

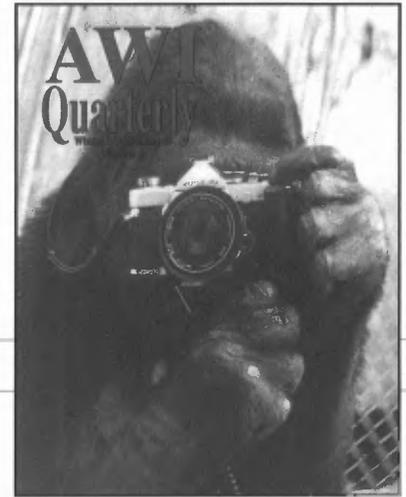
# AWWI Quarterly

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Number 1



**Cover:** Koko, a gorilla who became well-known in the late 1970s for learning over 375 gestures of sign language, took this self-portrait in 1978. In addition to becoming quite interested in photography, Koko also adopted a pet kitten.

For primates in captivity, simple boredom is a serious problem. "Environmental enrichment," or the provision of things and activities toward the psychological well-being of captive animals, is required by the Animal Welfare Act. And it doesn't have to be as sophisticated as Koko's camera. Simple things can provide more than distraction—they can give captive primates substantial dignity and pleasure, as evidenced by a 1989 LEMSIP study (see page 7). Photo courtesy of *National Geographic*.



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## Major Pork Producer in Default

Premium Standard Farms, a gargantuan Missouri factory-farm concern, has defaulted on \$325 million in bonds, the Des Moines *Register* reported in April 1996. The company's mass-production approach to pig farming, with its intensive confinement of pigs, large-scale automation, and speculative financing, appears to be economically unsupportable as well as inhumane and ecologically unsound.

Founded six years ago by former grain-processing executive Dennis Harms, Premium Standard has become the fourth largest pork producer in the country. These massive, high-tech, high-density factory farms are fast putting traditional family farms out of business.

Pigs in these hog factories are forced to live in narrow metal crates barely larger than their bodies. Gestating sows cannot even turn around. As many as 1,000 pigs live in metal barns the size of football fields, breathing air filled with acrid dust. The waste from all these animals is flushed into large cesspools that the industry calls "lagoons"; many have burst or leaked their waste, flooding fields and contaminating groundwater and rivers (see the Summer 1995 *AWI Quarterly*). The huge farms, in which most tasks are automated, bring communities relatively few jobs—and a great deal of controversy over their sickening odor, which confines neighbors to their homes.

Premium Standard, financed by New York banking firm Morgan Stanley, operates on a 40,000 square foot compound in Princeton, Missouri. In addition to huge investments in equipment, animals, and supplies, the company built itself an opulent headquarters (complete with a 25-foot waterfall made of black marble in its atrium), and pays its executives handsome bonuses (totalling \$3.1 million in 1992). The company's operating losses, and a 20-year low in hog prices, have left its bondholders with no return on their investment and massive non-paying debt.

## More Pork Industry Notes

• The *Raleigh News & Observer* won journalism's top prize, the Pulitzer Prize for Public Service, for an extensive exposé of the problems with large-scale factory hog farming as practiced in North Carolina. The articles ran as a five-part series in February 1995, titled "Boss Hog: North Carolina's Pork Revolution." The series and related articles are available in a full-color reprint, "The Power of Pork," for \$5 either from AWI or from the *News & Observer*.

• The devastation caused by hog factories in North Carolina has inspired some South Carolina legislators to try to stem the mega-industry's proliferation. Last year, they scuttled a bill that would have opened the door to widespread North Carolina-style hog production. Now, a new, tougher law has been drafted, and strict, enforceable regulations are on their way—including a ban on new farms with more than 3,000 hogs per acre. 🐾



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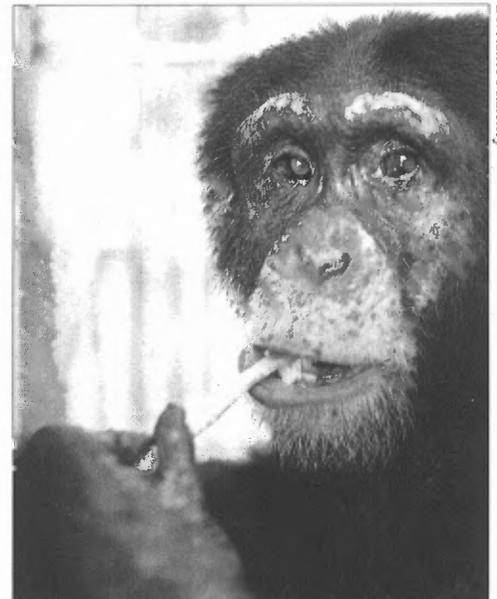
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Dr. James Mahoney

*Doc, one of ten chimpanzees who participated in a 1989 study on simple, inexpensive environmental enrichments for primates in laboratories, brushes his teeth. (See page 7.)*



Earth Island Institute

*A tuna net set on panicked dolphins. Legislation before Congress would change US law, allowing tuna caught with brutal fishing techniques like these to be sold with the "dolphin safe" label. (See pages 10 and 11.)*

## Let the Administration Know How You Feel About Leghold Traps

Canada is threatening to challenge the European Union's law against the abominably cruel steel jaw leghold trap, and the US Trade Representative offered Canada our country's cooperation.

The Clinton Administration's indiscriminate passion for free trade has led it to worship at the altar of the new World Trade Organization (an entity created under GATT). All of us who loathe the totally unnecessary pain and suffering inflicted by the trap's powerful steel jaws need to protest loudly and persistently. If we fail to penetrate the curtain of secrecy surrounding our government's current actions and convince President Clinton, Vice President Gore and Secretary Babbitt to overrule USTR, these antiquated traps—invented to catch poachers four centuries ago—will go right on torturing animals in North America.

Our government's federal Animal Damage Control has well over 30,000 steel jaw leghold traps at its disposal! Government trappers are paid with taxpayer's money. In many cases, they don't revisit the traps they set for two days or more during which the victims struggle for release from the intense pain and crushing fear they must endure. If they are able to, they may gnaw off a foot to escape. If not, they may suffer extreme heat or cold, unbearable thirst, and in the case of females with young offspring, the powerful maternal urge to return to them at all costs.

Eighty-eight countries, by most recent count, have banned the steel jaw leghold trap. So what is the administration doing, defending this barbarism?

Regulation 3254/91 banned all use of leghold traps by European nations last year. The Regulation requires that any nation exporting fur to the EU from beavers, otters, coyotes, wolves, lynxes, bobcats, sables, raccoons, muskrats, fishers, badgers, martens or ermines have either banned these traps or adopted "internationally agreed humane trapping standards." But there are no standards because the North American fur industry and state game and fish departments won't agree to stop using their favorite "tools." They're powerfully supported by House Resources Committee Chairman Don Young (who has personally

trapped many animals in steel jaw leghold traps), his Alaskan colleagues Senators Stevens and Murkowski, and Senator Breaux of Louisiana.

USTR has been trying to evade the law by the creation of a "quadrupartite working group" composed almost exclusively of steel jaw leghold trap advocates from Canada, the United States and Russia, who are meeting with EU representatives. All are sworn to secrecy concerning their discussions.

The aim of these maneuvers appears to be delay after delay, extending into the indefinite future, for it is rumored that neither Canada nor the US nor World Trade Organization enthusiasts overseas want to go through with a genuine WTO challenge of the EU Regulation, because they fear they'll lose and they fear the accompanying publicity.

The world's largest and oldest animal protective organization, the Royal Society for the Prevention of Cruelty to Animals, has issued a valuable document, the Memorandum of Evidence to the European Communities Committee of the House of Lords (excerpted on the next page), which explains clearly why the regulation can be explicitly defended against a GATT/WTO challenge: "As Regulation 3254/91 prohibits the use of the leghold trap in both EU Member States and in any other country outside the EU wishing to export furs to the Union, there is no attempt to give protection to domestic production. The rules governing all countries are identical and no unfair trade advantage is afforded to the country or region implementing the legislation.

"In addition RSPCA believes that Article XX of the GATT can be used to defend the use of an import prohibition. Under this Article, a number of exceptions are made to the conditions in previous Articles. These include allowing measures 'necessary to protect public morals' and 'necessary to protect human, animal or plant life or health.' The leghold trap Regulation is essentially designed to protect animal life and its basis is also essentially a moral one.

"Finally the phase in period for the implementation of the Regulation has been a long one. All fur exporting countries have had three years, plus the additional year allowed in the Regulation, to change trapping practises."

It is time for the United States government to join the rest of the civilized world. In the name of human decency, our country must stop defending the indefensible. The World Trade Organization must not be allowed to tyrannize us. As the RSPCA concluded in its considered opinion on the EU Regulation against the leghold trap, "It appears that trade considerations have meant that a piece of legislation agreed on over four years ago has been superseded by the mere hint of a challenge to free trade. This is a pessimistic precedent for the implementation of future animal welfare legislation."

Every red-blooded American should revolt against our government's hypocritical defense of the steel jaw leghold trap. 🐾

—Christine Stevens

**Action:** Please write to the newly appointed Acting US Trade Representative, the Honorable Charlene Barshefsky, and beg her to honor the European Union's Regulation against steel jaw leghold traps. Tell her about the terrible pain and fear animals suffer in these antiquated devices. Her address is: United States Trade Representative, 600 17th Street NW, Washington, DC 20506.

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### Court Upholds the Netherlands' Courageous Enforcement of Fur Import Regulation

To date, the Netherlands is the only European Union member nation that has moved to enforce the EU's Regulation against leghold traps. The Métis Nation of Canada challenged the Dutch decision to enforce the ban in court, charging that the decision was based on the false premise that the relevant furs come from endangered species. The District Court of The Hague ruled against the Métis Nation in March, holding that the Netherlands is within its rights to uphold the law, though other EU nations have not done so.

The decision sets a precedent which should encourage other countries to enforce the ban. Ainslie Willock, spokeswoman for the Animal Alliance of Canada (a strong supporter of the EU Regulation), said, "I'm absolutely delighted that the Netherlands implemented the ban, and I'm delighted that the court case actually proceeded in their favor." 🐾

# THE IMPLEMENTATION OF THE REGULATION TO PROHIBIT THE IMPORT OF CERTAIN WILD CAUGHT FURS INTO THE EUROPEAN UNION

Excerpts from the *Memorandum of Evidence to the European Communities Committee of the House of Lords*,

Presented by the Royal Society for the Prevention of Cruelty to Animals.\*

The RSPCA welcomes the fact that the House of Lords' European Communities Committee is examining the issue of the proposal by the European Commission to delay implementation of the leghold trap ban (Regulation 3254/91). The RSPCA is pleased to submit the following information as evidence to this Committee on this issue.

The RSPCA believes that recent events have shown that the effects from this issue have possible wider significance than the original intention of the legislation, which was to prohibit the use of the leghold trap both in the European Union and in other countries exporting fur to the EU and thereby reduce the welfare problems involved in the trapping of wild fur-bearing animals....

## Royal Society for the Prevention of Cruelty to Animals

Patrons HM The Queen, HM Queen Elizabeth The Queen Mother Vice Patron His Grace The Archbishop of Canterbury



The RSPCA continues to be concerned that legislation designed to protect the welfare of animals is being and will be subsumed and diluted by international trade legislation, particularly in the context of the World Trade Organization....

Discussions on the relationship between trade legislation and environmental and animal welfare legislation first emerged from the GATT panel decision on the Mexico v USA case in 1991. Under this case, an objection was brought by Mexico to GATT stating that the USA environmental legislation designed to conserve dolphin species and which prohibited the import of tuna from Mexico caught in association with dolphins, was against the tenet of free trade and thus was GATT-unfriendly. The GATT panel upheld the Mexican objection on a number of issues, particularly the differences between the product and the process involved in its manufacture, and the legislation's extra-jurisdictional measures. However, as the decision was not brought before a full GATT hearing, it has never been enacted.

Subsequent to this decision, the successor to GATT, the World Trade Organization, is at present examining ways in which international environmental and welfare legislation interfaces with international trade law. A Committee is due to be established following the 1st WTO Summit, to be held later this year.

The RSPCA believes that there are a number of differences between the issues surrounding the leghold trap Regulation and the previous tuna/dolphin challenge, which could be used as a defence of the Regulation if a challenge was brought. It is likely that any challenge would be based under Article III of the GATT 1947 (which is still part of the new WTO process), which is regarded as making a distinction between process standards and product standards. The Mexico v USA case was ruled as GATT-unfriendly under the terms of Article III. Complaints under Article III are usually upheld if there is deemed to be a competitive advantage given by the legislation to the domestic markets of that country or region. As Regulation 3254/91 prohibits the use of the leghold trap in both the EU Member States and in any other country outside the EU wishing to export furs to the Union, there is no attempt to give protection to domestic production. The rules governing all countries are identical and no unfair trade advantage is afforded to the country or region implementing the legislation....

The history of Regulation 3254/91 is long and complicated. It was only after five years of discussion and numerous reports and drafts, that a final Regulation was agreed. This took into account the arguments and rationale of the fur exporting countries, and the concluding language which was adopted, was based on consultation with

all interested parties. It was also essentially a compromise piece of legislation, agreeing a long phase in period before its operational paragraphs could be implemented.

Despite nearly ten years of discussion in a separate internationally recognized body, no agreement has been reached on internationally agreed humane trapping standards. The leghold trap is therefore, ipso facto, an inhumane device and all furs caught in it cannot be imported to the EU.

Both Canada and the USA still use the leghold trap for catching fur bearing animals, whose pelts are exported to the EU.

The Commission did not, in accordance with Regulation No 1771/94, determine before September 1, 1995 which countries met the condition of Article 3 (1) (i.e. whose fur products could still be imported to the EU), nor determine the appropriate forms for certification referred to in Article 4 (defining which countries were allowed to export furs to the EU). However they did inform all Member States customs departments not to implement the Regulation as previously proposed.

The Commission essentially unilaterally postponed the implementation of the Regulation without consultation with the European Parliament, which cannot be amended without such prior consultation. This consultation will now only occur subsequent to the import ban deadline. However the Commission have already stated that the import ban will not come into effect on January 1, 1996.

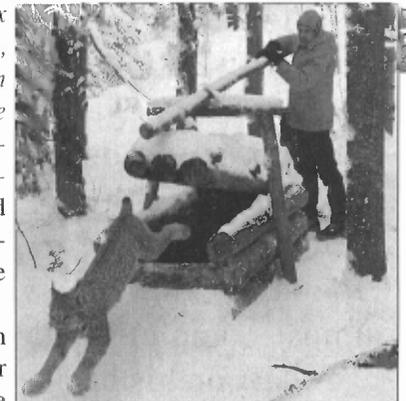
Finally the RSPCA believes that this issue reveals the real problems that emerge from the relationship between the WTO/GATT and animal welfare legislation. The RSPCA believes that the Regulation is defensible under the GATT Articles. 🐾

\* A compilation of all the evidence presented to the House of Lords on this issue, including a statement submitted by AWI, is available in its entirety from Her Majesty's Stationery Office, PO Box 276, London SW8 5DT; Phone:(44) 171 873 9090, fax: (44) 171 873 8200.

## AWI UPDATES MONOGRAPHS ON ALTERNATIVES TO THE STEEL JAW LEGHOLD TRAP

Some years ago, AWI enlisted veteran wildlife expert Tom Garrett to write a comprehensive series of technical monographs on alternatives to the leghold trap. Originally published in 1990, Garrett's *The Role of Cage and Box Traps in Modern Trapping*, *The Role of Legsnare in Modern Trapping*, and *The Role of Spring Powered Killing Traps in Modern Trapping* have now been revised and updated, and will be released this summer as a single publication.

The log trap shown here causes neither pain nor injury, a stark contrast to the abhorrently cruel and indiscriminate steel jaw leghold trap. It is among the alternatives discussed in detail in the publication; many photographs and illustrations accompany the text. 🐾



A lynx leaps unharmed from a log trap

# LEMSIP Head Fired After Complaining About Animal Abuse

*New York University Transfers Well-Known Laboratory to Notorious Toxicologist*

When Dr. Jan Moor-Jankowski, founder of a New York University-owned primate laboratory, made formal complaints of animal abuse at another NYU facility, the university responded quickly. Their response, however, has brought tremendous controversy to this already embattled scientist—and the fate of hundreds of innocent chimpanzees hangs in the balance.

Moor-Jankowski headed the Laboratory for Experimental Medicine and Surgery in Primates (LEMSIP) for 30 years—until he spoke out about experiments at a smaller laboratory in Sterling Forest, New York, which involved housing monkeys in old refrigerators and having them inhale crack cocaine. A USDA investigation of this facility found 387 alleged violations of the Animal Welfare Act (worth up to \$1 million in fines). When Moor-Jankowski's whistle-blower complaint was filed, the university quickly made arrangements to sell LEMSIP to the Coulston

Foundation, a New Mexico laboratory with a disturbing record of abuse and neglect of its animals. Moor-Jankowski was summarily fired.

As reported in the Fall 1995 *AWI Quarterly*, the Coulston Foundation, headed by toxicologist Frederick Coulston, may soon control more than half the chimpanzees used for research in the United States despite its shocking record of tragically irresponsible animal care. Though cited in July 1995 by the USDA for alleged violations of the Animal Welfare Act, the laboratory continues to seek out more animals. In addition to receiving the

LEMSIP primates, Coulston is seeking to take charge of more than 100 Air Force chimps, veterans of the space program.

The events leading up to USDA's citation of the Coulston Foundation began in 1993, when three chimps died a grisly death after a heater malfunctioned, making their quarters a blistering 140 degrees, according to the USDA. Coulston blamed a faulty thermostat, but if laboratory personnel had checked the quarters routinely the disaster would have been averted.

The USDA complaint further listed four monkeys found dead or dying in their cages in 1994. According to *U.S. News & World Report*, "They had gone without water for at least three days. Although the caretakers were trained to test the animals' automatic waterers every day, they had in fact simply been checking off that task on their daily logs without actually performing the test." In June 1994, four monkeys who had been left outside in 100 degree heat died, apparently having choked on their own vomit.

In each case, it took weeks for the problems to come fully to light. Not reporting the first deaths to USDA was a clear violation of federal law, and the laboratory's Institutional Animal Care and Use Committee saw no reason to investigate the incident. Coulston himself was the chairman and a voting member of the committee; when told that this was not allowed he appointed his own son in his place.

Moor-Jankowski started LEMSIP in 1965, raised the funds for its operation, and ran the laboratory unquestioned until his complaint about the "junkie monkey" experiments conducted by Dr. Ronald Wood at the Sterling Forest facility. That NYU's first major interference with the respected scientist's judgement is so final and categorical helps bolster the charge that Moor-Jankowski was fired for his candor, and that consigning the LEMSIP chimps to Coulston's

*continued on next page*

Nicholas Ducot/The Scientist



Jan Moor-Jankowski

## A CHIMPANZEE'S SUCCESS STORY

Dr. Jane Goodall is shown here sharing a hoot with Uruhara, a chimp who came to the Sweetwaters sanctuary in pathetic condition but is now happy and healthy.

"Hard to imagine," writes Goodall, "that he was once almost completely naked, and had scars on his back and groin where a leather belt had actually eaten into his skin. Now he is so healthy and strong." 🐾



©1996 Michael Neugebauer



## *The Difference a Simple Improvement Made in the Lives of Chimps in a Laboratory*

These photographs are from a 1989 study at LEMSIP, in which chimpanzees received a toothbrush, a hairbrush, and a plastic mirror. Mark Bodamer, then a graduate student working under Professor Roger Fouts on a grant from the Jane Goodall Institute, brought these simple gifts to some LEMSIP chimps, showing the animals' immense resourcefulness in tool-using, as well as showing how inexpensive and easy to implement environmental enhancement can be.

Dr. James Mahoney, who took these pictures of Doc having quite a good time grooming himself, said: "About three minutes after receiving a toothbrush, three of the 10 chimpanzees in the pilot study started brushing their teeth. The first thing they did was lick the toothpaste off or try to clean the bars of the cage. Then, suddenly, three animals began to clean their teeth at the same time. Now all of them do."

The chimpanzees, who had been in research all their lives, used the mirrors and hairbrushes in clever and unexpected ways. Mahoney recalled that one chimp brushed his hair while carefully observing the results in the mirror and that some chimps used the mirrors to observe humans without looking directly at them. 🐾

*Doc, one of ten LEMSIP chimpanzees in a pilot study on environmental enrichment, brushes his teeth. Note how he switches the toothbrush and mirror from one hand to the other. The chimps in this study showed themselves to be intelligent, dextrous, self-aware, and interested in their own appearance to a startling degree. Photographs by Dr. James Mahoney of LEMSIP.*

*continued from previous page*

"care" was a retaliatory move on the part of the university.

New York University had cited "financial considerations" as the motive for selling LEMSIP and ousting its director. Not so, according to Moor-Jankowski: "At that time, LEMSIP had a budget surplus, and more than one and a half million dollars were actually paid or pledged to NYUMC [the university's Medical Center] for the purpose of building new chimpanzee space on LEMSIP's campus." Once it is sold, however, the laboratory's prospects are not so bright: major contractors who would have brought business to a Moor-Jankowski-run LEMSIP have vowed to withdraw their support if Coulston takes over, due in part to Coulston's appalling record of animal abuse and neglect.

Moor-Jankowski is no stranger to controversy and ad-

versity, having survived the Nazi occupation of Poland during World War II and one of the most prolonged and convoluted libel suits in history. In 1983, while editor of the *Journal of Medical Primatology*, he published a letter by Dr. Shirley McGreal, chairwoman of the International Primate Protection League, that criticized proposed experiments on wild-caught chimpanzees by the Austrian pharmaceutical company Immuno AG. The company sued them, along with 60 other parties, and the resulting legal battle dragged on for eight years and cost millions of dollars in legal fees before the New York Court of Appeals finally ruled against Immuno AG. 🐾

**Action:** Objections may be addressed to: Dr. Jay Oliva, President, New York University, 70 Washington Square South, New York, NY 10012.

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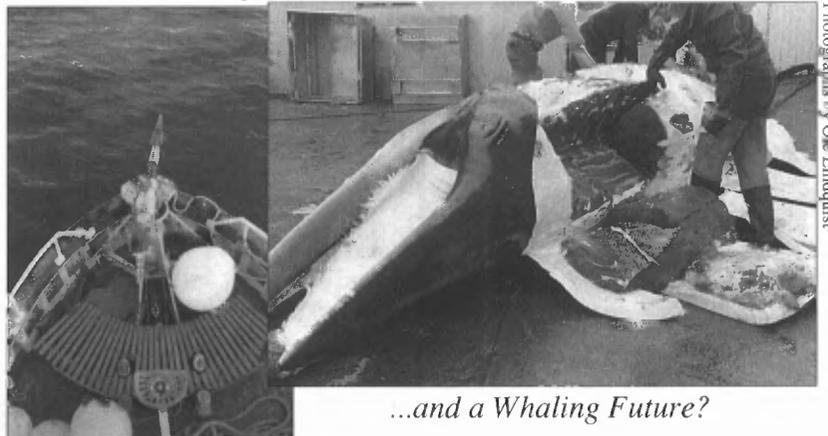
## Norwegian Whale Meat Smuggling Uncovered in Japan

In April, Japanese police intercepted at least six tons of whale meat and blubber, which smugglers were attempting to export, disguised as mackerel, from Norway to Japan.

The shipment was routed through Vietnam, a quirk which alerted authorities because Norway rarely exports fish there; over 130,000 tons of Norwegian mackerel is exported to Japan each year. The exorbitant prices (up to \$200 per pound) that whale meat can bring in Japan are a powerful enticement for smuggling.

Steinar Bastesen, the flamboyantly arrogant head of the Norwegian small whaling association, called the smuggling attempt "devastating" for Norway's whaling industry, saying that it would reinforce the "silly" ban on exports of whale meat from Norway. Let's hope he's right. 🐾

## Iceland: a Whaling Past...



Photographs by Ole Lindquist

## ...and a Whaling Future?

These photographs show minke whaling as it was practiced in Iceland in 1979. On the left is a harpoon at the ready, at right is its result—the dead whale is being flensed, or carved up into meat which probably went largely unsold and uneaten. Iceland's government wants to begin commercial whaling on a large scale again (see below).

## ICELAND REMAINS OFFICIALLY COMMITTED TO RESUMING COMMERCIAL WHALING

### Whale Watching Is Beginning to Catch on, But Illegal Whaling Continues

by Dr. Ole Lindquist

In 1983, by the narrowest possible margin of one vote, Iceland's parliament decided not to object to the International Whaling Commission's moratorium on commercial whaling.

It could have been a turning point for Iceland, ending more than a century of commercial whaling. The nation could have enhanced the already good international standing it had from its involvement with the new UN Convention on the Law of the Sea.

However, instead of joining the leading nations and international organizations in environmental issues, the government (for the benefit of industry) embarked on fin and sei whaling under scientific permits. The IWC deemed the permits to be of little scientific relevance and the international community condemned them as contrary to the IWC's efforts to obtain good stock assessments and develop a comprehensive management regime.

Since then, government politicians, senior marine scientists, the media and the whaling and fishing interests have moved around in the same circle, regularly hurling insults at the IWC, the majority of its member states, and all environmental and animal welfare NGOs. As a culmination of nationalist hysteria, the government, in 1992, withdrew Iceland from the 1946 International Convention for the Regulation of Whaling. The government promised a quick resumption of commercial whaling outside the IWC which, of course, it has been unable to deliver because this runs contrary to all facts and trends in the real outside world.

Now the Minister of Fisheries and other pro-whaling interests are trying to make a case, with habitual reference to the principle of "sustainable use," by stating that "Whaling should resume...in order to maintain the balance of the marine ecosystem and secure the optimum yield of the cod stock." (*Morgunbladid*, March 30, 1996; also debate in Parliament, November 1, 1995). The naive idea about controlling the extraordinarily complex and dynamic marine ecosystem by culling whales is a good example of Icelandic homespun pro-whaling "arguments" that are planted into and capture the domestic "debate." The whale culling policy, of course, not only runs contrary to the much acclaimed principle of "sustainable use," it also disregards the obligation under the Convention on Protecting Species and Habitats (the so-called biodiversity convention, 1992) to protect the marine biodiversity

by applying a precautionary approach.

Nevertheless, the Minister of Fisheries declared in May, 1996, that the government works for the resumption of commercial whaling in Iceland but various fishing conflicts make it inopportune to press the issue. This does not mean that whaling does not take place in Iceland. In fact, it is noteworthy how many minke whales during the recent years have "accidentally" been caught in nets (ostensibly) by Icelandic fishermen, because the Icelandic authorities never reported any such by-catches to the IWC.

The minke whale meat, together with that of harbor porpoises and dolphins, is sold in fish shops and supermarkets in the main cities in addition to being exchanged half-privately around the country. The "by-catch" takes place under the eyes of the authorities who do nothing to halt it. For example, on October 20 of last year the Icelandic national daily afternoon newspaper *DV* printed a big color photograph of a bloody minke whale, with the flensing master of a Reykjavik fish shop pulling open the whale's mouth. The caption read "minke whale cut up" and explained that a boat fishing for cod from the south coast of the Reykjanes peninsula "caught this fine minke whale which weighs about two tons." The flensing master "had no problems with cutting up the creature...giving a total of more than 500 kilograms of meat."

While the government, most politicians and politicizing senior marine biologists pursue their dead-end course, entrepreneurs have been successful in establishing whale watching at various places around the coast of the island.

The notion of whale watching in Iceland was widely ridiculed after a 1990 feasibility study showed its potential, but it is now gaining some acceptance. The media occasionally say that whale watching is not only for foreign tourists who are "alienated from nature" but that it is also worthwhile for Icelanders.

The realization that genuine sustainable use of cetaceans in Iceland lies with whale watching and benign cetacean research is not, perhaps, that far away. 🐾

Dr. Ole Lindquist is an Honorary Research Fellow of the Institute for Environmental History of the University of St. Andrews. He lives in Reykjavik, Iceland.

# IWC Preview: Today's Complex Issues Will Crowd the Agenda

by Jennifer Lonsdale

A decade has passed since the International Whaling Commission (IWC) implemented the world wide ban on commercial whaling. In 1986, we knew nothing of the ozone hole, the impact of pollution was poorly understood, global warming was a fringe issue, overfishing and large scale driftnets were rarely discussed, toxic algal blooms were an oddity. Today these are threats to whales, dolphins and porpoises as deadly as harpoons and knives. They threaten to drive them into extinction.

As a result of a sustained campaign led by the Environmental Investigation Agency and AWI, the members of the IWC have begun to recognize that no longer can the decision to kill or not to kill a whale be made just on the size of the population. We must understand exactly how these whales are being impacted by their own environment before we can even consider what would be a so called "safe" quota.

Hawaii, in March, was the location for the IWC's first ever workshop to study the effects of climate change on whales. A pollution workshop was held a year before.

Two papers prepared by EIA scientists were presented to the Hawaii workshop. The first reviews how climate change may alter

the impacts of pollution and disease on whales. The second reviews the direct and indirect impacts of UV-B radiation on the Antarctic food web and baleen whales. They both emphasize the real worry that the individual threats to the marine ecosystem will combine and magnify each other. There is no place to hide for us or the whales.

The workshop confirmed that an intensive program of research must be undertaken if we are to understand and mitigate the degradation of the marine environment and avoid impending catastrophe. The IWC must reallocate its research funds to allow more of this vital work.

Since its implementation, Norway and Japan, aided and abetted by Iceland and the Faroe Islands, have been determined to overturn the commercial whaling moratorium. The IWC has been coerced into developing the "Revised Management Scheme" (RMS) to manage whales and resumed whaling. As it progresses towards completion, the RMS ig-

nores the potentially devastating effects of environmental threats and therefore cannot protect whales.

The harpoons must be silenced and the moratorium remain in place for at least the next 50 years to allow time for the world's expert scientists to understand and measure how whales and the marine ecosystem will cope with this invasion of the environment.

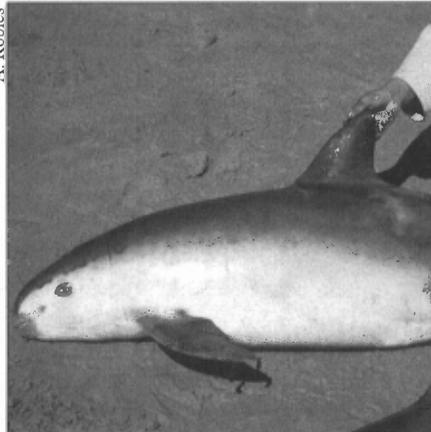
The IWC will meet in Aberdeen, June 19-28, with a packed agenda.

Every year for the past decade, Japan has demanded a coastal quota of 50 minke whales under a new category called Small Type Coastal Whaling. Japan spuriously claims this will be a non-commercial hunt to relieve the apparent distress of the communities affected by the implementation of the moratorium. EIA is about to issue a new report at the IWC based on a 12 week investigation in these communities. It will expose the fact these communities are thriving and that this is nothing but commercial whaling and an attempt to overturn the moratorium through the back door. This issue must be removed from the IWC agenda at the Aberdeen meeting.

EIA will also launch a third global review of the killing of small whales, dolphins and porpoises. Half a million of these smaller whale species are killed every year. Few receive any protection. More action must be taken by the IWC to bring these kills under control before it is too late.

A key issue will be the proposal to ban the use of the electric lance, used by the Japanese in their scientific whaling operations. It is intended to finish off those whales not killed by the impact of the exploding harpoon. Prof. David Blackmore of the New Zealand Foundation for the Study of the Welfare of Whales has scientifically and conclusively proved (without experiment on live whales) that this implement is ineffectual and unacceptably cruel. The electric current passed into the whales by the lance is too weak to kill them. It only subjects them to increased agony. By banning this implement, the IWC would reconfirm its competence and will to take action against the gross cruelty of the implements of whaling. 🐾

Jennifer Lonsdale is a director of the Environmental Investigation Agency.



Small cetaceans, such as the highly endangered vaquita, need increased attention from the International Whaling Commission.

## Italy's Driftnet Fishery Censured by Court

### *Stern Sanctions Could Follow*

The United States Court of International Trade ruled on February 16 that the Commerce Department must identify Italy as violating a United Nations ban on large-scale use of driftnets, which are notorious for indiscriminately entangling any and all marine wildlife including dolphins and turtles.

The identification gives Italy a strict deadline for stopping the illegal driftnetting, after which an embargo on all marine products from Italy may ensue. The court's decision is in response to a suit brought by the Sierra Club Legal Defense Fund on behalf of the



A white-sided dolphin entangled in a driftnet

Humane Society of the United States, Humane Society International, the Royal Society for the Prevention of Cruelty to Animals, the Whale and Dolphin Conservation Society and Earth Island Institute.

Regulation of Italian fisheries has historically been difficult due to powerful direct links between the fisheries and organized crime, according to Italian authorities. 🐾

# GATT/WTO's Targets: Sovereignty, Democracy and Dolphins

The United States has a clear, enforceable standard for calling tuna "dolphin safe": if a fishing vessel encircles any dolphins with its nets, that tuna can not be sold in the US with a dolphin safe label, period. That hard-won standard, which has saved countless dolphins from death by drowning, is now being assailed in Congress, in the much-vaunted name of free trade.

The Stevens/Breaux bill (S. 1420), if passed, would relax the Marine Mammal Protection Act's (MMPA) dolphin protections, muddying the waters of a complex issue by replacing the previous standard with "no observed mortality"—decidedly harder to define and enforce. Its companion bill in the House—H.R. 3823, the Gilchrest/Saxton bill—has already been approved by the House Resources Committee.

The reason for this move away from dolphin safety is that the MMPA has been successfully challenged as an illegal trade barrier under the General Agreement on Tariffs and Trade (GATT). Foreign tuna producers, eager to import tuna into the US, contend that the labelling law addresses a means of production, rather than a product.

A compromise bill, S. 1460 (the Boxer-Biden bill), has also been introduced, keeping the crucial dolphin safe criteria but also addressing the GATT concerns. Lori Wallach, director of Public Citizen's Global Trade Watch, recently testified before the Senate Commerce Committee to address the trade and animal welfare issues raised by the Stevens-Breaux and Boxer-Biden bills. Wallach—whose expertise is trade, not animal advocacy—lent a clear, learned perspective to this controversy.

Wallach contends that the GATT and its extension, the World Trade Organization, seriously impinge on sovereignty: "If Congress passes the Stevens-Breaux bill, Congress will have proved what the bureaucrats at the GATT/WTO already are saying: *the United States must conform its domestic laws to the GATT/World Trade Organization rules.* The Clinton Administration may have concluded that the

strategy to avoid humiliation by a WTO attack on a beloved U.S. law is to preemptively cave in."

The GATT/WTO challenge of the MMPA puts the United States in a no-win situation, Wallach said, in which either the law has to change, or prohibitively high reparation must be paid to foreign tuna producers. She holds that since the MMPA had already passed all domestic due-process hurdles, GATT/WTO poses a threat to democracy; "an unaccountable bureaucracy in another country telling the US Congress to kill a US domestic law or pay sanctions to maintain it."

Under the Stevens-Breaux measure, tuna would be marketable as dolphin safe merely if an observer did not see any dolphins die. Practical limitations, such as the size of tuna ships and the complex activity involved in encirclement fishing, make it impossible for a single observer to monitor whether or not dolphins are being killed, at some stage, by the fishing operation.

The Boxer-Biden bill, on the other hand, not only maintains the law's dolphin protection, it "carefully sets the precedent at GATT/WTO that the United States will not blindly implement that institution's ruling against our domestic laws. Boxer-Biden eliminates several technical elements in the Marine Mammal Protection Act on which the 1991 and 1993 GATT panels focused. However, what is importantly maintained is the principle that the United States has the sovereign right to set standards for products to be sold in its domestic market.

"Most simply, Stevens-Breaux would allow tuna to come into the United States labelled 'dolphin safe' even though it was caught with the very encirclement techniques that killed hundreds of thousands of dolphins before the Marine Mammal Protection Act was passed," Wallach said. "In the name of ducking GATTzilla, the Clinton Administration is pushing for an outright *usurpation* of the US domestic standards. Instead of domestic enforcement of an international agreement, Stevens-Breaux would replace the clear US standard with a vague, unenforceable international standard." 🐾

## A Bill to Stop Dealers from Selling Pets for Experimentation

*Following is a general description by Cathy Liss of a dealer's premises, based on personal visits to a number of such facilities and information obtained from USDA.*

You turn your car onto a dirt road by a peeling sign identifying the place as an animal shelter. At the end of the road there is a dilapidated barn with about 50 dogs in pens inside, a hodgepodge of different sizes and breeds. They push up against the rusting wire mesh on the front of the pens, hoping to get a pat. Many of the dogs are skinny, with their ribs showing. A couple even have open wounds, perhaps from fights with other dogs in their pen. Some of the dogs have "kennel cough" and mucus around their eyes and noses. A number of dogs have worms. And many of them scratch incessantly at fleas. There isn't any sign of food around except for a few old cow bones, and the water in the buckets looks murky, with a greenish film coating the top. The dogs are standing on cold cement flooring, with a buildup of feces on it.

The dogs have come from a variety of sources; most are from other states. Some of them may have been collected through "free to good home" advertisements by a couple who promised to provide a loving home, then sold the pets they acquired by fraud for \$20 to \$30 each to the man who runs the kennel. A few have been dropped off by owners. Others have been collected from neighborhood yards and farms by the man who runs the "shelter," which he operates under a contract with the local municipality. He does more than operate a so-called shelter, however. He is also a dealer who sells dogs and cats to laboratories for experimentation.

Laboratories throughout the United States are willing to pay hundreds of dollars for each dog or cat they purchase from dealers like him. Because the dealers are licensed by USDA (as "Class B dealers"), few research facilities bother inquiring about the sources for the animals. USDA attempts to regulate these dealers, but many are slick operators who flout the law and keep falsified records. The department doesn't have the funds or staff to keep up with them. As a result, thousands of dogs and cats from such dealers are used for experimentation each year.

It is time to stop this trade in pet dogs and cats. House Agriculture Committee members Charles Canady and George Brown have proposed a legislative remedy, the Pet Safety and Protection Act of 1996 (H.R. 3398), which would prohibit Class B dealers (including contract pounds) from selling dogs and cats for research. The bill is a straightforward, simple amendment to the thirty-year-old Animal Welfare Act to stop pets from being sold to laboratories, without impeding research. 🐾

### PROTECT OUR PETS



This was one of 10 pets sold for experimentation. Fourteen dogs including Rex were rescued by their owners. Sally, the others were used in laboratory tests.

**HELP STOP PETS FROM BEING TAKEN BY ANIMAL DEALERS AND SOLD TO LABORATORIES**

The leaflet and button shown above are available free upon request from AWI.

# Research Shows Extreme Stress of Chase and Roundup Can Cause Irreparable Damage to Dolphins

Noted cetacean physiologist Albert Myrick has shed new light on the controversy over tuna/dolphin legislation. He writes powerfully about how the process of setting tuna nets on dolphins—during which the dolphins are herded by speedboats and encircled by the nets—causes irreparable damage to dolphins, both early in the chase and well after it. His work on the stress physiology of dolphins reveals that the damage done by this type of fishing goes far beyond observable deaths in the nets.

In Myrick's testimony for the House Resources Committee, he challenges some of the fallacious arguments put forward by Nina Young of the Center for Marine Conservation (CMC), who spoke on behalf of five groups who have misguidedly supported efforts to weaken "dolphin safe" laws: the Environmental Defense Fund, Greenpeace, the National Wildlife Federation, the World Wildlife Fund and the CMC. Myrick writes:

It seems obvious for example that the chase of dolphins by a purse seiner, its three to six speedboats, and commonly its helicopter would cause substantial stress to the animals. It is conducted at sustained high speeds, usually lasting 20 to 40 minutes.

The purpose of the chase is to scare, exhaust, and otherwise force the dolphins to submit to maximum control over the school by the fisher. Numbered among the many aversive factors of the chase are continuous and unavoidable noise, turbulence, intimidation of close pursuit, forced, prolonged, strenuous exercise, and threatened oxygen deprivation for excited and panting animals surfacing to breathe. These should be expected to easily cause substantial stress in most of the animals and very serious stress in the more vulnerable animals.

We humans can only try to imagine what the full effects of such a chase must be on even experienced dolphins that have survived previous chases and sets. However, little reflection should be required, except by the most prideful and obdurate skeptics among us, to conclude that these conditions are very unlike those (to paraphrase the words of CMC) of the natural "rigorous marine environment" under which the dolphins evolved and for which they "are adapted."

If one realizes that 35 years of dolphin fishing is obviously an insufficiently long evolutionary period for these dolphin populations to become fully "adapted to cope with many...[of these very extreme sorts of]...human-related stressors," the CMC arguments seem ludicrous. In my presentations of dolphin-stress research to college and civic groups, I am often asked why we find it necessary to uncover evidence of stress in dolphin fishing and its resulting mortality, when good common sense tells us that they are seriously stressed and probably many die from it.

To dramatize what may be not an entirely dissimilar "common sense" scenario for humans, we might consider a hypothetical example of forced chasing of a mixed group of unwilling people to run on foot, for half an hour, over an unavoidable course through scattered areas devoid of oxygen for short distances. The humans are driven by fear of injury or death to run ahead of armored vehicles. These tanks are moving at unrelenting speeds of 12 to 15 miles per hour, detonating small explosive charges near, and maneuvering close to, would-be stragglers and escapees to keep the terrified and tiring herd together. The vehicles are studded with intimidating prods or projections and programmed to force the human herd into a confining structure, which itself is forebodingly cramped and unstable, and subject to collapse at any moment.

## BEQUESTS TO AWI

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

*I give, devise and bequeath to the Animal Welfare Institute, located in Washington, 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 where you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.



Earth Island Institute

*Dolphins being herded into the apex of a purse seine net*

We might now consider a few of the more disturbing questions that might quite obviously arise from this hypothetical scenario. How many of this human herd of newborns, young, adult, and elderly males and females of various physical conditions and susceptibilities might become casualties of fear, strain, exhaustion, or physiological malfunction before the elapsed half-hour? Would all such casualties survive long enough to enter the confining structure?

What percentage of the nursing newborns or dependent children in the herd would eventually succumb if their parental providers became casualties? How many of the surviving, more resilient members of this human herd might adapt or learn to habituate to unexpected and repeated episodes of this nature without lasting harmful effects? Would repeated trials habituate some or all of them to the aversive stimuli, or would reexposure condition them into more rapid submission, but sensitize them to a greater level of stress vulnerability?

Inasmuch as these questions may apply also to dolphin schools chased by purse seiners, we only have common-sense answers without definitive experimental proof. Considering that there is almost total scientific ignorance about most of these questions for dolphins under such extreme stressor conditions, it is up to us to ask and answer the most relevant obvious question. Is it ethical or judicious to allow tuna caught with chased dolphins to be labeled "dolphin safe," when no studies have shown evidence that this is true, and when all of our common sense tells us that it is not true?

Myrick's contention that the stress of being chased may be causing significant unobserved mortality is supported by considerable scientific evidence. His analysis of the adrenal glands of dolphins found dead in the tuna nets, with no external injuries, demonstrated that the adrenal cortex had changed from its normal yellow color to a dark reddish brown, indicating that the dolphins had undergone severe stress well before they died (see Myrick and Perkins, "Adrenocortical color darkness and correlates as indicators of continuous acute premortem stress in chased and purse-seine captured male dolphins" in *Pathophysiology* 2, 1995).

Since the stress reactions began as early as when the dolphins were being chased by the powerful, noisy motorboats, and the dolphins died in the nets from no other apparent cause, it is likely that their deaths were caused by the acute stress.

Further, Myrick holds, "it seems likely that those members of the herds that were released alive were under some degree of stress as well....stress may be lethal in a matter of a few minutes or hours or days after the stressor has been removed." He notes that "at least some would be expected to have died before they reached the nets (and sank unobserved)."

Proponents of the new "dolphin safe" legislation would have us believe that the unobserved mortality from this type of fishing would be negligible. Myrick's research shows this to be false. 🐬

## A Cow Who Took Matters into Her Own Hooves

Emily the cow was on her way to a slaughterhouse in Hopkinton, Massachusetts in November 1995, when she evidently decided she would rather be free. The three-year-old, 1,400-pound holstein heifer bravely leaped over a five-foot fence. For 40 days and 40 nights following her daring escape, she managed to live in the woods around the town, foraging for food and hobnobbing with a herd of deer.

As the escaped cow cleverly evaded capture, people began rooting for her. Emily's partisans left out hay for her and shielded her whereabouts from authorities and from the slaughterhouse's employees. "Like some bovine pimperl," reported *People* magazine, "she was sought everywhere but never captured."

Emily's story excited the interest of animal lovers Meg and Lewis Randa, who have given many animals sanctuary at their Life Experience School, a school for children with special needs in Sherborn, Massachusetts. The A. Arena & Sons slaughterhouse ended up selling Emily to the Randas for \$1, reasoning that the cow had run off much of her value.

Meg Randa, who took great care to assure Emily that she and her family were vegetarians, coaxed the elusive heifer into a trailer with a bucket of feed. The Randas had their Christmas dinner outside in the barn with Emily, who now lives, and serves as a teacher, at the Life Experience School.

This cow-rageous Holstein has become quite famous, as her story has appeared in countless newspaper and magazine articles, as well as coverage by CBS and

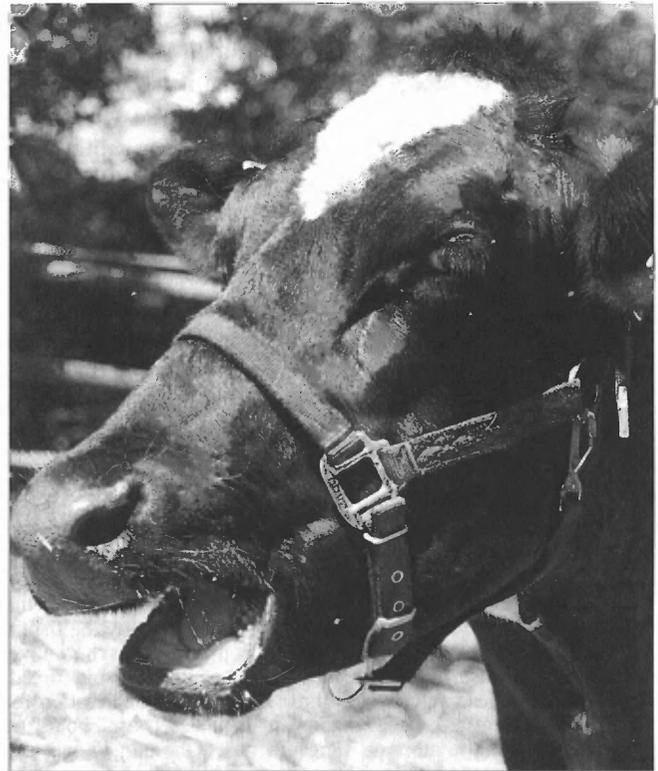


Photo courtesy of Lewis Randa

a forthcoming children's book. There are rumors of a film being planned, but Emily is keeping quiet about whether she is destined to become a ruminant movie star.

Emily has become something of a cult figure, as sympathizers have pledged in her presence to stop eating meat. She has also been bovine-of-honor at a human wedding that took place in the Randas' barn. 🐾



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**Cover:** Three little pigs: this charming trio of piglets was caught on film by AWI's farm animal consultant, Diane Halverson, at an exhibition of innovative farming techniques in Zurich, Switzerland. They are housed in a family pen on deep straw, which maximizes comfort, well-being, cleanliness, and environmental soundness—the very opposite of the cruel intensive-confinement, mass-production pork factory approach to hog farming that is, unfortunately, fast replacing traditional, more humane family farms.

See page 17 for more on deep-straw alternatives for pig housing.



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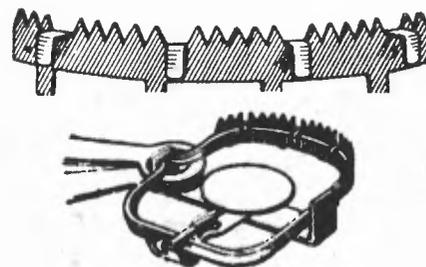
## Trapping Lobby Misrepresents Legholds

Lobbyists for the trapping industry from the United States and Canada are attempting to pull the wool over the eyes of European officials. Claiming great expertise on the "humane" trapping issue, they are attempting to make the Europeans back off from their heroic efforts against the barbaric steel jaw leghold trap. They want to continue using leghold traps, but they are hiding this fact by referring to them by a new name: "restraining systems."

Apparently, the North American defenders of leghold traps will do whatever it takes to continue using these traps, including spreading outright lies in Europe. The International Association of Fish and Wildlife Agencies (IAFWA), U.S. Fish and Wildlife Service, Louisiana Department of Wildlife and Fisheries and the Missouri Department of Conservation and representatives of the Canadian government have produced a report titled, "Improving Animal Welfare in Trapping in North America." The first paragraph of the report concludes: "Traps with teeth have not been used in Canada or the United States for decades." Yet use of leghold traps with teeth is still legal in approximately half of the fifty states, and toothed traps are still being sold and distributed throughout the U.S.

In fact, we just received a new 1996-1997 trap supply catalog which offers a variety of brutal traps. Trappers can purchase enormous sized leghold traps with teeth on the jaws or simply a row of razor sharp teeth, "Holdfast jaws," which can be affixed to any leghold trap.

The report contains an enticingly presented chart in rainbow colors entitled "Evolution of Improved Animal Welfare Related to Trapping in the United States." But this so-called "evolution" is belied by an earlier document of the IAFWA which states that leghold traps are the most popular device used by trappers. Each American trapper owns an average of 120 leghold traps and a couple of dozen snares. With such widespread use of leghold traps, with toothed traps legal in much of the states, with about half of the states permitting more than 24 hours to pass before traps are checked, how can this be called evolution? The North American lobbyists even have the audacity to claim that the trapping in Europe, where use of leghold traps is prohibited, is somehow more cruel! 🐾



The "Holdfast jaws" attachment  
"Helps add new life to older traps,"  
according to a supply catalog.



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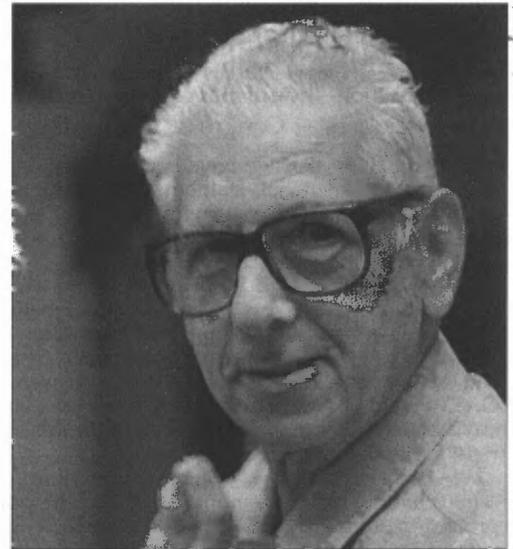
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Jonny Pike

Henry Spira, Coordinator of Animal Rights International, received AWI's 1996 Schweitzer Medal for his lifetime of activism and tireless dedication to the cause of helping animals. See his remarks on page 15, and his eloquent plea on behalf of farm animals on page 20.



Michelle Morgan

A friend indeed: Congressman Charles Canady (R, FL), sponsor of a bill to protect pets from being taken and sold for experimentation, with Tasha, who was obtained from a Pennsylvania laboratory dog dealer. See page 8 for a report on Congressional hearings on this important legislation.

# House Bends to Free-Trade Pressure, Votes to Dismantle Dolphin Protection

The Republican-dominated US House of Representatives, backed by the Clinton-Gore administration, pressed their joint political power to the hilt to destroy US protection of dolphins July 31. By a vote of 316 to 108, the Mexican-inspired bill, H.R. 2823, which reinstates the hot pursuit of dolphins by speedboats and helicopters to facilitate the capture of tuna fish, was passed. Even a modest amendment introduced by Congressman Gerry Studds (D, MA) to retain an honest means of granting dolphin-safe labels to tuna canners was defeated in the stampede to surrender US sovereignty to tuna-fishing nations south of our border who threaten the United States with World Trade Organization sanctions, and employ the most expensive lobbyists to push their will home.

Congressman George Miller (D, CA) led the doomed attack on H.R. 2823 with a clearly stated and deeply felt argument which should have been persuasive to any open minded Members of Congress. He said:

This legislation that we have begun debating here today, H.R. 2823, the International Dolphin Conservation Program Act, I believe, is a declaration of surrender by this Congress to those who insist that American environmental and labor standards must be destroyed on the altar of free trade.

H.R. 2823 is a complete capitulation to those who believe that U.S. consumers have no rights and our trade competitors must have all the rights when it comes to product disclosure.

This is a bad bill: bad environmental policy, bad trade policy, and bad foreign policy. It does precisely what we were told NAFTA and GATT would not do. It demands that our own laws governing the environment, worker safety, species protection, and a consumer's right to know be sacrificed.

Less than a decade ago, millions of American consumers, led by schoolchildren of this Nation, demanded the creation of dolphin protection programs because of the needless slaughter of hundreds of thousands of marine mammals by tuna fishermen. We passed the Dolphin Protection Act. We required that tuna sold in the United States be dolphin safe.

The U.S. tuna industry, at enormous expense, complied with those requirements, relocated their ships and processing plants, and produced dolphin safe tuna. Those efforts have had a dramatic success. Dolphin deaths last year were a little less than 3,600, compared to 100,000 or more a few years ago.

The dolphin protection law has worked, but the bill before us today would renounce the very program that has achieved the goals we sought when the dolphin protection law was enacted.

Why on Earth would we so grievously weaken the very law that has worked so well? Not on behalf of American consumers, not on behalf of dolphin protection, not on behalf of those interests, but rather on behalf of Mexico, Venezuela, Colombia, and other nations who are trying a little environmental blackmail, and to date it seems to be working.

Those very countries that have continued to fish in violation of the dolphin safe law now demand of this Nation that we weaken our laws so they can sell dolphin unsafe tuna in U.S. supermarkets under a label that the consumer has come to understand as meaning dolphin safe, a label that was enacted by this Congress. This Congress should not now become a party to this deception of that label, and a deception that this act would bring about with respect to the American consumer.

H.R. 2823 implements an international agreement, the Panama Agreement, which was negotiated behind closed doors by five Washington-based environmental organizations and the government of Mexico. This agreement makes major changes to longstanding laws protecting dolphins and informing our consumers.

But let us remember it was negotiated without the knowledge of any elected Member of Congress or other interested parties with a decades-long history on this issue.

It was negotiated without consideration of the American tuna canning companies who in 1990 responded to the demands from our schoolchildren, their parents, and consumers nationwide, and some of the same environmental groups who secretly negotiated this deal. They did it by voluntarily announcing that they would no longer purchase and sell tuna caught by harming dolphins.

It was negotiated without the participation and approval of dozens of environmental organizations with millions of members nationwide who vigorously disagree that this is the best way to protect dolphins, and who strongly support the Studds amendment that will be offered later to retain the current dolphin safe label.

The legislation was drafted with the help of lobbyists hired by the Mexican Government, and presented to the Committee on Resources with the caveat that no amendments could be accepted if they were unacceptable to Mexico. Since when did we start negotiating in this fashion? Since when did we start negotiating in a fashion where privately negotiated agreements are now brought to the Congress and we are told that somehow they are the same as a treaty or an agreement between this Nation and other nations, but this Congress cannot be engaged in the process of amendment?

There are some very serious problems with this legislation. The most important is that it would do exactly what proponents of the trade agreement pledged these pacts would not do: drive down American environmental standards through pressure from countries that do not want to meet those same standards. That is the goal, pure and simple.

Let us be clear. The driving force behind this legislation is Mexico, which does not want to meet the standards of the dolphin safe label that is on every can of tuna sold in this country. Mexico wants to open the floodgates to nonsafe tuna and to desecrate the integrity of the label that has led to a steep reduction in dolphin mortalities through consumer preferences.

If we do not accede to this undermining effort, Mexico and other nations tell us that they will abandon their commitment to this agreement, to fishing dolphin safe, and deliberately resume the slaughter of dolphins. These nations, and many other trading partners, are waiting to see how the U.S. Congress responds to this threat.

This legislation responds by capitulation. We are going to hear a lot of assertions about this legislation, how sensitive it is to dolphins, how it would not allow damage to be done to dolphins. Before Members vote I urge them to consider the following:

This legislation, as currently written, the supporters will tell us that this bill does not allow more dolphins to be killed; that it reduces the number of dolphin deaths. But the fact is, H.R. 2823 allows the number of dolphin deaths to rise by almost 30 percent. There is nothing in this bill about keeping dolphin deaths at today's historic low level. This bill is about allowing more dolphin deaths.

They say that their bill does not allow dolphins to be hurt. Under H.R. 2823, dolphins may be regularly encircled, harassed, and injured. The bill imposes no limit on the amount of injury that could be imposed on dolphins, as long as the dolphins do not actually die in the nets.

We will hear the proponents say that the environmentalists support this legislation. The fact of the matter is that over 80 grassroots environmental organizations vigorously oppose this bill and support the Studds amendment. By contrast, what we have are five Washington-based environmental groups that secretly negotiated this agreement with Mexico who are now supporting it.

Since when is this Congress obligated to accept, unamended, the products of negotiation by environmental organizations and foreign governments?

Lastly, the supporters of this legislation argue that we cannot change the bill because to do so would be to renounce international agreements and damage American credibility. The fact is, there is no international agreement. There is no treaty. This is about going to the negotiations on a possible treaty. This bill requires that we change U.S. law as a condition of going to those negotiations.

It is worth noting that the United States is the only country that is required to make these kinds of changes, to change domestic consumer protection laws to conform with this agreement.

I would hope that the Members of this Congress would see through this effort by Mexico to essentially abolish the dolphin safe protection that we currently have on the books, and would support the Studds amendment that will allow for the protection of the label, the protection of consumer knowledge, and provide for the protection of the dolphins.

Congressman James Saxton (R, NJ) heatedly accused Congressman Miller of making "misleading, untrue and patently false" characterizations of the bill. "This is President Clinton's initiative," he said, "and as Chairman of the Sub-

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committee on Fisheries, Wildlife and Oceans I am pleased to have been able to support a Clinton administration initiative."

Mr. Saxton did not explain his claim that Mr. Miller's statements were untrue, instead relying on reading a list of supporters to quell opposition. "Listen to this," said the Congressman, "Greenpeace, the Center for Marine Conservation, the Environmental Defense Fund, the World Wildlife Fund, the National Wildlife Federation and the American Sports Fishing Association, to say nothing of the Clinton administration and the AFL-CIO."

In fact, the AFL-CIO, as noted later by Mr. Miller who reported "we just spoke to them" on the phone, was divided on the issue, but the other groups' names were repeated like a mantra throughout the debate, and, to their shame, none expressed any objection. Indeed, like the proverbial goat who leads the sheep to slaughter, WWF, EDF, Greenpeace, CMC and NWF have allowed themselves to be used to deceive Congress and the public. Some of these groups are beholden to Mexico. All enjoy basking in White House accessibility and approval. Some had never worked seriously against the killing of millions of dolphins over the years in the giant tuna purse seines. They sent their trade specialists to the secret negotiations that resulted in the Panama Declaration. They never raise their voices over the inability to access data from the Inter-American Tropical Tuna Commission (IATTC), an organization supported almost entirely at US taxpayer expense (\$2.74 million in 1994, 90% of its total budget), but which is immune to the Freedom of Information Act and keeps its data secret except for certain privileged scientists. It won't divulge figures relating to "juvenile tuna, billfish and sea turtles" caught and discarded when "log fishing" for large tuna. This is the basis on which proponents of H.R. 2823 constantly prate of "long-term threats to the marine ecosystem" and "sound ecosystem management," but the figures on which these allegations are based are the property of the IATTC, an organization to which Mexico, the chief beneficiary of H.R. 2823, does not even belong.

A knowledgeable marine mammal scientist who asked that his name be withheld dubbed "the ecosystem stuff" a "very cynical prostitution of science."

Dr. James Joseph, head of the IATTC, has testified at Congressional hearings for more than thirty years, ever vigilant lest dolphins get too much protection to suit the tuna industry. Dr. Joseph is scheduled to retire soon, and Congressman Bilbray (R, CA) placed a flattering article about Joseph's work in the record of the debate. Mr. Bilbray was especially emphatic about the importance of adapting "an 'ecosystem based' approach to ocean resource management." In fact he stated, "This is a blueprint for how we should proceed on future environmental strategy matters." This dangerous concept was advanced, too, by the bill's author, Congressman Gilchrest (R, MD) who stated, "This bill is a first step to understand the nature of complex environmental issues such as global warming that we will have to sit down at the table and find agreements on."

Mr. Gilchrest's position is exemplified by his intense opposition to the Studds dolphin safe amendment and his assertion that the death of 5,000 dolphins is "biologically insignificant." He stated:

Five thousand dolphins killed is biologically insignificant as assessed by some of the best scientists in the world. One of them is from the National Oceanic and Atmospheric Administration, a woman



Dolphins trapped in a purse seine net.

named Elizabeth Edwards, who says that is biologically insignificant.

We understand that. We do not accept the 5,000 number. We will continue to work toward zero.

Here is what Dr. Edwards says about the study, that the process that we are trying to get into law stresses dolphins to the degree that it harms them. She says, "In particular the 5 reviewers were unanimous in their opinion that the study failed to confirm the stated conclusion that dolphins were experiencing acute continuous stress."

So I wanted to dismiss that accusation that the encirclement, where you allow the dolphins to get out, which is what we are doing, causes stress that harms the dolphin. There is no evidence to that effect. The Center for Marine Conservation, one of our more sophisticated, respected environmental groups around the country, says arguably stress is not found to lead to species decline, the stress that they experience in this encirclement.

Congressman Studds, Chairman of the House Merchant Marine and Fisheries Committee before it was wiped out by the 104th Congress, is a well-established champion of whales, dolphins, and wild birds whose presence will be sorely missed in the next Congress. He offered a brief but important amendment to H.R. 2823 which should have passed on its merits alone, but the majority of Representatives didn't bother to listen, much less read what was at stake. Following are excerpts from Mr. Studds's remarks. First, he responded to Mr. Gilchrest:

There are two species which have been consistently, over time, chased and netted in this fishery: the eastern spinner dolphin and the northern offshore spotted dolphin... According to the National Marine Fisheries Service, these two populations are at less than 20 percent of their original size. This is an indisputable fact due to the 8 million deaths that have taken place over the last 20 years.

Now, we have been enormously successful in reducing those deaths, as most people have mentioned speaking on both sides of this issue, but, and this is a large "but," in spite of the much observed lower level of dolphin deaths these two dolphin populations are not growing. The fact is worth repeating. Although dolphin deaths have dropped from approximately 100,000 annually to about 3,600, we see no increase in these populations.

Many biologists believe that the constant injury and harassment of these animals is preventing the recovery of the populations.

In offering his amendment, Mr. Studds stated:

When I grew up, safe meant secure from danger, harm or evil.

That is what the dictionary says it means.

Under this bill, safe would permit doing all kinds of things to dolphins, including seriously injuring them, and as long as no one actually noticed it happening, they might even be able to kill them. This legislation would define as safe a process that stops dolphins from feeding, separates mothers from their calves, injures animals, and allows them to be chased for hours until they are unable to swim any longer...

For three of the four debates during which we have had strong bipartisan support for legislation protecting dolphins from the extraordinary slaughter that occurred in this fishery, I had the honor of chairing the subcommittee of jurisdiction. We passed the law

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requiring truth in tuna labeling because American consumers, American voters, and American schoolchildren demanded it. They made it clear that they did not want to endorse the selling of a product whose harvesting caused any harm to dolphins. Since its enactment in 1972, the Marine Mammal Protection Act has prohibited any, "attempt to harass, hunt, capture or kill any marine mammal."

Again, it is illegal under current law to harass, hunt, capture or kill any marine mammal. That language is in the law because we know that these activities are not safe from marine mammals.

Those who support the labeling change in this bill, I am sure, would not allow whale-watching vessels in my district to harass whales and separate mothers from nursing calves and then market those cruises as safe for whales...

Two years ago, some of the environmental groups that are supporting this bill blocked regulations allowing dolphin-feeding cruises in Florida and in Texas because they were convinced that the harassment of dolphins was not safe.

The double standard in this bill, put there for Mexico's sake, violates in my judgment the integrity of everything we on both sides of this aisle have worked to achieve over the last 20 years.

The amendment is simple. It did not get read but it would have taken less time to read it than to designate it. It simply adds after the word "killed," and I quote, "chased, harassed, injured or encircled with nets." You cannot do any of those things under our amendment and call it dolphin safe.

The amendment leaves intact the provisions of the bill that lift the embargoes on tuna. It leaves intact the remainder of the international agreement. But it retains honest information for American consumers, and that is all it does.

Not long ago we held a debate on this floor about truth in nutrition labeling. Right now there is a bipartisan effort under way in both Chambers to establish simple labels on clothing and sporting goods that would inform consumers if those products were made by child labor. Labeling means something to consumers. It means trust.

The American people know what the word "safe" means. If we cannot be honest about the meaning, then we should probably get rid of the label. Perhaps we could call it "good for Mexico," or "NAFTA-consistent," or "caught under international guidelines," but we should not call it safe for dolphins, because by any standard, semantic or otherwise, it is not.

Let me once again remind my colleagues that the amendment does not address the international agreement. It does not address the embargo. It simply says that we retain the sanctity and the meaning of the label "dolphin-safe" which has been so successful as it is now in current law, which says that if they want to use that label on imported tuna, they not only have to demonstrate that that tuna was caught in a way that did not kill dolphins but did not involve chasing, harassing, injuring, or encircling with nets the aforementioned dolphins.

However, despite Studds's well-supported, eloquent argument, the House voted 260-161 to kill the amendment. 🐾

The US Senate is considering the same bad legislation that passed the House, the Stevens-Breaux bill, S. 1420. If it passes, President Clinton will sign it into law. Tuna fish cans will then bear false "dolphin safe" labels. Every friend of dolphins will have to boycott tuna again until honest protective laws can be reinstated.

## What You Don't Know Can Kill You

On 14 August 1996, AWI presented a strong statement to the Environmental Protection Agency (EPA) urging addition of America's airports to the list of facilities required to report toxic chemical use under the Emergency Planning and Community Right-To-Know Act. This vital law provides the Toxic Release Inventory List (TRI) which informs citizens when hazardous industrial chemicals are being used by a company in their community.

Unfortunately, the EPA has removed airports from the list of facilities considered for TRI-expansion. This is particularly egregious since, in the summer of 1994, the EPA's own analysis concluded: "Elements of the transportation sector, primarily airports, also appear to have significant releases" (of TRI chemicals). Airports were still under consideration in the spring of 1995, but were inexplicably omitted from the final list.

As our regular readers know (see Fall 1995 *AWI Quarterly*), airports spray millions of pounds of de-icing fluid containing hazardous ethylene glycol. Thousands of companion and wild animals die each year from ingesting ethylene glycol—either in automobile antifreeze or airplane de-icer.

In fact, one study at Colorado State University estimates that almost thirty percent of all documented dog and cat poisonings were a result of ethylene glycol consumption. In 1992, an endangered California Condor drank antifreeze containing ethylene glycol and died. In 1989, ethylene glycol was present under the carcass of a dead polar bear on an Alaskan island. It is believed that the polar bear ingested a

small quantity of an ethylene glycol mixture used to mark the centerline of roads and runways covered with snow and ice. Thousands of cases of human ethylene glycol poisoning are reported each year—some of which prove fatal.

In May 1995, Union Carbide and several trade associations told the EPA that its intention to require airports to report TRI chemical releases was misguided, suggesting that ethylene glycol is not harmful to the environment and that requiring airports to report ethylene glycol releases is not in the public interest.

The public clearly has a right to know when chemicals harmful to both people and wildlife are emitted into the environment. TRI reporting of ethylene glycol spraying at airports would discourage use of toxic ethylene glycol (which can be replaced by safer propylene glycol) and assist communities and scientists in monitoring potential ethylene glycol exposure and performing research on the potential effects of ethylene glycol exposure.

**Action:** It's not too late to tell EPA Administrator Carol Browner that you object to the use of ethylene glycol and want to ensure that when facilities use toxic ethylene glycol, communities need to know about such chemical use. There is also a petition pending to remove ethylene glycol from the TRI list altogether. Tell Administrator Browner that ethylene glycol must not be removed from the TRI. Write: Environmental Protection Agency, Mail Code 1101, 401 M Street, SW, Washington, DC 20460. Contact Adam Roberts at AWI if you need additional information or would like a copy of AWI's statement to the EPA. 🐾

# US Reverses Course on Indian Tribe's Proposed Whaling

In the face of overwhelming opposition, the United States delegation to the International Whaling Commission (IWC) was forced to withdraw a controversial proposal to allow a Washington state Indian tribe to kill gray whales. The plan had formidable weight behind it—the Clinton administration made the Makah proposal its overriding priority during this year's IWC meeting in Aberdeen, Scotland in June.

Citing cultural need, the US was seeking a five-whale quota under the IWC's "aboriginal subsistence whaling" category for the Makah, who have not hunted whales for 70 years. The proposal claimed that a resumed whale hunt was in the best interests of the entire tribe and would alleviate economic and cultural malaise through a revival of its whaling heritage. In reality, however, the planned whaling was only supported by a small minority within the tribe, who allegedly were planning to make the whale hunt a commercial enterprise—worth an estimated \$2.5 million annually—by selling the meat to Japan.

According to Rick Spill, AWI's Marine Mammal Research Analyst, "IWC rules require that any community wishing to undertake aboriginal subsistence whaling must demonstrate a continuing, traditional dependence on whaling, both cultural and nutritional need, and the non-commercial nature of the hunt."

Only pro-whaling members of the tribe were appointed to the US delegation, but countervailing forces brought two other Makahs, Alberta Thompson—who is a tribal elder—

and Dottie Chamblin. They revealed how undemocratic the decision to resume whaling had been, how suspect the plan's motives were, and the fact that it was not supported by the Tribal Council nor by the majority of the tribe.

Two days before the end of the IWC meeting, US Representative Jack Metcalf (R, WA) introduced a resolution condemning the planned whaling in the House Resources Committee, which passed it unanimously. It read:



Alberta Thompson



Dottie Chamblin

Whereas, the Makah tribe in Washington state has announced its intention to hunt the gray whale;

Whereas, the gray whale was removed from the endangered species list only two years ago;

Whereas, 13 native groups in Canada have indicated their intention to resume whaling if the Makah Tribe hunts the gray whale;

Whereas, seven elders of the Makah Tribe strongly oppose the proposal and fear the hunt will become a commercial enterprise;

Whereas, the US delegation to the International Whaling Commission, appointed by the President, supports the plan to kill gray whales;

It is the sense of the Committee on Resources that the gray whale should be protected and that the position taken by the US delegation at the Whaling Conference is strongly opposed by the Committee on Resources.

The resolution was the last straw for the Makah proposal. The embarrassed US delegation withdrew it the next day, asserting, however, that they will propose it again in 1997. 🐾

## More IWC Notes

Norway's brash, arrogant chief whaler, Steinar Bastesen, called Aberdeen "The most positive meeting for Norway in many, many years."

"Japan and Norway returned jubilant," BBC Wildlife reported in a disheartening dispatch in its August issue, "comfortable in the knowledge that once again whaling is being regulated by the whalers." Hyperbole? Let's see:

- Whale advocates lost a battle to outlaw the electric lance, which is used by Japanese whalers in the Antarctic. New Zealand and Great Britain, to their credit, introduced a resolution outlawing this extremely cruel, ineffective implement, but the resolution failed to achieve the required 3/4 majority. Japan and its inseparable allies managed to prevent the adoption of a humane resolution, ensuring that whales will continue to suffer.

- Though the IWC rejected Japan's request for a "small type coastal whaling" quota for some communities it claims have been economically ruined by the commercial whaling moratorium, the Commission agreed to study the request further.

- Norway succeeded in convincing the Scientific Committee to accept its estimate of the population of minke whales in the Northeast Atlantic, despite eminent scientists' questioning of the validity of the estimate. The population counts, on which Norway bases its self-allocated quota, have been found to be vastly overestimated in the past (see the Summer 1995 AWI Quarterly). 🐾

## IWC ACKNOWLEDGES ENVIRONMENTAL THREATS TO WHALES, VOWS TO PROTECT SMALL CETACEANS

by Jenny Lonsdale

Despite the gray Scottish skies over Aberdeen and the difficult issues that arose during the meeting, it was not all doom and gloom—there is hope for the whales.

It is encouraging to see the Commission move further towards becoming an effective conservation convention. IWC initiatives on whale watching and studying the effects of environmental change on whales demonstrate that management of whale stocks does not need to include lethal exploitation.

The reports and recommendations of two IWC workshops examining the effects of environmental change on whales have resulted in the establishment of a permanent Standing Committee within the IWC Scientific Committee to continue these studies on a long-term basis.

The Commission has accepted that it must learn how global warming, ozone depletion, pollution, overfishing, noise, habitat disturbance etc. will affect whales, dolphins and porpoises. Calculating a "safe" whaling quota can no longer rely on population size alone. The Environmental Investigation Agency and many other organizations believe that the moratorium on commercial whaling must remain in place for at least the next 50 years to allow time to study and understand these changes so that we can attempt to mitigate them.

Despite strong opposition in the past, there is ever increasing acceptance that the IWC must address the plight of the smaller whale species. A resolution was passed unanimously, giving greater direction to the work on small cetaceans by the IWC Scientific Committee. 🐾

Jenny Lonsdale is a director of the Environmental Investigation Agency.

# Pet Protection Legislation Considered by House Subcommittee

*Concerted Efforts to Prevent Theft of Cats and Dogs for Research Are Gaining Ground*

On August 1st a hearing was held before the House Subcommittee on Livestock, Dairy and Poultry on legislation to stop the sale of pets to laboratories. Chairman Steve Gunderson (R, WI) opened the hearing, stating "I, along with most Americans, feel a deep attachment to the pets we own. The thought of these animals in research laboratories is understandably upsetting." Among the audience in the hearing room was Danny, a Norwegian Elkhound who was stolen from his owner's truck and



J.D. Beary

Danny, a dog who was stolen and sold for research, then rescued, with his owner Karyl Parks.

was sold to a laboratory; luckily, he was rescued before being used in an experiment. Danny's presence was poignant for Gunderson, whose parents' Norwegian elkhound was also stolen but never recovered.

Representative Charles Canady (R, FL), who introduced the legislation, entitled the Pet Safety and Protection Act of 1996 (H.R. 3398), explained, "I have simply attempted to provide a solution to the problem of stolen cats and dogs ending up in laboratory experiments as a result of the misdeeds of unscrupulous Class B random source animal dealers. Medical research is of great importance, but it should not be undertaken using family pets that have been snatched up and wrongfully taken away from the families that love them."

Michael V. Dunn, the US Department of Agriculture's (USDA) Assistant Secretary for Marketing and Regulatory Programs, stated that USDA supports the intent of the legislation and testified at length about the problems his department faces in regulating Class B dealers. He told the Subcommittee that of the 89,420 dogs used in research last year, 50% were purpose-bred. Of the other 50%, half came from pounds or shelters. Dunn said, "The remaining 25% of these dogs—about 22,000—were obtained from...the approximately 50 Class B dealers who provide random-source animals to research facilities."

Dunn focused on the difficulty of determining the sources of animals from Class B dealers, who are notorious for inadequate or falsified records. He stated USDA conducted a "traceback" project to try to gauge the problem, and found recordkeeping problems with 52% of the dogs traced. "Recordkeeping inaccuracies severely preclude complete tracebacks of animals and consume a large share of our inspection resources," Dunn said.

Representative George E. Brown, Jr. (D, CA), a cosponsor of H.R. 3398, decried "the cloak of secrecy that seems to protect Class B dealers from necessary scrutiny." He stated, "It would seem on the face of it that eliminating Class B dealers would both save money to the department and eliminate one level of regulation."

In response, Secretary Dunn stated, "It would eliminate one heck of a headache for us in some areas." He noted that those dealers who falsify records make tracebacks extremely difficult. "Every time we develop a new way to look for something, they develop a new way to hide it."

Norman Flint told how the man who answered his "free to good home" advertisement turned out to be a dealer who sold Flint's dog Bear to a research facility where he died during a heart attack experiment. Flint's other dog, Wiggles, was kept in

miserable conditions at the dealer's facility until he was rescued, weighing 90 pounds less.

A panel comprised of three individuals selected by the National Association for Biomedical Research spoke in support of random source dog and cat dealers. In a tactic used all too often by defenders of the status quo, none of the panel members focused on the issue at hand. Rather than discussing whether or not the legislation would solve the problems associated with Class B dealers, they gave lengthy dissertations on the importance of medical research, and of using dogs and cats in research.

The opponents of the legislation carefully avoided reference to the dealers their institutions use to supply them with animals. In fact, following the hearing we attempted to find out which Class B dealers they used. Despite our requests to numerous individuals at both Wayne State University and Rush Medical College, they have yet to provide us with a single name. The only information we did get was that Wayne State University uses three different Michigan dealers. According to our files, each of the three Class B dealers in Michigan who supply animals to laboratories have been cited repeatedly by USDA inspectors for apparent violations of Animal Welfare Act regulations. In May, one of these dealers was fined \$16,000 for failure to provide adequate veterinary care and maintain required acquisition and disposition records.

Coincidentally, in citing examples of severe animal suffering on dealers' premises, Dr. F. Barbara Orlans, a scientist who spoke in support of H.R. 3398, quoted a 1994 USDA inspection report of this same Michigan dealer's facility, which reported that one dog "was shaking, labored breathing and coughing," another dog "was emaciated and very depressed," and another "had bloody diarrhea that was not detected or treated."

Dr. Orlans also read a statement submitted by Dr. Robert Whitney, former director of the Office of Animal Care and Use at the National Institutes of Health:

Over the past 25 years I have been involved in the development and update of most of the federal policies and regulations governing appropriate care, use, and welfare of animals used in biomedical research. This experience has led me and many of my colleagues to believe that our inability to guarantee the quality of procurement and care of animals from Class B dealers creates many problems in public perception for the biomedical research community, and potentially in the research itself. Despite the small number of animals obtained from these sources, their use portends many more problems than the benefits which might be derived.

The continued existence of these virtually unregulatable Class B dealers erodes the public confidence in our commitment to appropriate procurement, care, and use of animals in the important research to better the health of both humans and animals.

This bill, H.R. 3398, is a moderate, sensible approach which will continue to provide access to dogs and cats for research, while helping to allay our public benefactors' concerns about research animal procurement and care. 🐾



J.D. Beary

Michael V. Dunn and Patricia Jensen, the current and former Assistant Secretary of Agriculture for Marketing and Regulatory Programs. Both testified on the importance of preventing pet theft.

## Gorilla Helps Fallen Child, Warms Human Hearts

Binti Jua, an 8-year old lowland gorilla who lives at the Brookfield Zoo outside Chicago, achieved overnight stardom when she carried an unconscious toddler, who had fallen into the zoo's gorilla enclosure, to safety. Binti, with her own infant clinging to her back, cradled the injured child in her arms and brought him to an access door.

Since the August incident was captured on grainy amateur video, the story of Binti's gentle altruistic act has spread worldwide—perhaps helping to chip away at the popular conception of the great apes as ferocious killers. She has received an outpouring of mail, including gifts of bananas, flowers and ice cream.

There have been numerous instances of apes helping humans, notably Jambo, a silverback gorilla who, when a boy had fallen into the gorilla enclosure at England's Jersey Zoo, stood protectively over the child, stroking his back.

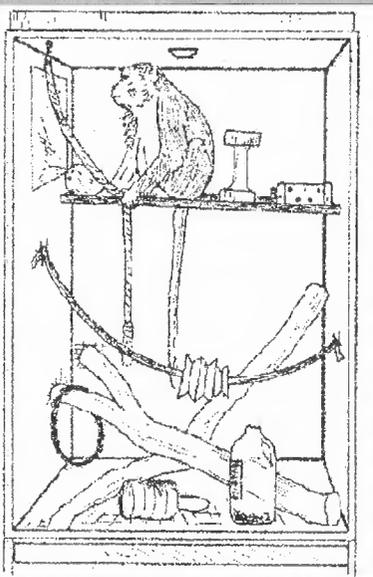
Early in Binti's life she had close contact with humans, including the 1988 encounter pictured above, in which she met an equally curious, though comparatively hairless, primate—2-year-old Jennifer Bailey. 🐾



AP/Wide World Photos

## Better Caging Eases Transition to Larger Quarters

Cobie Brinkman



A macaque in a cage with toys. Note that he can sit on the perch without his tail touching the floor.

Captive non-human primates suffer physiologically and psychologically from close confinement. Australian researcher Cobie Brinkman gives some interesting ideas toward ameliorating this in "Toys for the Boys: Environmental Enrichment for Singly Housed Adult Male Macaques," published in the *Laboratory Primate Newsletter*, April 1996.

The cages Brinkman's "boys" occupied until recently allowed the animals walking and climbing space, room to stand bipedally, a place to perch comfortably, and walls made of climbable mesh rather than vertical bars (see figure).

"The cage has almost twice the floor area and is 50% higher than the U.S. equivalent for animals this size," Brinkman writes. "While this size may still not be adequate, it has kept the animals in good physical condition."

"When transferred to their present quarters, where space is increased four to eight times, the motor weakness and incoordination seen by others... when conventionally singly caged animals were given access to a large exercise area, were absent." Brinkman notes that the animals who suffered these motor problems had been housed in cages of "the standard NIH size, which no one would call generous!"

### **Olfactory Stimulation as an Environmental Enhancement**

In another interesting finding of Brinkman's paper, monkeys were given lightly rinsed shampoo bottles, and the animals were extremely interested in smelling and playing with them. "The interest shown in fragrant bottles indicates that olfaction, hitherto largely neglected as enrichment, warrants further attention." 🐾

## STUDY SHOWS MONKEYS THRIVE WHEN THEY CAN DIVE AND SWIM

A swimming pool provides captive monkeys with a much-needed opportunity for play and stress reduction, according to a recent article in the scientific journal *Animal Welfare*.

In "Diving and Underwater Swimming as Enrichment Activities for Captive Rhesus Macaques," Dr. James R. Anderson and Drs. A. Rortais and S. Guillemeine illustrate that providing a pool for monkeys can greatly increase play activity and reduce social tension.

The study's subjects were "highly motivated to dive and swim," and just before and after water-related activity they were substantially more playful than usual: "Play showed a tenfold increase in the presence of the pool." For example, according to the article, "One monkey would leap out of the water and immediately be contacted playfully by another... a subject would leap out of the water and grab onto a swing or an elevated horizontal tree-trunk and engage in acrobatics."

Boredom-induced neurotic behaviors, such as cage manipulation and excessive grooming, appeared to be noticeably reduced, as was violent behavior. "The provision of a small swimming pool for captive macaques is an effective contribution to improving their welfare." 🐾



# Who Protects Our National Forests?

By Victor Rozek

In the 1950s, one could fly across this nation and never see a clearcut. Now clearcuts are the dominant feature of most of America's 165 National Forests. Clearcutting is the practice of stripping every living thing from a large—sometimes immense—forested area. Marketable trees, usually a single species, are removed. The rest—young trees, unmarketable species, ferns, mosses and other understory vegetation—are bulldozed into massive piles and burned. Scorched earth forestry.

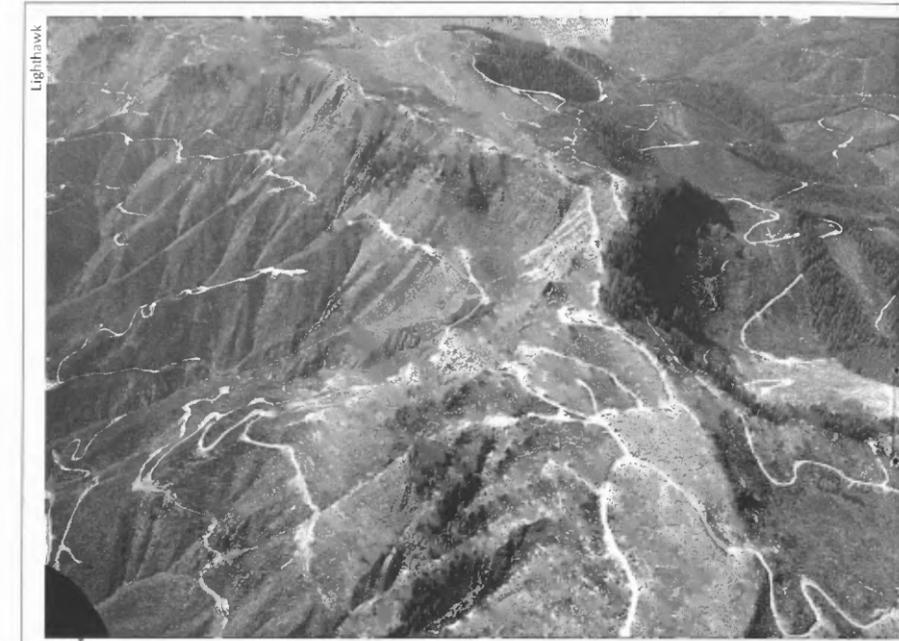
The accompanying picture is of a massive clearcut in the Olympic National Forest in Washington. Mountain after mountain shorn of trees. An ancient forest converted to a biological desert. The Forest Service absurdly calls this the Shelton Sustained Yield Unit. Weyerhaeuser, the self-proclaimed tree growing company, is responsible for a 48 square-mile clearcut in Oregon's Middle Santiam region, a fragment of which is pictured here. The Weyerhaeuser clearcut is on private lands, but it is no less egregious for that. These logging operations are vast enough to register on satellite images from space. Habitat destruction on a Wagnerian scale.

There is, however, a critical difference between these two ruinous acts: *the former was wholly preventable because it occurred on public lands*, lands that belong to all Americans and should not, the National Forest Council believes, be managed with enormous tax subsidies for the benefit of the timber industry.

Why protect public lands? Because more and more species are becoming rarer and rarer, and because habitat is critical to wild animals' welfare. The timber industry is well aware of the connection and in 1995 tried to unlink what nature has linked together. Industry lawyers, attempting to eviscerate the Endangered Species Act, argued before the court that, in their view, the destruction of habitat did not equate to the taking (killing) of an endangered or threatened species. They implied that if the forest floor was not littered with grizzly bear, spotted owl and marbled murrelet carcasses, no harm was being done to them. The court disagreed.

Preserving habitat is especially vital because we no longer have enough. Simply stated, animals need space, and bigger animals need bigger space. Undisturbed space, however, is itself a rarity and habitat is frequently hemmed in by arbitrary lines drawn on maps. Roads, strip malls, cities, towns, golf courses, farms, airports, and other manifestations of human habitation bisect ecosystems. As animals compete for a shrinking habitat base, populations correspondingly dwindle, many to precarious pre-extinction levels of rarity.

Animals that survive in designated wilderness areas may not survive long. William Newmark, a biologist, studied 24 National Parks in the western United States and southern Canada. He found that



even our largest National Parks did not provide enough range of habitat to secure viable populations of larger mammals. Parks encompassing hundreds of thousands of acres still suffered extinctions. The smaller the park, the greater the likelihood of species loss. Lassen Volcanic National Park in California, a relatively small reserve of 106,000 acres, supports far fewer species than it had when the park was established in 1916.

If survival is linked to size, the 191 million acres of public forest and range land may provide a solution. Currently, these lands are managed by federal agencies for the pleasure of mining, grazing, and logging interests. But a strong grassroots movement is seeking to reclaim and protect public lands and break the stranglehold extractive industries have on Congress and federal land management agencies.

Five years ago, the Native Forest Council shifted the forest debate. It did not ask: How much more should we cut? Or: How can we log better? It asked: Should we be logging public lands at all?

One would think that such a fight would be led by any number of national environmental organizations with multi-million dollar budgets and paid, professional staffs. Not so. In fact those groups often stand in opposition. Timidity, the desire to protect their political insider status, fear of being labeled as radical, fear of losing corporate financial support; the reasons are many, and although the national groups bark for better logging and less logging, until this year none supported an outright end to the exploitation of public lands.

There is an equilibrium, a homeostasis that has developed between industry, government and environmental groups. They frequently bark at each other, but it is understood that greens, at least, are not allowed to bite. Mild and meek, greens reserve their passion and ferocity for fund raising appeals. They have not become a political force, because they stand for nothing for very long, each position nego-

table, each conviction mediated. When a group comes along that is willing to bite, to stand its ground and speak truth to power, it upsets the equilibrium.

The vision of fully protecting and restoring the integrity of public lands was provided by the grassroots when the NFC expanded its mission to protect America's native forests and began to advocate what it called a Zero Cut policy for public lands. No more industrial logging, not one stick. At the time, Zero Cut was thought to be "radical" and "politically unrealistic," but as the economics and the ecology of the forest issue became clear, the concept garnered support.

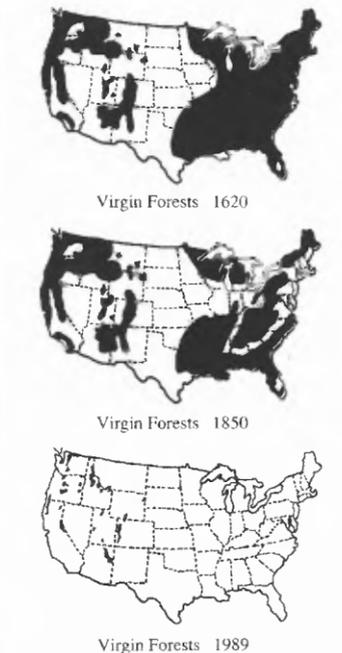
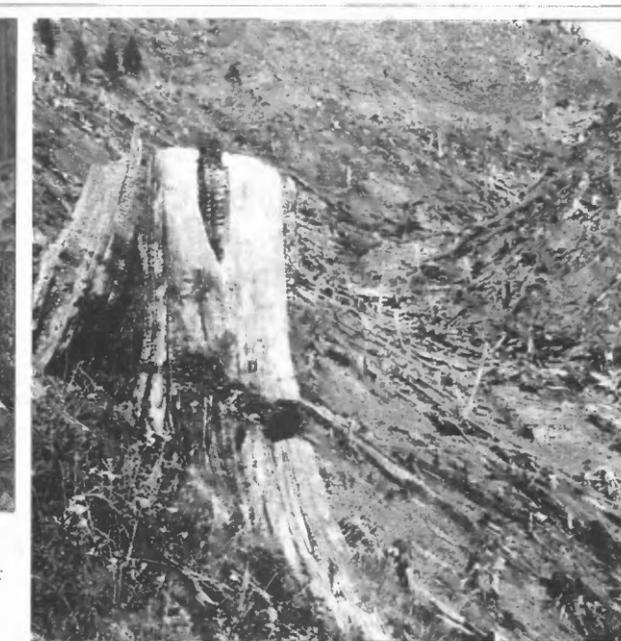
The public, the NFC noted, pays billions of dollars to cut down their own forests, then billions more to mitigate the impacts of industrial logging: decimated fisheries, fouled watersheds, landslides, flooding. Further, there is no need to log public lands since more than an adequate timber supply can be obtained from private lands. So excessive is the logging that, according to the Department of Commerce, nearly half of everything cut in the West, from both private and public lands, is not used domestically but exported.

The NFC also argued that the economics used to justify public land logging are fraudulent. The Forest Service assigns no value to standing forests, nor does it consider the replacement cost of a resource that, under ideal conditions, would take hundreds of years to restore. So cheaply does it hold the public's forests that in Alaska, the Forest Service sold 200-year-old trees for under \$2.00 each. No private grower could hope to compete with such taxpayer-subsidized largess.

Besides providing critical wildlife habitat, the NFC argues that standing forests provide a portfolio of vital services to the human community; services which cannot be duplicated and whose worth is also ignored. Forests are the primary providers of air and water. Forests act as the lungs of the earth. They



Above: Tim Hermach, director of the Native Forest Council. At left and right: clearcuts in the Pacific Northwest.



filter and store water in winter and spring and release it gradually during dry seasons. They abate flooding, and moderate the climate. Forests are a source of medicines and wild edibles. They spawn abundant fisheries, provide recreational opportunities and spiritual renewal. These services are priceless and necessary for our survival, yet they are consistently subordinated to commodity timber extraction—a short-sighted and foolish policy.

Ecologically, it is clear that America's forest ecosystems are unraveling. The best science recommends not only a cessation to industrial logging, but a major program of restoration. Watersheds, fisheries, and the forests themselves riddled with clearcuts and logging roads, need protection and renewal. Complex, multi-species, multi-aged ancient forests have been converted to single-species, even-aged tree farms. The system is biologically impoverished. In a systemic sense, National Forests—specifically those portions in the timber base—are no longer forests at all, and haven't been for a long time. Ninety-five percent of America's original native forest base is gone. Outside of a few scarce roadless areas and occasional patches of old-growth, all that remains are clearcuts interrupted by sorry clumps of young, even-aged trees, each square mile of forest bisected by three to four miles of logging roads. There are over 360,000 miles of logging roads crisscrossing our National Forests—more than 17 times the length of the entire interstate highway system.

The forests have simply been converted to fibre factories. Over time, the values of standing forests became ancillary and were replaced by factory values. And the obligations of stewardship were replaced by public relations.

Factories, after all, do not produce clean water and fresh air. Factories are not expected to moderate the climate and abate flooding. Factories do not shelter wildlife. Factories can salmon, they are not its natural habitat.

The native Forest Council offered a five part program, in the form of draft legislation, to address the forest crisis.

- Stop all commercial logging of public lands.
- Restore watersheds and native biodiversity to those portions of our National Forests which have been converted to tree farms.
- Save American jobs by discouraging exports of raw materials. Institute an inverse excise tax which would penalize the export of raw logs or minimally process timber, and reward the export of finished goods.
- Eliminate logging subsidies and use the savings to support transitioning timber workers and communities.
- Hold government workers accountable for enforcement of environmental laws, with fines, loss of job and imprisonment when lawlessness is flagrant and deliberate.

The NFC is currently working to gain support for the introduction of such legislation in Congress. Progress has been exceptional. Five years ago, no one believed it could be done. Now Zero Cut, largely due to the tireless work of the NFC, has been adopted by the Sierra Club. It is discussed in national publications, it is embraced by a growing grassroots coalition. Its time is now.

But the organization needs your help. Its rare willingness to strive and not to yield has lost it the financial support of conservative foundations. The NFC may have to close its doors or severely curtail its efforts if adequate funding cannot be found. Too radical? Too controversial? Perhaps. But women's suffrage was once radical; integration was once controversial. Nothing was ever accomplished by the timid. 🐾

Victor Rozek is the editor of Forest Voice.

Contributions may be sent to the Native Forest Council, PO Box 2190, Eugene, OR 97402; phone (541) 688-2600.

# Elephant Conservation: an African Perspective

By Susie Watts

AWI and the Environmental Investigation Agency are long-term allies in the fight to conserve elephants, first by backing African calls for an ivory ban in 1989 and since then by supporting the (so-far successful) efforts of the majority of African nations to maintain it.

However, the story goes much further back than that. In the days of the "great white hunter," the elephant was the most prized of trophies and stories abound of European hunters collecting the tusks of literally hundreds of elephants as they travelled around Africa. There are also stories of whole areas being denuded of elephants as a result of the uncontrolled greed of these hunters.

The ivory was exported all over the world, the elephants were dead and the African porters and trackers used by the hunters were left clutching the pittance that they were (sometimes) paid for their efforts.

If this scenario looks familiar, that's because it represents a pattern that was repeated decades later with the international ivory trade. Overconsumption, uncontrolled slaughter, status symbols for the foreign consumer and virtually no benefit for Africa or its people.

## Overconsumption

This is a factor which is never taken into account when the proponents of "sustainable use" try to argue their case for international ivory trade. Japan became a major consumer of ivory only when its economy took off in the late 1960s. More recently, the economic booms in Taiwan, Korea and other Eastern countries have meant a rapid increase in the consumption of wildlife products in general. Now, the meteoric rise of China as a free market economy spells disaster for the wildlife of the entire world unless consumption is curbed.

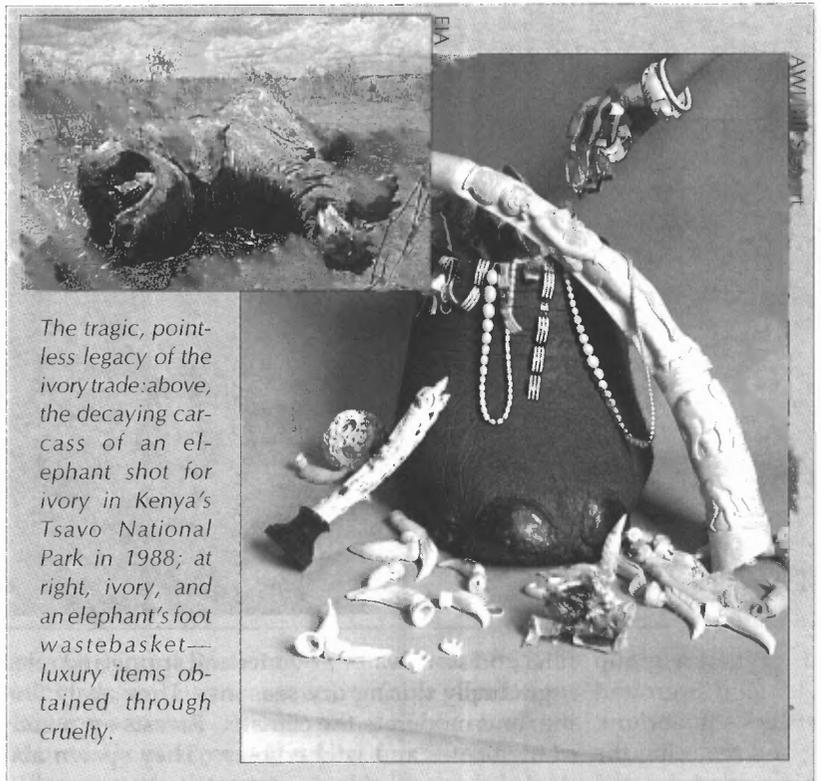
It is worth bearing in mind that, even if you could persuade 90% of all mainland Chinese never to consume another endangered species again, the remaining 10% would be equal to double the population of Britain. The last thing we should be doing is encouraging consumption. Incredibly, there is a naive belief in Zimbabwe that the country can establish and enforce a controlled market in ivory and rhino horn.

## Uncontrolled Slaughter

Regular *AWI Quarterly* readers do not need to be told how much damage was caused to African elephants by the international ivory trade. Between 1979 and 1989 the African elephant population had been halved, from 1.2 million to 600,000. Whole herds were wiped out indiscriminately, including tiny babies. By the end of the 1980s the weight of the average tusk in trade had dropped from 20 kilograms to 4 kilograms.

Despite years of so-called "sustainable use," it was estimated in 1988 that 94% of all ivory in international trade had come from poached elephants. East Africans warned of impending extinctions of some of their populations and were seen on television worldwide, imploring consumers to stop buying ivory. Even Zimbabwe, not normally known for admitting the possibility of defeat, predicted that the poaching was on its doorstep.

Since the 1989 ban, the carnage has stopped. There is, of course, occasional poaching, but to be able to talk in terms of tens



*The tragic, pointless legacy of the ivory trade: above, the decaying carcass of an elephant shot for ivory in Kenya's Tsavo National Park in 1988; at right, ivory, and an elephant's foot wastebasket—luxury items obtained through cruelty.*

rather than of thousands is a relief to all those, in Africa and beyond, who fought so hard for the ban and who are still fighting to prevent Zimbabwe from reopening the ivory trade. The indiscriminate slaughter could so easily begin again.

## Status Symbols for Foreigners

The story of the Far Eastern economic "miracle" is also the story of massive—and growing—consumption of wildlife products from all over the world: tiger bone from India, ivory and rhino horn from Africa and seal penises from Canada.

As economies grow, so does the desire to spend money on "luxury" items, and exotic as well as domestic wildlife is a major factor in this.

## No Benefit to Africans

One of the many myths being spread around by Zimbabwe about ivory trade is that impoverished rural Zimbabweans have lost a significant proportion of their income as a result of the ivory ban. This could not be further from the truth. The money which Zimbabwe used to earn from international ivory sales—and it was not very much—did not go to the rural communities. Like National Park "gate fees" and receipts from live wildlife sales, it all had to be handed over to the government.

Like the "great white hunters" before them, the ivory traders took the profits and ran. The massive illegal trade which sprang up alongside—and quickly dwarfed—the legal trade, simply gave rural Africans an incentive to poach. Thousands of elephants died every year. Alongside this, corruption grew, communities were disrupted, weapons became hard currency, children were orphaned and rangers died. So, too, did poachers. In the Zambezi valley of Zimbabwe, 200 men have been killed since 1984. Law-breakers, indeed, but poverty-stricken people nonetheless, tempted by the high price on the heads of dead elephants and prepared to get shot for it. This is the real

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legacy of the ivory trade: negative, pointless and disruptive.

The question, then, is how to approach elephant conservation in a way which conserves the species and which brings benefits to impoverished rural communities.

The history of commercial use of dead elephants shows that it has been of very little economic benefit to rural Africans, but the prognosis for live elephants depends very much on changes in the way we see elephant "problems."

## A Brighter Future

As I see it, the international conservation community is only just beginning to seek new ways of approaching long-term elephant conservation. Innovative ideas are surfacing in Africa now, and I think these will lead to radical changes in the way in which elephants are viewed. What works in one country, or one region, or one ecosystem, will not necessarily work in another. What we need is a wide diversity of ideas which can be tested and applied in appropriate circumstances.

First, there is the thorny question of crop raiding. While it is true that elephants can have a severe impact on crops, it is ludicrous to imply, as Zimbabwe does, that regular culling will solve the problem. In some regions it has been estimated that you would have to remove 50-80% of the elephant population in order to have any effect on crop raiding, and even then there is no guarantee. Crop raiding is a serious problem for some farmers, and the problem is made worse by the fact that it is used as a political lobbying tool by wildlife managers in Zimbabwe, a country which, incidentally, does not compensate its farmers for crop losses!

Some countries use electric fences, the strongest of which are said to be effective in keeping elephants off crops. In Zimbabwe, trials have been carried out involving sprays containing capsicum as a deterrent to elephants, which react badly to the scent. It is reported that these sprays worked well in trials but that further tests will need to be done to determine whether or not they are cheap, convenient and accessible enough for widespread use. In Tanzania, flares have been used to scare away elephants, although one can imagine that these may be of limited use on a large scale!

Some countries choose not to compensate for crop losses, citing their experience of "cheats" who claim for damage which has not occurred. Some maintain that perhaps the solution is to persuade farmers to accept crop losses in return for receiving benefits from the tourism. Some communities do precisely this.

For other elephant populations, the answer is thought to lie in the establishment of migration corridors. This will apply in areas where human settlement has not made it an impossibility, or where human settlers are prepared to accept incentives to move. There are, of course, very old migration routes established long ago by elephants, some of which are still recognizable. In northern Botswana, for example, old corridors can be seen from the air, as they are lined by Ilala palms. The Ilala palm nut germinates in an elephant's gut and, when passed out with

the feces, has a head start in terms of survival. For some countries, there exists the possibility of extending the elephants' range. A number of national parks in South Africa, for example, have been or are being extended to accommodate more wildlife in general and more elephants in particular.

A great deal of research has been done on elephant impacts on vegetation and there are increasing signs that many of the old assumptions about "irreversible damage" and about the need to maintain ecosystem equilibrium are being challenged by a new generation of scientists. Furthermore, a number of researchers

have suggested that, if left to their own devices, elephants will regulate their own numbers in response to the main determining factor—the availability of food.

The most humane way to regulate populations is the use of fertility control. Dr. Jay Kirkpatrick has had enormous success with keeping the feral ponies of Assateague Island in harmony with their environment by regulating the number of foals born each year. He is now leaving for Kruger National Park in South Africa with the requisite

drugs and darting devices to contracept some of the elephants. This important project is being conducted in cooperation with the South African parks and the government, which ended the culling of elephants earlier this year.

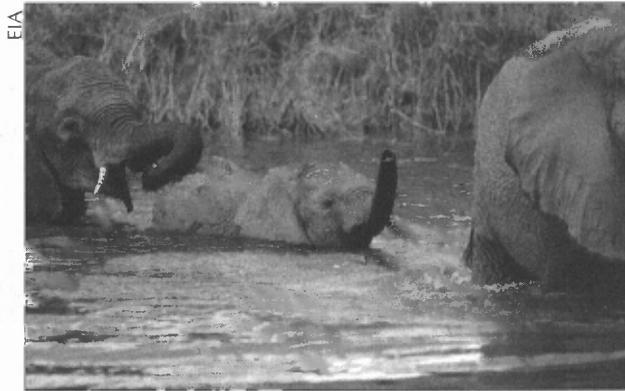
Finally, one of the most significant ideas coming out of Africa is that of establishing transfrontier parks linking wildlife habitat on both sides of an international border. South Africa is leading the way in this, with plans to establish links with Mozambique, Zimbabwe and Botswana. This will take time but, when it happens, the creation of vast protected areas of great biological diversity will allow elephants to move around much more freely.

Much of the world has given up the idea of ivory as a commodity. If the small minority of southern African countries still clinging stubbornly to the idea would just re-think the issue, it would release both brainpower and funding from the dead-end pursuit of ivory trade into what many regard as a much brighter, more dynamic and positive way of seeing the future for elephants. There is always an impressive array of creative and imaginative ideas coming out of Africa. Ivory trade is not one of them. 🐾

*Susie Watts, who has spent much of her life in Africa, covers African wildlife issues for the Environmental Investigation Agency.*

**Action:** Please write to the following representatives of African nations urging them to oppose efforts to resume the ivory trade:

- Mr. P. Shakie Kebaswele, Commercial Attache, Embassy of Botswana, 3400 International Drive NW, Washington, DC 20008; Phone: (202) 244-4990.
- H.E. Mr. Willie Chokani, Ambassador, Embassy of Malawi, 2408 Massachusetts Avenue NW, Washington, DC 20008; Phone: (202) 797-1007.
- Ms. Hatendi, Zimbabwe Tourism Office, 1270 Avenue of the Americas, Suite 412, New York, NY 10020; Phone: (212) 332-1090.



*The way it should be: Elephants cross from Botswana into Namibia, happily heedless of national borders.*

# CAMPFIRE'S RICHEST DISTRICT GOES BROKE

*Pro-Trophy Hunting Program Fails to Give Back to African Communities as Promised*

A system set up ostensibly to return the profits from hunting exotic wildlife in Africa to ordinary Africans has fallen on its face. The flagship Nyaminyami district of CAMPFIRE (the Communal Areas Management Plan For Indigenous REsources) is now broke despite earning \$600,000 per year from "wildlife use," i.e. trophy hunting of elephants and other much-sought-after game.

CAMPFIRE has been much touted for its claim that it will help African communities profit from "sustainable use" of their wildlife, and it receives substantial funding from American taxpayers through the US Agency for International Development (USAID)—to the tune of \$5 million annually.

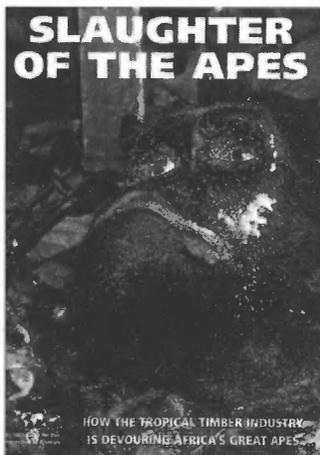
Officials of the Nyaminyami District, which had been used as a showcase for CAMPFIRE's success, now face serious charges of corruption in the wake of the district's financial

woes. The Harare *Sunday Mail* reported in July that "the council has suspended two senior officials while the chief executive officer is under police investigation of thousands of dollars that has left this rural authority on the lurch."

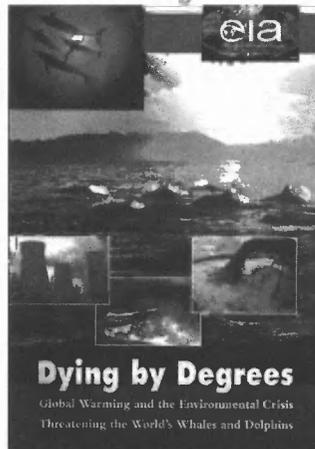
The council, which was launched to contribute cash to individual families as well as farming equipment and infrastructure improvements to entire communities, could not even afford to pay its own employees.

"Most of the case being investigated involved flouting of tender procedures, inflating invoices, using council funds for personal business and allegedly receiving kickbacks for granting illegal hunting rights," the *Sunday Mail* went on. "There were allegations that an officer recently received eight cattle and a councillor one beast from a safari operator so they could award a hunting contract." 🐾

## Recommended Reading

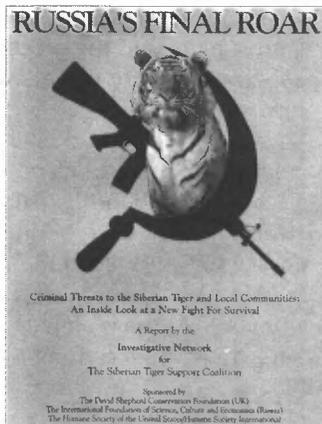


In "Slaughter of the Apes," the World Society for the Protection of Animals reveals how the tropical timber industry is devastating Africa's great ape populations. The companies do not supply food for their workers, who then depend on the trade in meat from wild animals. "Bush meat" hunters kill indiscriminately, and the meat is often that of endangered apes. Contact WSPA at 2 Langley Lane, London SW8 1TJ; phone (44) 171 793 0540.

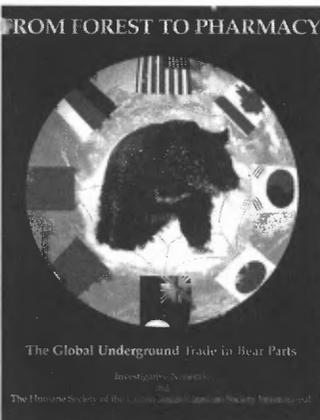
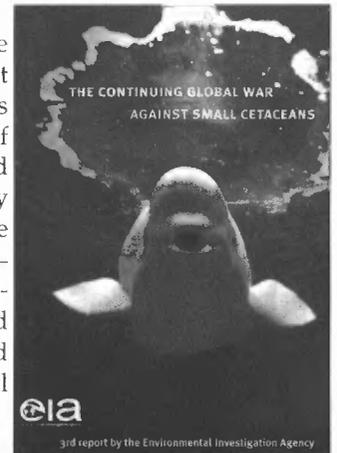


The Environmental Investigation Agency's report "Dying by Degrees" is an examination of the impact of global warming and environmental degradation on whales and dolphins. Drawing on evidence from the Intergovernmental Panel on Climate Change, "Dying by Degrees" argues for a 50-year extension on the current commercial whaling ban (see story, page 7). Contact EIA at 15 Bowling Green Lane, London EC1R 0BD; phone (44) 171 490 7040.

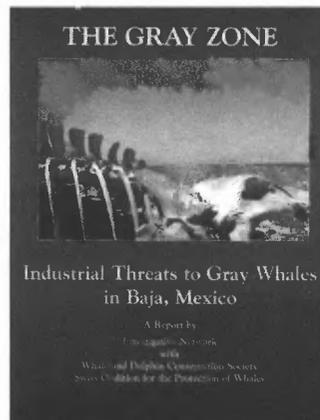
The Investigative Network has done admirable work in the Russian Far East, exposing the links between organized crime and the trade in the imperiled Siberian Tiger. "Russia's Final Roar" paints a picture of how poaching and habitat destruction has affected local communities while imperiling the tiger. Contact the IN at PO Box 73214, T Street Station, Washington DC 20007; phone (202)387-0028. (See story, page 19.)



In another incisive report, "The Continuing Global War Against Small Cetaceans," EIA furthers its extensive documentation of how small whales, dolphins and porpoises have been mercilessly hunted and harassed—to the brink of extinction in many cases—even as the slaughter of the charismatic great whales has slowed considerably. This is EIA's third report on the threats facing small cetaceans.



"From Forest to Pharmacy," also from the Investigative Network, examines the trade in bear parts, fueled by the Asian traditional medicine market. Bears—several from endangered species—are hunted relentlessly for their paws and especially for their gall bladders, which are worth more than their weight in gold. The underground trade is flourishing, and if unchecked it could extinguish many bear species.



"California gray whales," Katherine Hanly writes in "The Gray Zone," "were hunted to near extinction by commercial whalers, recovered against significant odds, and are again threatened by human activity." This report, available from the IN, explores how recklessly expanding industry in Baja, Mexico—particularly the salt, oil and gas industries—threatens this whale's tenuous hold on survival.

Since 1955, AWI has given the Albert Schweitzer Medal "for outstanding contributions to animal welfare." AWI President Christine Stevens says of 1996 recipient Henry Spira that he "epitomizes what animal protection can and should be." The following is adapted from Spira's talk at the award ceremony.

Thank you for the honor of receiving the Albert Schweitzer medal. What makes this award so special is getting it from people you admire, people whose guiding principle is to protect the vulnerable. As we all know, Christine Stevens is a superb and effective advocate for the animals on Capitol Hill, in the halls of Congress. I feel particularly honored in getting this award from Christine.

I see this as a collective award—you're only as good as the people you work with. I've always tried to work according to the philosophy of advertising legend David Ogilvy who operated under the principle of always working with people smarter than himself, and asking them, in turn, to do likewise. He would recall the well known Russian folk dolls which nest one inside the other. And observed that if each of us chooses to work with someone smarter than ourself we will become an enterprise of giants. I've been fortunate in having access to many people smarter than myself, and that's made all the difference.

I'd like to take this opportunity to share my thoughts on where we're at. Many of us are familiar with former New York mayor Ed Koch who used to walk the streets and never tired of asking: "How'm I doing?" That's not an uncommon question. It's asked in focus groups and in telephone surveys by everybody from politicians to toothpaste manufacturers. This is also a question we need to ask of the animal protection movement, "How are we doing?"

By some measure we've done very well. Since Peter Singer's *Animal Liberation*, there's been a total revolution in people's thinking. Thanks to the involvement of people like yourselves, there's an acceptance by the overwhelming majority of the public that the suffering of animals does matter. And over the past couple of decades, there's been an estimated 50% reduction in the number of laboratory animals used. There's a whole new scientific discipline of *in vitro*, non-animal toxicology which has entered the scientific mainstream. There's the public perception that the movement is enormously powerful and successful.

But, the reality is that this success has only impacted on 5% of the problem. And this is not recognized by the general public, nor by many activists. With regard to the 95% of animal suffering, things keep getting worse. If we look at the entire universe of animal pain and suffering, the gains of the 70s and 80s have only been a drop in the bucket. And as regards the eight billion farm animals, their confinement is becoming ever more intense and their numbers are massively increasing, because the US is now exporting the products of factory farming to foreign lands.

In the 1960s 2 billion farm animals were slaughtered every year. Now we're slaughtering eight billion. And in earlier years, their confinement was less intensive than it is now.

Unlike cosmetic testing, factory farming is not being massively challenged by the animal rights movement. Most of the animals are being kept out of the loop of our campaigns. I had assumed that after the lab animal victories there would be the farm animal victories, but it hasn't worked out that way.

We need to live up to the public's perception that we are fighting all animal suffering. The movement cannot claim to be relevant and successful while eight billion animals continue to suffer.

And in fighting against intensive confinement animal



Jenny Pike



Ann Cottrell Free

Above, Henry Spira, the 1996 Schweitzer Medalist, at the ceremony held June 27 in Washington, DC. At left, Jane Alexander, current Chair of the National Endowment for the Arts, poses with the first NEA Chair: AWI Treasurer Roger L. Stevens.

**Senator Charles Percy**, who gave the Reverence for Life Address at the Schweitzer Award ceremony, has long been a friend of animals and of the Animal Welfare Institute. He also presented the Schweitzer Medal for 1970, to columnist Bob Cromie.

Formerly the CEO and chairman of the board of Bell & Howell Corporation, Percy represented Illinois in the U.S. Senate from 1967 to 1985; has served as a delegate to the United Nations; and has received the UNICEF World of Children Award, among other honors.



Jenny Pike

agriculture, we are fighting not only to liberate farm animals. We are also fighting to protect our environment—the land, water and air. And we're protecting food for the billions by not wasting resources.

With this in mind, I would like to encourage the animal protection community to place more energies on factory farming and to take the necessary steps to address the massive suffering. To begin to knock zeros off the eight billion farm animals who live and die in misery. This gathering has the people who can make it happen. Who can make it possible to proudly answer the question of "How are we doing?" 🐾

Henry Spira is the Coordinator of Animal Rights International.

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# A Shocking Firsthand Account of Inhumane Treatment of Livestock

In March 1994, a Canadian trucker who transports farm animals for a living started writing to a group called Canadians for the Ethical Treatment of Food Animals (CETFA) about cruel and negligent transport conditions. Over the last two years, the letters have kept coming, documenting an appalling lack of concern for animal welfare in the animal transport industry. CETFA recently published the reports in a booklet titled "Operation Transport."

The trucker, who wishes to remain anonymous, gives a chilling account of handlers using electric prods on the rectums and eyes of animals, animals freezing to the sides of metal trucks, and crippled animals being dragged by chains or carelessly left in piles of dead animals.

Abusive animal handlers, whether they are employees of the stockyard, of the slaughterhouse, or drivers, frequently boast about their rough treatment of the animals. Few have any training in how to humanely load, unload, or transport the animals, and stubbornly resist correction. "Some feel they are tough cowboys who will tame these wild animals, no matter what it takes," the trucker wrote of his fellow livestock haulers. "They want to show the animals 'who's boss.'"

"Operation Transport" includes the story of a slaughterhouse worker who "dragged a live downer pig to the back of the top deck of the trailer and pushed it off to smash onto cement 10 feet below." "Problem—what problem?" one stockyard worker said of a horse that was whipped and goaded for 20 minutes while being forced to climb a steep ramp. "Nothing that

a little bit of coaxing with a whip and cattle prod wouldn't fix."

Livestock is often transported hundreds of miles across the vast Canadian plains. Temperatures can be brutally hot or miserably cold (reaching -70 degrees with the windchill), and the trailers in which the animals are shipped are very rarely heated or air conditioned. The sympathetic long-distance hauler in "Operation Transport" tells of a calf whose belly froze to a truck floor. The driver of that truck jabbed the calf with a prod before he realized she couldn't move. By the time he got help three hours later, she had been trampled and died from hypothermia.

This and other tragic incidents could be easily prevented by putting an adequate amount of straw in the trailers. The Canadian government routinely fails to enforce the requirement that sufficient straw be used to cushion the animals' ride, help keep them warm in winter, and absorb waste. The veterinary inspectors at weigh stations all too often give only the most cursory inspections of animal trailers. Sometimes, the drivers have to pay for straw, which often means that the animals go without enough—there is little incentive for the drivers to take the trouble to make the animals comfortable. Adequate straw piled in the trailers can also help keep animals' legs from slipping through vents and spaces between planks. Sometimes a limb will be sliced off if it falls through an aperture.

This trucker's eye view of appalling abuse and neglect in animal transport can be obtained from CETFA by writing to PO Box 18024, 2225 West 41st Ave., Vancouver, BC, Canada V6M 4L3; phone: (604) 261-3801. 🐾

## Letter to the Editor

### CANADIAN FARM ANIMAL TRANSPORT: REGULATED OR UNREGULATED?

Dear editor:

Readers of the *AWI Quarterly* who are familiar with animal welfare issues in Canada could be forgiven for being confused by the recent article "Deregulated Farm Animal Transport in Canada—The Animals Pay the Price" [Winter 1995]. The article claims the "transportation of farm animals in Canada is deregulated and clearly out of control."

That assertion is incorrect, as the transportation of animals is well regulated in Canada and Agriculture and Agri-Food Canada (AAFC) does not intend to deregulate this area of its mandate.

Four years ago, AAFC comprehensively reviewed its regulations. As part of that review, we asked Canadians to identify the regulations they found valuable and those that could be improved. Respondents cited the regulations covering the transportation of animals as worthwhile but emphasized the need for improved delivery of the federal humane transportation program.

In response to these comments, we restored previously reduced resources to the program and initiated a major review of the transportation of animals in Canada. The goal is ambitious: to create a shared, national quality assurance system for the transportation of animals in Canada that involves farmers, transporters, animal welfare agencies, receivers, provincial governments, law enforcement agencies, the veterinary profession, and the research community.

Over the past two years, we have consulted hundreds of interested Canadians, completed and distributed a "Discussion Document," and launched a one-year pilot project. This project includes several regional and national initiatives, including the development of a "Recommended Code of Practice" for the humane transportation of animals.

During the review, Canadians told us that a new system should include research and data collection, standards setting, training, and enforcement. Of course, enforcement will always depend on a strong regulatory base.

In Canada, the Health of Animals Act (1990) contains regula-

tions that define conditions for the humane transportation of all animals in Canada, by all means of conveyance. These conditions prohibit overcrowding, transportation of incompatible animals, and transportation of animals unfit to travel. They also specify proper facilities and methods for loading and unloading, adequate feeding and watering, good ventilation, maximum transit times, rest periods, and protection from the elements. The regulations also outline requirements for the use of proper containers and vehicles, appropriate space allocation, proper bedding, and medical care for animals in transit.

Our inspectors regard the enforcement of these regulations very seriously. All formally reported incidents of inhumane transportation in Canada are investigated. These investigations often lead to prosecutions and significant fines. As a further incentive for compliance, all successful prosecutions are published and notices are distributed to major print and broadcast media.

Nevertheless, we believe that prevention is ultimately preferable to prosecution, and that the creation of a shared national quality assurance system for the humane transportation of animals is potentially the best long-term tool for ensuring that animals are transported humanely in Canada.

This shared quality assurance system could place Canada among the world's leading countries committed to improving the welfare of farm animals. The animal welfare community in Canada can take a great deal of credit for its support of this initiative, which demonstrates that cooperation to identify and solve problems works better than the rhetoric of isolation and confrontation.

Ms. Harrison quotes a "sympathetic long distance hauler" in the article. An official from our Enforcement and Compliance Division in the British Columbia regional office met with two prominent members of CETFA to provide an opportunity that would have allowed the trucker to speak about his concerns freely with anonymity. We are always prepared to investigate any

*continued on next page*

# Humane Alternatives for Hog Farmers Come to US from Sweden

AWI is helping to import innovative Swedish pig farming methods, which take the animals' natural behavior into account and make their welfare paramount, into the United States.

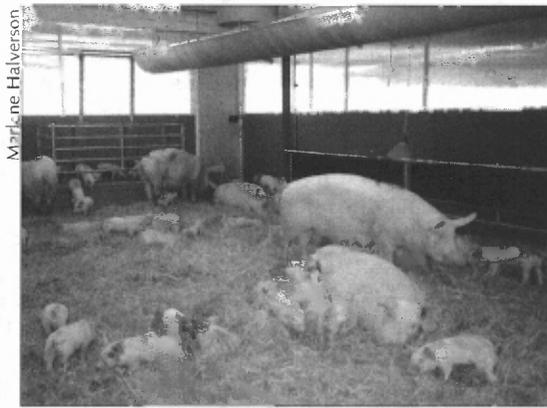
Pigs in the United States are all too often kept confined in crates that restrict their movements and prevent them from exercising or interacting with other pigs. Antibiotics are added to their feed to counteract the effects of close confinement.

The "Västgötamodellen," however, prescribes communal housing on deep straw beds. The composting action of the straw kills pathogens, enriches soil, keeps pigs warm in winter, and produces little or no offensive odor. This model enables pigs to perform most of their natural behaviors, and eliminates the need for expensive, harsh chemical feed additives to reduce disease and stimulate growth. It is both pig- and human-friendly, cost-efficient, and environmentally benign.

A perennial objection to group housing of pigs is that sows kept in close contact with their piglets will sometimes crush one when lying down to nurse. The conventional solution is to further restrict the movements of the sow and add barriers between her and her piglets. However, new research shows that sows need approximately 7.5 square

meters in order to clear a space and lie down to nurse. What is needed, then, is not less room to maneuver, but *more*—when the animals' natural behavior is understood.

Agricultural economist Marlene Halverson, a consultant to Iowa State University, took a group of Minnesota and Iowa farmers to Sweden in 1994 to study Swedish farmers' welfare-compatible alternatives (see *AWI Quarterly*, Fall 1994). In March 1996, Halverson organized a reciprocal visit of hog farmers and agricultural scientists from Sweden to the US, under the auspices of AWI and others. The group toured and gave lectures on humane alternatives to intensive confinement, including a stop at the Leopold Center for Sustainable Agriculture's



Pigs housed communally on deep straw at Tomas and Magnus Carlevad's farm in Sweden.

Swine System Options Conference.

The response of American farmers to the alternative model has been favorable and encouraging. After Bo Algiers (a veterinary ethologist with the Swedish University of Agricultural Sciences) spoke about the physiological changes that accompany a sow's nesting instinct, one farmer was overheard saying, "In the beginning I thought his ideas were pretty wild and far out, but by the time he finished speaking I saw the sense in what he said." 🐾

*continued from previous page*

verifiable incidents of inhumane transportation.

At Agriculture and Agri-Food Canada we feel that every Canadian who cares about the humane transportation of animals has a role to play in contributing to the creation of the new quality assurance system. I would strongly encourage that the Canadians for Ethical Treatment of Food Animals support this cooperative approach.

Yours Sincerely,  
Dr. N.G. Willis, Director General, Animal and Plant Health Directorate, Agriculture and Agri-Food Canada

*Tina Harrison replies:*

We are grateful to have the opportunity of responding to the letter by N.G. Willis of Agri-Food Canada in which he takes issue with my article on deregulation of farm animal transport in Canada. Since his letter is grossly misleading, it is crucial to examine the facts, one point at a time.

First, the issue of deregulation. In 1987 the federal Minister of Agriculture announced that "the transportation program was identified as one of the programs from which resources were withdrawn as a result of Government's efforts to reduce the budgetary deficit. All resources, including inspection staff dedicated to the enforcement of the transportation program, were therefore moved to other activities."

As a result of widespread criticism, one checkpoint in the entire country—West Hawk Lake in Manitoba—was restored and staffed for inspection purposes. For the rest of Canada, intransit surveillance of livestock went from a reduction of manhours, to complete elimination.

Each year the annual statistics of animals dead on arrival at slaughter has escalated in direct proportion to the numbers of animals processed. In 1994, over three million animals died in transit to federal abattoirs.

With the erosion of legal protection due to cost-cutting measures, unenforced paper regulations have, in effect, been replaced by Recommended Voluntary Codes of Practice, having no force of law, and administered by user groups that deal with violations privately within the industry.

It is nothing short of ludicrous to claim that all formally reported incidents of inhumane transportation are investigated. In British

Columbia alone, there have been exactly two "humane" prosecutions in a full two-year period, which—given the number of dead and "down" casualties—seems hardly adequate!

As for the review process presently underway, it is worth quoting from the Report of the prestigious Animal Welfare Foundation of Canada relative to a review conference which I also attended. The Report reads, "The running of the meeting and its organization gave me the distinct impression that any serious discussion was neither anticipated or encouraged. The committees involved with review of the Codes of Practice are effectively controlled by the industry, and the Ministry has evidently decided to turn over control of the transport of animals to the transport industry itself."

Hardly the mark of a regulated system.

Regarding protecting the identity of the long distance hauler who regularly reports to CETFA—never at any time has opportunity been provided that would guarantee confidentiality. The "two prominent members of CETFA" provided me with a detailed account of the meeting in question, which took place in Victoria on January 8, 1995. At that time, the official of Agriculture Canada, Mr. John Bouchard, suggested that the trucker could give the information anonymously to Agriculture Canada, although the many horrifying incidents witnessed and reported have not been investigated. It was suggested to Mr. Bouchard that he meet with me, as co-ordinator. He has not done so, nor has he ever made an effort to communicate with us. This hardly builds confidence in the good faith of the bureaucracy to protect a whistle blower within the industry.

It is not the first time that we have had to refute misinformation circulated at taxpayer's expense by defenders of a cruel and exploitive segment of the industry. Unfortunately it is not the sort of strategy that enhances the credibility of the Canadian government either at home or abroad.

Tina Harrison  
Co-ordinator, Canadians for the Ethical Treatment of Food Animals

Sources:

Deregulation: Letter of June 22, 1987 (Hon. John Wise, Minister)  
Statistics: "Species Found Dead at Registered Canadian Establishments."  
(Agriculture Canada)

Prosecutions: Agriculture Canada - "Prosecution Bulletins."

# STATE ANTI-CRUELTY LAWS TAKE GIANT LEAP FORWARD

By Ann Church

The animal protection movement is in the midst of an incredibly successful effort to improve our state anti-cruelty laws. All 50 states have enacted laws to protect animals from abuse and overwork. Many, originally enacted in the 1800's, have slowly been amended to keep pace with the changing times. But in the last several years, our success rate in improving these laws has been truly phenomenal.

Seventeen states have recognized the seriousness of cruelty to animals and have made it a felony offense. Thirteen of these laws have been enacted since 1989, with ten of those having been enacted since 1993! This year already Colorado and Arizona have made a first or second offense of cruelty a felony, and Utah increased its fine and jail term. Hawaii, Colorado, Maryland, South Carolina, New York, Arkansas, Alaska, Ohio, Vermont, Alabama and others are among the states also considering strengthening their laws. Clearly the momentum to provide additional protection is on our side and we expect to gain enactment of additional laws each year.

Willful and intentional animal abuse should be a felony offense because it is a flagrant act of violence few people will tolerate. Our society divides crimes into less serious offenses, such as vandalism, petty theft and shoplifting, which are misdemeanors; and serious crimes which cause humans great physical or mental harm or significant loss of property, which are felonies. When a mentally unstable individual douses a cat with gasoline and lights the animal with a match or beats a dog to death with a shovel, those are serious and violent acts and should be treated accordingly under the law. Not only did the animal victims suffer horribly, but the owner experiences the emotional devastation of knowing a loved one was tormented. Such acts should be considered a serious crime and should be a felony.

Those convicted of felony offenses serve their time in a state penitentiary and can be assessed major fines. In addition, their criminal records can be obtained by law-enforcement officials—an important consideration if an abuser moves from state to state. Misdemeanors are often removed from an individual's record after a period of time.

Unfortunately, prosecutors sometimes fail to press a cruelty case through the judicial process because it takes too much time for too little result. If the abuser is only going to be fined \$50 and receive no jail time, why devote the hours? A felony offense is taken much more seriously by all involved.

Anti-cruelty laws vary widely in their fines and jail or prison terms. Oregon has the strongest monetary punishment with its fine of up to \$100,000 and as much as five years in jail. In Louisiana, animal abusers can be sentenced to up to 10 years of hard labor and a \$25,000 fine. Both of these laws were enacted in 1995. In other states, the most common jail term is one-year maximum and up to a \$1,000 fine.

Michigan, Washington, Minnesota and Oregon laws allow the court to request psychological evaluation or counseling of a convicted abuser—at the abuser's expense.

Someone who has abused an animal shouldn't be allowed an opportunity to do it again or to take out his or her rage or frustration on another innocent victim. Several laws include language allowing the court to prohibit the abuser from possessing the animals he or she abused. Minnesota's statute goes an important step further by giving a court the option to limit the abuser's further possession or custody of other pet or companion animals for an open-ended period of time.

We also advocate passage of "cross reporting" laws which

require any social worker or animal control professional who encounters suspected violence to report it to the appropriate agency. In homes where child or spousal abuse exists, chances are pets in the household may also be abused. And in a home where the dog is routinely kicked or beaten, chances are good the children have received similar treatment. The more these two professions work together, the more violence can be prevented. A California law already exists to have animal control workers report child abuse. A bill was considered, but not passed, in Connecticut this year that would have covered both professions.

These good new laws are being enacted because we have successfully shown legislators that people who abuse animals may very well turn their violent tendencies toward humans. Ted Bundy, Albert DeSalvo, and Jeffrey Dahmer were just several of the serial killers who first abused animals before expanding their sadistic actions to humans.

The economics of handling a cruelty case can also be a factor in pressing the case. This is especially true in "collector" cases involving fifty to a hundred animals or livestock cases where large animals must be housed, fed, and given medical care pending trial. (The term "collector" is used to describe someone who amasses more animals than he or she can possibly care for. Such individuals generally refuse to acknowledge that the animals in their custody are suffering from neglect.) Missouri, Oregon, Connecticut, Kansas and Washington now have laws that require the person charged with cruelty—if he or she is also the owner of the animals—to post a bond to cover the costs of caring for the animals prior to the trial. Some shelters can go bankrupt if forced to house, care, and feed numerous animals for months or even over a year pending a trial.

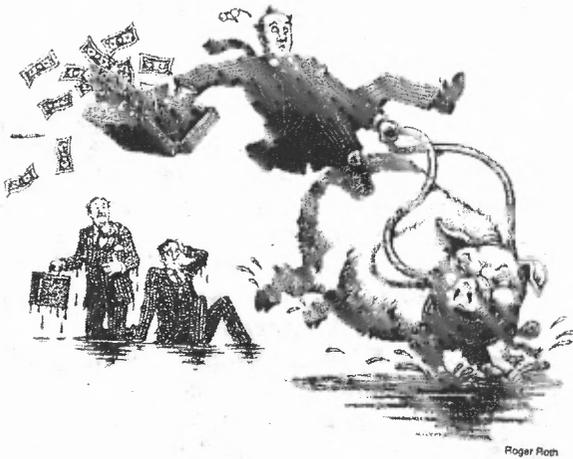
Senator William Cohen (R, ME) recently made a statement in the *Congressional Record* discussing this link between animal abuse and human violence and urging the Justice Department to study it more fully. Senator Cohen said, "Perpetrators of serious animal abuse often lack empathy and respect for life in general. The absence of empathy is often manifested by striking, torturing and abusing an innocent animal. Abusing animals is a despicable act, and psychologists and criminologists tell us those who lack empathy for animals may also lack empathy for humans. As a result they may be predisposed to other violent behavior."

Many children who become abusers were first victims of violence themselves. Abuse may be direct physical violence against the child, or psychological mistreatment. A beloved dog or cat may be cruelly treated or even killed by adults in order to hurt, punish, or intimidate a child who loves the pet. Sometimes seeing a pet mistreated is enough to make a child reject feelings of love, because they are so painful, and turn those feelings into cruelty against others. Former FBI agents Robert Ressler and John Douglas identified cruelty to animals as a keystone of the "homicidal triad" which also includes bed-wetting beyond the normally appropriate age and fire-starting.

Anthropologist Margaret Mead once observed, "One of the most dangerous things that can happen to a child is to kill or torture an animal and get away with it." Enactment of strong anti-cruelty laws give us a tool to prevent anyone, of any age, from getting away with causing harm to innocent creatures. 🐾

Ann Church is the Deputy Director for Government Affairs of the Humane Society of the United States.

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## MAMMOTH PORK FACTORY GOES BELLY-UP

Premium Standard Farms (PSF), a giant Missouri factory hog farming concern, has gone bankrupt after defaulting on more than \$325 million of junk-bond debt (see the Winter 1996 *AWI Quarterly*).

PSF's failure reflects particularly badly on the Morgan Stanley Group Inc., the New York financial giant that launched the venture. Morgan Stanley put its considerable weight behind PSF's ambitious plan to integrate all aspects of factory hog farming under one roof. It even gave the venture special

treatment: the *Wall Street Journal* reported in May that "Morgan offered the private placement of junk-bond debt to only a select few of the firm's top accounts."

Evidently Morgan Stanley's confidence was gravely misplaced. PSF's mass-production approach appears to be economically unsupportable as well as inhumane and environmentally destructive.

## LANDMARK ORDINANCE LIMITS FEEDLOT SIZE

Rice County, Minnesota's county commissioners have voted to curb the proliferation of massive factory farms by limiting size of feedlots to 500 "animal units" (for example, 1250 sows). AWI's farm animal consultant, Diane Halverson, noted that "the ordinance, intended to protect public health and welfare and the environment from large factory farms, has been tremendously controversial in the county," pitting supporters of restrictions on factory farms against hard-line agribusiness.

A moratorium on building new feedlots with more than 500 animal units had been in place for two years while the county worked out the details of the ordinance, which also strictly regulates the size and construction of manure storage lagoons and encourages the use of straw or other bedding.

While the new rules will likely be challenged in court, they set an encouraging precedent that factory farming can be successfully challenged at the local level. 🐾

## Russian Tiger Patrols Crack Secret Wildlife Trade Channel

A specialized Siberian tiger protection team called Department Tiger, together with Russian police, exposed and broke up a major underground wildlife trade route in August. According to the Investigative Network, which is a sponsor of Department Tiger, the illegal trade flourishing between Russia, China and perhaps other countries is linked to the Russian mafia and includes a flourishing traffic in small arms, as well as in dead Siberian tigers, which can bring up to \$60,000 apiece on the Asian black market.

Department Tiger's investigation, which began in May, culminated in the arrest of two traders, Alexander Shevchenko and Andrei Matishev, who were found to possess tiger skins and carcasses. The two men were operating separately along the same trade corridor. Vladimir Shetinin, Commander of Department Tiger, said "the arrest of Shevchenko, a major

trader we've been watching for months, disrupts one of the biggest tiger trading channels we've ever seen."

Steven Galster, Executive Director of the Investigative Network, said that "This recent bust will send a serious signal to the other traders who will hopefully realize that the cost of smuggling has just gone up."

The Siberian Tiger was perilously close to extinction in 1994 when Department Tiger, also known as Operation Amba, was launched. A population of this, the world's largest cat, had dropped from 400 to about 150 between 1990 and 1994.

The team was set up under the Russian Ministry of Environment and financed by foreign donors including the Investigative Network, Tusk Force, and the David Shepherd Foundation. 🐾

## BOOT COMPANY FORFEITS A MILLION DOLLARS' WORTH OF LIZARD SKINS

The US Fish and Wildlife Service reported that a recent investigation into illegal trade in exotic reptile skins resulted in the forfeiture of caiman lizard skins valued at over one million dollars, wholesale, from the Tony Lama Boot Company. More than 13,800 caiman lizards were sacrificed for the skins.

Included in the forfeiture were 907 pairs of caiman lizard cowboy boots and 2,554 pairs of boot vampers. In addition, a 15-count felony indictment for smuggling and violations of the Lacey Act was returned by a Texas grand jury against two people who sold the skins to Tony Lama using fraudulent export permits.

The caiman lizard (*Dracaena guianensis*) is an olive-brown lizard that inhabits the Amazon Basin of South America. The species is listed on Appendix II of the Convention on International Trade in Endangered Species (CITES). Their lustrous skins are prized in cowboy boots, which can retail from \$700 to \$1,000 per pair. Four lizards are used to make one pair of boots.

The investigation into illegal trade of reptile skins used in the leather boot industry was begun in 1993 by Fish and Wildlife Service law enforcement agents. The illegal trade of caiman lizard skins was initially traced through the Fish and Wildlife Service's computer database that records wildlife imports and exports governed by CITES. Fish and Wildlife Service agents and wildlife inspectors discovered that the US CITES permits and Mexican export permits were being fraudulently acquired and illegally used for the worldwide movement of caiman lizard skins and products. 🐾



A terracotta sculpture of a caiman lizard, by Sara Morris Swetcharnik (photo courtesy of the artist).

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# Sweeping Changes or Sweeping Under the Rug?

by Henry Spira

Does the recent announcement of sweeping new changes to meat inspection open opportunities to push the farm animal welfare issue onto the national agenda? Harmful bacteria kill more than 4,000 people a year and sicken five million. The new policy calls for a more scientific approach to detecting *E. coli* and salmonella in meat and poultry. But just like the old policy, the focus remains on dealing with effects and ignoring causes. It covers up the consequences of the stressful conditions in which this country's farm animals are raised.

Today's endemic disease in farm animals is not the natural order of things. One need only see the filthy and cramped environments in which today's chickens, turkeys, pigs and veal calves are raised to see the reason for the epidemic. When living beings are crammed indoors on a thick bed of fecal waste and forced to spend a lifetime choking on ammonia fumes, is it so surprising that the end result is diseased meat?

As the intensity of confinement has increased, so has the prevalence of food borne diseases. The direct relationship between stress and disease is well documented. In humans *and* other animals.

There's an urgent need to focus on the causes of these illnesses and on prevention. It is universally recognized that prevention is more cost effective and more conducive to promoting well-being than treating diseases after the fact.

Such a prevention campaign could begin by examining the connection between the escalating abuses of intensive confinement systems, the parallel demise of animal health

and the increase of food borne illnesses in humans who eat them.

While our ideal is the non-violent dinner table, we recognize that eating habits tend to change slowly. As long as people continue to consider animals as edibles, we need to relentlessly pressure industry and government to develop, promote and implement humane standards in the rearing, transport and handling of farm animals. Reducing farm animal suffering would benefit both the public and the animals.

There's another critical defect which remains unaddressed in the new procedures. The USDA is mandated, by law, to both assure the safety of meat and at the same time promote the meat industry. The futility of the government taking on conflicting roles was recently demonstrated by the ValuJet disaster. Just as in the case of aviation, the government cannot be an advocate for food safety while simultaneously promoting the meat industry.

Why the government should spend taxpayer dollars to market meat products for a multi-billion dollar industry defies logic. The health risks associated with a meat-centered diet are increasingly well documented. Would government money not be better spent in protecting public health? Current thinking seems to be that the government should get out of the business of promoting the airlines. It doesn't belong in the business of promoting meat either. 🐾

*Henry Spira, Coordinator of Animal Rights International, was awarded AWI's 1996 Albert Schweitzer Medal (see page 15).*



Diane Halverson

**World Wide Web users: be sure to visit AWI's new website at**  
**<http://www.animalwelfare.com>**



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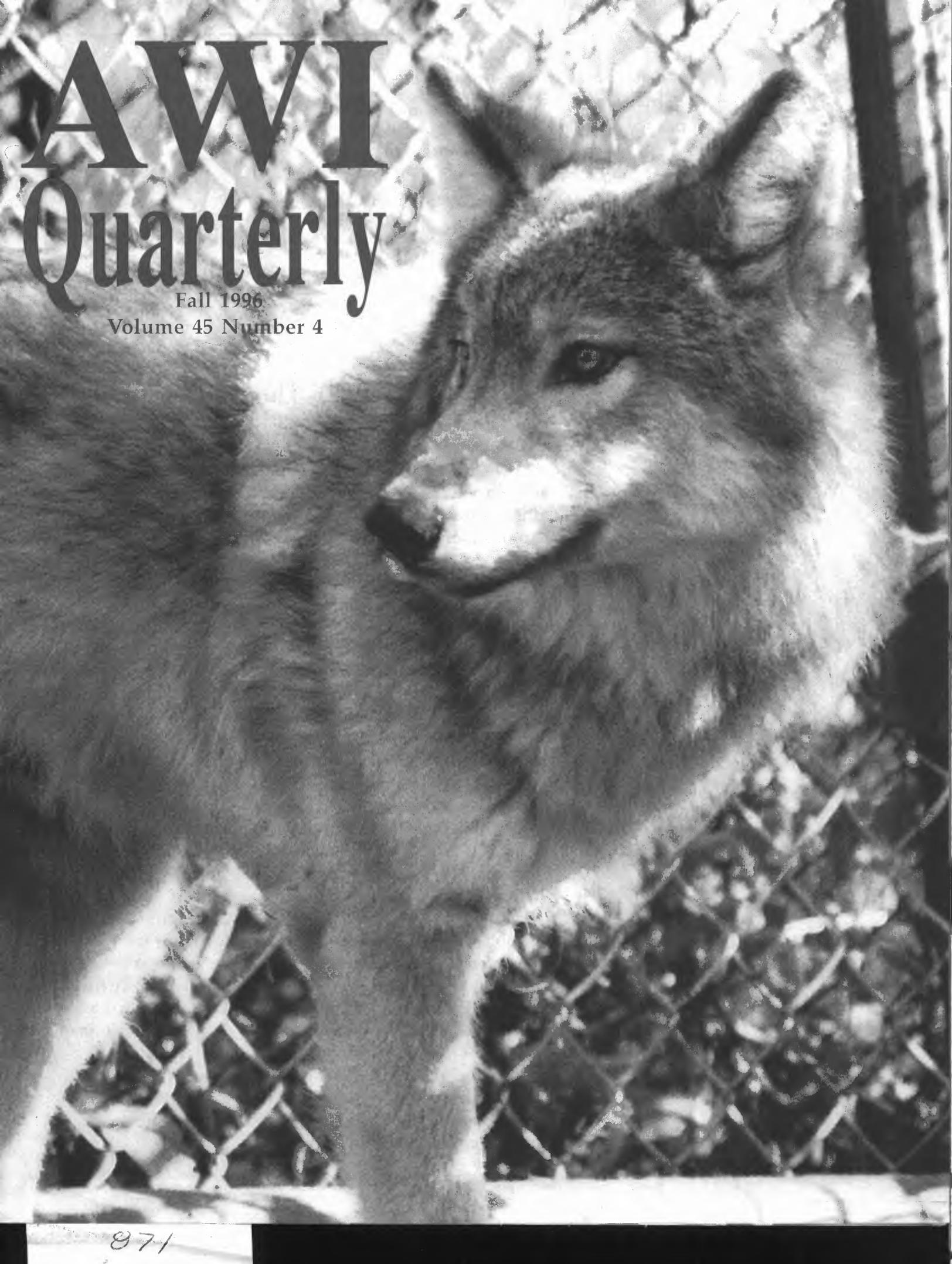
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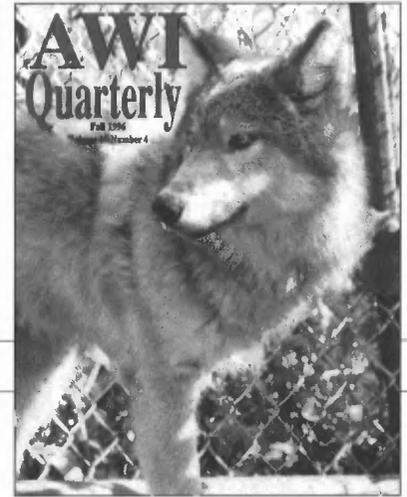
Fall 1996

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**Cover:** "Wolf Pup #46," who was caught in an enormous steel jaw leghold trap with sharp teeth—set by a trapper employed by the US Department of Agriculture's Animal Damage Control program, at the instruction of the Department of the Interior. His gangrenous left front leg had to be amputated to save his life (see story, page 8). Photo by Dr. L.A. Wolf/C.A.R.E. For Wildlife.



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## Zimbabwe Caught Flouting Ivory Ban

A panel of experts from the Convention on International Trade in Endangered Species (CITES) has accused Zimbabwean authorities of major violations of the global ban on ivory trade. The panel, composed of specialists on the African elephant, declared that Zimbabwe's law enforcement has been "grossly inadequate." Tons of raw, semi-worked and finished ivory have been illegally exported from Zimbabwe to the Far East. One huge shipment to Japan, containing 1,458 pounds of ivory, carved from 70 tusks and worth about \$90,000, was sent out under a "personal use" permit!

The CITES experts found that officials in Zimbabwe abused the law, circumvented it through issuing of "personal use" permits for commercial shipments (though these permits are supposed to allow only five carved pieces of ivory), and failed to prosecute violations seriously. Willis Makombe, acting director of Zimbabwe's national parks, said "I am told that there is information that Zimbabwe has exported ivory overseas. That is not true. If it is true, all we have said is that the Zimbabwe Republic Police and Interpol should investigate and whoever has done that will face the tune of the law."

Zimbabwe, which hosts the next CITES conference, is lobbying heavily to resume controlled trade in ivory. The panel that discovered the transgressions was investigating whether this intention is feasible: Zimbabwe has claimed it can harvest and export its ivory sustainably, but history—and the facts—tell us that legal trade in ivory would stimulate poaching, provide cover for smuggling, and resurrect the tragic slaughters of elephants that necessitated the 1989 CITES ban. The recent embarrassing findings should demolish Zimbabwe's hopes for a resumption of trade. 🐾



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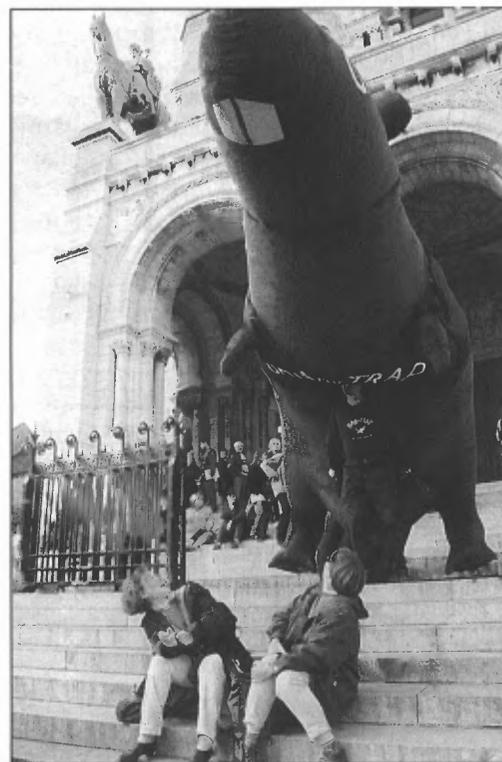
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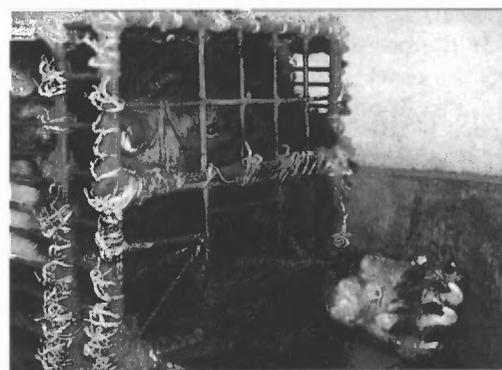
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### «Qu'est-ce que c'est?!»

Betsy Beaver, our 24-foot inflatable emissary to Europe, astonishes sightseers in Paris. Follow her on her whirlwind tour of the continent in support of the European Union's Regulation against leghold traps by turning to pages 6 and 7.



This poor bear, imprisoned on a Chinese bear gall "farm," can barely move and is implanted with a crude, painful catheter to "milk" bile. Horrific cruelty is inflicted on bears, both wild and captive, to supply the demand for bile in the Traditional Chinese Medicine trade. See related stories on pages 14 and 15.

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## Toxic "Cell from Hell" Associated with Hog Waste

An extremely toxic microorganism—capable of killing fish by the millions and seriously endangering human health—has been linked to waste from factory hog farms, according to the *New York Times*.

"Like something out of a horror movie, the cell from hell attacks its victims in gruesome ways, frequently changing its body form with lightning speed," wrote William J. Broad in the *Science Times*. "Armed with a voracious appetite and vast reproductive powers, the microscopic animal moves through coastal waters to kill fish and shellfish by the millions and to poison anglers and others, producing pain, narcosis, disorientation, nausea, fatigue, vomiting, memory loss, immune failure and personality changes. Its toxins are so deadly that people who merely inhale its vapors can be badly hurt."

Algal blooms known as "red tides" are fed by the runoff of nutrients in hog waste from factory farms, and in these blooms this opportunistic, deadly dinoflagellate—*Pfiesteria piscida*—thrives. Fish, shellfish and other marine life are poisoned in droves in coastal areas, sickening humans. Some ecologists believe we are experiencing an epidemic of red tides, especially since, as human development in coastal areas has increased, the added nutrient runoff has caused red tides to proliferate.

A startling number of recent, massive fish kills blamed on *P. piscida* have occurred in the estuaries of the Neuse and Pamlico Rivers in North Carolina, areas which have also seen a meteoric increase in factory hog farms. Manure from the hogs is stored in often-leaky cesspools, then sprayed as fertilizer onto fields—also making its way into groundwater and rivers.

When the deadly microorganism was discovered in the 1980s, it was placed in its own, entirely new, family of life. Dr.

JoAnn M. Burkholder, an aquatic ecologist at North Carolina State University who studies *P. piscida*, told the *Times* that "It can transform from an amoeba to a toxic zoospore in two minutes." The organism's toxicity is one thousand times that of cyanide. "The toxins can rip a hole through the skin of the fish, causing bleeding sores," according to Burkholder.

Rick Dove, keeper of the Neuse River, said of the rise of the organism's killing sprees that "around the same time, we got big in the hog industry." The political and economic power of that largely unregulated industry will doubtless be brought to bear to prevent anything being done to reduce the runoff of hog waste that is nourishing this toxic threat. Dr. Burkholder, for simply investigating *P. piscida*'s link to hog waste, has received anonymous threatening telephone calls.

### More Pork Industry Notes

Factory pork producers are now trying to gain acceptance for the revolting practice of grinding dead piglets at the factory site and adding them to the open cesspools of liquefied manure. ValAdCo, a large Minnesota intensive-confinement hog farm, takes dead baby pigs—who are not wanted by the renderers who process most pig carcasses—and grinds them up with a sinisterly-named device called the Bioreducer. The resulting liquid (along with some unpulverized piglet carcasses) is mixed with waste and spread onto fields.

Opponents of the practice have raised concerns about disease transmission, public health, and the environment (ValAdCo's land drains into the Minnesota River, one of the most polluted bodies of water in the country). However, the Minnesota Board of Animal Health voted unanimously in December to allow ValAdCo to continue grinding up piglets for fertilizer. 🐾

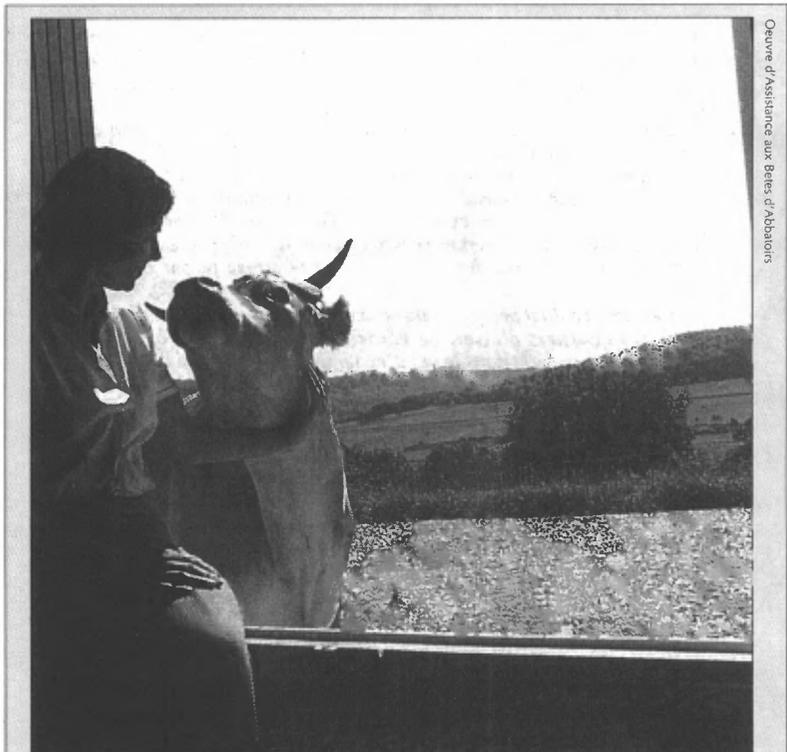
### Well-Known Aviculturist Tony Silva Now Doing Time for Smuggling

Tony Silva, the Chicago-based bird expert who has been the subject of widely publicized smuggling charges, has finally been sentenced to 82 months in prison without parole.

Silva was allegedly the kingpin of a major exotic-bird smuggling operation, according to the US Fish & Wildlife Service (USF&WS), whose extensive effort to curb illegal trade in exotic wildlife—Operation Renegade—resulted in Silva's conviction.

Though he has been an outspoken advocate of the conservation of exotic birds in the wild, he pleaded guilty in February 1996 to smuggling scores of rare wild birds. Many of the birds—which had allegedly been stuffed into PVC pipes to evade detection—died pitifully of suffocation, according to USF&WS. He later tried to change his plea to not guilty, but the request was denied by US District Court Judge Elaine Bucklo.

Between 1985 and 1994, the US charged, Silva brought more than 185 highly endangered hyacinth macaws and other exotics—worth an estimated \$1.3 million—into the United States. His sentence was accompanied by a \$100,000 fine and a ringing denunciation from Judge Bucklo. 🐾



Laure Delvolvé, an immensely talented and versatile French artist, recently died; here she is shown with a pet who, though large, was very friendly and gentle. See her masterful drawing of bears on page 14.

# FACTORY HOG FARMS SKEWERED ON "60 MINUTES"

Revelations on North Carolina's hog factory farms were featured December 22 on CBS's "60 Minutes."

Focussing on the enormous growth of the industry and pollution of rivers, air and farm land, the program also showed viewers the cruel suffering of the sows in gestation crates—biting the bars of their intolerable prisons.

Morley Safer, the segment's host, began by stating, "Tobacco, once the number-one crop in North Carolina, has now been replaced by something that's causing the state an even bigger headache: hogs. Right now in North Carolina there are more pigs than people. At any given moment, North Carolina houses 10 million hogs this way: in barns as large as foot ball fields on huge industrial farms. These are corporate hogs, bred, born and raised in these indoor pens. Their future: just 165 days before the slaughter."

Excerpts from the movie *Babe* were shown and Safer continued, "This is more like the way Americans want to think of pigs ... pink, cute and cuddly enough to be nominated for Academy Awards." Then the grim conditions inside a hog factory appeared on the screen, and Safer went on to say, "Real-life 'Babes' see no sun in their limited lives and have no hay to lie on, no mud to roll in and do not talk. The sows live in tiny cages, so narrow they can't even turn around. They live over metal grates, and their waste is pushed through slats beneath them and flushed into huge pits. It's the waste that's the problem. Pigs excrete four times as much waste as humans. It's turning North Carolina into one vast toilet."

Here's more from the "60 Minutes" broadcast:

Mr. GARY GRANT (concerned citizen): The smell is so offensive that it—on the first whiff, you get a headache. I mean, just, bam!

Mr. DON WEBB (retired hog farmer): It also causes a lot of people to be nauseous, and some people actually vomit.

SAFER: The stench comes from what the industry politely calls 'lagoons.' Retired hog farmer Don Webb calls them something else.

Mr. WEBB: Cesspools, not lagoons. A lagoon is something a beautiful girl in a South Sea island swims in. A cesspool is something you put feces and urine in.

SAFER: But they call them lagoons?

Mr. WEBB: But they're cesspools.

SAFER: Cesspools or lagoons, they're just holding places for the nine and a half million tons of hog manure that's produced in North Carolina every year.

So much manure that the fields of North Carolina can't absorb it all and it's beginning to poison the groundwater and contaminate drinking wells. And there have been other problems. Lagoons have leaked and overflowed. Lagoon walls have broken, spilling out millions of gallons of hog manure and saturating fields even more. And where does all this hog dung end up? In the streams and rivers of North Carolina, creating a growth in green algae that has closed rivers for swimming and killed thousands upon thousands of fish.

Mr. WEBB: Uh-oh, they're going to be burying hogs right there. My God! There's gobs of dead hogs.

SAFER: Webb accuses the industry of reckless disregard of the law, of illegal dumping when it thinks no one is looking. He's always looking and finding dead animals simply dumped in open pits.

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Mr. GRANT: And they are saying that there will be 410 new farms built in North Carolina by the end of 1997.

SAFER: His community of Tillery in Halifax County is poor, black, and rural, he says a prime target for hog expansion.

Mr. GRANT: The thing that people need to remember is that these corporate hog farmers lied to us from day one.

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SAFER: Have there been threats?

Mr. GRANT: Well, when we first started there, I would go home evenings and get on my answering machine, and there would be threats like, "Nigger, you're going to get killed," and all of that.

SAFER: There is huge money at stake here, more than \$1 billion. North Carolina has gone from the seventh-largest pork producer in the country to the second, with most of the hogs belonging to a few large corporations. It's replaced a declining, even dying industry—tobacco. And it's put the small hog farmer out of business. It's used science to produce millions of carbon-copy pigs: high on pork, low on cost.

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SAFER: The problem, says [University of North Carolina scientist Larry] Calhoun, is that rural North Carolina depends on well water. The state toxicologist says 30 percent of the wells tested near hog farms are already contaminated.

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SAFER: In the last three years alone 115 farms have been caught illegally dumping hog waste into waterways, a number of them intentionally, like this one. In one farm there was a massive spill last year when the walls of an eight-acre lagoon collapsed, spewing out 25 million gallons of liquid manure into rivers, onto farms and highways.

Someone described it as being bigger than the Exxon Valdez spill up in Alaska.

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SAFER: Why did it happen? Where was the legislature? Where were the county commissioners?

Mr. WEBB: The county commissioners—the hog industry was smart enough to get to them real quick. And, also, the legislators here in North Carolina—they all—most all of them have received money from the pork producers.

SAFER: In fact, the largest pork producer in the world, Wendell Murphy, who owns this conglomerate, was a North Carolina state senator for 10 years, responsible for creating dozens of laws governing, some would say protecting, the pork industry. And the part owner of this farm is none other than North Carolina's US Senator Lauch Faircloth. He chairs a subcommittee on the environment. He also owns a \$19 million stake in the hog business, and he'll talk to us about neither. That's pork, politics and power in North Carolina.

Mr. WEBB: That's big-time money. I mean, it's bigger than I realized. You know, you got some of the most powerful companies and corporations in the world involved in this thing, and it's been a real battle for middle-class and poor, grass-roots people to fight these people. But we're not quitters.

SAFER: And as Porky Pig would have said, "Th-th-that's all, folks," except it's not. The hog business and its malodorous byproducts are spreading. Four of the nation's biggest companies have banded together to build a two-million-pig factory farm in Utah, and more are planned for Minnesota, Iowa and Illinois to satisfy not just America's hunger for pork, but the world's.

**Action:** write, call, fax, or email "60 Minutes" to tell them how much you appreciate the broadcast giving the true facts about the cruelty and greed of this industry that treats pigs as if they were insentient cogs in a machine. Contact:

"60 Minutes"

524 West 57th Street,  
New York, NY 10019

email: 60m@cbs.news.com

phone: (212) 975-2006; fax: (212) 978-9287 

# Leave it to Betsy



From left to right: 1. Betsy Beaver, replete with a giant pair of sunglasses, prepares to soak up *la vie Parisienne*. 2. Here, she graciously shares the skyline with the Leaning Tower of Pisa. 3. The furbearing diplomat is shown here leaning over the fence around the Canadian Embassy in Bonn, demanding to be heard. 4. Betsy Beaver at Notre Dame. 5. In Amsterdam, she poses with another noble animal. 6. The tail end of a successful tour.

## Fur Import Ban to be Implemented no Later than March 1997,

While the international debate on trapping rages on between bureaucrats in the United States, Canada and the European Union (EU), another trapping season is underway. Millions of animals in the US and Canada will endure excruciating pain, intense fear and extensive physical injury from capture in steel jaw leghold traps.

The future of steel jaw leghold traps is in the balance. Will this needless suffering be stopped?

A first step was taken when the 15 nations of the EU banned use of leghold traps within their borders as mandated in Regulation 3254/91. The Regulation further sought to keep out the pelts of animals that had been subjected to these barbaric methods in foreign lands. The EU has not yet implemented this section of their law because of threats of a World Trade Organization (WTO) challenge by the US and Canadian governments. Though 88 countries prohibit use of steel jaw traps, in the US and Canada trappers cling stubbornly to these traps, refusing to switch to less cruel alternatives.

### The US Government Ignores the People It Should Represent

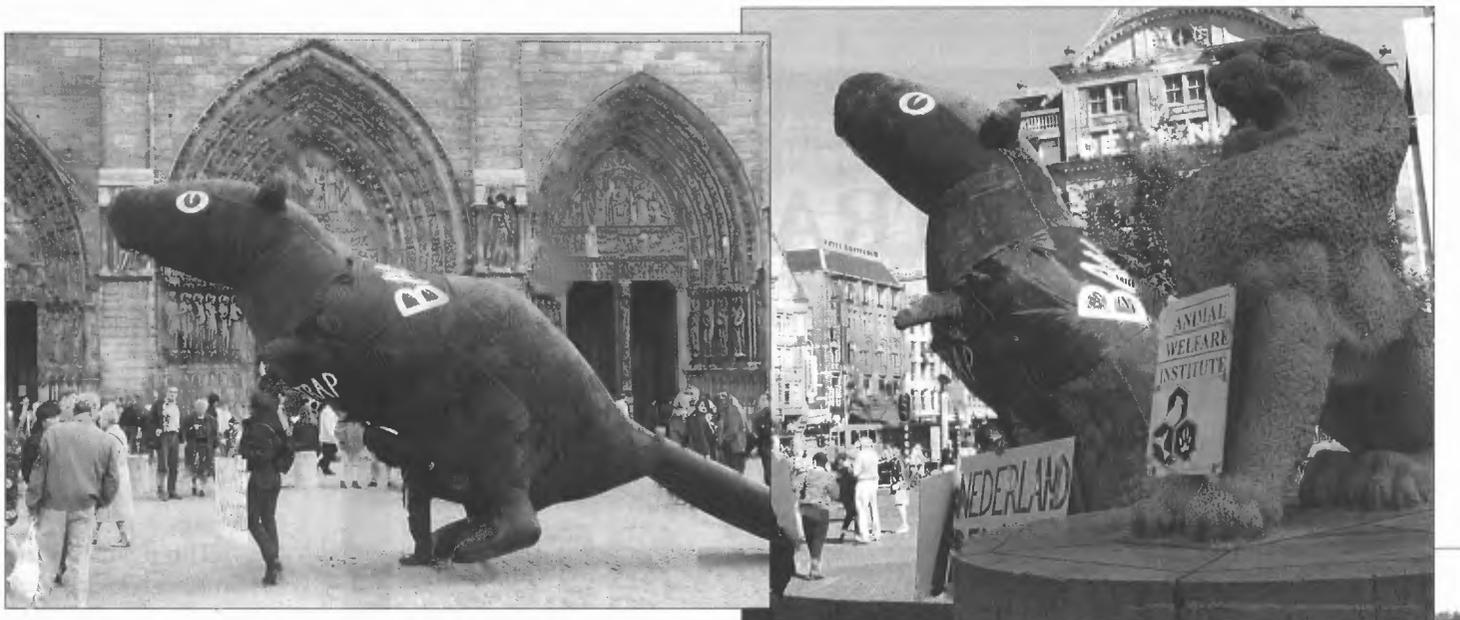
Steel jaw leghold traps are inhumane according to the vast majority of Americans, 74% of whom believe their use should

be prohibited. These are the results of a newly completed public opinion poll conducted by Caravan Research for the Animal Welfare Institute. During last month's elections, ballot initiatives were adopted by residents of Colorado and Massachusetts to end use of steel jaw traps in these states—a further reflection of the strong public sentiment on this issue.

In direct opposition to the views of the majority of Americans against one of man's cruelest inventions, the US Trade Representative (USTR) is fighting for continued use of steel jaw leghold traps. The staff of USTR has been negotiating with the staff of the European Commission to cut a deal that would allow continued use of leghold traps in the US and force the EU to accept our leghold trapped furs. Our tax dollars are financing the many trans-Atlantic trips of USTR and other government officials to pressure the European Union to import fur from the 13 animal species the Regulation banned.

### A Bogus Agreement on "Humane Trapping Standards"

EU Regulation 3254/91 calls for a fur import ban on countries that have not banned use of leghold traps or



**Outside magazine on Betsy Beaver:**

With off-kilter eyes, a mottled coat of artificial fur, and the most imposing set of buckteeth this side of Billy Carter, Betsy Beaver may not be much to look at. But she has nonetheless become the darling of the American animal-rights movement. The 24-foot inflatable rodent returns home this month after a 15-nation campaign in Europe, where she was deployed to "urge" the continent's trade and environment ministers to ban the importation of fur from animals caught in leg traps. Betsy's handlers, three members of the Washington, D.C.-based Animal Welfare Institute, say the trip was a success—but they do admit to a glitch or two. For instance, while cruising down the Champs Elysées on the back of a Fiat, Betsy was pulled over by gendarmes near the Arc de Triomphe. "They're totally uptight about bombings," says AWI's John Perry. "They hauled us in, searched us, and then made us sign papers promising not to overthrow the government."

—*Outside*, January 1997



## According to European Ministers of the Environment

"adopted internationally agreed humane trapping standards." There are no "internationally agreed humane trapping standards."

The EU's chief trade negotiator—Sir Leon Brittan, Vice President of the European Commission—fiercely opposes implementation of the fur import ban, so he is leading the rest of the Commission down a sinister Orwellian path. His plan is to exempt the US, Canada and Russia—the largest trapping nations—from the fur import ban by getting the EU to agree that the notoriously cruel and painful leghold trap meets "humane trapping standards!"

The draft agreement, dated November 26, 1996, would 1) permit continued use of leghold traps, 2) "facilitate trade" in furs including those obtained from animals caught in leghold traps, and 3) delay action for at least four more years.

Canada and Russia are said to have initialled a tentative agreement with the Commission. Even this shamefully weak agreement on trapping is more than US policy makers are willing to accept.

### Ministers of the Environment reject the draft agreement

Since any agreement proposed by the Commission must be approved by the Council of Ministers, an intense information campaign was launched by the humane community in Europe, with support from groups in the US and Canada, to be certain that the Council recognized the agreement as a sham. AWI launched a tour by Betsy Beaver (see above) and full page advertisements were run in major European cities (see pages 8-9).

On December 9, the Council of Ministers of the Environment met and discussed the draft agreement on "humane trapping standards" presented by the Commission. The Council rejected the draft agreement and asked the Commission to take the necessary steps to introduce the import ban no later than March 31, 1997, in accordance with the Regulation.

But the Commission met on December 18 and disregarded the Council's request and approved of the trapping agreement reached with Canada and Russia. The Commission has proposed that Canada and Russia be exempt from the fur import ban. The issue is expected to come back before the Council of Ministers of the Environment in early March. 🐾

The World Veterinary Medical Association, the American Veterinary Medical Association and animal protective organizations worldwide agree...

# LEGHOLD TRAPS ARE INHUMANE

The European Union has banned their use, as have 63 other countries. But **not** the U.S. or Canada. Instead, they're telling lies about these notoriously cruel traps and threatening a World Trade Organization challenge because they want to continue selling their leghold-trapped furs to the E.U.



D. Linda Miller - CARE for Wildlife

**FICTION:** Opponents of the fur import ban say they need to use leghold traps to protect endangered species.

**FACT:** The wolf (*Canis lupus*) is on the U.S. endangered species list. Far from being protected, this wolf pup was so horribly maimed by a leghold trap, his trapped leg had to be amputated to save his life.

**FICTION:** Opponents of the fur import ban claim: "traps with teeth have not been used in the U.S. or Canada for decades."

**FACT:** Traps with teeth are legal in much of the U.S. The U.S. government *itself* set the huge leghold trap **with teeth** that caught this wolf pup.

**E.U. REGULATION 3254/91 IS THE SINGLE GREATEST LAW TO END THE INTENSE PAIN AND SUFFERING INFLICTED ON MILLIONS OF ANIMALS BY LEGHOLD TRAPS EVERY YEAR.**

**FICTION:** Opponents of the fur import ban say padded leghold traps "improve animal welfare" by "preventing abrasions" and "lacerations."

**FACT:** The leghold traps that caught both of this pitiful dog's back paws were padded, "but crushed all her toes. She was chewing off her paw to try to break free from the traps. She was crying as she did it from the pain," according to the woman who found Cindy in the woods. Sadly, the brave little dog had to be euthanized because of the appalling injuries the padded leghold trap had inflicted on her.



For more information, please phone the Animal Welfare Institute, free of charge, at 800-263-4661, or write to: AWI, PO Box 3650, Washington, DC 20007, USA. Fax: 202-338-9478. E-mail: awi@animalwelfare.com.

## More Strides in the Campaign against the Leghold Trap

HUMANE ORGANIZATIONS have campaigned hard, providing the European Council of Ministers of the Environment with the facts regarding the barbaric steel jaw leghold trap. The campaign has focussed on the cruelty of leghold traps, emphasizing the intense pain caused by all types of leghold traps—whether the jaws are toothed, flat, or "padded" with a strip of hard rubber. The Ministers have not been deceived by the Commission's efforts to permit continued use of leghold traps and have requested that the ban on import of fur into the European Union from those countries still using these traps be implemented early next year. (See story on page 6.)

The poster at left was distributed to each of the Ministers with a letter from AWI's president. After they reconvene next year, the poster will be provided to each Member of the European Parliament before they discuss the fur import ban.

The poster describes the debilitation of an endangered wolf pup, who also appears on our cover after he was caught in a toothed steel jaw leghold trap set by the US government. The treatment of the pup after the incident was documented by a veterinarian and a government employee:

- July 11 "...foot severely swollen from carpus down, puncture wound with pus flowing out at distal carpus, severe bruising and soft tissue trauma."
- July 14 "...still not eating."
- July 15 "...swelling still pronounced...more necrotic tissue present."
- July 16 "Still not eating."
- July 17 "Much tissue loss and self mutilation of toes (gone). Foot dead. Foot should be removed or wolf put down."
- July 18 "...food not eaten."
- July 19 "Removed left front leg..."

Also featured on the poster is the dog, Cindy, who was caught in three leghold traps, two with so-called "padded" jaws. Her injuries were so severe and the agony she was suffering so great that she had to be euthanized.

THE ADVERTISEMENT AT RIGHT was placed in the London *Daily Telegraph* November 29. A French and Flemish version appeared in Belgium (*De Standaard, Le Soir*), a Swedish version in Sweden (*Dagsnyheter*), a German version in Germany (*Frankfurter Allgemeiner*), an Italian one in Italy (*Repubblica*), and a Spanish version in Spain (*El Mundo*). The groups cooperating on the ad were: AWI, Beauty Without Cruelty, The Canadian Alliance for Furbearing Animals, Care for the Wild Defence Fund, Eurogroup for Animal Welfare, European Federation for Nature and Animals, Respect for Animals, Royal Society for The Protection of Animals, World Society for the Protection of Animals, Humane Society International, Deutscher Tierschutzbund, Friends of Animals, Association Nacional para la Defensa de los Animales, The Bellerive Foundation, and International Fund for Animal Welfare.

# Unless the Government stands up to the fur trade on December 9, animals won't have a leg to stand on.



On December 9, at the meeting of European Union Environment Ministers, John Gummer, will have the opportunity once again to take the lead on behalf of the United Kingdom Government in support of a world-wide ban on the use of leghold traps.

This hideously cruel device is already banned in over 60 countries, including all the nations of the European Union.

The EU has also agreed to ban the import of furs from countries still using leghold traps. However, the European Commission - bowing to pressure from the fur trade - has shamefully refused to implement and enforce the EU fur import ban.

Instead, the Commission has cynically proposed an "International Agreement on Humane Trapping Standards" which does almost nothing for animal welfare but which is intended to offer Ministers a "political solution".

The proposed International Agreement actually aims to "facilitate trade" in furs, including those from animals caught in leghold traps! It contains no provision to ban all types of leghold trap, and will permit so-called "padded" leghold traps to be used indefinitely.

Mr Gummer, don't be fooled. There is nothing "humane" about the padded

leghold trap. An animal will still endure agonising pain, as it is caught in the vice-like grip of the trap's jaws.

The "padding", a thin strip of rubber or plastic, will do next to nothing to ease the suffering.

The animal could be left for days before being found. Terrified, it could well try to gnaw itself free, even biting its own leg off in its attempt to escape.

The proposed international agreement is a sham which will not in any way reduce the suffering of trapped animals.

Mr Gummer, you must make it clear to your colleagues in the European

Union's Environment Council on December 9 that the current proposals are totally unacceptable to the British people.

You must insist that any international agreement, as an absolute minimum, bans all types of leghold trap now. If this most basic requirement is not met, you should reject the draft agreement in its entirety.

You must also insist that the EU ban on fur imports from countries which continue to use the leghold trap be implemented immediately - as it should have been at the beginning of the year.

So, Mr Gummer, on December 9 do for the animals what they can't do for themselves. Stand firm!



Write to Mr Gummer now at the Department of the Environment, 2 Marsham Street, London SW1P 3EB. Or fax him on 0171 276 4409. Urge him to enforce the EU fur import ban and stand firm against the use of leghold traps anywhere in the world.

**The Case Against the Global Economy**  
 Edited by Jerry Mander and Edward Goldsmith

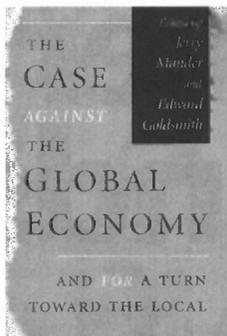
550 pages. San Francisco: Sierra Club Books, 1996  
 \$28.00 ISBN 0-87156-352-5

With chapters by more than 40 authors, presented in three sections, this book offers the most comprehensive analysis yet made of the artificial globalization from which the earth and its inhabitants are suffering.

Readers of the *AWI Quarterly* will be particularly interested in the dangers already facing animals as the globalization bulldozer advances. In their chapter titled, "GATT, NAFTA, and the Subversion of the Democratic Process," Ralph Nader and Lori Wallach launch a direct attack on the World Trade Organization established at the beginning of 1996. "There is nothing in the institutional principles of the WTO to inject any procedural safeguards of openness, participation, or accountability," they write. Concerning the unelected WTO panelists they note, "Ironically, the only specific procedural requirement for WTO tribunals is that they be conducted in secret."

Before the WTO was created, the United States could still exercise democracy and sovereignty under the former GATT rules. "Thus the Bush administration was able to freeze an old GATT tribunal ruling against the Marine Mammal Protection Act, which prevented the import of Mexican tuna caught in a manner that also killed dolphins. A GATT tribunal called that an illegal trade barrier, but Bush, under massive public pressure, was able to veto the ruling by the requirement of unanimity. The new WTO removes all countries' veto power and effectively their ability to maintain laws that protect people or the environment from WTO challenge."

Nader and Wallach refer to other serious animal protective



issues as they relate to the powerful WTO, for instance European "laws controlling capture of animals for fur using brutal steel-jaw leghold traps and laws preventing the import of beef tainted with growth hormones."

Summing up, the authors point out, "It's a very neat arrangement. European corporations target US laws they do not like. US corporations target European laws they do not like.

Then European and US corporations attack Japanese laws and vice versa—the process can go on until all laws protecting people and their environment have either been reversed or replaced by weaker laws that do not interfere with the immediate interests of the corporations. Thus, the US government threatens the European ban on Bovine Growth Hormone in its meats (a consumer protection that European citizens want) and threatens to challenge Europe's ban on the sales of furs caught with inhumane steel leg-hold traps. Meanwhile, Europe challenges our fuel-consumption standards and threatens our food labeling laws. Corporations are poised to win at both ends, while citizens and democracy lose."

It is hardly surprising that "Corporate lobbyists have exerted tremendous influence over the negotiations. The business coalition calling itself the Intellectual Property Committee—whose members include Pfizer, IBM, Du Pont, and General Electric—bragged in its literature that its 'close association with the US Trade Representative and [the Department of] Commerce has permitted the IPC to shape the US proposals and negotiating positions.'"

This is a book that humane citizens who are seriously concerned about protecting animals need to become familiar with. Its pages bring shock after shock as the destructive weakening of democracy is brought home in thoroughly documented fashion. Read it and act! 🐾

—Christine Stevens

**Orca: Visions of the Killer Whale**  
 by Peter Knudtson

Illustrated, 110 pages. San Francisco: Sierra Club Books, 1996.  
 \$27.50 ISBN 0-87156-906-X

**The World of the Penguin**  
 by Jonathan Chester

Illustrated, 128 pages. San Francisco: Sierra Club Books, 1996.  
 \$27.50 ISBN 0-87156-900-0

**The World of the Shorebirds**  
 by Harry Thurston

Illustrated, 128 pages. San Francisco: Sierra Club Books, 1996.  
 \$27.50 ISBN 0-87156-901-9

**The World of the Wolf**  
 by Candace Savage

Illustrated, 128 pages. San Francisco: Sierra Club Books, 1996.  
 \$27.50 ISBN 0-87156-899-3

"Who's afraid of the big bad wolf? Most of us are," writes Candace Savage in *The World of the Wolf*. These four books from the Sierra Club seek to demystify their subjects, while instilling a respect for the secrets that nature still holds. Orcas and wolves are shown to be highly social animals with complex group dynamics, and not the mindless killers many believe them to be. Sumptuous photos and descriptions of penguins and shorebirds show the extreme physical and behavioral variety among the different species. The authors emphasize how little we know about the subtleties of orca communication, or the fragile balance between shorebirds and their disappearing feeding sites.

The bulk of each book is devoted to outstanding photography by a variety of wildlife photographers. Memorable photos

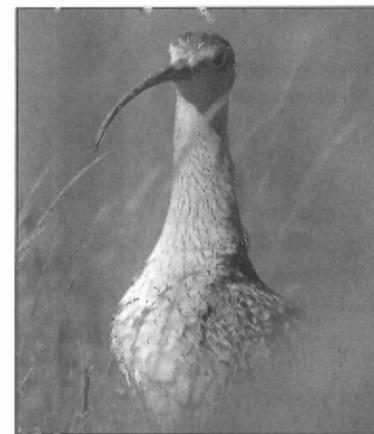
include a close-up of the eye of an orca and one of a molting penguin chick whose remaining downy baby feathers look like stuffing falling out of an old mattress. In the case of *The World of the Penguin*, all of the photography is by the author, Jonathan Chester.

Besides the photography, the books are most successful in their observations of animal behavior. The narrative is almost poetic at times, such as Harry Thurston's description of a flock of sandpipers which land "like a sheet shaken out and let fall on the beach."

Peter Knudtson and Savage bring to life the rich tapestry of myths, folklore, and folk art surrounding orcas and wolves, respectively. Unfortunately, the books' scientific data, while sound, is unclearly presented at times.

As one would expect from the Sierra Club, these books each devote a significant portion to the human-induced threats each animal faces. The Exxon Valdez oil spill may have killed at least fourteen orcas, and occurred a mere 30 miles from the Copper River delta, where over 20 million shorebirds feed en route to their mating grounds in the high Arctic. Each author also details the sad history of how orcas, wolves, penguins and shorebirds have all been slaughtered by humans, sometimes massively, for food, for sport, or out of fear. Even without industrial accidents or intentional killing, they are increasingly threatened by environmental degradation and habitat loss. 🐾

—Doris Lin



A long-billed curlew (from *The World of the Shorebirds*)

## Regulations for Primate Well-Being Declared Invalid

Judge Charles Richey ruled, October 30, that the weak performance standards that the US Department of Agriculture (under heavy pressure from the National Association for Biomedical Research and its cohorts) promulgated in 1991 are not valid. The judge's decision states in part:

The regulation violates the plain language of the AWA (Animal Welfare Act) because it fails to set standards, including minimum requirements for a physical environment adequate to promote the psychological well-being of primates. Rather, the regulation completely delegates the establishment of such standards to the regulated entities. The complete absence of minimum requirements in the regulation leaves the AWA susceptible to the interpretation of individual regulated entities. At best, the regulation refers these entities to the direction of their attending

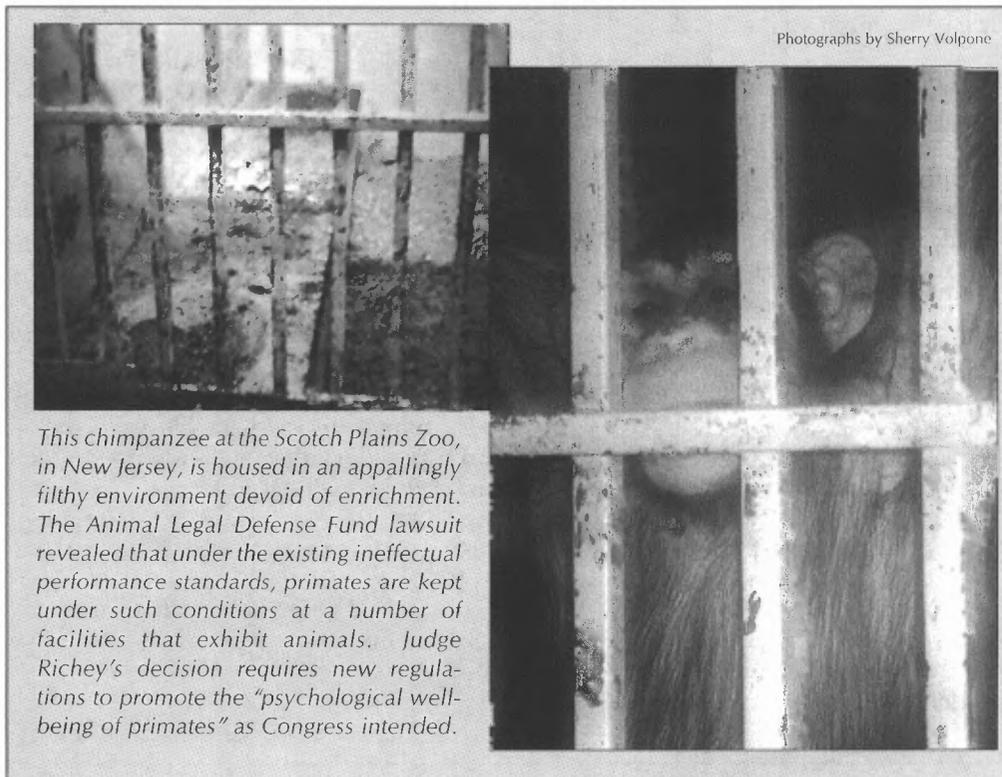
veterinarians—who are not under the control of the agency. The regulation further makes reference to "committees" established by the AWA; however, as set forth above, those committees are established by the AWA only for research facilities, and not for dealers and exhibitors.

When an agency attempts to give meaning to a statute that is plain on its face, it must give effect to the intent of Congress. *Fertilizer Institute v. EPA*, 935 F. 2d 1303, 1309 (D.C. Cir. 1991). Congress has spoken clearly of the agency's duty, and the agency has failed to fulfill its duty. Accordingly, the Court shall set aside 9 C.F.R. § 3.81 as violative of the APA (Administrative Procedure Act) in that the regulation is contrary to law.

Valerie Stanley of the Animal Legal Defense Fund, who won this important ruling, was back in Judge Richey's court November 26, asking the court to impose a timetable on USDA in which it should write a new regulation. USDA has asked the court to allow it to keep its current, illegal regulation in place while it appeals Judge Richey's ruling and resists any timetable for a new regulation.

The judge pressed Mr. Simpson, the Justice Department attorney who had spoken of acting with "dispatch," to say how long it had taken to finalize regulations for the Improved Standards for Laboratory Animals amendments to the Animal Welfare Act. Reluctantly, Mr. Simpson admitted that the final regulations came out in 1991 for legislation Congress passed in 1985. "Six years after you get a statute passed!" exclaimed Judge Richey, "It's a pretty sad comment on this government."

Final results of this important case are expected soon. 🐾



This chimpanzee at the Scotch Plains Zoo, in New Jersey, is housed in an appallingly filthy environment devoid of enrichment. The Animal Legal Defense Fund lawsuit revealed that under the existing ineffectual performance standards, primates are kept under such conditions at a number of facilities that exhibit animals. Judge Richey's decision requires new regulations to promote the "psychological well-being of primates" as Congress intended.

## AALAS SCIENTISTS REJECT ANIMAL WELFARE—AGAIN

When the 47th National Meeting of the American Association for Laboratory Animal Science (AALAS) opened November 4th in Minneapolis, Minnesota, AWI was conspicuously absent—barred from exhibiting by the AALAS Board of Trustees.

AWI Research Associate Adam Roberts was deployed to the meeting to protest the Institute's exclusion. Forced to distribute AWI's material from outside the convention center, he stood with a sign which read, "AALAS scientists reject animal welfare."

AALAS has developed quite a schizophrenic attitude toward AWI, barring exhibition at the 1994 meeting but allowing an exhibit in 1995. In fact, AWI Laboratory Animal Consultant Dr. Viktor Reinhardt made a presentation at the 1995 meeting, sharing his findings on pair-housing previously singly-caged macaques in a research facility. AWI's booth also provided hundreds of free copies of relevant books and brochures published by the Institute. Then, in 1996, AWI was prohibited from taking part again.

The AALAS Board of Trustees voted 19-1 against allowing AWI complimentary booth space in the exhibit hall. AWI, in turn, submitted the \$1,500 booth fee and was once again denied. AALAS President H. Hugh Harroff, Jr. notified the Institute that it could not exhibit because its representatives were unwilling to sign an unequivocal endorsement of AALAS's positions regarding animal use in experiments. By requiring organizations to sanction such a statement, AALAS directors engaged in a well-orchestrated maneuver to prevent distribution of information from humane organizations.

AWI Executive Director Cathy Liss responded to Harroff's letter and the rigid AALAS Position Statement, noting that the Institute:

- does not endorse the NIH Guide because we are committed to a higher level of animal care.
- does not endorse the American Association for Accreditation of Laboratory Animal Care because our previous review

continued on next page

## ***Professor David Blackmore and the New Zealand Foundation for the Study of the Welfare of Whales***

by Jennifer Lonsdale

David Blackmore, Professor Emeritus of Massey University in New Zealand, died on November 10, 1996, aged 65. He was a pioneer in the science of animal welfare, applying his energy, knowledge and enthusiasm to strip away the shrouds of statistics, politics and opinions and make a unique contribution to improving the welfare of domestic and wild animals.

He was prolific, publishing dozens of papers in the scientific literature. At every stage of his career he won awards for academic excellence. This modest man, despite chronically deteriorating health, was driven by the joy of life, love for his family and a determination to achieve his goals to improve the welfare of animals.

David's most dramatic impact in his last years was at the meetings of the International Whaling Commission (IWC). In 1991, he was asked by the Government of New Zealand to prepare a paper on the humaneness of the methods used for the slaughter and euthanasia of whales. His paper indicated a need for investigation to ensure stranded whales, unable to be returned to the sea, were killed using pain free methods.

Inspired by his new studies, David established the New Zealand Foundation for the Study of the Welfare of Whales. He gathered together a team of leading scientists to carry out basic anatomical and biophysical studies of whales, working only on dead whales from strandings.

The team has pioneered unique research. They developed a method of obtaining acrylic replicas of the arterial system supplying blood to the brain of whales. The local hospital allows the use of its CT scanner to provide detailed examinations of the heads. Trials with explosives, projectiles and electricity have been carried out. Despite decades of whale research throughout the world—much of it lethal—the team have discovered new knowledge about the anatomy and physiology of whales including how the blood is supplied to the brain and how they echo-locate.

*continued from previous page*

of AAALAC-accredited experimental facilities has revealed the apparent failure of many of these institutions to comply with the minimum requirements of the federal Animal Welfare Act.

- does not believe that 'it is inconceivable that animal experimentation can be replaced in the foreseeable future.' This is an unnecessarily narrow approach to the issue of animal use. The search for alternatives is already mandated by law, and all scientists who experiment on animals should be applying the '3 R's' (replacement, reduction and refinement) so that fewer animals will be used.

It appears that AALAS is unwilling to progress beyond the status quo when it comes to the care of animals used in laboratories, while AWI encourages setting higher institutional goals. It is ironic that AALAS claims to be "committed to the principles of humane care and treatment of laboratory animals" and that it "shall provide a medium for the exchange of scientific information on all phases of laboratory animal use," yet it is unwilling to facilitate access to published scientific materials that advocate a heightened level of animal protection.



*David Blackmore (second from left) and his research team perform postmortem studies on a beached whale. Their humanely conducted research has expanded what we know about whales and helped debunk whalers' claims about "humane killing."*

David became highly critical of methods used to hunt whales, particularly the electric lance used by Japanese whalers in the Antarctic. He and his team scientifically proved the unacceptable cruelty of this ineffective implement when used to try to kill whales still alive after the impact of the exploding harpoon. With Britain and New Zealand, he has led the initiative to ban the lance. Norway supports Japan, and David's battles with the highly accomplished Norwegian veterinary scientists are already legendary.

Despite the politics, the lance must eventually be banned by the IWC. It will be a tribute to a remarkable man with a remarkable team and a reminder that methods used to kill whales are a vital part of the whaling debate.

David Blackmore had a dream to establish a permanent chair at Massey University to ensure the perpetuity of the Foundation's work. Raising sufficient funds remains an obstacle but this acorn is destined to become an inevitable oak. Professor David Blackmore lives on in his work but he will be greatly missed. 🐾

*Jennifer Lonsdale is a director of the Environmental Investigation Agency.*

Inclusion of various points of view is essential to maintain the integrity of scientific, academic and intellectual dialogue, such as that which AALAS professes to pursue. AWI should not be refused the opportunity to share its perspective on animal well-being with those who have the ability to treat animals used in laboratories more humanely. 🐾

### **Bequests to AWI**

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

*I give, devise and bequeath to the Animal Welfare Institute, located in Washington, 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 where you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.

# "Dolphin Death Act" Stopped in 104th Congress

## Opponents Gear Up For Another Struggle in the 105th

The long battle against the "dolphin death act" succeeded in blocking it, despite a massive campaign by the Clinton Administration and richly-paid Latin American lobbyists to change the definition of dolphin-safe tuna in US dolphin protection law.

Present law prohibits import of any tuna caught by using giant purse seines to trap the dolphins that swim with tuna; Dolphin Death Act supporters seek to perpetrate a fraud on the public by allowing these cruel one and a half mile long nets, which devastate dolphin social structure, inflict intense stress during the hour-long chases, and separate dependent young from their mothers. More than 7 million dolphins have been drowned by the tuna industry.

The Dolphin Safe/Fair Trade Campaign, a coalition of more than 85 groups including the Society for Animal Protective Legislation, worked closely with Senator Barbara Boxer (D, CA) and Congressman George Miller (D, CA) to continue the protection of dolphins and defeat the dolphin death act.

The fight against this bill is expected to continue in the 105th Session of Congress as its proponents, supported by the Clinton Administration, seek to reopen the debate in an unabashed effort to placate foreign fishing interests and their powerful Washington lobbyists.

On October 7, 1996, President Clinton personally wrote Mexican President Ernesto Zedillo Ponce de Leon: "passing such legislation is a top priority for my Administration and for me personally." Clinton is going to ask Congressional opponents of dolphin protection to introduce dolphin-unfriendly legislation "in the first 30 days of the new Congress and to pass such legislation as soon as possible thereafter."

Senator Barbara Boxer (D, CA) and Congressman George Miller (D, CA) led the fight for the dolphins in 1996. Senator Boxer, in a speech on the floor of the US Senate, said:

Our law has been a huge success. Annual dolphin deaths have declined from 60,000 in 1990 to under 3,000 in 1995. Why mess with success?

The Stevens/Breaux/Gilchrest bill would permit more dolphins to be killed than are killed now.

The bill promotes the chasing and encirclement of dolphins, a tuna fishing practice that is very dangerous to dolphins. It does so by gutting the meaning of "dolphin-safe," the label which must appear on all tuna sold in the United States. The "dolphin-safe" label has worked: it doesn't need to be "updated," as the bill's sponsors claim....

Bill supporters claim that it is supported by the environmental community. In fact, only a few environmental groups support the Stevens/Breaux/Gilchrest bill, while over 85 environmental, consumer, animal protection, labor and trade groups oppose the Stevens/Breaux/Gilchrest bill....

Under the scheme supported by this bill, only one observer would be required on each tuna fishing boat. Now that may sound reasonable, but what you may not know is that the nets that are used to catch tuna are huge: a mile and a half long. How can we expect one single observer to make sure that no dolphins die?...

The bill would amend, I would say gut, the existing law that defines the term "dolphin safe" for purposes of the sale of tuna in this country.

The agreement that the bill relates to is neither a treaty nor an international agreement. The so-called Panama declaration is only a political statement—an agreement to agree in the future on a binding international agreement.

She then reminded her colleagues that she and Senator Joe Biden also introduced legislation to address the issue of dolphin protection and tuna embargoes—legislation that would continue to protect dolphins from chase, injury and death in purse seine nets and protect American consumers from fraudulently labeled tuna:

Our bill would give all tuna fisherman the opportunity to export to the US market as long as they use dolphin safe practices. In other words, we would open the US market and comply with international trade agreements without gutting US dolphin protection laws.

Senator Boxer and Congressman Miller, along with the other compassionate legislators who worked last year to preserve US dolphin protection law, deserve our thanks and congratulations. They also deserve all animal advocates' support if they are to successfully defend US law against those powerful, unscrupulous forces working to overturn it. 🐾

**MORE DAMNING LINKS** between the Latin American tuna-fishing fleet and the drug trade have been uncovered. Mexico recently seized a 6-boat tuna fleet, jointly owned by the Cali and Tijuana drug cartels, that smuggled huge quantities of cocaine from Colombia to Mexico—and then into the United States. In October, the Ecuadorian tuna clipper *Don Celso* was captured while carrying more than 7 tons of cocaine—with a street value of \$1 billion—from Colombia to Mexico.

The notorious Cali and Medellin cartels, operating out of Colombia, often use tuna boats for drug smuggling: the *Don Celso's* capture closely resembled the July 1995 seizure of a Panamanian tuna clipper, the *Nataly I*, which was carrying 12 tons of cocaine in secret compartments. The Cali cartel ran eight tuna boats from Panama as part of a massive drug-running operation to flood the US and Europe with cocaine and heroin.

And yet these are the very people whom the Clinton Administration, with its free-trade-at-any-cost policies, is bending over backward to accommodate. Many of the boats in the Latin American tuna fleet—which includes the *Don Celso* and *Nataly I*—fish for tuna in the Eastern Tropical Pacific Ocean using dolphin-unsafe methods of setting tuna nets (see the Spring/Summer 1996 *AWI Quarterly*, pages 4-6; Winter 1996, pages 10-11; Fall 1995, page 6; and the article above). 🐾



Photos: El Universo



## CITES Takes an Important First Step to Help Bears

Since the seventh century, bear gallbladder has been prescribed in Traditional Chinese Medicine (TCM) to alleviate a range of afflictions including spasms, delirium caused by severe burns, and swelling from trauma and fractures. Though there are synthetic and herbal alternatives available, they are not widely accepted, and have done little to reduce demand for bear gallbladder and bile. Instead, the use of products containing these bear parts has expanded to include luxury items such as creams, shampoos and tonics to mediate overconsumption of alcohol. As a result, wild bear populations are threatened by the consumptive use of bear gallbladders and bile in medicines and cosmetics.

Of the eight extant species of bear, five are listed on Appendix I, two are on Appendix II, and one is split-listed on Appendix I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Species can be listed under the Convention as Appendix I ("endangered" with no commercial trade allowed), Appendix II ("threatened" with highly monitored trade allowed), or Appendix III (species for which a country decides special monitoring is needed). Although the gallbladders from Appendix II bear species are known to be traded widely, proper CITES permits are seldom used. Seizures and covert enforcement operations reveal the existence of extensive poaching networks in the United States, Canada, and Russia.

The lucrative trade in bear gallbladders exhibits similar characteristics to the destructive trade in rhinoceros and tiger parts and products. Unlike the rhinoceros and tiger trade; however, legal channels for the trade in bear parts serve as a cover for the illegal trade, since the gallbladders of Appendix I bear species are visually similar to those of Appendix II bear species, as well as other animals of comparable size. This makes enforcement of existing CITES trade restrictions extremely difficult.

Illegal trade in Appendix I bear species was addressed at the recent CITES Animals Committee Meeting held September 23-27, 1996, in the Czech Republic. During this important meeting, the delegate from China noted that the bear trade is a global problem, not just one in Asia, and that both Appendix I and Appendix II bears need protection. Further discussions of the severity of this problem resulted in the adoption of a decision paper on the illegal trade in bear parts prepared by a working group that included the United States, China and the CITES Secretariat.

This paper, the "Decision of the 13th Meeting of the Animals Committee" notes in part that "...poaching of wild populations of bears listed in Appendix I may cause population declines that could lead to the extirpation of bear popu-

lations or even entire bear species; and ... the continued illegal trade in parts and products of bear species undermines the effectiveness of the Convention".

It recommends that the CITES Standing Committee "...endeavor to eliminate the illegal trade in bear parts and products; and ...include international trade-related aspects of bear conservation as an issue of special concern at the tenth meeting of the Conference of the Parties; and ...consider whether to recommend to the Parties a prohibition on international trade in bear gallbladders and other viscera."

Laure Delvolke



The decision paper recommends that the Secretariat request information vital to the long-term conservation of the world's bear species including population, trade, enforcement, and poaching data from range, consuming and trading countries. It also recommends that the Secretariat "bring the issue to the attention of the Interpol Subgroup on Wildlife Crime and the World Customs Organization." Interpol, international and national law enforcement agencies need to become deeply involved in enforcing the CITES prohibition on illegal bear parts trade.

The CITES Standing Committee met in Rome December 2-6 and approved the Animals Committee decision paper. The next action taken will be at the full Conference of the Parties in June in Zimbabwe.

The severity and scope of the illegal trade in Appendix I bear species, difficulty in distinguishing visually the gallbladders of Appendix I and Appendix II bear species, and increasing threats to Appendix II bear species, make it imperative that the Parties take immediate and substantive action on the issue of

trade in bear parts and products. Without the necessary attention from CITES Parties, the continuing demand for products that contain bear parts may push the world's bears to extinction.

The United States and China should be applauded for their leadership on the issue of the bear parts trade at the Animals and Standing Committees. The Bear Working Group, established under the auspices of the international Species Survival Network (SSN), urged the US Fish and Wildlife Service to raise this serious conservation issue in the CITES framework. It will continue to work with the Service in the hopes that the US government will again join China in proactive endeavors to protect bears at the full CITES Conference of the Parties. 🐾

*This article was adapted from SSN reports written by AWI's Adam Roberts and the Humane Society of the United States' Suzy Sanders who are the Co-Chairs of the SSN Bear Working Group.*

# Secretary of the Interior Removes Taiwan's Pelly Certification

On September 10, 1996, Secretary of the Interior Bruce Babbitt notified President Clinton that he had "decided to terminate the certification" of Taiwan under the Pelly Amendment to the Fisherman's Protective Act of 1967\* for its role in the international trade in the parts and products of critically endangered rhinos and tigers. Three years earlier, Secretary Babbitt had certified Taiwan for diminishing the effectiveness of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and President Clinton imposed trade sanctions against Taiwan in 1994, utilizing such unilateral measures for the first time in US history.

Now, according to Secretary Babbitt's letter to the President: "[t]he authorities on Taiwan have instituted legal reforms and an enforcement regime, and forged law enforcement links within and beyond Asia to control illegal wildlife trade."

Enforcement of trade restrictions by CITES Parties is vital

*\*The Pelly Amendment authorizes the President to direct the Secretary of the Treasury to prohibit importation into the US of any products from a country that has been certified to have engaged in actions which diminish the effective implementation of an international conservation program.*



Taiwan, a major consumer of wildlife products such as those made from tigers, has stepped up law enforcement.

Carol Professional Photos ©AICOM

to the effective functioning of the Convention, which can help prevent population decimation of the world's highly endangered and highly sought after wild species. It is estimated that there are 12,000 rhinos left on the planet today, and only half as many tigers.

Babbitt noted in a Fish and Wildlife Service press conference that he "is pleased to report that we now know trade sanctions imposed on behalf of endangered species work." This is an important acknowledgment which should lead to swift action in the future when urgent conservation matters arise.

"This is an exciting moment for all who have worked so hard on behalf of these species," Babbitt acknowledged. "There is still much to be done before we can rest easy that future generations will be able to see

and appreciate rhinos and tigers in the wild. Unfortunately there are many countries where these beautiful animals remain more valuable dead than alive."

AWI will continue to monitor worldwide conservation efforts to protect species such as rhinos and tigers, especially as the next meeting of the CITES Parties approaches. It is scheduled to be held in Zimbabwe, June 9-20, 1997. 🐾

## Alternatives to Bear Gall in Traditional Chinese Medicine

In Traditional Chinese Medicine (TCM), different prescriptions are used for different ailments in different people, so there is never just one alternative for any ingredient. However, prescriptions without bear parts can cure the illnesses associated with bear part use with equal or better results.

There are at least 54 herbal alternatives to bear bile, including a type of gardenia, rhubarb, peony root and the Madagascar periwinkle. The bile of other animals, such as fishes, cows and pigs, is also used to treat some of the illnesses for which bear bile is prescribed.

Bear bile contains ursodeoxycholic acid (UDCA), which has been chemically synthesized. Synthetic UDCA is used in Western medicine to dissolve gallstones and has shown promise in treating cirrhosis of the liver. All the world's bears, which now number less than 1 million, could not supply the 117 to 167 tons of synthesized UDCA consumed annually worldwide.

Bear products are unnecessary luxury items for which effective replacements exist within TCM. 🐾

Wildlife Protection Society of India



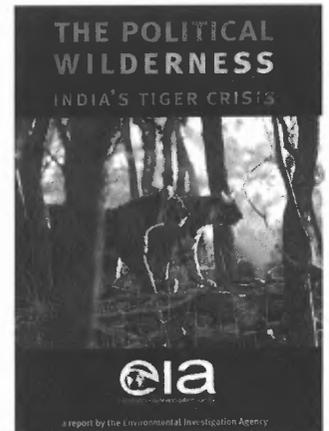
Sansar Chand

## Recommended Reading

A new report published by the Environmental Investigation Agency reveals that Indian tigers are being killed at rate of 1-2 per day as the Indian government has ignored its own tiger protection measures, sanctioning industrial encroachment on tiger habitat.

EIA accused the government of "criminal neglect, complacency, and a complete lack of political will" to save tigers and other endangered species—the Indian Board for Wildlife has not even met for eight years. Meanwhile, anti-poaching teams are struggling, underequipped, and often work without pay.

"The Indian government has looked on as the tiger population has plummeted. The situation is desperate and the Indian government must act now," said EIA chairman Allan Thornton. The report, entitled "The Political Wilderness—India's Tiger Crisis," is available from EIA, 15 Bowling Green Lane, London EC1R 0BD; phone (44) 171 490 7040.



**ACCORDING TO EIA**, notoriously elusive wildlife trader Sansar Chand has at least 40 criminal cases pending against him, stretching back 19 years. According to police officials, he is said to be responsible for most of the major wildlife crime in northern India—yet he continually escapes capture and questioning.

In July 1995 Chand was caught red-handed with an illegally taken leopard skin and arrested, but he avoided prison by complaining of chest pains. While downed phone lines prevented authorities from faxing a warrant with his prior charges, Chand was released on bail. The Delhi High Court sought action against Chand, but he surrendered himself into "judicial custody" on another,

lesser case—so that he was locked up, but safe from interrogation.

Chand's case helps illustrate the difficulty in getting anything done about the perilous situation for tigers and other wildlife in India. 🐾

# The Power of Words

by Joyce D'Silva

Near where I live, the local farmer has just harvested his crop. Not a crop of wheat or barley, but of lambs. Yes, he actually refers to them as a "crop." How we delude ourselves with language.

Advertising, labelling—and even children's books—would have us believe that the cow produces milk so that she can nourish us, that hens peck happily in the farmyard and that pigs root contentedly in the fields.

Yet the truth of the diseased and exhausted dairy cow, worn out before she reaches one quarter of her natural life span, the hen frustrated, de-feathered and brittle-boned and the pig driven to biting its pen-mates in its overcrowded concrete prison, is hidden from us.

Likewise, the centerpiece of the Christmas table is likely to be a bird genetically selected to be so meaty that males can no longer mate naturally and artificial insemination is now routine on turkey farms. So much suffering for a cut-throat, give-away price in our supermarkets.

Words lie—but they are powerful. Our campaign to change the Treaty of Rome is a campaign about words. To have animals recognized as "sentient beings" in the Treaty, not as "agricultural products" or "goods," as at present.

A number of Northern European countries—principally Austria, Germany and the UK—are now backing the idea that a new Article (or Protocol) should be included in the Treaty of Rome committing Europe to high standards of animal welfare.

At present the Treaty—which is the cornerstone of EU law—classifies animals as goods or "agricultural products." CIWF is campaigning for them to be given a new Treaty status as "sentient beings." This would recognize that animals should not be viewed as items of trade but as living creatures capable of feeling pain and suffering.

Over the next few months, we have a golden opportunity to win this new status for animals. The 15 EU countries are presently discussing the next round of Treaty changes at the Inter-governmental Conference—a series of meetings which is likely to come to final decisions next June in Amsterdam.

Of course, actions speak louder than words. But the current Treaty wording debases animals. A change of words could ignite a whole new way of looking at our farm animals. It could be the spark to kindle a wave of new legislation, which would outlaw the cruel systems of the factory farm for good. 🐾

*The foregoing is adapted from an editorial that appeared in the Winter 1996 issue of Agscene. For subscription information contact:*

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## PERIODICAL PLEASURES

by John Gleiber

"The Power of Words," sharing this page, is reflective of the clear thinking, provocative writing, and specific recommendations to be found in *Agscene*, the handsome and colorful quarterly magazine of Compassion in World Farming, Ltd.

Just as the *AWI Quarterly* seeks to present vividly and intelligently the current issues facing the animal welfare community (to say nothing of the animals themselves), *Agscene* describes the horrors of today's farming practices, the possible and probable solutions and the ways these can be brought about.

*Agscene* is especially important right now because of the ramifications of farming and export practices as the European Union grows more powerful and more complex in its regulations and restrictions. *Agscene* is produced with a high degree of professionalism, and the color photographs vividly portray the animals who are the victims of today's farming/marketing world.

In a recent editorial, Joyce D'Silva says that "cruelty thrives on ignorance." *Agscene* is paramount in helping to dispel ignorance and replace it with intelligent compassion. 🐾



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