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**Quarterly**

*Summer 2009 Volume 58 Number 3*

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## ABOUT THE COVER

This nine-week-old North American coyote pup faces an uncertain future in a hostile environment where traps and snares frequently maim, kill or orphan wildlife. Each year in the United States, millions of wild animals including coyotes, wolves, bobcats, badgers, raccoons, marten, and fisher fall victim to steel-jaw leghold traps and neck snares used by fur trappers, livestock ranchers, and predator control agents. And now thousands of wild animals are being trapped as part of a U.S. government backed trap testing program that is coming under increasing national and international debate. To read more on trapping, see page 16.

Photo by Michael Durham/ Minden Pictures

## IWC Defers Major Decisions

Critical issues were on the agenda for the 61st International Whaling Commission (IWC) meeting, held June 22 to 25 in Madeira, Portugal; but those that were addressed were principally the minor ones. Instead, in the spirit of conviviality characterizing the IWC over the past two meetings, contentious issues were deferred to even more meetings that will not include all stakeholders. Substantive discussions, however, did take place on the sidelines, making the presence of Animal Welfare Institute (AWI) Executive Director Susan Millward and Wildlife Biologist D.J. Schubert essential.

The resolution of two superficially separated, but implicitly linked and important issues was postponed—granting Denmark an additional annual quota of 10 humpback whales for its Greenland whalers and deciding the future of the IWC.

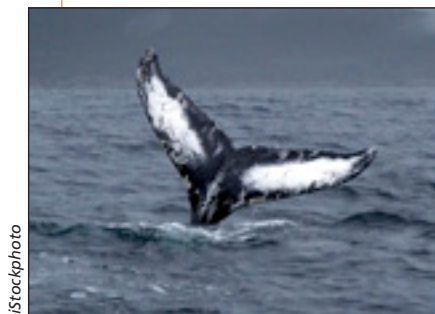
AWI, while unopposed to genuine aboriginal subsistence whaling, contends that the request is unreasonable, because Greenland's existing annual quotas of 19 fin whales, 212 minke whales, and two bowhead whales already exceed that needed for subsistence. This is because of concerns over 1) whether there is a true subsistence need for killing more whales, given the significant waste from existing hunts; 2) how conversion factors used to compute meat yield are calculated (Greenland quantifies subsistence needs by weight; IWC allocation is by numbers of animals); 3) why Greenland calculates its subsistence need based on all Greenlanders, not just aboriginals; and 4) why a quarter of Greenland's whale meat is routinely sold for profit.

Though Greenland's proposal was discussed over several days, it did not come to a vote, due to the general desire to avoid conflict. Instead, IWC Chair William Hogarth successfully proposed deferring discussion to a special meeting later this year.

The future of the IWC body was the second controversial issue slated for resolution at the meeting, and again, the desire for harmony prevented substantive debate and decisions. AWI has not supported these discussions to date, since they have centered on a

compromise that would allow for a resumption of commercial whaling, instead of tackling the core issues of loopholes in the whaling Convention and other threats facing whales. Participants settled upon extending discussions and creating another closed-door working group to meet in October.

In a bit of bright news, Hogarth's term as U.S. Commissioner and IWC Chair concluded, and Christian Maquiera of Chile was appointed his successor. Our past experience at meetings chaired by Maquiera has shown him to be firm, yet fair, and a welcome proponent of representation by civil society. 🐾



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## ANIMAL WELFARE INSTITUTE QUARTERLY



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**Above Left:** Maryland intends to eradicate its population of less than 500 mute swans, and has already killed thousands since 2003. (Photo by iStockphoto); **Top Right:** As a dietary staple for red knots, declining horseshoe crab populations are jeopardizing both species. (Photo by iStockphoto); **Bottom Right:** These North Carolina pigs are the newest members to the Animal Welfare Approved program. (Photo by Max Turner/ NC hog growers).



## U.S. Fur Sales Tank Internationally

DESPITE THE TRAPPING INDUSTRY'S sanguine spin, the fur market is bottoming out, presumably due to the global recession. The North American Fur Auctions (NAFA) named raccoon, coyote and beaver as species that usually drive the market, yet have seen the lowest sales this year. NAFA blames Russia's declining ruble, since the country is the industry's largest consumer. Since there is little money to be made from the furs, fewer animals are now being trapped. Contrary to what fur trappers claim about being good wildlife managers, they trap based on fur prices and sales, not the size of animal populations. 🐾

## But Not a Drop to Drink

AFRICAN ELEPHANTS CONTINUE to struggle for survival during the worst drought in 26 years, reports African elephant conservation group Save the Elephants. With temperatures in the shade hitting 122 degrees Fahrenheit this season, the native cattlemen, who usually coexist peaceably with the 350 to 450 elephants, began conflicting with the herd over water availability. The herd is now forced to make longer trips for water, a hardship that has directly resulted in six known elephant deaths.

"The stench of rotting corpses fills the air, and what little water remains is putrid and undrinkable by all standards," Jake Wall, a scientist for Save the Elephants, described.

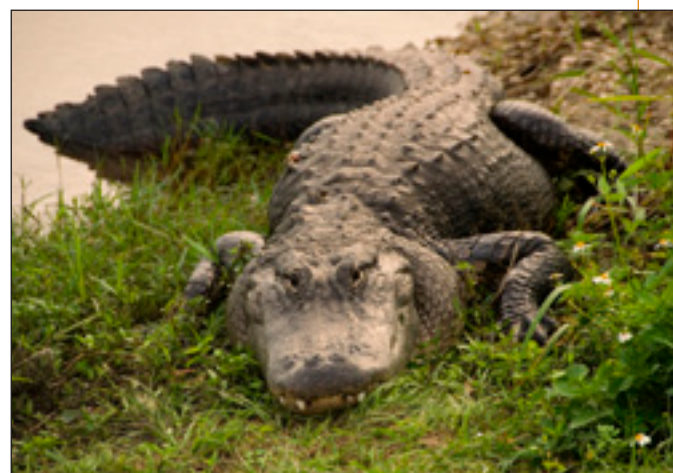
Iain Douglas-Hamilton, Ph.D., of Save the Elephants blames climate change and overstocking of livestock for the shrinking and degradation of the elephants' habitat. His organization, along with the WILD Foundation and the Mali government, has built a concrete water holding tank near Lake Banzena, where the elephants usually hydrate during the dry season.

"The elephants have now proceeded on their annual migration to the south in pursuit of the rains," says Hamilton. "I am not sure exactly how much rain has fallen, but there had been enough light rain to suppose that they now have water to drink." Hamilton adds that though the immediate crisis may be over, long-term planning in conjunction with the Malian government is still necessary for the sharing of water resources in this vulnerable area. 🐾

## COMMERCIAL WILDLIFE FARMS THREATEN ASIAN FAUNA

Results of a joint study between the Wildlife Conservation Society (WCS) and Vietnam's Forest Protection Department revealed in May that commercial wildlife farms in Vietnam are threatening Asian animal species by depleting their populations and contributing to illegal trade. The findings refute the claim that these farms lessen the burden hunting has on wildlife by breeding and raising the animals in captivity to offer legally produced meat and other products to local communities.

The study shows that farms supply luxury items to wealthy urban consumers, sometimes illegally exporting wildlife and their byproducts to China. Out of nearly 80 Vietnamese farms surveyed, at least 42 percent capture animals from the wild, and some purchase them from commercial hunters. Species commonly found on wildlife farms include rare and threatened monkeys, bears, snakes, turtles, tigers and crocodiles. 🐾



Populations of Asian wildlife, such as this crocodile, have become more endangered as a result of wildlife farms, not better protected.

## Gray Wolves Relisted; Polar Bears Left Out in the Cold

TO THE DISAPPOINTMENT OF MANY, the Obama administration failed to rescind two decisions made under the Bush administration that will negatively impact gray wolves and polar bears.

The gray wolf was added to the ESA 35 years ago, enabling it to survive after being nearly eradicated in many U.S. states as a result of overhunting. On May 4, however, the species was officially removed from listing under the Endangered Species Act (ESA) in Wisconsin, Minnesota, Michigan, Idaho, Montana, Washington, Oregon and parts of Utah, remaining on the list solely in Wyoming. In June, various conservation organizations filed multiple lawsuits, which challenge the premature decision to delist gray wolves and claim that the states have yet to produce sound management plans to ensure the species' long-term survival.

After settling with five environmental and animal protection groups later that month, the U.S. Fish and Wildlife Service (FWS) relisted the gray wolves of the western Great Lakes region under the ESA. Should the FWS attempt to delist the wolves in the future, they will need to provide an opportunity for public comment. The relisting of gray wolves in other regions, however, remains on the table.

A Bush-era "special rule" that prohibits the regulation of activities threatening polar bears, should they occur outside the Arctic, was also maintained by the Obama administration. The biggest threat to polar bears today is melting sea ice, due to climate change from greenhouse gas emissions that occur outside the endangered bears' environment. 🐾

## ENSNARED FOX KIT SUSTAINED BY HIS MOTHER

A three-month-old fox kit in the U.K. was rescued by the Royal Society for the Prevention of Cruelty to Animals (RSPCA) this spring after enduring about two weeks caught in a body snare. Despite suffering life-threatening injuries from the trap, the kit was kept alive by his mother, who fed him enough to keep him "quite chubby," according to RSPCA Inspector Sam Garvey.

Garvey says he and other rescuers could hear the cub screaming beneath two feet of brambles and bushes before



## Canning the Canned Hunt

THE GOVERNMENT OF SOUTH AFRICA, one of the largest captive hunting regions on the globe, officially banned the sport in June, sparing the lives of more than 1,000 lions annually. About 120 active lion breeders run lucrative enterprises, where they breed and sell their lions to canned hunts frequented by thrill-seeking tourists.

In 2007, the government proposed laws prohibiting the hunting of captive lions until at least two years after their release into the wild. Obstinate breeders challenged the proposal in court, insisting that hunters should be allowed to shoot the lions just days after their release. A high court judge ruled in June, however, that the country's biodiversity must be maintained, and that canned hunts would not further lion protection.

Breeders are now threatening to sue the South African government over the decision, with the South African Breeders Association contending that the remaining 3,000 captive lions will need to be euthanized. 🐾

cutting him free. "It was horrific, and the vets are not sure if he will make it," the inspector recounted to British media. "They have stitched him back together, but he can't pass urine on his own and may need a catheter. The wire had cut right through his middle, right down to his bones."

The little one is now recovering in the Essex Wildlife Hospital, where caretakers report he is doing well. The RSPCA continues to search for the person who set the wire trap. The larger question remains: How are animal welfare officials to keep illegal trap-setters outfoxed? 🐾



Photo courtesy Nancy Hessler, NYDEC



Photo courtesy Ryan von Linden/NYDEC

# MYSTERY FUNGUS RAVAGES NORTH AMERICAN BAT POPULATIONS

*Scientific community scrambles to understand the frightening plague and formulate a cure*

**BATS IN THE EASTERN U.S.** are now facing what could be their biggest challenge, with hundreds of thousands reported dead by the U.S. Fish and Wildlife Service and many species heading toward extinction.

Dead and dying bats were first discovered three years ago in caves near Albany, N.Y., appearing to suffer from an inexplicable white fungus originating around their noses, ears, wing membranes, and occasionally tails. The affliction, later dubbed White-nose Syndrome (WNS), had not

previously been documented in the U.S. Thriving in the cold conditions of bat hibernacula, which include the caves, sinkholes, mines, and other areas where bats hibernate during the winter, the baffling syndrome has quickly spread across nine states from New Hampshire to West Virginia in only a few years.

At a Congressional hearing on WNS in June, Merlin D. Tuttle, Ph.D., Founder and President Emeritus of Bat Conservation International, submitted testimony on the disease: “At the current rate of spread, the most critical hibernation sites for federally endangered Indiana bats, gray bats, Virginia big-eared bats and Ozark big-eared bats will face WNS within two years or less, and several additional bat species may warrant consideration for Endangered Species listing.”

Last May, Dr. Tuttle and other prominent scientists and wildlife managers concerned about WNS formulated a consensus statement that declared, “White-Nose Syndrome (WNS) is a devastating disease of hibernating bats that has caused the most precipitous decline of North American wildlife in recorded history. Since it was first discovered in 2006, WNS has infected six species of insect-eating bats in the northeastern and southern U.S., causing declines approaching 100% in some populations...”

Unfortunately, little is known about WNS. Scientists have not been able to discover the direct cause of mortality. According to Tuttle, it is also unknown if the fungus of the genus *Geomyces* is the singular cause of death or simply “an opportunistic pathogen that takes advantage of weakened immune systems.”

What is certain, however, is that many of the one million infected bats who have already died appear to have

starved to death. Scientists discovered that the bats awaken prematurely from their hibernation and appear to seek out prey in mid-winter. Often unable to find insects otherwise available in warmer months, the bats’ bodies are forced to use energy from fat reserves intended for use during hibernation. The infected bats are commonly found with necrotic and ulcerated wing membranes and compromised immune responses, exhibiting atypical behavior, such as flying during the day or flapping around erratically on the ground.

No longer simply stigmatized as the villains of horror movies or childhood nightmares, bats are now known as valuable assets to agriculture and the environment, as insect consumers and pollinators. They comprise approximately a quarter of all mammal species on the planet, 70 percent of which are insect predators. Bat species prey on insects that damage crops, as well as those that can destroy forests or spread disease; some bats are even known to eat up to 600 mosquitoes in an hour. Many scientists fear the mass bat mortalities will contribute to increased pesticide use, poor forest health, and increased risk of insect-borne diseases.

At the Congressional hearing, House Chairwoman Madeleine Bordallo (D-Guam) stated, “We must quickly

*The white fungus surrounding this bat’s nose is a tell-tale sign of WNS. Until a cure is found, a rapid death for those infected is certain.*

ascertain the causes of and vectors for the spread of White-nose Syndrome to avoid what could be an ecological and economic disaster, if it remains unchecked.”

Researchers have stressed that the top priority must be understanding WNS and its means of spreading if they ever hope to find a cure. Scientists made clear at the Congressional hearing that more than a quarter of the 46 bat species in the U.S. may need to be listed under the Endangered Species Act and some of even the most abundant and wide spread species could swiftly become threatened with extinction. 🐾

## Turbines Threaten Endangered Bats

The Animal Welfare Institute (AWI), Mountain Communities for Responsible Energy, and a West Virginia local conservationist filed a complaint against Beech Ridge Energy and its parent company in June, contending that their massive industrial wind power facility being built in Greenbrier County, W.V., will unlawfully injure and kill the endangered Indiana bats who live near the project site.

“We were hoping to avoid a federal lawsuit,” says John Stroud, spokesperson for Mountain Communities for Responsible Energy. “However, Beech Ridge Energy is currently moving forward with construction, despite repeated requests to first bring the project into compliance with the Endangered Species Act.”

The wind project will include 124 turbines, each nearly 400 feet tall, along a 23-mile stretch of forested Appalachian mountain ridgelines. Habitat-destroying roads, buildings and transmission lines necessary to operate the facility will also be installed.

Meyer, Glitzenstein & Crystal, the public interest law firm representing the plaintiffs, had informed Beech

Ridge Energy of the likelihood that its wind power project would adversely impact the endangered bats. The U.S.

Fish and Wildlife Service had also warned Beech Ridge of the project’s threat to bats, recommending a full three years of pre-construction wildlife monitoring before making a siting decision. Beech Ridge, however, failed to respond and has proceeded with construction plans.

Plaintiffs are particularly concerned about the project’s impacts in light of the increasing threat posed by White-nose Syndrome—a disease ravaging bat populations in the eastern U.S.

“According to conservative estimates, the Beech Ridge project alone is expected to kill more than 130,000 bats over a 20-year period,” says DJ Schubert, AWI wildlife biologist. “Poorly sited wind power projects in the eastern U.S. have already killed and maimed scores of bats.”

The date and location of the trial still remains to be scheduled in what is possibly the first lawsuit challenging an industrial wind energy project under the Endangered Species Act. 🐾

Photo courtesy Ryan von Linden/NYDEC



*This close-up of a bat’s wing shows the tissue deterioration caused by WNS.*



istockphoto

# Non-Invasive Genetic Sampling: A Kinder Approach to Population Estimation

BY ELLEN CHENG

ALMOST EVERY WILDLIFE BIOLOGIST has experienced the sinking feeling of finding an injured or dead animal in a live-trap. Live-traps are used to capture animals, so we can monitor the health of individuals, estimate the number of animals in an area, and collect other information to help us better manage and conserve wildlife populations.

Estimating the size of wild animal populations, however, can be difficult and expensive. While the use of live-traps is the traditional method for calculating such estimates, there is still potential for capture-related injuries and mortalities. Though steps can be taken to reduce such problems, there is little we can do to alleviate the psychological stress of confinement. Some animals when captured will attempt to squeeze or break their way out of



Matthew Strauser

*This snowshoe hare is spared the trauma of capture for research by a noninvasive approach to data collection.*

live-traps, occasionally injuring themselves in the process. As wildlife biologists, we have a responsibility to actively seek better alternatives for obtaining the data we need.

For the past five years, I've been part of a long-term research program studying snowshoe hare abundance estimation, habitat use, and population trends in the western U.S. The Animal Welfare Institute (AWI) recently funded

our program's study to develop a cost-effective, non-invasive genetic approach to estimate snowshoe hare abundance.

Our study takes advantage of genetic methods that allow us to identify individual animals from the DNA in their hair, scat or other non-invasively collected genetic samples. Though we aren't the first to use this technique for population estimation, our study is unique in its application to a relatively common species, such as snowshoe hares. Our goal is to increase the general applicability of non-invasive genetic sampling in wildlife research.

Our approach is a simple modification of the basic design used for live-trapping snowshoe hares. A 20-hectare rectangular study site (approximately the size of 48 football fields) is gridded into 80 square plots. In each plot, we lay out a ground cloth baited with apples and alfalfa. While the hares sit and chew on bait, they produce pellets (scat) that contain their unique DNA signatures. The ground cloths are left in the field to "collect" hare pellets for four days. Accumulated pellets on the ground cloths are then brought back to our laboratory, where we apply genetic techniques, among other things, to develop an estimate of hare population size.

So far, we've field-tested our approach at two study sites in Glacier National Park, and the results are promising. The population estimates were proximate to those from live-trapping hares at the same sites. Furthermore, our non-invasive approach can be cost-effective (and, in some cases, even cheaper than live-trapping), and is easy to implement in the field.

We're excited about these results and the promise they hold for broader application. However, our sample size is still too small and our study scope too limited to be conclusive. Therefore, we will be applying our approach at additional study sites this summer on commercial forest lands. 🐾

*Ellen Cheng is a Ph.D. candidate in the University of Montana's Wildlife Biology program. She has more than a decade of experience managing and implementing field research projects on a variety of taxa, from birds and reptiles to small mammals and ungulates. Prior to returning to graduate school, she served four years as Director of Development for The Natural Heritage Institute, a conservation nonprofit organization in Berkeley, Calif.*

# Dances with Wolves: Finding the Balance Between Rancher and Predator Interests

BY NATHAN LANCE

ALTHOUGH WOLVES may not have drastic economic repercussions on the livestock industry as a whole, they can substantially affect individual ranchers when depredations become chronic. This creates a difficult environment in which to balance wolf conservation with other human interests. Modifying predator and human behavior, as well as a thorough understanding of biological and sociological factors associated with these conflicts, are essential for successful predator conservation and management.

Lethal removal of problem individuals is still used as a traditional management strategy; however, new, non-lethal management tools that decrease risk of predation provide additional flexibility to both livestock producers and conservationists.

Tools such as fladry can be very effective by exploiting natural predator behaviors like fear and avoidance. It uses flagging interspersed along a line and strung across fences surrounding livestock pastures. The flagging triggers an innate fear and avoidance in wolves, because it is a novel stimulus. However, it has the potential to be rendered ineffective through the process of habituation.

Alternatively, the effectiveness of a stimulus such as fladry can be magnified when animals learn to avoid it altogether by associating it with a negative experience in a process called "aversive conditioning." For example, in the case of "Turbo-fladry," a predator's fear response is reinforced when a second stimulus, such as electric shock, acts as a reinforcing deterrent. This technique prolongs the repellent effect and is not susceptible to habituation, because of the supplemental aversive conditioning element.

My research objective was to determine the effectiveness and usefulness of electrified fladry for preventing wolves from accessing a protected food resource or a pasture. We tested this technique with captive wolves in Minnesota, as well as on nine ranches in Montana that had historic wolf conflicts.

My research indicated that electrified fladry was successful at changing captive wolf behavior, and has the potential to reduce wolf depredations on ranches, while providing sociological benefits to management. However, animal learning, motivation and personality all influence its effectiveness. Logistic and economic considerations may also limit its use to smaller applications, since about \$3,685 of investment is required for a relatively small 40 acre pasture.

It is possible that limiting the evaluation of a tool to its economic cost-benefit ratio may erroneously discount the



Nathan Lance

*Electrified fladry is an inexpensive way to keep wolves and ranchers out of each other's way.*

biological and sociological importance of electrified fladry. Managers will need to weigh the costs and maintenance against the risk of damage and management objectives.

It is argued that non-lethal management only delays the inevitable lethal removal of a depredating wolf, just as lethal removal subsequently delays the inevitable colonization and damage by another wolf filling the recently vacated niche. Thus, both types of management have been criticized, since they require actions that seem doomed to fail.

It is important to acknowledge, however, that lethal control is not a proxy for non-lethal techniques, nor are non-lethal tools a replacement for lethal control. Rather, a perpetual management employing a combination of tools that promote livestock protection, foster human tolerance, and maintain a viable carnivore population will be unrivaled. Ultimately, solutions to predator-livestock conflicts need to evolve from an understanding and balance of the biological, economical and sociological contexts in which these problems exist. 🐾

*Nathan Lance is a wolf management specialist with Montana Fish, Wildlife & Parks. He received his B.S. in wildlife biology from the University of Montana and an M.S. in wildlife biology from Utah State University. For the last eight years, his work has focused on wolf and bear ecology and minimizing conflict with carnivores and humans.*

# Bodyguard of Lies

By Tom Garrett

It is not only war that is, in Churchill's words, "accompanied by a bodyguard of lies." We live in a time when lies, perhaps more than ever before, are day-to-day tools of governments and of corporations. The public window to industrial pig production, cast briefly open by the dawn of (H1N1) influenza, is already closing. We shall never know if Granjas Carroll de Mexico—the city of a million imprisoned pigs and huge, reeking lakes of feces on the windswept plateau east of Mexico City—is, as *U.K. Mail* Correspondent Sharon Churcher suggested, "the fetid crucible of swine flu." Nearby villagers, oppressed by stench and dense clouds of flies, suffering from respiratory, eye and skin infections, as well as chronic headaches and dysentery from polluted drinking water, were convinced that the influenza that struck them from February through early April came, once again, from the hated company. But the World Health Organization made no effort to find out. Smithfield Foods, the world's largest pork production company, issued "every assurance" that its pigs and workers alike were healthy (never mind that Ms. Churcher had vomited from the smell of rotting carcasses), and that its environmental record, as always, is exemplary. Mexican officials stumbled to concur.

But on May 6, even as Smithfield pronounced itself blameless, a joint *New York Times* and *International Herald Tribune* story entitled "A U.S. Hog Giant Transforms Eastern Europe" gave vivid reminder to those of us who were on the scene of exactly how much credence can be attached to Smithfield assurances (see Fall 2007 *AWI Quarterly* article "Of Pigs, History and Impunity: Smithfield in Romania"). In Romania during the summer of 2007, Smithfield deliberately covered up an outbreak of classical swine fever—an entirely different and vastly more lethal virus—for weeks until huge piles of rotting pigs, only a kilometer from the town of Cenei, attracted the press. It was then revealed that not only two of the three infected Smithfield farms were operating illegally, but rather a total of 16, 11 of which lacked permits entirely.

Diane Halverson/AWI



The story by *International Herald Tribune* reporter Doreen Carvajal recounts how both the interventions of U.S. ambassador Nicholas Taubman and Smithfield's intimate relationship with Romanian president Triian Basescu and his political cronies shielded the company from prosecution, even serious recrimination. A scathing Veterinary Authority report on the outbreak seems to have been permanently suppressed. The company, far from apologizing, is now demanding 11.2 million Euros in compensation for the loss of its pigs. According to E.U. statistics, Smithfield and the European Commission have succeeded in a shockingly brief time in reducing the number of pig farmers in Romania from 477,030 in 2003 to 52,100 in 2008! The E.U. and the Romanian government alike have lavished Smithfield with subsidies—18 million Euros alone, according to Ms. Carvajal, for "improving the leanness of hogs." Smithfield has also received "derogations" (exemptions) from many E.U. environmental regulations until 2012, virtually guaranteeing aquifer contamination in southwest Romania, where its hog factories are located and the water table averages only 20 feet below the surface.

Having found a place where (as was once the case in the U.S.) it can get away with virtually anything, the company is voraciously buying

up land in the southwestern Romanian counties of Timis and Arad, promising to open 13 new farms. On May 22, France Television 24 showed Romanian women weeping and praying in church for deliverance from the blight Smithfield has brought to their lives.

To avoid defeat, the philosopher Seneca once admonished, "Know thine enemy." In the mid-1980's, there were still 670,000 U.S. pig farmers. Today, barely 70,000 remain, many of these corporate contractors. By what formula was this accomplished? How did Smithfield and other industrial interests force over half of Poland's peasant farmers, who persisted through two wars and 30 years of communism, out of pig farming and drive pig numbers from 20 million in 2000 to 14 million

today? How did Smithfield, by itself and in an even briefer time, virtually wipe out traditional pig farming, with roots that are hundreds of years old, and drive a stake in the heart of peasant Romania?

Let us begin by clarifying how this was *not* done. Industrial dominance did not come about (a lie repeated *ad nauseam* is still a lie) because it is "more efficient." Even on a direct cost per unit of production basis, industrial pork production is not more efficient than traditional farming. If the environmental, socio-economic, public health and other quantifiable costs—not to even



Marek Kozda/AWI



Eco Storm

**Top:** The Smithfield factory farm in Byszkowo, Poland, is a far cry from the acres of green on which they'd have consumers believe they raise their pigs; **Bottom:** Upon closer look, one can see the excess of pig feces applied to the fields at the Byszkowo operation. The putrid stench of bacteria-riddled sewage reaches nostrils miles and miles away.

mention the terrible abuse of animals and degradation of rural life—are taken into account, it is vastly less so.

Corporations could not and did not take over through competition on the “free market.” A free market is anathema to “Big Ag;” it requires a rigged market not only to take control, but to survive. A perfect example of this was seen in Poland after Smithfield’s acquisition of the Communist era Animex chain of slaughterhouses. In 2000, CEO Joe Luter admitted to the *Washington Post* that his Polish gambit would fail unless his free market competitors, “4,500 outlaw, backyard slaughterhouses” in his words, were shut down. A *Warsaw Business Journal* article complained, “Small factories are more competitive

pertaining to humane slaughter, meat inspection, the environment, pure food and drugs, occupational safety and health, antitrust, immigration, or any other laws or regulations that cost money or inhibit operations.

Since these tactics cannot work if such laws, which are now on the books in most countries, are enforced as written, the *sine qua non* of corporate animal production is political control. The patron saint of multinational agribusiness is surely banana merchant and United Fruit Company President Sam Zemurray, who in 1902 likened buying Honduran politicians to buying mules. Government collusion, both in the U.S. and Central Europe has gone far beyond simply looking away while laws were violated.

The corporate takeover of American agriculture could not have occurred absent of massive subsidies, both direct and indirect. The infamous “contract system” that has reduced broiler and hog producers to the status of serfs would have been impossible without federal loans and loan guarantees (see the Fall 2006 *AWI Quarterly* article “Contract Farming: The New Serfdom”). Corporate destruction of highly functional systems of independent farms came about through deliberate government interventions, some masked, some (as in Central Europe) openly brutal.

The fundamental strategy for subjugating independent farmers is to establish a monopsony—a market form in which only one buyer faces many sellers—to control and repress the price of live animals or crops in the field. To do this, it is necessary to gain control of processing. Once this is done, processors—if government allows them to—can simply cut off the market to farmers who will not accept their terms or become their contractors. In the U.S.,

it required decades, beginning with broilers in the 1940s, for the largest and most ruthless corporations to absorb smaller competitors or drive them out of business. In the U.K. and Central Europe, this happened much more rapidly. U.S. regulatory agencies looked the other way while corporations did their own dirty work. In Central Europe, just as Joe Luter demanded, government did it for them.

Consolidation did not come about in Poland, Romania or the U.K. in spite of E.U. accession, but because of it. Acceding countries have wide latitude to interpret European Commission directives. Some, such as France, the Irish Republic and several German states, interpreted slaughterhouse directives so as to allow local processors

access to domestic markets. But when the U.K. was obliged to license “EC Export Standard” abattoirs, corrupt officials of the late Ministry of Agriculture, Fisheries and Food (MAFF) seized the opportunity to force small and medium slaughterhouses out of business. By 2003, all but 123 of 1,300 small slaughterhouses were closed. Their disappearance led, in turn, to the closure of thousands of small stores and butcher shops and the loss of thousands of small livestock farms, besides a general withering of rural Britain. Food borne illness soared, animals suffered for many consecutive hours in queued trucks, awaiting admission to large industrial abattoirs. Epizootics, BSE, classical swine fever, bovine tuberculosis, and finally foot and mouth disease all broke out.

In 2001, the Solidarity Action government of Poland (after Prime Minister Buzek had spent half a day closeted with Luter) also clothed punitive measures against small and medium slaughterhouses in the fraudulent claim that E.U. directives left them no choice. The Animal Welfare Institute held up “harmonizing” legislation for E.U. accession for eight months in the Polish Sejm and came within a few votes of winning. In the end, however, the power of bribery prevailed, and the thousands of local operations that enabled small scale livestock farming were dismantled. In early 2004, at a meeting in the town of Czaplonek, the head of the local Agricultural Chamber stood up with tears in his eyes. “When you told us three years ago what would happen,” he said, “I couldn’t believe our government would sell us out. But it is even worse than you predicted. This *gmina* (municipality) had a hundred pig farmers. Not one remains.”

What happened in Poland and the U.K. was repeated in Romania, with the wholesale closure of small slaughterhouse once again depicted as a sad but necessary process imposed by the E.U. Smithfield reinforced the war against peasants by flooding Romania—where pig ranchers had long been protected by tariffs—with cheap pork from Poland and the U.S. The controlling monopsony in Romania, which took years of bitter infighting to establish in the U.S., was handed to Luter virtually on a platter.



At Smithfield’s Zabin Farm in Poland, runts of the litter and other weakened piglets are killed by their skulls being slammed upon the concrete, then scattered across the premises as alleged “fertilizer.”

because they have lower operating costs ... that’s why they’re winning the market.”

Finally, for all of the PR gibberish about “modernization,” the takeover had nothing to do with technical innovation. The “reforms” that were pursued by Smithfield et al in the 1970s and 1980s were not “innovative,” but brutally simple. They were to break the power of the unions and replace unionized workers with immigrants, who were paid one-third as much; increase the speed of the line upon which animals are hung and slaughtered by up to 300 percent, regardless of the ensuing carnage; ignore, bypass, vitiate, and in every possible way stall and avoid compliance with laws



Top: Pig carcasses are easily visible in Smithfield “lagoons,” still bodies of raw sewage drained off from the factory farm. Bottom: Mutilated piglets thrown on a growing heap at Smithfield’s Czernin Farm.

The clearest lesson from a decade of struggle is that animal factories like Granjas Carroll or those in North Carolina, the American Midwest, western Pomerania, or Timis county cannot flourish in the absence of political corruption. They are not viable in Sweden, because the mass abuse of animals is not allowed. They cannot take root in countries where water and air pollution are honestly regulated or the health and rights of citizens is safeguarded and respected. They cannot thrive where economic fair play is enforced and must pay their own way. The very presence tells us that something is wrong with the government, if not the very society, that tolerates them.

Returning to whence we began, where does this leave Mexico? Smithfield and its partners already have two huge hog factory complexes there. Consumption, as in Romania, exceeds demand, and the political climate seems “right” for expansion. Do Mexico’s peasant unions grasp the degree of menace? Can they and will they defend themselves? 🐾

## Raising the Bar on Raising Pigs

**IN AN EXCITING NEW DEVELOPMENT**, the North Carolina Natural Hog Growers Association (NCNHGA) and Fudge Family Farms have begun requiring all of their member farms to be accredited by the Animal Welfare Approved program, whose standards for pigs necessitate pasture access and prohibit crates and mutilations. Both groups should be applauded for their recognition that welfare is a key component of sustainable farming.

The NCNHGA is a group of pastured pig farmers who pool resources and build markets for pigs raised with high welfare standards. Fudge Family Farms is based in Alabama and composed of a group of farmers located throughout the South, including many Amish families, who raise heritage pigs outdoors on pasture. The pork is then marketed under the Fudge Family Farms label and sold to restaurants in the Southeast.

“I was going outside [to raise pigs] as everyone else was going inside,” recalls Henry Fudge, the driving force behind the operation. “My research showed me that raising pigs outdoors was natural and better for the animals—they’re healthier when they’re

on pasture. And it’s important to respect the animals in your care.” Animal Welfare Approved is in the process of auditing the 18 farms that currently make up the Fudge family label.

For Jeremiah Jones, president of the NCNHGA, making Animal Welfare Approved certification a membership requirement is a natural outgrowth of what the group stands for. Some NCNHGA farmers who have prior experience with conventional pig operations felt the Animal Welfare Approved seal would leave no room for doubt about how their pigs were raised. According to Jones, “Our farmers wouldn’t have it any other way.” 🐾



Emily Lancaster

## ILLINOIS COURT TO DECIDE FATE OF MEGA DAIRY

The nonprofit group **HOMES** (Helping Others Maintain Environmental Standards) of Jo Daviess County, Ill., achieved yet another victory against a massive, industrial-scale dairy operation. Investor and California millionaire A.J. Bos is attempting to build a dairy factory farm holding up to 13,000 cows about one mile outside of Nora, Ill.

According to their website, HOMES is a group of farmers and citizens whose mission is to protect family farms, rural communities, human health, and the overall environment by promoting sustainable agriculture and conserving natural resources. “We’re just trying to keep our air clean and our water safe,” HOMES board member Matthew Alschuler told local media. “If the fish die and our wells go bad, our pastoral county will become a wasteland.”

HOMES’s previous legal successes in-state caused Bos and his legal team to petition the federal court for a change of venue. However, Judge Philip G. Reinhard of the U.S. district court of the

Northern District of Illinois agreed with HOMES that the case should be decided where people will be affected by the outcome, and returned the case back to the state court.

It was Bos’s third major defeat trying to get his animal factory up and running in this state. In October of last year, a local county judge signed a Preliminary Injunction halting the operation of the proposed start-up facility that would house 6,850 animals; in December, the judge ruled that HOMES did not need to post the \$4.3 million bond for the Preliminary Injunction Order, which Bos and his legal advisors requested to cover a loss of estimated profits, among other alleged losses.

A new court date has yet to be scheduled.

### YOU CAN MAKE A DIFFERENCE

HOMES is asking for donations to their legal fund. Please visit [www.stopthemegadairy.org](http://www.stopthemegadairy.org) or call (815) 818-1253 to learn more about the campaign or contribute. 🐾

## Silencing Maryland’s Mute Swans

The **Maryland Department of Natural Resources** (DNR) announced in June its intent to eradicate the state’s mute swan population by “reducing it to as low a level as can be achieved.” The DNR blames the swans for excessive consumption of aquatic grasses and the subsequent degradation of the Chesapeake Bay watershed, though ecologists point to polluted urban and agricultural runoff as the real culprit. The Department has been killing mute swans since 2003, causing their numbers to plummet from more than 3,500 in 2002 to less than 500 today. The ecological impacts of a mute swan population numbering in the low hundreds, however, have not been examined.

The Animal Welfare Institute (AWI) and other advocates criticize the DNR’s decision to eradicate swan populations, as well as its past and current actions, for being devoid of transparency. Though the DNR established a Mute Swan Advisory Committee earlier this year to recommend the best way to manage the state’s mute swans, the Department continued to secretly kill the birds while the committee was still deliberating. AWI wildlife research assistant, Serda Ozbenian, attended and provided written and oral comment at the committee meeting in April. Although population estimates were discussed, the DNR neglected to mention that swans were being killed. The brutal methods used to kill the swans have also been concealed from the public.

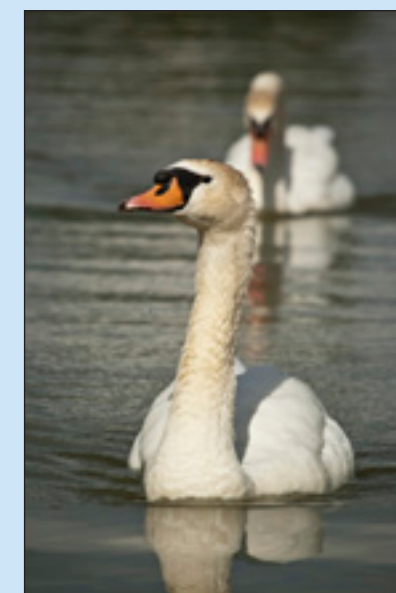
The DNR admits to killing the swans by either gunshot, or crushing and separating the cervical vertebrae (cervical dislocation) with an emasculator—a device designed for the sole purpose of castrating livestock. The Department claims this method is accepted as “humane” by the American Veterinary Medical Association (AVMA). However, the *AVMA Guidelines on Euthanasia* considers cervical dislocation to be a “conditionally acceptable” method that “by the nature of the technique or because of greater potential for operator error or safety hazards might not consistently produce humane death.” The AVMA elaborates that the use of this method requires a high degree of technical proficiency to ensure a rapid loss of consciousness and should be “limited to poultry, other small birds, mice and immature rats and rabbits,” since the large muscle mass in the cervical region of larger

animals makes dislocation more difficult. The AVMA also recommends that large birds be anesthetized prior to euthanasia, contrary to DNR procedures.

Research is needed to determine if this small population of animals is having a significant effect on the ecosystem before a so-called “management” plan is implemented. The state should assess the impacts of runoff and establish a plan for addressing its serious negative impacts on the Bay. If swan management is deemed essential to protect the bay ecosystem and other species, every effort must be taken to reduce the population by compassionate means. AWI offered to assist the DNR in developing appropriate standards, but the offer was ignored.

Until the impact of the swans on the ecosystem can be assessed, AWI prefers the process of egg addling—a method of reducing further population growth by which eggs are removed from the nest, embryo development is terminated, and the eggs are returned to the nest. Though the Department already practices egg addling, a more aggressive effort with help from a group of trained volunteers should be employed as an alternative to killing the animals.

Citizens can help by voicing their disapproval to John Griffin, Secretary of the DNR and Governor Martin O’Malley. 🐾



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# TRAPPED IN DEBATE

By Camilla H. Fox

**GREENWASH:** *The dissemination of misleading information by an organization to conceal its abuse of the environment in order to present a positive public image.<sup>1</sup>*

**REPLACE THE WORD “ENVIRONMENT” WITH “ANIMAL”** in the above definition, and this could easily describe the United States Best Management Practices (BMP) trap-testing program that was started in response to pressure to end the use of leghold traps. As stated in BMP trapping literature, one of the primary aims of the federal program is “to instill public confidence in and maintain public support for wildlife management and trapping through distribution of science-based information.” Funded by American tax dollars and passed through the U.S. Department of Agriculture (USDA) to the Association of Fish and Wildlife Agencies (AFWA)<sup>2</sup>, the BMP trap-testing program has cost millions since its inception in 1996, while the cost to wildlife has been immeasurable. Despite the fact that the program has been criticized by independent scientists, wildlife professionals, and animal advocacy organizations as unscientific, self-serving, non-transparent,

and rife with political agendas, thousands of coyotes, bobcat, beaver, raccoons and other furbearing species have been forced to suffer in both leghold and kill traps, as well as a variety of neck and body snares over the past 13 years.

## A HISTORY OF THE PROGRAM

In 1991, the European Union (E.U.) passed a historic measure that banned leghold traps within member countries and sought to pressure other nations to prohibit their use or risk losing the ability to export furs to the E.U. from 13 furbearing species.<sup>3</sup> The measure was the first ever international agreement that comprehensively addressed animal welfare issues specific to wildlife. These agreements enabled all parties to side-step the original intent of Regulation 3254/91, thereby allowing continued use of leghold traps and free-trade in wild-caught fur with Europe. At the time the regulation



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Courtesy of Camilla H. Fox

*Great Blue Herons and other birds are frequent non-target victims of leghold traps. Unfortunately, within the Agreement on International Humane Trapping Standards, there are no regulations on the selectivity of traps.*

had passed, Europe imported more than 70 percent of wild-caught furs from the U.S. and Canada. Instead of following Europe’s lead, the U.S. responded to the regulation with threats of trade reprisals if enacted. Fearing the loss of the European fur market, U.S. trapping and fur interest groups led by the AFWA and the National Trappers Association sought to avoid the E.U. fur-import ban and maintain public acceptance of trapping in the U.S. These pro-trapping organizations secured the support of the U.S. government to help them fight the ban.

Buckling under pressure and fearful of a challenge before the World Trade Organization, the E.U. weakened its regulation to allow countries outside the E.U. to avoid the fur ban if they agreed to work toward adoption of humane trapping standards. This provided a loophole for trappers and the fur industry to continue exporting furs from leghold-trapped animals to Europe. However, no internationally recognized humane trap standards existed at that time, or even today. A process to establish international trap standards under the International Organization for Standardization (ISO) was underway, but came to a stand-still in 1997, when countries were unable to agree on base criteria for “humane” trapping standards. The ISO process was criticized internationally as lacking in transparency and being biased in its representation. Members of the U.S. delegation included representatives from the AFWA and the National Trappers Association—entities that had a vested interest in maintaining the use of leghold traps and a limitless fur trade with the E.U. The United Kingdom’s House of Lords investigated the matter and concluded,

We are concerned at the Group’s apparently unrepresentative composition and the secretive nature of its proceedings. The exclusion of campaigning organisations is perhaps understandable but the under representation of professional experts in animal welfare and behaviour is less easily defended. It is not clear what status its eventual recommendation should have when around three quarters of its members are closely associated with the fur trapping trade in the major fur exporting countries.

Despite these formal condemnations, the work of the committee was allowed to proceed and formed the foundation of a non-binding bi-lateral trapping agreement between the E.U. and the U.S., known as the “agreed minute,” and a tri-lateral agreement between the E.U., Canada and Russia called the Agreement on International Humane Trapping Standards (AIHTS). These agreements enabled all parties to side-step the original intent of the Leghold Trap Regulation, thereby allowing continued use of leghold traps and free-trade in wild-caught fur with Europe. Outside this process, the BMP trap-testing program took shape, garnering the full backing of the U.S. government.

## LEGITIMIZING THE STATUS QUO

Through the BMP trap-testing program, the U.S. government was able to demonstrate sufficient progress in exploring trap standards and establishing a trap certification process. However, it has focused on legitimizing standard leghold traps (as well as other controversial trapping devices, such as neck snares and kill traps) and ensuring that the U.S. wild-caught fur trade with Europe is not disrupted. Former National Trappers



Through the U.S. BMP trap testing program, steel jaw leghold traps have been approved for trapping both coyotes and gray fox, while more than 85 countries have banned their use.

Association President Craig Spoore assured trappers that “the scientific BMP process will discover that some leghold traps will continue to be necessary and prove best for some American species.” Indeed, the first official BMPs recommend unmodified steel-jaw leghold traps and neck snares for several species.

At least 23 furbearing species have been or will be subject to testing under the BMP program across the country. Recreational fur trappers are paid to participate in the program and are given a set of standard procedures to follow as they trap coyotes, bobcats, marten, raccoons, badgers, muskrats, otters and other furbearing animals on their traplines. These trappers and their “technicians” are asked to set certain types of traps and aid in the evaluation of criteria that describe trap performance. Protective of their industry and far from objective or unbiased when it comes to their hobby, the idea that fur trappers are conducting this field work brings into question the veracity and accuracy of the data and the scientific rigor of the process. Trappers would be loath to admit having trapped an endangered species or family pet, or that a trapped coyote had struggled so hard in the trap that she mutilated her foot while trying to escape. In one BMP progress report, the AWFA boasts that, of 80 trapping incidents,

Forty-six coyotes (57.5%) had only mild injuries, including edema and minor skin cuts. Thirty-two (40%) had moderate injuries including broken teeth, major lacerations on foot pads, joint luxation below the carpus or tarsus, or minor

Right: One of 19 species covered by the European Union’s (E.U.) leghold trapping regulation, ermine are frequently trapped and maimed in leghold traps for the international fur trade.

periosteal abrasions. These results are among the lowest injury rates reported for coyotes captured in padded traps ...

As this 2001 entry from one AFWA trap tester’s log reveals, the BMP trap-testing program has meant indescribable pain and suffering for individual animals:

... caught 16 beaver in the SNR02 [a particular type of body snare]. One beaver was eaten by a coyote. One beaver was drown[ed], caused by entanglement. One beaver caught by the neck suffocated. One small beaver caught by the neck and one front leg was dead, probably by suffocation. The other 12 were alive. ... Being a forgiving snare causes the beaver to be quite stressful as it thrashes about considerably bothering other beaver in the area, enough so they avoid the area for some time.

After killing the unfortunate beavers who are still alive in the snares, the carcasses are then sent to be necropsied and rated on a trap injury trauma scale. Hemorrhages and lacerations, regardless of severity, are always considered minor. Eye lacerations and tooth fractures with pulp exposure—which are recognized as extremely painful injuries—are given low values in regard to severity. No consideration is given to the size of the animal, even though a two-centimeter laceration on a two-pound marten may be more critical than on a 40-pound coyote. The trapper submits an invoice to the AFWA and receives a check for his time and expenses for participating in the program.

To date, BMP trap recommendations have been issued for 12 species in the U.S. Unmodified steel-jaw leghold traps—the very device the E.U. originally intended to prohibit—are included in the list of traps meeting the BMP criteria for several species, including coyote, bobcat, beaver, and river otter. With legholds permitted for select species, who is monitoring to see which species are actually caught in them? A variety of standard neck snares and body-gripping kill traps have also been approved, several



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of which have been shown in earlier trap research studies to cause severe injuries, pain and trauma.

The BMP trap testing is ostensibly conducted using a 24-hour trap check protocol; however, once the traps are approved, they may be used in states that permit animals to suffer for even longer periods of time, while some states have no mandated trap check time whatsoever. It is during this extended period in a trap that many victims sustain additional injuries as they struggle for freedom.

Although the BMP trap-testing program is in large part federally funded, the government has not allowed public review of the research projects or monitoring of the BMP trap-testing process to this day. Program design and implementation has occurred with no public accountability, transparency or oversight. Moreover, the final BMPs issued are mere recommendations; neither state nor federal wildlife management agencies are required to adopt them as mandatory requirements.

### WILL EUROPE UPHOLD THE BAN?

In 2005, the European Parliament, representing the 27 member-nations of the E.U., rejected a proposed “Trapping Directive” that would have codified into E.U. law the AIHTS standards for testing animal traps. In rejecting this directive, the European Parliament made a clear statement that the trapping standards annexed to the AIHTS agreement were unacceptably low. Meanwhile, thousands of animals continue to suffer in body-gripping traps throughout North America as part of quasigovernmental trap-testing programs that use standards that have no international recognition or legitimacy.

The jury is out as to how this international trapping debate will unfold. Animal advocacy organizations and independent scientists continue to pressure European legislators to adhere to the original intent of Regulation 3254/91, which was to prohibit the import of wild-caught fur into Europe from countries that continue to use leghold traps. While more than 85 countries have banned or severely restricted use of these traps, the U.S. appears to have no intention of reducing its reliance on them. In a



AP Photo/AI Grillo

Andre runs on his two good legs at the Alaska Dog and Puppy Rescue kennel in Wasilla, Alaska. Andre was rescued last winter after he escaped from a trap where he lost most of the lower half of two legs.

recent trap inventory conducted by the USDA’s Wildlife Services program, the federal agency determined that it has more than 62,000 leghold traps in its arsenal, which are largely used for predator control, and acknowledges that only 59 percent of them are consistent with BMP trap recommendations. In 2007, the agency trapped and killed close to 12,000 native carnivores in leghold traps, including coyotes, wolves, bobcats and badgers. This figure does not include the many aquatic animals it trapped and killed, such as beaver and muskrat.

It will likely take heightened international exposure of the U.S. BMP trap-testing program for the world to see it for the sham it is. Global pressure will be needed to compel the E.U. to re-think its weak trapping agreement with the U.S. and ultimately push for an end to the trap that Charles Darwin once described in an 1863 *Gardeners’ Chronicle and Agricultural Gazette* article as one of the cruelest devices ever invented by man. 🐾

Camilla Fox is a wildlife consultant with AWI and a co-editor and lead author of *Cull of the Wild: A Contemporary Analysis of Trapping in the United States*, available from AWI. She is also a co-producer of the companion film *Cull of the Wild: The Truth behind Trapping*.

<sup>1</sup>Wikipedia/www.Answers.com

<sup>2</sup> In EU Regulation 3254/91, 12 North America and one Russian furbearer species were listed. Under the AIHTS, six European species were added for a total of 19 species. Original 13: Badger, Beaver, Bobcat, Coyote, Ermine, Fisher, Lynx, Marten, Muskrat, Otter, Raccoon, Wolf; Russian: Sable; European species added: Badger, Beaver, Lynx, Otter, Pine Marten, Raccoon Dog.

<sup>3</sup> In 2006 the International Association of Fish and Wildlife Agencies changed its name to the Association of Fish and Wildlife Agencies.



*Kittens, mice, gerbils and other small animals are often featured in "crush videos," where they are stepped on, or crushed beneath the feet of women, usually in stilettos.*

## U.S. Supreme Court to Rule on "Crush Videos"

AT THE REQUEST of the Solicitor General, the Supreme Court will review a case from the U.S. Court of Appeals for the 3rd Circuit in Philadelphia, Pa., which overturned a conviction involving so-called "crush videos" and called the law prohibiting interstate trafficking in such footage an unconstitutional infringement on free speech.

Upon learning about videos showing women in stilettos or bare feet stomping on small animals, Congress passed a law in 1999 (P.L. 106-152), which AWI fought for, outlawing the creation, possession, or sale for commercial gain of almost any depiction of animal cruelty. Subsequently, in 2005, Robert Stevens of Virginia was convicted for selling dogfighting films and sentenced to 37 months in jail.

The appeals court, however, overturned that conviction. According to the *ABA Journal*, in requesting the review of the appeals court decision, the Solicitor General argued that videos showing intentional infliction of suffering "play no essential role in the expression of ideas."

This case will be on the Supreme Court's docket for the new term, beginning in October. 🐾

## Requests for Congressional Funding

THE ANNUAL APPROPRIATIONS PROCESS for fiscal year 2010 will begin in October, offering an avenue to improve animal welfare by directing Congress to spend—or not spend—money in certain ways.

Earlier this year, AWI President Cathy Liss testified before the House Interior appropriations subcommittee in support of much needed funding to protect wildlife and combat wildlife crime. In testimony to other subcommittees, AWI requested strengthened enforcement of the Humane Methods of Slaughter Act, modest increases in spending on the Animal Welfare Act and the Horse Protection Act, and a ban on the use of federal money to purchase or conduct research using animals from Class B dealers. 🐾

## JUSTICE FOR WILD HORSES AND BURROS

The Restore Our American Mustangs (ROAM) Act (H.R. 1018), introduced by House Natural Resources Committee Chairman Nick Rahall (D-W.V.) and National Parks, Forests and Public Lands Subcommittee Chairman Raul Grijalva (D-Ariz.), will restore the protections for America's wild horses and burros that were stripped away in recent years. Most significantly, the bill will reinstate a key provision to protect the horses from slaughter. This measure was originally granted to these equines in the Wild Free Roaming Horses and Burros Act of 1971, which had been gutted in a midnight maneuver by former Senator Conrad Burns (R-Mont.).

The ROAM Act also seeks to keep more wild horses on the range by reclaiming 19 million acres denied the horses over recent years. Restoring this rangeland will mean fewer horses rounded up by the Bureau of Land Management and held in expensive and inadequate facilities. AWI Wildlife Biologist DJ Schubert testified in favor of the bill when it was marked up and passed out of committee in April. 🐾

## Broadening Protections for Whales

DELEGATE ENI FALEOMAVAEGA (D-American Samoa) recently introduced the International Whale Conservation and Protection Act of 2009 (H.R. 2455) in the House of Representatives. The bill amends the pre-existing Whale Conservation and Protection Study Act to promote U.S. leadership in global whale conservation, protection and research. It also recognizes the great intrinsic value placed on whales and highlights the need for global protection efforts, given their migratory nature and the increasing threats of ozone depletion, climate change, marine debris, vessel strikes, prey depletion, entanglements with fishing gear, chemical and noise pollution, offshore industrial development, and continued human exploitation. 🐾



## Keeping Shark Fins on their Rightful Owners

FOLLOWING PASSAGE of the Shark Conservation Act (H.R. 5741) in the U.S. House of Representatives earlier this year, Senator John Kerry (D-Mass.) introduced a Senate companion bill (S. 850) to firmly close loopholes in the 2000 ban against shark finning in U.S. waters.

The urgent need for action is evidenced by a recent survey conducted by the International Union for the Conservation of Nature, which revealed that a third of deep-sea sharks and rays face extinction, due mainly to the global demand for their fins and meat. The great white, basking, oceanic whitetip and hammerhead sharks are some of the species that have experienced drastic declines. 🐾

## Strides Toward Preventing Horse Slaughter

THE PREVENTION OF EQUINE CRUELTY ACT (H.R. 503/S. 727) now has more than 140 cosponsors in the House and nearly a quarter of the Senate on board. The bill recognizes horse slaughter as animal cruelty and contains strong penalties and enforcement provisions to outlaw the slaughter of American horses for human consumption, both domestically and abroad.

While no horse slaughterhouses currently operate in the U.S. (the three remaining plants were shut down in 2007 under state law), more than 100,000 horses continue to be hauled to Canada and Mexico each year, where they are butchered. Most slaughter-bound horses are healthy, sound, adoptable animals, as documented in *Homestretch*, a film by Sheri Bylander.

Screened at a Congressional reception hosted by AWI in May, *Homestretch* shows the merits of the Thoroughbred Retirement Foundation's therapeutic program, which pairs rescued race horses once bound for slaughter with hardened prisoners, much to the benefit of both. Senator Mary Landrieu (D-La.), sponsor of S. 727, spoke at the film's screening and urged her colleagues to join her in ending horse slaughter. 🐾

## YOU CAN MAKE A DIFFERENCE

Contacting your elected officials to ask for their support on key pieces of legislation is one of the most effective ways to influence change. AWI makes it easier through the Compassion Index (CI), our online advocacy center ([www.compassionindex.org](http://www.compassionindex.org)).

Please write your Senators asking them to cosponsor S. 850 and S. 727. Write your Representative asking him or her to cosponsor H.R. 2455, H.R. 1018 and H.R. 503. 🐾

## Making a Leatherback Comeback

THE LARGEST KNOWN POPULATION of leatherback turtles was discovered on the beaches of Gabon, West Africa, by an international team of scientists in May, *Science Daily* reports. Land and aerial surveys estimate the number of female nesting turtles to be anywhere between 15,730 and 41,373.

Leatherbacks are currently categorized by the International Union for Conservation of Nature as critically endangered around the world; populations were decimated in the Indo-Pacific region by more than 90 percent in the 1980s and '90s. The recent study reveals that as much as 79 percent of the world's current leatherback nesting takes place in protected areas, making Gabon's national parks a conservation priority.

On top of funding from several international conservation groups to pursue leatherback preservation initiatives, the team responsible for the discovery has also received \$450,000 in grant aid to conduct a three-year project to improve marine biodiversity management in Gabon. 🐾

## DEPTHS OF BASKING SHARK PUZZLE PLUMBED

Until recently, the winter whereabouts of the basking shark has stymied marine biologists. But according to a report published online in *Current Biology*, the mystery has finally been solved. Behind the whale shark, the basking shark is the world's second largest fish, commonly observed following plankton blooms on the water's surface during summer and autumn months. However, this massive and highly migratory species would virtually disappear come winter.

Through satellite tagging and geolocation conducted over the past few years, researchers concluded this spring that the animals migrate through the western Atlantic Ocean in the winter, traveling as far as South America and sometimes

remaining at depths of up to 1,000 meters for months at a time, enabling them to evade humans. The surprising results of the study challenge the notion that basking sharks are a cool-water species.

The findings also highlight the need for greater basking shark protections throughout their range, which now includes tropical waters. They also indicate that the sharks' global population may be smaller than previously thought. The new information is particularly significant, since the species has experienced drastic declines and is listed as "vulnerable" on the International Union for Conservation of Nature's Red List of Threatened Species. 🐾



## Canada Seal Hunt Takes a Clubbing

THE BRUTAL ANNUAL SLAUGHTER of Canada's Harp, Hooded and Grey seals may be gasping its last breaths this year. Though the Canadian government set the seal quota at 273,000 when the season opened in March, the hunt closed in June with 70,000 seals being killed, BBC News reported.

Fishermen's livelihoods are largely sustained by fishing, not seal hunting, which occurs during the off season. They blame the low number of seal kills on the imminent E.U. seal product ban, as well as the cascading price of seal pelts, which has fallen to \$12 per pelt this year from \$100 a few years ago. Waning international markets for seal products are also deemed responsible, as the recession grips major pelt importers like China and Russia.

Canadian fisheries officials are calling the future of the hunt "an uphill battle," while many fisherman are left wondering if the gory, centuries-old practice has finally been frozen out. 🐾

## A FAREWELL AT SEA

A group of five pygmy killer whales appeared in the shallow waters off the coast of the Hawaiian island of Kihei in early May—a worrisome and rare sight, since the species' habitat is far offshore in deep waters. The *Honolulu Advertiser* reports that the animals lingered for three weeks, until the group's elderly 300-pound male beached on Maui and was later euthanized. A necropsy revealed that the whale had been emaciated and suffering from pneumonia, liver damage and weakened lungs when he stranded.

Little is known about the pygmy whale species. The fact that the podmates remained by the side of the dying whale may illustrate the strong social bonds these animals have and the way they care for one another. 🐾

## Coral Reef Loss Causes Fish Decline

A RECENT STUDY published in *Current Biology* by a group of international researchers shows that Caribbean reef fish populations have been steadily declining for more than a decade. The researchers used a technique called meta-analysis to examine the results of 48 previous studies of Caribbean reef fish populations conducted between 1955 and 2007; their analysis includes more than 318 reefs and 273 fish species.

Many factors likely played a role in the continuous population decline; however the widespread loss of coral reefs is believed to be largely to blame. Although coral reefs in the region have been disappearing for over 30 years, the study demonstrates that fish were not immediately impacted, since it takes some time for the coral to break apart and lose appeal as a shelter for fish.

Michelle Paddock, lead author of the study, says, "What will turn things around is the awareness of people to the grave losses that are occurring on reefs and their desire to save them, translating into actions that move from personal to affecting how we sustainably manage these beautiful and important ecosystems."

Fortunately, projects to protect and recover coral and reef fish species are underway, such as a regional initiative headed by the United Nations Caribbean Environment Program. 🐾

## Emergency Protection for Loggerheads

AN EMERGENCY RULE to protect loggerhead sea turtles in the Gulf of Mexico took effect on May 18 and will be upheld for at least 180 days. The National Marine Fisheries Service (NMFS) passed the temporary rule after federal observers reported that the bottom longline fishing fleets that hunt reef fish were incidentally killing scores of loggerhead sea turtles, a species listed as "threatened" under the Endangered Species Act.

Prior regulations required that commercial reef fish longline fleets operate seaward of a boundary representing the 180-foot-deep contour line in the Gulf of Mexico, but the new rule limits fishermen to waters more than 300 feet deep, since shallower waters are important sea turtle feeding areas, where most of the incidental bycatch occurs. The rule also prohibits the use of longlines altogether in the eastern Gulf, once the quotas for deepwater grouper and tilefish are met.

The Gulf of Mexico Fishery Management Council discussed possible long-term actions to minimize sea turtle bycatch at their meeting in June; however, they decided to delay making any decisions before August while their scientists review the sea turtle studies. Any decision reached by the Council will still have to be approved by NMFS before taking effect. 🐾



# Red Knots in a Bind

As horseshoe crab populations dwindle, species up the food chain are feeling the pinch.

You may have never thought twice about a horseshoe crab—or even once for that matter—but lately, people are noticing that perhaps they should. Having existed one million years before even the first dinosaurs walked the Earth, the horseshoe crab is considered a “living fossil” that has managed to thrive throughout the ages ... until recently.

Horseshoe crabs have been harvested for centuries to make fertilizer and farm animal feed, more recently being used for medical purposes and by fisheries for eel bait. With a slow maturity rate of eight to 10 years, the concern overfishing poses is often debated among conservationists as the cause of dwindling crab numbers. But the horseshoe crabs aren't the only ones in jeopardy.

Each spring, red knots, a species of sandpiper about the size of a robin, make an incredible journey across more than 9,300 miles from Tierra del Fuego at the tip of South America to their breeding grounds in the Arctic. Along the way, the little birds stop to refuel at select sites referred to as “staging areas.” These

massive flocks frequently return to the same staging areas every year, having coordinated their stopover in Delaware Bay with the horseshoe crab spawning period.

Delaware Bay is home to the largest population of these crabs, where the number of reproducing adults peaked in the early 1990's, but has been in decline ever since.

Shorebirds, especially red knots, rely on the billions of eggs produced when the crabs spawn along the shoreline each spring. The birds, arriving underweight and tired from a non-stop flight of as much as 5,000 miles, gorge on the eggs. It is critical that the red knots gain enough weight in those few weeks to continue the final 2,000-mile leg of their journey to the Arctic.

Having once numbered 100,000, according to the Delaware Shorebird Project, there are now typically around 20,000 red knots in Delaware Bay each spring. The U.S. Fish and Wildlife Service suggests that “[t]he increase in taking of horseshoe crabs for bait in commercial fisheries that occurred in the 1990s may be a

major factor in the decline in red knots.” Climate change affecting the Arctic and hunting of the birds in South America are also suspected as contributing factors.

Since 1997, the Delaware Shorebird Project, made up of a team of international scientists, researchers, volunteers and birders, has studied the red knots and worked to assuage the hazards they are facing. According to their website, “The sound management of the resources upon which shorebirds depend is vital to preserve this breathtaking, awe-inspiring natural cycle for our children and grandchildren.”

While the birds and crabs remain in peril, there are actions being taken by conservationists, state legislatures, and the Delaware Department of Environmental Protection to help ensure their recovery: Numbers of crabs harvested for eel bait have been limited, horseshoe crabs used for medical research are often returned to the Delaware Bay, and research to find an eel bait alternative is ongoing.

As the first red knots appear on the shoreline this year, so does a glimmer of hope for their future. 🐾

## Dr. Marjorie Anchel-Rackow 1910-2009

Member of the Scientific Committee of the Animal Welfare Institute since 1967, Dr. Marjorie Anchel-Rackow passed away on April 29, a week shy of her 99<sup>th</sup> birthday. Well known for her work in chemistry, Dr. Anchel was senior chemist and laboratory administrator for the New York Botanical Garden.

She and her husband, Dr. Herbert Rackow, devoted themselves to improving the lives of animals used for experimentation. They founded and served on the Board of Directors of the Scientist Group for Reform of Animal Experimentation in New York and testified at federal hearings in support of amendments to the Animal Welfare Act and other legislation to protect animals used in laboratories.

Dr. Anchel wrote numerous articles for major papers, such as the *New York Times*, as well as letters to the editors of scientific journals on the subject of humane treatment of animals. She also served for over 10 years as president of the New York State Humane Association.

Dr. Anchel is survived by her husband, who is a retired physician, diplomate of the American Board of Anesthesiology, professor emeritus at Columbia University, and a fellow of the American Academy of Pediatrics. The couple kept an elaborate aviary in their home to rescue and care for wounded and wayward birds, including raptor species. 🐾

## Chris Fisher 1961-2009

Chris Fisher, a bright, energetic and determined individual, passed away in April. Fisher was the architect and chief lobbyist behind the European Coalition to End Animal Experiments, the European Union (E.U.) Cosmetics Directive, and the European Centre for the Validation of Alternative Methods. He later joined Eurogroup for Animals, fighting in Brussels and Strasbourg alongside Cathy Liss, president of the Animal Welfare Institute, for the implementation of E.U. Regulation 3254/91 against leghold traps. 🐾



Save the Chimps

## Carol Noon 1949-2009

The animal protection community lost a true champion for chimpanzees on May 2, when Dr. Carole Noon passed away at 59 years of age after a battle with pancreatic cancer. Noon was the founder of Save the Chimps, the world's foremost chimpanzee sanctuary, located in Florida and New Mexico.

Never one to play by the rules, Noon created a haven where chimpanzees—or “people,” as she called them—previously used in invasive experiments were able to form large, multigenerational social groups. Each group has access to its own island with fresh air, real grass and complex climbing and foraging structures.

Most of the chimpanzees were originally owned by the U.S. Air Force, where they were used to test the safety of space travel, and by the Coulston Foundation, a private research facility. Many had been singly housed for years, causing skeptics to suggest that Noon's model would fail. Instead, the sanctuary thrived, along with more than 300 “people” to whom it gave reprieve.

Noon's staff and supporters celebrated what would have been her 60<sup>th</sup> birthday in June. 🐾

## Princess Elisabeth de Croÿ 1921-2009

After 40 tireless years of advocating for animals, Princess Elisabeth de Croÿ passed away on May 18. Descended from the kings of Hungary, the Princess used her celebrity to draw attention to global animal welfare issues and influence the policies of high-ranking government officials.

The Princess founded the Refuge de Thiernay in the early 1970s at her home in France, where she rescued and cared for hundreds of abandoned dogs, cats and farm animals. 🐾



istockphoto



## The Cove

2009, Runtime: 1h 34

*The Cove* is a highly suspenseful documentary that introduces viewers to Ric O'Barry, the dolphin trainer from the 1960s hit television series "Flipper." O'Barry, who has 10 years of experience training dolphins, has turned his knowledge and appreciation for the animals into a lifelong mission to rescue them from the multi-billion dollar dolphin entertainment industry he helped create. His career shift to activism occurred in 1970, when the original Flipper, whose off-screen name was Kathy, succumbed to the stress of years in captivity and died in O'Barry's arms.

To illustrate O'Barry's fight, the film crew takes the viewer to a secret cove in the small town of Taiji, Japan, to expose the alarming annual slaughter of thousands of dolphins. The film reveals that during the hunt, fishermen use disturbing noises to herd the dolphins into the cove, where a small number are lifted out of the water, destined for aquariums, and the remainder are brutally speared to death. Though a few scenes are distressing to watch, the filmmakers take care to not overload the viewer with graphic images of the hunt. Instead,

they creatively illustrate the events with narration and the dolphin's own cries. Interweaving the dramatic and dangerous story of the film crew's efforts to document the slaughter, which the industry meticulously hides from the public, engages and captivates viewers.

The film also delves into the health threats of dolphin meat consumption. Though studies have shown that dolphin meat can contain extremely high levels of the toxin methylmercury, the local Japanese government incorporated it into school lunches, until two city councilmen spoke out against the program in 2007. Tainted dolphin meat is still available in supermarkets, however, and Japanese citizens continue to unwittingly consume the toxin.

*The Cove* is being shown internationally at film festivals, where it has already won several prestigious Audience Awards for Best Documentary. It will premier on July 31 in New York City and Los Angeles, with openings across the U.S. in early August. Producers are developing a Japanese version for screening in Japan. 🐾



Fishermen force the dolphins into the cove, where they stab them with knives and spears. The animals bleed to death slowly, turning the sea red with their blood.



Fishermen collect the dead dolphins, which will be taken to a slaughterhouse to be processed. The meat will end up in supermarkets and restaurants in Japan.

Sea Shepherd Conservation Society

### BEQUESTS

If you would like to help assure AWI's future through a provision in your will, this general form of bequest is suggested:

*I give, devise and bequeath to the Animal Welfare Institute, located in Washington, D.C., the sum of \$\_\_\_\_\_ and/or (specifically described property).*

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

## Animal Investigators

How the World's First Wildlife Forensics Lab is Solving Crimes and Saving Endangered Species

By Laurel A. Neme, Ph.D.

Scribner

ISBN-13: 978-1-4165-5056-3

230 pages; \$25

IN HER NEW BOOK, *Animal Investigators—How the World's First Wildlife Forensics Lab is Solving Crimes and Saving Endangered Species*, Laurel Neme, Ph.D., tells the true story of a group of scientists who are the backbone of efforts to combat wildlife crime.

Working with the dedicated agents of the U.S. Fish and Wildlife Service, these investigators use forensic science to provide the proof needed to arrest and prosecute those whose greed and callousness are threatening the biodiversity of this planet.

If you enjoy a good detective novel or the television series "CSI: Crime Scene Investigation," you will be captivated by the wildlife crime mysteries explored in *Animal Investigators*. From the wasteful killing of walrus tusks, to the killing of black bears to access their gall bladders, to the slaughter of animals in Brazil to adorn artifacts with their parts, *Animal Investigators* uses these real cases to explore the world of wildlife crime.

Far from a stodgy treatise on wildlife investigation criminal techniques, this book is a suspenseful page-turner documenting



the illicit wildlife trade. While highlighting the trials and successes of the lab's scientists, Neme describes case histories, identifies the victims, profiles those involved and those trying to catch them, and describes the aftermath of each case.

The book provides a stark wake-up-call on the real threats posed by the illegal wildlife trade, and depicts the complicated and tedious work done by the scientists and wildlife law enforcement officers who investigate, capture and prosecute those responsible for such crimes.

Unfortunately, this trade is burgeoning, due to substantial profits to be gained, a low risk of being caught, and nominal punishments when caught. It's often left up to the understaffed, overworked and under-equipped wildlife law enforcement agencies and forensic scientists to take down traffickers.

*Animal Investigators* is a fast-paced and factual wildlife who-dun-it that is a must-read for anyone concerned about wildlife conservation. 🐾

## ROOTS OF HUMAN BEHAVIOR

By Viktor Reinhardt

The Animal Welfare Institute

ISBN 978-0-938414-90-2

141 pages; \$8

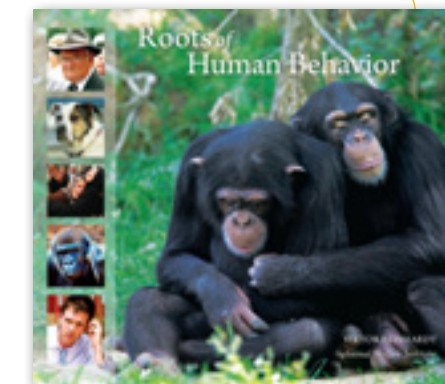
*Roots of Human Behavior* is a vibrant photo documentation of the parallels between animal and human expressions, emotions and psychology. It is another book in a series of AWI publications whose purpose is to improve the treatment of captive animals.

A prominent mind in the field of laboratory science, as well as a veterinarian and ethologist, Reinhardt has collected more than 280 candid photos of animals and humans engaging in everyday life and has artfully grouped them to show stunning resemblances between the species.

According to the author, the book's primary purpose is to serve as a guide for professionals working with animals in research laboratories and zoos to help them better "read" subjects based on their expressions.

Reinhardt explains in the Introduction how the book was inspired by a deep reverence for all living creatures, and expresses his wish to foster a similar sensation in the reader. The book is divided into two chapters: social and nonsocial expressions of emotion. Those chapters are then subdivided by various emotional states, such as contentment, fear, aggression, and friendly contact behavior, among others.

A fascinating and heartwarming work for both laboratory professionals and everyday folks, the lively photos and accessible science in this book will further an understanding in readers and provide enjoyment for all ages and walks of life. This book will be provided free of charge to personnel working with animals in laboratories or zoos. 🐾





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## Class B Dealers Unnecessary, National Academy of Sciences Tells NIH

IN WHAT THE ANIMAL WELFARE INSTITUTE (AWI) hopes will be the death knell for this cruel cottage industry, a National Academy of Sciences Committee report released on May 29 and funded by the National Institutes of Health (NIH) concluded there is no scientific need to purchase dogs or cats from Class B dealers for NIH research.

The report describes a “complicated tangle of trade” in random-source animals, citing “existing loopholes whereby pets may still enter the research pipeline.” The report further states that “... USDA could not offer assurances that pet theft does not occur, and agreed that such a crime is exceedingly difficult to prove, almost requiring an eyewitness. There are descriptions of thefts provided by informants in prison. ... Additionally, there are documented accounts of lost pets that have ended up in research institutions through Class B dealers.”

The report also acknowledges that “random source dogs and cats used for research probably endure greater degrees of stress and distress compared to purpose-bred animals. This conclusion has implications not only for the welfare of random source animals but also for their overall reliability as research models.”

Finally, “... the Committee could not reconcile the serious unresolved Class B compliance issues, and felt that these issues, as well as humane concerns, were major factors in the Committee’s final recommendations.”

“The Committee concluded that alternative options are currently available to fill the majority of NIH needs for various types of research dogs and cats.” Therefore, there is no excuse—scientific or otherwise—for the NIH to continue turning a blind eye to this notorious supply chain.



*Class B dealers obtained this dog through deception and fraud, posing as providers of a good home. One week later they sold her to a laboratory where she was killed in a lung injury experiment.*

According to the USDA, there are 11 Class B dealers selling live dogs and cats for experimentation. Of these, one has a five-year license suspension, and seven are under investigation for violations of the Animal Welfare Act. In addition, there are at least 20 investigations underway related to illegal activities uncovered during the traceback of records. The USDA spends about \$300,000 each year regulating this small handful of dealers.

AWI’s summary of the report and a list of dealers are on our website. For the full report, contact National Academies Press, 500 Fifth Street, NW, Washington, DC 20001; (800) 624-6242. 🐾