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**Testimony before the
United States House of Representatives
Committee on the Judiciary
The Subcommittee on Crime, Terrorism and Homeland Security**

**Hearing on H.R. 6598, the Prevention of Equine Cruelty Act of 2008
Thursday July 31, 2008**

My name is Liz Clancy Ross, and I serve as federal policy advisor to the Animal Welfare Institute in Washington, D.C. I am grateful for the opportunity to testify before the committee today in favor of the Conyers-Burton Prevention of Equine Cruelty Act of 2008.

With more than two decades of experience as an animal protection professional, I have had the honor of working with legislators in the United States Congress, the British Parliament and the European Parliament and Commission on a number of animal welfare measures. With a specialty in equine protection, I have been integrally involved in the legislative effort to end the slaughter of horses for human consumption since the national campaign began in 2001

In addition to my legislative work to improve equine welfare, I am a founding member of The Homes for Horses Coalition, an alliance of equine advocacy and rescue groups proactively promoting improvements in equine welfare including ending horse slaughter and placing horses in need of new quarters. On another front, my organization, the Animal Welfare Institute, recently entered into a collaborative project with the National Black Farmers Association (NBFA) called Project Wanted Horse through which at-risk horses will be placed on NBFA-owned farms.

I also serve on the Board of Directors of the Global Federation of Animal Sanctuaries, an independent non-profit organization providing oversight and professional assistance to animal sanctuaries worldwide – including equine rescue facilities - to ensure the provision of exceptional care to the animals in their charge. It is with this strong background in equine protection in mind that I come before the committee today to ask that you promptly pass H.R. 6598, the Conyers-Burton Prevention of Equine Cruelty Act of 2008, into law.

I first became aware that horses were being slaughtered in this country for human consumption overseas when I was contacted in 2000 by a woman who frequented the New Holland Livestock Sale in Pennsylvania. She urged me to attend the auction, which is held every Monday and through which hundreds of horses are sold each week, so that I could see first-hand the brutal manner in which many of the horses there were being treated. It is a known fact that many of the horses sold at New Holland end up being slaughtered for high-end diners in Europe and Asia.

I made my first journey to New Holland that April, arriving late on a Sunday night to see the horses being brought in for sale the next morning. While many of the horses there were beautiful animals who would certainly end up in good homes others had clearly been neglected or abused. Dozens of horses were already in the kill-pens destined for slaughter. Of those horses that went through the auction ring I was able to purchase three, all of whom undoubtedly would have otherwise gone to slaughter. One was in such bad shape that she should have never been brought through the ring and we had her euthanized on the spot. The other two were placed at an equine rescue facility in New Jersey where they still live today. Hundreds of other horses that day were not so lucky. Although most of the animals were healthy and marketable, they were loaded into cramped trailers with unfamiliar horses and endured lengthy trips across hundreds of miles to the then-functional slaughterhouses in Illinois and Texas where they were brutally slaughtered.

The pure animal suffering and terror I witnessed that day at New Holland was so fundamentally disturbing as was everything I subsequently learned about the horse slaughter industry that upon returning to my office in Washington I began formulating ideas with my colleague at the Animal Welfare Institute, Chris Heyde, on how to tackle this issue legislatively. We had the honor of working with then Representative Connie Morella (R-MD), who sponsored the first incarnation of The American Horse Slaughter Prevention Act, the predecessor to the Conyers-Burton Prevention of Equine Cruelty Act 2008.

The bill was first introduced in the 107th Congress by Representative Morella and was referred to the House Agriculture Committee where it languished. While bipartisan support for the measure continued to grow, the bill met a similar fate in the 108th Congress. At the start of the 109th Congress we worked with its sponsors to redraft the bill so that it would be referred to the House Energy & Commerce Committee. A companion bill was introduced in the Senate and both gained enormous Congressional and public support, with the House version (H.R. 503) going to the floor and passing by a landslide vote of 263-146-1.

Unfortunately, the Senate did not act in like style and the bill's sponsors were therefore compelled to reintroduce the bill at the start of the 110th Congress. To date that bill, The American Horse Slaughter Prevention Act (H.R. 503/S. 311) has 206 and 39 cosponsors

respectively but, despite being approved by the Senate Commerce Committee, is once again languishing in a House committee.

Attempts to hamper horse slaughter via the appropriations process have also hit a dead-end. Although both the House and the Senate passed language via the Fiscal Year 2006 and 2008 Agriculture Appropriations Bills designed to halt horse slaughter, the move has been circumvented by the U.S. Department of Agriculture. Meanwhile tens of thousands of American horses continue to be slaughtered by foreign-owned companies for human consumption overseas.

Mr. Chairman, there is an urgent need to address this form of abject animal cruelty head-on with sound federal legislation, which is why I am before your committee today advocating speedy passage of H.R. 6598, the Conyers-Burton Prevention of Equine Cruelty Act of 2008. As you know, horses are not being slaughtered currently on U.S. soil following the closure last year of the three remaining slaughter plants – all of which were foreign-owned – under Texas and Illinois state law. However, our horses are still being horrifically butchered for their meat to feed luxury diners abroad and to line a few foreign pockets. They simply are being transported further to Canada and Mexico where, if imaginable, conditions are even worse than they were here. Furthermore, there is the distinct possibility that with the current patchwork of state laws specific to horse slaughter, processing plants could begin to operate in states with lesser laws than those of Texas, Illinois and California. The United States Congress can and must pass H.R. 6598 into law so that we can ensure that our horses are no longer subjected to this ugly and wholly un-American trade.

I'd like to take this opportunity to address some of the fallacious arguments I've heard presented against this bill and the larger effort to end horse slaughter. But before I start I would like to point out that some of the lobbyists leading the effort against this bill and against ending horse slaughter have until very recently been on the payrolls of the horse slaughter facilities and thus clearly have a vested interest in keeping the industry alive regardless of the facts. My colleagues and I, on the other hand, have nothing to gain from ending horse slaughter except to know that we will have ended an egregious form of horse abuse that the vast majority of Americans detest.

The first claim our opponents like to make is that we actually need horse slaughter, that it is a "necessary evil" without which horses would suffer neglect and abuse. In fact, they have gone so far as to suggest that banning horse slaughter would be irresponsible and would actually harm America's horses. Mr. Chairman, as someone who has dedicated her life to protecting animals from abuse and neglect I can tell you that ending horse slaughter will be enormously beneficial to horses. It will also be good for horse owners. Following California's ban on horse slaughter the state witnessed a 34% drop in horse theft, a trend that will undoubtedly be

replicated nationwide when the slaughter market is finally closed. Prior to this campaign there was little discussion about ending indiscriminate breeding, providing for a horse's long-term care and so much more. Generally speaking, the campaign to end horse slaughter has already had a very positive effect on horses and that will only continue into the future.

Despite claims to the contrary, horse slaughter doesn't exist to provide a humane method for disposing of old and unwanted horses. It exists because there is money to be made from the trade, in this case by several foreign owned companies. The truth is that very few horses are purposely sold to slaughter by their owners. Instead, most horse owners do the right thing and have their horses humanely euthanized by a licensed veterinarian when the time comes. The cost – approximately \$225 – is simply a part of responsible horse ownership and is the right thing to do.

As for the question of what to do with horse carcasses if slaughter is removed as an option, consider that approximately 920,000 horses die annually in this country (10 percent of an estimated population of 9.2 million) and the vast majority are not slaughtered, but euthanized and rendered or buried without any negative environmental impact. Well over 100,000 American horses were slaughtered in 2007. If slaughter were no longer an option and these horses were rendered or buried instead, this would represent a small increase in the number of horses being disposed of in this manner - an increase that the current infrastructure can certainly sustain. However, most slaughter-bound horses are marketable, healthy horses and needn't be lethally disposed of.

There can be no doubt that horse slaughter is a brutal process from beginning to end. Killer-buyers – the men who frequent the livestock auctions where they purchase horses from unknowing sellers for resale to the foreign-owned slaughterhouses - have no regard for the horses' welfare. Because the horses' final destination is slaughter, little concern is paid to their treatment when they are collected, during transport or in the slaughterhouse. A former equine investigator for the Pennsylvania state police summed this industry up perfectly when she said "...horses were deprived of food and water because they were going to slaughter anyway. My conclusion is that the slaughter option actually encourages neglect."

I'd also like to speak to the idea that animal protection advocates have increased animal suffering by campaigning for the closure of domestic horse slaughter plants under state law. The citizens in those states wanted the plants gone and in the absence of a federal law prohibiting the trade, the states of Illinois and Texas invoked their right to control what happens to horses within their own state lines. However, the ultimate goal for genuine equine advocates has always been passage of the federal bill, and were it not for the tactics of our opponents – who publicly decry the increased shipment of horses over our borders for slaughter while actively working with the slaughterhouses to lobby against the very bill that

would shut the trade down – we would not be before you today asking for your help in ending this atrocity. The trade would have been stopped long ago.

There has been a concerted campaign of misinformation by those who wish to perpetuate the horse slaughter trade, and a key tenant of that campaign has been the ludicrous position that horse slaughter is a form of humane euthanasia. While the mechanism used in some slaughterhouses – the captive-bolt gun – can in theory be used by a trained veterinarian to euthanize a horse, the similarity between truly humane euthanasia and slaughter ends there. I know of no veterinarian nor have I heard of one who would advocate the captive bolt gun as a means of euthanasia aside perhaps from those lobbying against this bill. Chemical euthanasia is the primary means while some individuals and veterinarians may use a single gunshot in certain circumstances.

In slaughter, horses suffer long before they reach the slaughterhouse. Cramped onto double-deck trailers designed for cattle and sheep, horses travel in a bent manner for more than twenty-four hours without food, water or rest. In fact, so paltry are current regulations and so brutal is the trade that heavily pregnant mares, blind horses and those with broken limbs are regularly sent to slaughter.

At the slaughterhouse the horses are unloaded and handled in a savage manner. Prodded into the kill box they are often hit in the head multiple times by slaughterhouse workers. Simply put, it is disingenuous and factually incorrect to suggest that horse slaughter is a form of humane euthanasia. The use of a captive-bolt gun in any circumstance is strongly criticized by the Veterinarians for Equine Welfare in their recent white paper on horse slaughter, which can be found on their website.

It is also noteworthy that in Mexico the captive-bolt gun is often passed over in preference to the “puntilla” knife which is used to stab the horse in the spinal cord to the point of paralysis before the animal is strung up and quartered, often while still alive. In fact, one of the Mexican plants that was the subject of an undercover investigation exposing this horrific practice employs lobbyists who work the halls of Congress to defeat this bill. Mr. Chairman, this is pure animal cruelty, through and through, and it must end.

I’d also like to address the notion that the current campaign to end horse slaughter – including the closure of the country’s remaining plants – has led to a flood of ‘unwanted’ horses in America. The same number of horses is going to slaughter now as was prior to the plants’ closures. There has also been a huge drop in the number of horses going to slaughter in the past few decades, from a high of more than 350,000 horses in 1990 to just over 100,000 last year, yet there has been no correlating epidemic of ‘unwanted’ horses in our streets and fields.

The Animal Welfare Institute has looked into claims of abandoned horses and they are largely unfounded. There is, however, a very real economic crunch that everyone is feeling including horse owners. Rising fuel prices combined with rising hay prices as a result of severe drought are negatively impacting horse owners, not the closure of the slaughter plants in Illinois and Texas. While the U.S. based, foreign-owned plants have closed, their killer buyers are still operating throughout the country collecting horses at a rate higher than last year. Currently people still have the option of taking their horses to auctions to find buyers, including killer buyers, should they choose to exercise this option. If horses are being abandoned and abused it clearly has nothing to do with the horse slaughter industry. To claim otherwise is pure fantasy and exists solely as a political shell game and not a valid concern.

Some have questioned whether it makes sense to take the Judiciary route to address the issue of horse slaughter. I would respond that this is a perfect fit. Not only is there legislative precedence for doing so (an earlier incarnation of the American Horse Slaughter Prevention Act, H.R. 503 from the 108th Congress, which had 228 cosponsors allowed for penalties to be assessed under Title 18 of the U.S. Code) but horse slaughter, in every respect, is a form of animal cruelty and ought to be recognized and treated as such. Should there remain any doubt in your minds about the level of cruelty involved in this trade, I have included a series of graphic photographs at the end of my testimony depicting horses during their trip to slaughter. One need only glance at these images to begin to understand the atrocities that are being committed against America's horses in the name of profit.

The bill's sponsors have, therefore, rightly sought to criminalize equine cruelty under Title 18 of the U.S Code but have done so in a most responsible manner, using a tiered penalty system whereby first-time offenders will be charged with a misdemeanor. Second time offenders or those found to be moving five or more horses in violation of the statute would be charged with the lowest felony available, a Class E felony. Further, the sponsors have restricted possible prison time under the felony provision beyond that allowed under Title 18. Also, knowledge of and intent to commit a crime must be proven by a prosecutor. In short, this is responsible legislation that sets a high burden of proof to ensure that only those truly guilty of committing equine cruelty will be affected.

Mr. Chairman, America is long overdue in ending horse slaughter. This issue has been vetted in Congress on multiple occasions and every time any measure to prohibit or restrict horse slaughter comes up for a vote the tally is overwhelming in favor of ending this form of animal cruelty. This should come as no surprise. Affected states have taken as much action as they can. The American people have made their opposition to horse slaughter quite clear. Poll after poll reflects this desire, including one from the Great State of Virginia, which found that 67% of those surveyed agreed horse slaughter should be stopped. Support is also reflected on the

Animal Welfare Institute's impressively long list of animal protection and equine rescue groups, celebrities, industry leaders and others who have publicly endorsed the Prevention of Equine Cruelty Act, a copy which has been submitted for the record as well.

Every five minutes an American horse is slaughtered to fill the demand of high-end European and Asian diners. Americans do not raise horses for slaughter, nor do we eat them yet tens of thousands of our horses continue to be brutally butchered annually to satisfy the palates of overseas consumers. These are our pets, our work horses, our race horses and our wild horses and they are suffering unimaginable pain and terror so that a handful of foreign-owned companies can profit. Mr. Chairman, there can be no doubt that horse slaughter is a form of animal cruelty which must be stopped. We respectfully request that the United States Congress act now to end this animal cruelty by swiftly passing the Conyers-Burton Prevention of Equine Cruelty Act into law.

Mr. Chairman, members of the Committee, thank you for your time and your consideration of this important bill. I look forward to working with the sponsors as it makes its way through Congress.