.)

The first location to be redesigned will be Perdue's Milford, Delaware, plant that slaughters chickens for the company's organic and antibiotic-free brands. The new process at this plant is expected to be operational in the fall of 2018, with the next plant installation planned for 2019. Perdue Farms operates 10 chicken slaughter plants; its sole turkey slaughter plant switched to gas stunning in 2011.

## HAWAII HALTS LIVE PIG SHIPMENTS

The last shipment of live pigs from the US mainland—at least for the foreseeable future—has docked in Hawaii. For decades, pigs have been subjected to an arduous week-long journey by truck and ship to meet demand on the Hawaiian Islands for fresh “hot pork.” At one time, most of the pigs shipped to Hawaii originated from farms 4,000 miles away in Canada. Sickness and death on these trips were

not uncommon; in one incident, 83 of approximately 200 pigs died due to dehydration.

Animal Rights Hawaii waged a 15-year campaign to stop the trade. They achieved notable success along the way, including an end to the sale of pork from imported animals by three Hawaii supermarket chains and the removal of the claim “Island Produced Pork” from retail products derived from mainland pigs. Last year, importers of the pigs stated that the business was no longer profitable.

## USDA PROPOSES FASTER SLAUGHTER, FEWER INSPECTORS

The US Department of Agriculture recently proposed several changes to the process of slaughtering pigs, including allowing slaughterhouses to operate without any limits on the speed of the line. Pigs are already slaughtered on some lines at an astonishing rate of approximately 1,100 per hour. With this new rule, line speeds could reach up to 1,300 or even 1,500 pigs per hour—speeds virtually guaranteed to result in rougher handling and mishaps that increase the suffering of the animals. Perversely, the proposal simultaneously seeks to lower the number of government inspectors at pig slaughter plants.

Such a move not only compromises the welfare of already vulnerable animals, but also endangers workers in slaughterhouses and risks the safety of the nation's food supply. AWI is pressuring the USDA not to adopt this irresponsible plan.

*Long-distance transport over land and sea can be extremely stressful for pigs. Thankfully, shipments of pigs to Hawaii from the mainland have ended.*



SOMREK KOSOLWITTHAYANANT

## AWI Report: Higher Welfare Means Healthier Animals

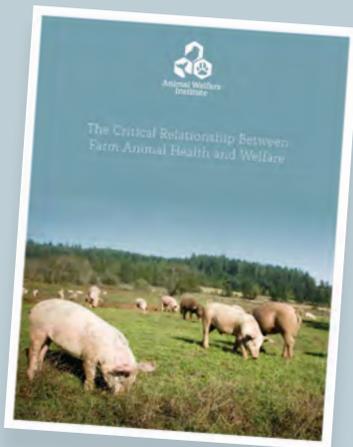
When the US Department of Agriculture withdrew the Organic Livestock and Poultry Practices rule earlier this year, it did so at the behest of a handful of large organic producers that seek to profit from low animal raising standards. The regulation, which was finalized in the waning days of the Obama administration, would have set minimum welfare standards for the millions of farm animals raised each year under the USDA Certified Organic label. The USDA, under President Trump, delayed the implementation of the rule multiple times (see *AWI Quarterly*, spring 2018) before finally scrapping it completely in March.

The USDA justified its move by stating that it now interprets the Organic Foods Production Act to mean the department can only regulate animal health care, not animal welfare. This stance is nonsensical. Not only has the department already determined it has the authority to regulate animal welfare, it has consistently done so in the past.

The USDA's withdrawal of the rule, and its rationale for the action, prompted AWI to produce a report documenting the strong connection between the health and welfare of animals raised for food. The report, entitled *The Critical Relationship Between Farm Animal Health and Welfare*, reviews the results of dozens of scientific studies conducted over the past half century that have demonstrated this link. In fact, the USDA's own in-house research arm, the Agricultural Research Service, has played a role in establishing the association.

Historically, the primary concern of the animal agriculture industry and government officials in the United States

has been animal production and food safety. It has long been understood that the health of farm animals affects the productivity of those animals, as well as the safety and quality of animal products. However, owing to the findings of numerous scientific studies, it has become generally accepted that poor health affects welfare, as well—negatively affecting an animal's mental state and ability to perform natural behaviors. Science has brought increasing recognition that the reverse is also true: poor animal welfare has a profound effect on animal health, and, consequently, on food safety and meat quality.



In recent years, various animal health authorities, including national and international veterinary associations, have recognized the link between animal health and animal welfare. Animal agricultural associations, including the Food and Agriculture Organization of the United Nations, and food safety bodies, such as the European Food Safety Authority, have also acknowledged the link.

In fact, the impact of animal welfare on animal health has even led the US animal agriculture industry to voluntarily limit or eliminate entirely certain previously common animal husbandry practices. The AWI report presents four such examples: 1) the administration of growth hormones to dairy cattle, 2) extreme confinement of calves raised for veal, 3) tail-docking of dairy cattle, and 4) forced molting of egg-laying hens. More than one dozen additional examples of the undeniable link between farm animal health and welfare are offered in the report's appendix.

The AWI report is available at [www.awionline.org/fa-welfare](http://www.awionline.org/fa-welfare). 🐾





WADE BROOKS

## ROTTEN EGGS: IOWA CONTRIVES TO KEEP HENS CAGED

In March, Iowa enacted a law that will *require* most egg retailers in the state to continue carrying “conventional” eggs from hens raised in densely packed battery cages. Only those stores that had already fully transitioned to cage-free eggs by January 2018 and that do not accept vouchers for government-funded food assistance are exempt. The bill was sold as an effort to keep cheap eggs on the shelves for consumers. But it’s no secret that the real purpose was to protect Iowa’s Big Ag producers and prevent stores from transitioning entirely to cage-free eggs—as over 200 companies, including Walmart and Dollar Tree, have pledged to do. Now in Iowa, incredibly, that’s a crime.

Meanwhile, Rhode Island could become the latest state heading in the opposite (sane) direction. A bill (HB 7456) passed the state House in May that would prohibit the confinement of egg-laying hens in such a way that they are unable to turn around freely, lie down, stand up, or fully extend their

wings. The bill specifically bans the use of battery cages, enriched cages, and colony cages. By allowing these animals the freedom to move around in their enclosures, HB 7456 would provide the same level of protections to egg-laying hens that the state already provides to gestating sows and calves raised for veal.

## CITIZENS TRIP BOBCAT TRAPPING PROPOSALS IN TWO STATES

This year, Indiana and Ohio officials floated the idea of establishing trapping seasons for bobcats in their respective states (and a hunting season in Indiana). Fortunately, after local AWI members and others expressed fierce disapproval of the schemes, both proposals were taken off the board in quick succession.

The Indiana Natural Resources Commission withdrew the proposed bobcat hunting/trapping season in that state at the commission’s May 15 meeting. Acknowledging the public outcry, Indiana Department of Natural

*AWI helped spark public outcry to scuttle proposals to open trapping seasons on bobcats in Indiana and Ohio.*

Resources director Cameron Clark said, “We have heard from you. We appreciate the interest. We do feel as though we probably need to work more with our constituencies on sensitive rules like this.”

In Ohio, at a May 17 meeting, the state Wildlife Council voted 6–1 to indefinitely postpone the proposed bobcat trapping season. Chairman Dr. Paul Mechling indicated the council may wait for completion of an ongoing four-year study (currently in its second year) to bring the issue up for a vote again.

Bobcat numbers in both states plummeted over a century ago due to hunting and trapping. While their numbers have gradually risen thanks to the states’ endangered species protections, their recovery is far from complete.

## FLORIDA STRENGTHENS ANIMAL CRUELTY LAW

On March 23, National Puppy Day, Florida Governor Rick Scott signed “Ponce’s Law” to increase penalties for animal abusers. Named after a Labrador puppy found beaten to death, the new law raises animal cruelty from a level three to a level five offense. Under Florida’s sentencing guidelines, which assign points to offenses, this change increases the likelihood of an offender going to jail. Ponce’s Law also allows judges to prohibit abusers from having contact with animals, and requires shelters to take additional steps to reunite owners and lost pets after hurricanes. Ponce’s accused killer awaits trial on felony cruelty charges.

The clouded leopard (at left) and the Panamanian golden frog (opposite page) are among the animals featured on an educational poster created by AWI to raise awareness of endangered species.



# AWI

Partners with  
Acclaimed Author  
to Aid  
Endangered Animals

“When one is endangered, all are in peril.”



This is the overarching theme of Katherine Applegate’s newest young adult book, *Ending #1: The Last*. The book—first in a series—hit shelves nationwide in May. It tells the story of Byx, a mythical creature whose doglike species, the “dairne,” has been hunted to near extinction. With the help of some strangers who soon become close friends, young Byx sets out on a dangerous journey to find a safe haven, and perhaps even others of her kind, all the while being pursued by those who want to eradicate her species. Together, the protagonists uncover a secret that

threatens the existence of not just the dairnes, but of every other creature in their world.

Applegate’s previous works have wowed critics and fans alike. Her novel *The One and Only Ivan*—based on the true story of a gorilla who spent decades on display in a suburban shopping mall in Washington state—became a #1 *New York Times* bestseller and went on to win the coveted John Newbery Medal for children’s literature. (See the spring 2013 *AWI Quarterly* for our review.) Applegate has also authored

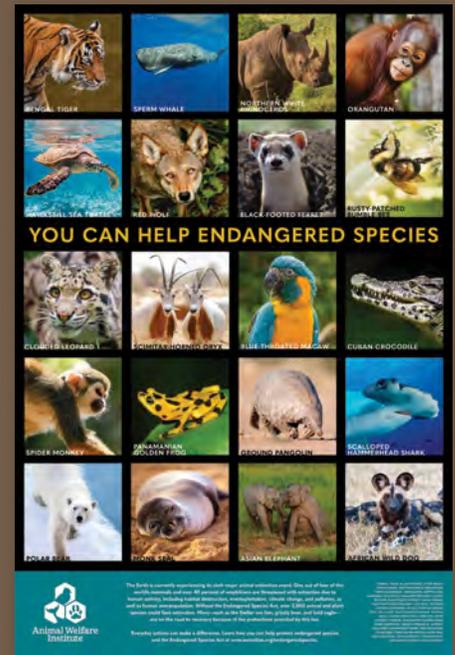
the hugely popular Animorphs series and other acclaimed novels for both children and adults. With the new Endling series, she takes readers on a thrilling adventure that speaks to the terrible consequences of driving species toward extinction.

AWI was approached last fall by HarperCollins Children's Books, the book's publisher, about a potential partnership to promote species conservation. We readily agreed. AWI staff members were already enthusiastic fans of Applegate's writing, and the partnership was seen as a way to get AWI's message to a broader audience at a time when protection for endangered species is under attack.

In addition to making a generous financial contribution to AWI, HarperCollins collaborated with AWI on a number of supporting materials, including a list of ways that young people can take action to protect wild animals and their habitats. These action items, along with interesting facts about endangered species, are featured in a promotional flyer and a downloadable teaching guide tied to the book. Applegate also recorded a series of videos to promote the book and highlight these positive actions. The videos were shared on AWI's social media channels in the days leading up to Endangered Species Day—a day

observed annually on the third Friday in May (May 18 this year) to raise awareness of the continued plight of endangered species and celebrate those that have recovered because of conservation efforts.

AWI also created a vibrant educational poster featuring photographs of 20 animals currently listed under the Endangered Species Act (ESA)—the red wolf, monk seal, polar bear, orangutan, and hawksbill sea turtle among them. With a tagline of “You can help endangered species,” the poster and accompanying teacher handout provide information about the ESA and what youth can do to make a difference. Thanks to the partnership with HarperCollins, the poster has already been distributed to over 5,000 students and teachers. During her national book tour, Applegate hand delivered the posters to middle schools across the country.



AWI is also distributing the posters at teacher conventions and is making them available to teachers via our website at no cost.

Lastly, Applegate graciously lent her star power to our “A Voice for Animals” contest. Co-sponsored by AWI and the Humane Education Network, with



# DID YOU KNOW?



additional backing from the Palo Alto Humane Society, the contest (now in its 28<sup>th</sup> year) provides high school students aged 14–18 with the opportunity to win monetary awards for essay, video, and/or photographs that address issues involving animal protection and prevention of animal cruelty. The top three essay submissions in the 14- to 15-year-old category on the subject of endangered species will receive a signed, personalized copy of *Endling #1: The Last*. Winners will be announced in June.

The launch of *Endling #1: The Last* comes at a time when the ESA itself is under siege in Congress. For more than four decades, the ESA has been instrumental in saving species

from extinction and preserving the ecosystems on which they depend. Yet, during the 115<sup>th</sup> Congress, over 60 bills have been introduced aimed at weakening this vital law. Perhaps the most sweeping of these efforts is the Endangered Species Management Self-Determination Act (S 935/HR 2134). This bill would amend the ESA to require congressional approval before species can be listed as endangered or threatened and automatically remove plants or animals from the endangered/threatened lists after five years unless Congress passed a joint resolution to retain them. It would also require the US Fish and Wildlife Service to obtain the consent of governors before making management decisions that would affect species solely within their states.

Doing so would politicize the process and severely undercut the science behind ESA decision-making, thus placing many of the over 2,000 animal and plant species the law protects in serious jeopardy.

We cannot afford to stand idly by while this assault on one of our nation's most important conservation laws continues and species teeter on the brink of irrevocable extinction. The good news is that there are actions we can take in both our private lives and in our role as public citizens. Many of these actions are listed on AWI's website at [www.awionline.org/es](http://www.awionline.org/es). One of the most beneficial things all US citizens can do right now is to contact their members of Congress, urging them to support the ESA and oppose efforts to weaken wildlife protections. To take this action, please visit our website at [www.awionline.org/ESA-attacks](http://www.awionline.org/ESA-attacks) or contact legislative offices through the Capitol switchboard at 202-225-3121.

To purchase your copy of *Endling #1: The Last* and access the educational resources connected with the book, please visit [www.harpercollins.com/childrens/endling/home/](http://www.harpercollins.com/childrens/endling/home/). 🐾

Top: AWI's new endangered species poster on display at an elementary school amid student drawings, essays, and photos promoting animal protection. Left: Katherine Applegate meets with fans at Blue Willow Books in Houston.



@TWOCATSCOMM

## MARMOSETS SPREAD THE WEALTH WHEN NO ONE SEES

In 2007, a study at the University of Zurich (Burkart et al., 2007) looked at cooperative behavior among common marmosets (*Callithrix jacchus*). The study found that the animals spontaneously provided food to “nonreciprocating and genetically unrelated individuals, indicating that other-regarding preferences are not unique to humans.”

Eleven years later, a new University of Zurich study (Brügger et al., 2018) has added a twist: Apparently, the marmosets get even more generous when no one is watching. The researchers documented the willingness of adult common marmosets to share food (crickets) with younger members of their group. They found that in the presence of others, the adult shared a cricket with the immature marmoset 67 percent of the time. But, surprisingly, when the adult and youngster were alone, the sharing behavior jumped to 85 percent.

This “reverse audience” effect runs counter to more self-focused explanations of animal altruism. When giving gifts to gain social status or helping out to show you are a team player, an audience is generally required. And with kin selection (helping family members to propagate shared genes), audience shouldn’t matter at all. The authors say the results here “appear to reflect a genuine concern for the immatures’ well-being, which seems particularly strong when [the adults are] solely responsible for the immatures.”

## SNARE CLAIMS WOLF IN GRUESOME FASHION

A wolf in Minnesota was shot and killed this February after a truly horrible encounter with a strangling snare. Wolves are not legal targets for such devices, but snares are sanctioned year-round to kill coyotes in the state. The wolf, investigating the bait, ended up with the wire wrapped tightly around his muzzle. When he was

initially spotted near a state park north of Duluth, his mouth was clamped shut and the wire was cutting into his flesh.

The tortured animal eventually wandered into Duluth. Officers tried at first to come to his assistance but he proved elusive and a decision was made to put him down. Wildwoods, a local wildlife rehabilitator, reported that the animal “had been starving, and was a skeleton of fur and bones.” Wildwoods is drawing attention to the tragic incident to renew calls for a ban on such snares.

## UNDER FIRE, MOTHER BEARS ALTER TACTICS

Brown bear mothers in Sweden are apparently changing their reproductive strategy in response to hunting, according to a new study (Van de Walle et al., 2018). The study found that prior to 2005, only about 7 percent of brown bear mothers kept their cubs longer than a year and a half. Between 2005 and 2015, however, more than 36 percent of moms held onto their cubs an extra year.

Hunting pressure on bears in Sweden is high, but a relatively recent law making it illegal to hunt mother bears helps explain the behavioral shift. Holding onto her cubs keeps a female bear safer and allows the cubs an extra year to develop under her care.

Long-term ramifications remain to be seen, but study coauthor Dr. Jon Swenson of the Norwegian University of Life Sciences sums it up: “Man is now an evolutionary force in the lives of the bears.”

*Strangling snares are savage devices—this one especially so: It tightened around a wolf’s muzzle, cutting into his flesh and starving him.*



KELLY LOOBY

# Nose for Trouble: Using Dogs to Detect Rodenticides

**Dr. Ngaio L. Richards and Dr. Deborah Woollett**

**S**an Joaquin kit foxes know auspicious habitat when they see it, but would not know if it is free of harmful anticoagulant rodenticide baits or of prey contaminated with rodenticide residue. That's where Working Dogs for Conservation's talented fleet of kit fox scat detection dogs are invaluable.

For nearly two decades, Working Dogs for Conservation has noninvasively monitored the San Joaquin kit fox, an endangered species, using three generations of specially trained dogs. The dogs have helped us obtain key information on population density and occurrence within the San Joaquin Valley of California, the only place this small fox calls home. Mapping and genetic analyses of hundreds of dog-detected scats led to over \$2.5 million being levied to purchase and permanently protect vital habitat and buffer areas.

However, the potential presence of rodenticides in these and other habitats would undermine even the most steadfast of conservation efforts.

An analysis of 68 kit fox carcasses collected opportunistically over 24 years revealed exposure to rodenticides in an urban population. Another study determined anticoagulants were detectable in fox feces. We built on both, using our dogs' tremendous scat-finding capabilities to noninvasively and

scrupulously investigate the threat rodenticides may pose to populations in more natural habitats.

In 2016, using funds provided through AWI's Christine Stevens Wildlife Award, we surveyed habitat chosen to reflect varying degrees of human usage, including protected lands. In total, 670 kit fox scat finds were recorded, with 170 fresh enough for rodenticide analysis and 126 suitable for genetic analysis.

All the tested scat samples came back negative for rodenticides. That may be a harbinger of excellent news but, to be certain, our dogs continue to be used to find kit fox scats. A single rodenticide-positive scat would be cause for concern, and our results do not completely rule out exposure opportunities for kit fox within our surveyed areas. Consequently, as we collect additional scats they are being subject to more sensitive analyses to be sure we are not missing any trace-level exposure.

In addition to these future plans, we designed this current phase of surveys to offer multiple avenues of important data. Invaluable genetic information has been obtained from recently deposited fresh scats. And the many older scats found by our dogs, although not viable for rodenticide analysis, are precious indicators of longer-term presence and distribution. In fact, our scat data have already paid dividends, having been included in a presentation at a recent Wildlife Society workshop specifically centered on San Joaquin kit fox ecology and conservation.

Given our longstanding commitment to this species and participation in conservation efforts, we have a keen interest in its future management. We, and our dogs, will continue to investigate, because it is imperative that kit fox—and, indeed, all wildlife—have access to the safe, high-quality habitat to which they are entitled. 🐾





# Finding Noninvasive Methods to Survey Wild Horse Populations

Dr. Karen Herman, Executive Director, Sky Mountain Wild Horse Sanctuary

**T**he 23,882-acre Jarita Mesa Wild Horse Territory (JMWHT) is located in rugged, forested mountain terrain in the Carson National Forest of New Mexico. Prior to passage of the Wild Free-Roaming Horses and Burros Act of 1971, wild horses in the territory were shot to reduce their numbers. Subsequently, between 1971 and 2012, the US Forest Service permitted the roundup and removal of wild horses for population control.

In the past, helicopter surveys were used to estimate the number of wild horses in the JMWHT herd. This estimate guided calculations of the number of wild horses to be removed to achieve the predetermined “appropriate management level” (AML). However, helicopter surveys were stressful for the horses, which fled in response to the sight and sounds of the machines. In addition, the density of trees on the JMWHT reduced the accuracy of such aerial surveys.

Using funds obtained through a Christine Stevens Wildlife Award, Sky Mountain Wild Horse Sanctuary and Dr. Allen Rutberg of Tufts University developed a methodology utilizing images from trail cameras, digital video and photographs, and on-the-ground observation to document the identity, location, and travel patterns of each band of wild horses and bachelor studs. These data, which continue to be collected, were used to construct a database with detailed descriptions of the composition of each band and the markings and identifying features of individual band members. In addition, a master map of the JMWHT showing band locations is in development.

To date, 41 wild horses—mapped across eight locations within the JMWHT—have been identified and documented in

phase I of the survey. These 41, representing an estimated 30–40 percent of the herd, include three bachelor studs and 38 members of six distinct family bands. Not surprisingly, access to water is the primary factor driving band locations and travel patterns, although the impact of the Bonita wildfire, which burned approximately 7,500 acres in the JMWHT during the survey effort, is currently under evaluation.

This research demonstrates that, in contrast to helicopter survey methods, utilizing low stress techniques to collect photographic data combined with on-the-ground observation is an effective and humane way to locate, identify, and document elusive wild horses in heavily forested terrain. Compared to helicopter surveys that rely on extrapolation to develop estimates of horse population numbers, this new methodology permits the development of highly detailed descriptions of individual horses, band composition, and location, resulting in a more accurate count of the total herd.

The survey methodology provides a model that can be used with other wild horse herds at a similar cost to traditional population survey methods using helicopter counts from the air. The true innovation of this survey methodology is how the data will be used to improve the application of immunocontraceptives, a minimally invasive management tool for wildlife population control, preserving the freedom of wild horses. The horse-specific descriptions, band composition, and location data improve both the efficiency of immunocontraceptive administration and the quality of the data used to measure the impacts of immunocontraception on the reproduction of individual horses, bands, and the whole population. 🐾

## ANIMAL PROTECTION STAYS ON BOARD OMNIBUS

Congress finally passed an “omnibus” funding measure for the remainder of the current fiscal year. Thanks to the intervention of our allies in the House and Senate, the barrage of messages to Congress from animal activists, and the sustained efforts by the animal protection community, the bill included provisions benefiting animals and did not include provisions that would have damaged key wildlife protection laws.

Efforts to deny protection for the gray wolf, lesser prairie-chicken, and Preble’s meadow jumping mouse failed, as did efforts to eviscerate core components of the Endangered Species Act. A policy rider that would have allowed the slaughter of mother bears and cubs as they hibernate also did not make it into the final omnibus package. The National Park Service currently does not allow aggressive, scientifically indefensible “predator control” practices for nonsubsistence hunting on national preserves. (However, the Trump administration is moving to strike the rules banning such cruel

hunting practices within the preserves via other means.)

While holding off attacks on wildlife, we were able to make positive gains, as well. The US Department of Agriculture received funding increases for its enforcement of the Animal Welfare Act and the Horse Protection Act. Congress renewed its directive that the USDA not license or relicense Class B dealers who sell dogs and cats obtained from random sources for use in experimentation. Congress also took the USDA to task for its purging of inspection and enforcement documents from its website and its inadequate efforts to return those documents to public inspection.

Protections for domestic and wild horses were reaffirmed. The bill prevents the return of horse slaughter to the United States by barring the use of federal funds for inspecting horse slaughter plants. (No slaughter plants can sell meat across state lines without USDA inspection.) The bill also prohibits funding for any activity resulting in the destruction of healthy, unadopted wild horses and burros

in the care of the Bureau of Land Management or its contractors.

Despite the fact that the Marine Mammal Commission’s funding was zeroed out in the Trump administration’s proposed budget, the omnibus included funding for this independent agency, which is mandated by the Marine Mammal Protection Act (MMPA) to further the conservation of marine mammals and their environment.

## TRYING TO TORPEDO THE MMPA

The picture for marine mammals isn’t entirely rosy, however. After 45 years as the nation’s premier law protecting marine mammals, the MMPA faces several attacks in Congress. Of particular concern are HR 3133, the Streamlining Environmental Approvals (SEA) Act, and HR 4239, the Strengthening the Economy with Critical Untapped Resources to Expand (SECURE) American Energy Act, both of which would remove key protections afforded to marine mammals under the MMPA in order to relieve oil and gas companies of responsibility for harming wildlife and habitats. Especially outrageous is language added to HR 4239 in committee exempting these extractive industries from any accountability for the deaths of birds resulting from their activities. Although both bills have been reported out of committee, they have few supporters and floor consideration has not been scheduled.

*A spending bill rider to allow the killing of hibernating mother bears and cubs in Alaska national preserves was removed; the Trump administration, however, is still seeking to sanction the practice.*



PATRICK MOODY

*In the farm bill, Iowa Rep. Steve King sought to nullify other states' efforts to improve welfare for egg-laying hens and other animals. The bill was voted down.*

MIKE SUAREZ



## FARM BILL

The Agriculture and Nutrition Act of 2018, HR 2, was defeated on May 18 in the US House of Representatives by a vote of 198–213.

This massive farm bill came to the floor loaded with provisions designed to reverse gains in animal welfare and weaken endangered species protections. Language offered by Rep. Steve King (R-IA) would undermine states' authority to set standards for animal welfare within their own borders, likely invalidating restrictions many states have placed on gestation crates for pigs, horse slaughter, and the sale of pets from puppy mills. It would also jeopardize food safety standards, state sovereignty, worker protections, environmental quality, and consumer safeguards.

In addition, HR 2 would hobble the Endangered Species Act (ESA) by allowing federal agencies to essentially ignore the impact some of their activities have on imperiled species. For example, the bill exempts the Environmental Protection Agency from having to evaluate whether pesticide

use affects threatened or endangered species. An approved amendment would have done more damage by allowing federal sanction of projects regardless of their impact on listed species or critical habitat so long as there are existing (or merely proposed) measures to improve that species' habitat elsewhere.

A number of other proposed amendments that would have had serious consequences for endangered species, farm animals, and animals used for research were not allowed to be considered.

Unfortunately, provisions banning the dog and cat meat trade and clarifying the application of federal animal fighting law in the US territories were also victims of this defeat, but the bill as a whole did more harm than good for animal welfare and endangered species. As of this writing, the House may engage in a maneuver allowing it to vote again on this same bill. Regardless, the House will have to pass a farm bill sooner or later and AWI will continue to work to keep that bill free of dangerous provisions.

## KILLING OVERSIGHT VIA THE CURES ACT

A law passed in 2016—the 21<sup>st</sup> Century Cures Act—has given the research industry the opening that it has sought to reduce oversight of the treatment of animals. This law requires a review of all regulations and policies “for the care and use of laboratory animals” with the goal being “to reduce administrative burden on investigators while maintaining the integrity and credibility of research findings and protection of research animals.” The commitment to that last goal is debatable. A panel composed entirely of industry representatives submitted a number of proposals for alleviating the “regulatory burden” imposed on researchers. A primary goal appears to be the elimination of the annual inspection and the requirement to conduct a literature search for alternatives to painful procedures—requirements that have been on the books for more than 30 years.

At a “listening session” with the agencies tasked under the law with reporting back to Congress, AWI President Cathy Liss challenged researchers to produce proof of this so-called burden. She also reminded them of the lip service that has been given to the mantra “good animal care and good animal science go hand in hand” and asked how rolling back the minimum requirements of the Animal Welfare Act is consistent with the industry’s supposed commitment to the protection of research animals. This is an ongoing process in which AWI is firmly engaged, and we are determined that “promoting regulatory efficiency” will not be done at the expense of animal welfare or sound science.

# PRATT FALL: USDA Fails Again at AWA Enforcement

**I**n a November 15, 2014, *Des Moines Register* article, Debra Pratt was called “a poster child” for the “kind of animal neglect that coins the phrase ‘puppy mill.’” After years of damning US Department of Agriculture inspection reports documented unspeakable cruelty to dogs at her facility, her kennel became known as the “Pratt Mill.” Multiple publications called it one of the most notorious puppy mills in Iowa. Finally, after two horrific USDA inspections on February 14 and March 26, 2013, Debra Pratt signed a

settlement in July 2013 shutting down the kennel. She was fined \$7,800.

But the settlement and fine were not levied by the USDA. Instead, the Iowa Department of Agriculture and Land Stewardship (IDALS) took that enforcement action, filing a complaint against Pratt on May 17, 2013, to permanently revoke her Iowa permit to operate as a USDA Animal Care commercial establishment (Iowa law requires only a three-year revocation). As part of the settlement, Pratt admitted that “she failed to provide

the proper standard of care for dogs in her possession.” The \$7,800 fine was the largest in Iowa history.

So why are we writing about a puppy mill shuttered in 2013?

Because the USDA waited to file its own enforcement complaint against Debra Pratt until January 11, 2018—10 years after it began citing the Pratt Mill, and five years after the IDALS had filed its complaint. And because the USDA’s actions in this case are a particularly egregious example of this



Abysmal veterinary care was commonplace at the now-shuttered "Pratt Mill." Top: a Chihuahua with an untreated mass in her mammary area. Bottom: a dachshund with severe eye irritation.



department's longstanding failure to enforce the Animal Welfare Act (AWA) and support its inspectors on the ground who document these horrific abuses (often at their own peril). Once again, the USDA has failed to use years of AWA citations in any kind of enforcement action—as if the animal suffering documented for so long never even existed.

The USDA complaint comprises just three pages and includes no citations prior to 2013 because of a five-year statute of limitations. The two most damning allegations come from the February 14 and March 26, 2013, inspections—the ones the IDALS relied on to file its own complaint and take significant enforcement action. But one would never know their severity by reading the USDA's woefully deficient complaint.<sup>1</sup>

### THE 2013 INSPECTIONS

These two inspections alone, totaling 23 pages, document well over 40 alleged AWA violations, including failure to provide adequate veterinary care to over 20 dogs. (The AWA allows a penalty of up to \$10,000 per violation.)

The February 14 inspection detailed the suffering of five dogs who needed veterinary care and noted other major issues relating to documentation, housing, sanitation, ventilation, and pest control. All this is reduced to one sentence in the USDA complaint—that Pratt "unreasonably delayed having approximately five (5) dogs in



USDA PHOTOS COURTESY OF IOWA FRIENDS OF COMPANION ANIMALS

need of medical treatment seen by the Attending Veterinarian." There is nothing in the complaint about the dogs' condition, which took up an entire page of the inspection, or the other three pages of alleged violations.

The inspection undoubtedly would have been far worse, in fact, had it not been cut short. Why? So Pratt could get medical attention for one of the five dogs! As the inspectors wrote on page four, "An English bulldog the owner called Mike was in need of immediate veterinary care, so the inspectors stopped the inspection before the entire facility was inspected so the owner could take the dog to the veterinarian."

The inspection indicated that Mike was suffering from extreme hair loss over his entire body. His skin was red and irritated. The inside and outside of both his ears were severely thick and swollen, with yellowish discharge coming from

them. He had scabs covering a majority of both ears as well as the top of his head. (Pratt stated the scabs were the result of the dog scratching.) Both eyes had red swollen tissue protruding from the bottom with yellow/green discharge. Given the truly pitiful state she allowed the dog to descend to, this sudden need to rush to the vet was clearly a ploy to end the inspection.

What more would the inspectors have found if Pratt had not interrupted this inspection to get care for Mike the day the inspectors showed up? The March 26 inspection (after Pratt had illegally denied inspectors access on March 21 and March 22) may provide an indication: It totaled 19 pages detailing 25 separate citations. After being interrupted a month earlier, the inspectors this time issued citations for 21 dogs needing veterinary care, as well as for more enclosure and ventilation issues.

<sup>1</sup>Unbelievably, this was the first enforcement complaint the USDA had filed under the AWA since March 2, 2017. In fact, from October 1, 2016, through March 1, 2018, the USDA filed just three enforcement complaints, including this one.

The USDA complaint, however, reduces this horrific suffering to three sentences (including one each for primary enclosure and ventilation citations). For the sentence regarding the 21 dogs, the USDA simply substituted “21” for the “5” in the February 14 inspection. Every other part of the sentence in the complaint is exactly the same. Verbatim.

### THE USDA SETTLEMENT

In the end, egregious problems from these two inspections were given cursory treatment while dozens of USDA citations prior to 2013, documenting years of animal abuse and horrible conditions at the facility, fell by the wayside—out of reach because the USDA failed to act within the five-year statute of limitations. To cite just two examples: In August 2010, the USDA found “No fewer than ten Bulldogs had cherry eyes [prolapsed eyelid glands]” with no evidence of veterinary care. An October 2012 inspection found a dachshund with “greenish pus like substance in both eyes,” with brown crusted matter and raw areas around the eyes from scratching, while a pug had a “brownish growth” on his left eye.

The settlement gave no indication of the severity of citations at the Pratt Mill over many years, no description

of the condition of any one of those 20+ dogs, no mention that Iowa shut down the facility in a muscular enforcement action *based on the USDA’s own inspections*, no indication that the USDA had issued Pratt two warning letters in 2012—which cited at least eight inspections and alleged violations dating back to 2008. (The warning letters themselves did not even mention the 2010 inspection finding no fewer than 10 bulldogs with cherry eyes. The October 2012 inspection involving the dachshund and pug came after the warning letters were issued.)

This USDA complaint is also missing crucial legal language. The absence of a common enforcement complaint paragraph, “Allegations Regarding Size of Business, Gravity of Violations, Good Faith, and History of Previous Violations,” raises yet more questions. These are legal factors used to determine the penalty for violations alleged in a complaint. Their absence, combined with five-year-old allegations, raises the question: Was this insubstantial complaint filed with a quick and paltry settlement in mind? Because that is exactly what happened in this case: Pratt didn’t even bother to file a reply; 14 days later, she signed the settlement. Unlike the IDALS, the USDA did not force Pratt to admit anything. She was issued an order to cease and desist violating the AWA and paid a pathetic \$2,000 fine.

### DEBRA PRATT IS STILL IN THE USDA-REGULATED DOG BUSINESS

At the time of the Pratt Mill closure, and after her USDA license was terminated (not revoked), Pratt was still registered as an intermediate handler. As we reported earlier (see *AWI Quarterly*, spring 2018), USDA registrations for intermediate handlers, carriers, and research facilities cannot be suspended or revoked. People with records of horrific animal abuse, such

as Michael Vick, could register as a carrier or intermediate handler, and it would be perfectly legal.

In a June 2015 inspection, the USDA cited Pratt for failure to have valid health certificates signed by veterinarians for two pug puppies whom she, as an intermediate handler, had dropped off in Missouri. (Iowa is second to Missouri in the number of USDA-licensed dog breeders—and both states have long been notorious for puppy mills.) The puppies were then taken to a pet store in New York, which rejected them—speaking volumes regarding their likely condition.

Moreover, the USDA inspection showed that Pratt had 126 puppies in her inventory—at the same address listed by the USDA for the Pratt Mill! One wonders what “care” Pratt provided them, or what may have been their eventual fates.

According to the USDA complaint, Pratt is currently registered as a carrier, and can transport dogs to and from her puppy mill pals (among other destinations), despite the years of abuse and cruelty she inflicted on dozens of dogs at the infamous Pratt Mill. And because of the USDA site wipe, “homestead businesses” such as Pratt’s—despite her terrible record—cannot be monitored for AWA compliance online using USDA’s redaction-riddled “search tool.”

As for the unconscionably delayed, anemic USDA complaint and settlement, AWI believes it exemplifies what APHIS Administrator Kevin Shea has publicly stated: Enforcement delayed is enforcement denied. 🐾

*We thank Iowa Friends of Companion Animals for their invaluable contributions to this article.*





# MILITARY DOGS NOT GETTING THEIR DUE

Since 2000, Congress has acted to improve the treatment of Military Working Dogs (MWDs) by facilitating their adoption at the end of their careers and authorizing the creation of a program of post-retirement veterinary care. Thanks to these new provisions, MWDs—after years of being treated as “surplus equipment”—should have been assured the respect they deserve.

A recently released audit by the Department of Defense Office of Inspector General (DoD OIG) suggests otherwise, at least when it comes to a significant subset of MWDs. The audit evaluated the post-deployment treatment of the Army’s tactical explosive detection dogs (TEDDs), a separate and temporary “capability” intended to support brigade combat teams in Afghanistan. The TEDD program, which ran from 2010 through 2014, was regarded as a “nontraditional” MWD function. Due to the urgent need for this specialized detection capability that the MWD command was unable to meet, the dogs were neither procured nor retired through the authorized MWD system but rather through a contractor.

When former handlers were rebuffed in their efforts to locate their dogs after their tours of duty, they raised alarms about the fate of the animals. They were right to be worried. In 2016, the US House Armed Services Committee “expressed concern over the Army’s lack of sufficient responsiveness in addressing generally known challenges to the TEDD adoption process,” which included “persistent concerns raised by former TEDD handlers regarding their opportunity to adopt a TEDD.” The committee requested an independent investigation by the DoD OIG. Among other things, the inspector general found

that handlers were not “prioritized” for adoptions, “sufficient management and oversight” of the program were not provided, and there was no plan for placement of TEDDs after the program ended. The result: The contractor mishandled the dogs, often adopting them out without giving their handlers the opportunity to adopt them (the law requiring handler preference was not enacted until 2015, after this program was terminated) and without screening potential owners for their ability to handle these specially trained animals. Disposition records were incomplete or missing, and some dogs were left languishing in cages for nearly a year.

Staff at the kennel where many of the dogs were housed felt that the Army was determined to “get rid of the dogs as quickly as possible.” While documenting the Army’s failure to follow established MWD processes, the DoD OIG’s report failed to fully examine the actions of Soliden Technologies, a private firm that adopted 13 of the dogs under false premises. Saying that they would be trained as service dogs, the company in fact planned to send the dogs to foreign countries for military use. This plan fell through and the dogs were abandoned at the kennel. Eventually, the majority of the dogs were reunited with their former handlers.

In the end, these war heroes were treated like surplus equipment—and worse—after all. Rep. Walter Jones (R-NC), a longtime champion of MWDs and the author of some of the provisions to protect them, believes further inquiry is warranted. “It’s time for us to ask for some updates on the programs and process, and that’s what I intend to do.” 🐾

## BABOON BREAKOUT AT BIOMEDICAL LAB

Four baboons housed in an outdoor corral escaped from the Texas Biomedical Research Institute (TBRI) by using a 55-gallon barrel to scale the enclosure. The clever monkeys had pulled the barrel upright, next to the barrier to gain the necessary height. Apparently, one baboon returned to the facility while the other three took off through the San Antonio neighborhood. One of the three caused a stir by running down a road with exasperated research facility staff dressed in surgical masks and gloves in pursuit.

This is not the first breach for the facility, which was fined \$25,714 by the US Department of Agriculture for incidents related to the 2009 death of a juvenile rhesus monkey who escaped his enclosure and the 2010 escape of two baboons, causing employee injury. In 2015, a male baboon lifted a chute door and attacked a mother and her infant, killing the baby. And in another incident that same year, TBRI allowed three male baboons into a chute already occupied by a female, causing injuries

to her. In 2017, a baboon sustained second-degree burns on his hands and feet from touching a heater pipe, while two male macaques required immediate medical attention for injuries acquired after they opened a divider between their enclosures. Of the four inspection reports since January 2016, three documented “critical” citations.

The latest incident, thankfully, resulted in no injuries (other than, perhaps, to the pride of the pursuing staff). But it offers yet another example of TBRI’s distressing track record when it comes to providing proper care for its primates.

## A PRIMATE DEALER’S PITIFUL CON

Envelopes with white powder and a threatening message were sent to two people associated with Matthew Block, founder of Worldwide Primates, which imports primates for experimentation. One went to Block’s mother, the other to a company employee, berating them for their association with the primate trade. Police, firefighters, and federal

agents responded. Block then sought a permanent restraining order against the animal rights activists who appeared initially to have sent the letters.

Turns out *Block himself* sent the letters with the (nonhazardous) white powder. Block (already a convicted felon for his role in the attempted smuggling of baby orangutans years ago) was trying to frame the activists and buttress his argument for the restraining order, according to the *Miami Herald*. He pleaded guilty this time to a federal charge of intentionally conveying false information through the mail and agreed to serve five years of probation and pay \$14,872 in restitution for the police investigation.

## ARS USES KITTENS AS TOXIC TEST TUBES

A decades-long Agricultural Research Service (ARS) project has intentionally killed untold hundreds of kittens. According to the White Coat Waste Project, which exposed the study, the Animal Parasitic Diseases Laboratory in Beltsville, Maryland, feeds two-month-old kittens *Toxoplasma gondii*-infected raw meat, collects their feces for two to three weeks to obtain the parasite for use in other experiments, and then kills the kittens. The USDA has strongly defended the research.

On May 7, Rep. Mike Bishop (R-MI) sent a powerfully worded letter to the USDA, stating, “It appears that this project uses kittens as test tubes. Put simply, it creates life to destroy life.” He subsequently introduced the Kittens in Traumatic Testing Ends Now (KITTEN) Act of 2018, which directs the USDA to “end the use of cats in experiments that cause pain or stress.”

*A cat—possibly one of the mother cats used to produce the doomed kittens—at the USDA’s Animal Parasitic Diseases Laboratory.*





KRITHNA RONG

## Lab Gasses Monkeys as Volkswagen Rigs Results

“I feel like a chump.”

So said Dr. Jake McDonald, chief science officer at Lovelace Respiratory Research Institute (LRRI) in Albuquerque, New Mexico, to the *New York Times*, after he learned that Volkswagen had rigged the Beetle used for his 2014 diesel fume tests on monkeys. The company had equipped the car with a “defeat” device that would produce artificially low diesel emissions when the software detected the car was being tested.

Of course, McDonald feels he is the victim here, not the 10 cynomolgus monkeys he placed into airtight chambers to inhale diesel exhaust for four hours. The inhumane tests were condemned by many, including the German government.

In the midst of its own massive fraud, Volkswagen apparently did not concern itself with LRRI’s less-than-spotless animal

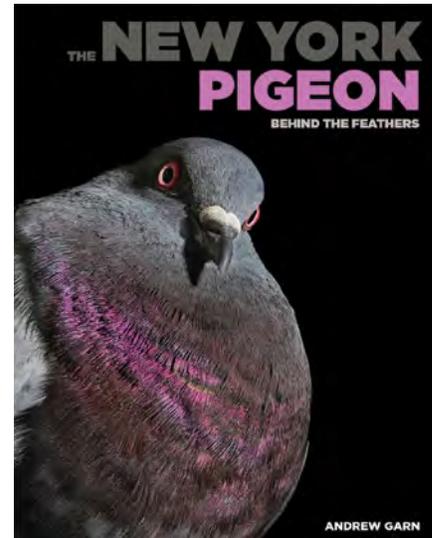
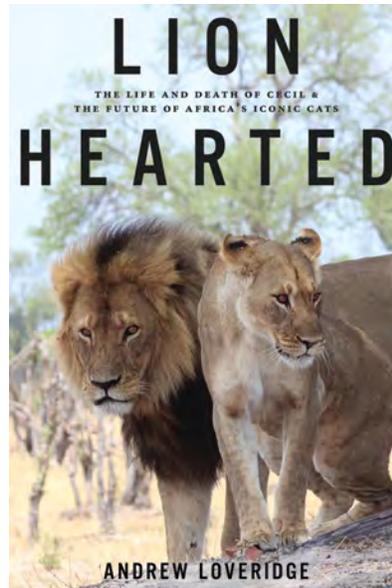
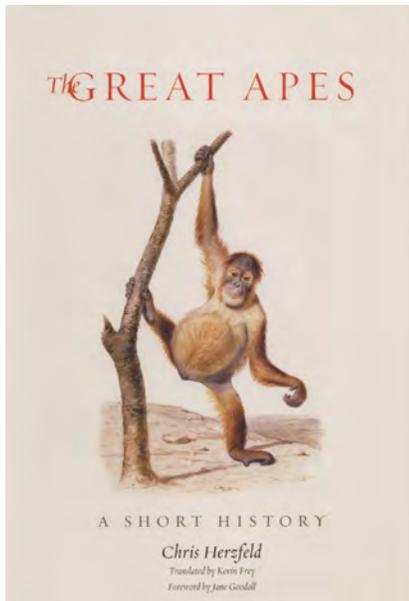
welfare record. In 2011, the lab was fined \$21,750 for multiple Animal Welfare Act violations—including, but not limited to, a failure to ensure alternatives to painful or distressful procedures (specifically, a cardiac venipuncture) and a failure to provide adequate housing, causing a rhesus monkey to “[choke] to death struggling to free himself after a hook in [his] enclosure became caught on his jacket.”

Subsequent years brought more citations. In June 2014, US Department of Agriculture inspectors found that four rabbits had died needlessly because of their struggles in a nose-only inhalation restraint device; two had suffered spinal fractures, another was bleeding from the mouth and ear, dead from asphyxiation. A cynomolgus monkey suffered a compound fracture of his leg and facial trauma, requiring euthanasia, because the lab had placed him in the wrong cage/social group. A rhesus monkey suffered a skull wound, exposing his frontal bones, and was euthanized. His injury was caused by a substandard transfer tunnel. A cynomolgus monkey was agitated and screaming while restrained, and when returned to his cage would not put weight on his left leg. He had a spiral fracture, caused by getting his leg through a small gap in his enclosure, and was euthanized. Another rhesus monkey was found dead in his cage with the chain from the perch around his neck.

In October 2014, a mini-pig was found to have a fractured leg after the pig had repeatedly pulled the leg into the restraint device during a procedure, apparently causing the fracture. He was euthanized. LRRI was also cited for violations in March 2015, June 2015, July 2016, October 2016, April 2017, and December 2017. As of March 1, 2018, no USDA enforcement complaint has been filed against LRRI regarding inspections that occurred after the 2011 fine.

In 2014, however, Volkswagen cared only that LRRI had experience doing this type of study. A few examples from the lab’s research published 2013–2014: a nonhuman primate model of cigarette smoke-induced airway disease; inhalational anthrax in monkeys; influenza in monkeys (this paper was retracted); rats exposed to plutonium; rats and mice exposed to inhaled diesel and gasoline exhaust; effect on blood brain barrier in mice from exposure to inhaled vehicle emissions.

So many parts of this story are disturbing, but one truly chilling aspect apparently escaped poor, victimized LRRI: As *Bloomberg Businessweek* reported on April 2, “The experiments would have provoked outrage anywhere, but were especially horrifying in Germany, for obvious historical reasons.” 🐾



## THE GREAT APES

Chris Herzfeld / Yale University Press / 344 pages

*The Great Apes: A Short History*, recently translated from French into English, is a comprehensive history of primatology. Many readers may not know that the roots of primatology lie in the exploits and adventures of early travelers and explorers in the 1600s and 1700s. Author Chris Herzfeld recounts the myriad ways humans have pursued their fascination with apes—from early collections of bodies for museums to collection of living beings for zoos, breeding colonies, and laboratories. Chimpanzees, the subjects of early exploration on Earth, later were made to become the explorers themselves in space travel.

In delving into the history of our species' relation with other apes, Herzfeld calls out biases in perceptions of apes and in treatments that reflect those biases. Objectification, superiority, patriarchy, violence, aggression, racism, and the dichotomy of Western dualist logic are all part of this perspective. For contrast, we learn of Japanese primatology, which is seldom well described in Western publications. An entire chapter is devoted to female primatologists, who have challenged the predominant theories of hierarchy and aggression and introduced theories that include the roles that females play

in primate societies. This shift allowed primatologists to understand complex social networks in such societies.

Pre-primatology's taxonomic categorizations of nonhuman primates were tangled with confusion: Chimpanzees at one time or another were placed in categories with sloths, bats, and even Lucifer. Current primatology has evolved and is incredibly interdisciplinary; the book examines the views of many key thinkers and details the various disciplines behind primatology, including behaviorism, sociobiology, and ethology.

The lives of many home-reared apes are described in detail that accentuates their ability to acquire human cultural habits. There is a relatively short section on the problems of apes growing up in homes. Hopefully, readers don't miss these paragraphs, which are critical in any description of such environments. The public sees images of cute babies in arms; it rarely connects this to the mature versions, who always end up behind bars.

This book hits a home run with its coverage of field studies. These dramatically expanded our understanding of apes and monkeys, as they provide an opportunity to see these primates living within the cultures and places that allow their full potential to bloom. Studies of captive apes always

fall short because of the inherent inability of institutions to replicate nature's challenges and freedoms.

The author describes the boundary between humans and apes as “porous,” and an underlying theme is the crossing over from being ape to being human and visa versa. In the end she retains the boundary, which is inherent in dualism. Perhaps some readers will instead conclude we can abandon it.

—Dr. Mary Lee Jensvold, AWI board of directors, Fauna Foundation, and Friends of Washoe

## LION HEARTED

Andrew Loveridge / Regan Arts / 280 pages

Author Andrew Loveridge is a veteran wildlife biologist with many years' experience working on lion research in Zimbabwe's Hwange National Park. Raised in Zimbabwe and educated at Oxford, he's the biologist who, in 2008, first applied a radio collar to Cecil, one of the park's most habituated and approachable lions. He tracked and studied Cecil until that fateful night in 2015 when the big cat was shot with an arrow by an American dentist as Cecil fed on bait.

Analysis of the radio collar transmissions is the firmest evidence that Cecil was shot in a location where lion hunting was prohibited, and that “Cecil the lion died slowly and painfully to allow a hunter the ultimate vanity of claiming he had killed a huge lion with a bow and arrow.” It apparently took 10 to 12 hours for the mortally wounded Cecil to die. The data further provides evidence of a cover-up: Some time after Cecil died, his radio collar was moved to a place where lion hunting was authorized. And then the radio collar disappeared. But the data remains.

Cecil was one of 41 lions Loveridge and his team have radio collared that were later slain by trophy hunters. In Africa, a dead male lion's cubs are soon killed by the next adult male to take over the pride, so the loss of these 41 adults actually reflects the losses of hundreds of young. “It is a fallacy,” writes Loveridge, “that old males can be trophy hunted with little disruption to lion society.”

Although he clearly objects to trophy hunting, Loveridge expresses worry that, absent other measures, shutting down the trophy hunting business could result in loss of lion habitat. Unfortunately, he does not mention the Kenyan experience. Kenya banned trophy hunting in 1977 and never looked back. And the Kenyan lions today have much better numbers and demographics as a consequence.

*Lion Hearted: The Life and Death of Cecil & the Future of Africa's Iconic Cats* introduces readers to the intricacies of lion society and is fascinating on that basis alone. But its importance lies more in its sound repudiation of several tropes that the trophy hunting industry has for decades used to shore up its perverted sense of sportsmanship and wildlife conservation.

## THE NEW YORK PIGEON

Andrew Garn / powerHouse Books / 144 pages

Photographer Andrew Garn's book is a coffee table love letter to a bird that doesn't always get much love. Garn explains their long history cohabitating with humans. He examines their physiology and development. He talks up their underrated intelligence. And he profiles pigeon people—the ones you see feeding the birds at the park or keeping coops on Brooklyn rooftops—who cherish these strutting, head-bobbing birds.

But the book's main feature is its eye-popping pigeon portraits. We often see pigeons in a somewhat disheveled state as they suffer the soot, slings, and arrows of city life. Garn, however, shows them in a different light, gracefully navigating “the canyons of the city.” He also brings them into the studio for their closeups, and in so doing displays them in all their dazzling, multihued glory. His studio subjects are birds in or just out of rehab. Wild Bird Fund (WBF) Executive Director Rita McMahon—who contributed an afterword to the book—says that more than half the 6,000 birds her organization treats in a year are injured or lead-poisoned pigeons.

Garn, who volunteers for WBF, seeks to rehab their image, as well. *The New York Pigeon: Behind the Feathers* shows them as resilient city-dwellers, lovely to the eye and worthy of respect.

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## Bequests

If you would like to help assure AWI's future through a provision in your will, this general form of bequest is suggested: I give, devise and bequeath to the Animal Welfare Institute, located in Washington, DC, the sum of \$ \_\_\_\_\_ and/or (specifically described property).

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



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## AT ELEPHANTS' EXPENSE, USFWS STICKS TO ITS GUNS

In November 2017, the US Fish and Wildlife Service announced it was reversing a 2014 Obama administration ban on the importation of sport-hunted elephant trophies from Zimbabwe and Zambia. (See *AWI Quarterly*, spring 2018.)

Days later, President Trump contradicted his own agency's pronouncement by tweeting "Put big game trophy decision on hold until such time as I review all conservation facts." and "[I] will be very hard pressed to change my mind that this horror show in any way helps conservation of Elephants or any other animal." He reiterated this stance during a January interview with British journalist Piers Morgan, stating emphatically "I didn't want elephants killed and stuffed and have the tusks brought back into this [country]."

Meanwhile, in December, a federal appeals court stirred the pot further by ruling that the Obama-era USFWS had failed to follow proper procedures in issuing the ban in the first place. It should have initiated a formal process of

proposing a regulation and inviting public comment. (Had it done so, interestingly enough, the November 2017 counter pronouncement would have been ineffective on similar grounds—as it, too, was made without notice and comment.)

Twitter and talk show statements do not constitute policy, however, and it was very unclear what to make of it all. Would Trump follow through on his expressed sentiments and direct the USFWS to take the procedural steps necessary to make the trophy ban stick?

He would not. On March 1, the USFWS announced it will henceforth consider permits to import elephant trophies from African nations on a "case-by-case basis." The agency did not elaborate on the criteria; however, Interior Secretary Zinke is an ardent supporter of trophy hunting. One can assume, therefore, that the USFWS fully intends to allow trophies in... and to treat Trump's tweets as just so much chirping. 🐾

