

AWI Quarterly

Fall 2013 Volume 62 Number 4



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About the Cover

A goat stands next to a school bus at Prodigal Farm in Rougemont, North Carolina. Prodigal Farm is Animal Welfare Approved (AWA)—meaning the animals are raised in accordance with the most rigorous and progressive farm animal care standards in the world. Finding an animal on pasture at an AWA farm isn't surprising—continuous pasture access is required whether the animals are goats, cows, pigs, chickens or other. Finding a school bus in the field, however, is a little unique. The bus is the clever solution by owners Dave Crabbe and Kathryn Spann to the problem of providing the goats with mobile shelter. When the goats are moved to a new paddock to take advantage of fresh browse, the shelter follows along. A closer look at Prodigal Farm, as well as its owners, goats, and buses can be found on page 6.

Photo by Mike Suarez

Anniversaries that Are Cause for Consternation

HUMANITARIANS have been waiting for more than a year for action on two egregious situations—both reported previously in the Winter 2013 AWI Quarterly—pending before the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). The first involves Santa Cruz Biotechnology, Inc. (SCBT), a licensed animal dealer and registered research facility that routinely collects blood from its animals so that it can sell the antibodies for use in experimentation. USDA filed a complaint against the company for alleged violations of the Animal Welfare Act in July 2012. Just three months later, a USDA veterinary inspector cited SCBT for deliberately denying the existence of an entire facility at the site housing 841 goats. Apparently, SCBT management and veterinarians had hidden this location and its animals from USDA inspection and oversight for years! More than a year later, USDA has not filed either an amended (expanded) complaint or a second complaint against this company.

The second situation involves APHIS' Wildlife Services program (WS). Last October, AWI sent a formal request that WS terminate trapper Jamie Olson after photos posted on his Facebook page revealed that he had engaged in animal cruelty—and that he had done so on the taxpayers' dime. The images depicted Olson tormenting coyotes captured in steel-jaw leghold traps and allowing his dogs to attack the defenseless animals. Although WS committed to undertake a "thorough review" of the situation last November, Olson has not been fired and no report detailing the investigation has been released. Meanwhile, the APHIS administrator has complained about the program's negative news coverage (see page 24).

Both situations warrant a strong response from USDA to demonstrate its intolerance of this appalling behavior. Please contact USDA APHIS Administrator Kevin Shea and request long overdue action against SCBT and Jamie Olson. Write to: Kevin Shea, Administrator / U.S. Department of Agriculture / Animal and Plant Health Inspection Service / 1400 Independence Avenue, SW / Washington, DC 20250 / kevin.a.shea@usda.gov 🐾



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Above Left: Members of Dine' for Wild Horses gather before riding to the Western Navajo Fair in Tuba City, AZ. The group opposes roundups and slaughter of wild horses. (David Von Rohm/Luck Films)

Top Right: Dan Gibson, co-owner of Grazin' Diner in Hudson, NY, and Grazin' Angus Acres in Ghent, NY. (Mike Suarez)

Bottom Right: A dolphin swims in dirty water at a dolfinarium in Harderwijk, the Netherlands. (Ingrid Visser)



NATIONAL ORGANICS PROGRAM FAILS TO RAISE WELFARE STANDARDS... AGAIN.

Congress tasked the United States Department of Agriculture (USDA) with implementing the country's National Organic Program (NOP). For more than a decade now, the National Organic Standards Board (NOSB), the advisory committee of the NOP, has recommended that the NOP raise animal welfare standards. Currently, there are no regulations that cover animal handling, transport to slaughter, and minimum space requirements, to name a few.

Yet in July, in response to a proposal from the NOSB, USDA again decided it would not take action to improve the lives of animals raised organically, citing an Economic Impact Analysis (EIA) as its reason. The EIA focused on outdoor access for poultry. It showed that only 1 percent of organic egg producers would be negatively impacted by increasing animal welfare standards. In fact, only five large farms would be negatively affected. Currently, those farms enjoy benefits that rightfully should be reserved for smaller farms with much higher standards. The NOP continues to say it will look at these issues later, but it has been over 10 years now. How long are consumers expected to wait to get basic welfare standards for these animals? 🐾



Chickens on pasture at Animal Welfare Approved (AWA) Down to Earth Farm in Liberty, NC. The AWA label signifies the farm adheres to strict animal welfare standards. The "USDA Organic" label, unfortunately, doesn't offer consumers the same assurance.

Goodbye to a Harmful Feed Additive

THE CATTLE INDUSTRY IS MOVING AWAY from a feed additive linked to animal lethargy, lameness, and even becoming too heavy to walk. The drug Zilmax is a beta-agonist, which promotes muscle growth; it is used to bulk up cattle just before they are sent to slaughter.

Tyson Foods Inc. made an announcement in August that it will stop purchasing animals who are fed Zilmax, citing animal well-being as the reason for the change. Reports have also come out speculating that Tyson may have made this change to open its products to countries that already ban these types of drugs.

Even bigger news is that the maker of Zilmax, Merck Animal Health, announced it will take the product off of the market. In announcing its decision not to accept cattle fed Zilmax for delivery against contracts traded on its exchanges, Chicago Mercantile Exchange said cattle fed with the drug are being rejected by many slaughter establishments and are essentially unsellable. 🐾

USDA Refuses to Drop Controversial Changes to Inspection Program

USDA APPEARS TO BE PUSHING AHEAD with a controversial proposal to modify its poultry slaughter inspection program despite a troubling report from the Government Accountability Office (GAO). GAO found that USDA had not thoroughly evaluated its pilot programs of the proposed inspection plan and could not validate the effectiveness of the pilot or the ability to generalize the data from the pilot to poultry slaughter plants nationwide.

The GAO report also identified similar problems with a USDA pilot pig-slaughter inspection program. In both cases, the modified inspection program lowers the required number of government food safety officials on the slaughter line and, in the case of poultry, allows for higher line speeds. In its comments opposing the poultry proposal, AWI noted that fewer inspectors and faster speeds will jeopardize animal welfare, along with compromising food safety and the health and safety of slaughter plant workers. 🐾

Grazin' Diner Promotes High Welfare on the Hudson

AUTHOR MICHAEL POLLAN thinks you should be able to shake the hand that feeds you. And by that he means the farmer, not the restaurant owner.

Of course, if you are dining at Grazin', a restaurant in Hudson, New York, those two are one and the same. Grazin' co-owners Dan and Susan Gibson also run Grazin' Angus Acres, a farm in Ghent a few miles down the road from the eatery.

Dan Gibson wasn't always a farmer—he spent nearly a decade as senior vice president of global affairs at an international corporation in New York City. But the events of 9/11 caused

the Gibsons to reassess their lives, and shortly thereafter, they purchased the farm. At first, Dan continued his day job, but in 2007, he and Susan moved to Ghent to farm full time, eventually adding pasture-raised pigs, chickens, and a herd of Jersey dairy cows to the original Black Angus herd.

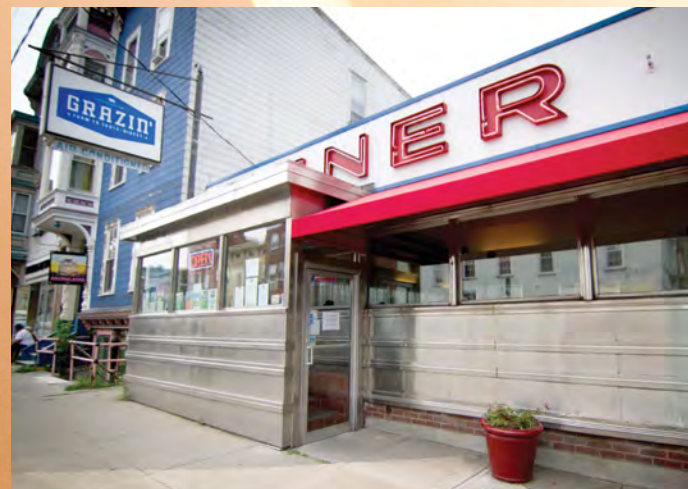
Meanwhile, the Gibsons began to get seriously interested in sustainable farming and the benefits of raising animals solely on pasture. They read books like Pollan's *The Omnivore's Dilemma* and *Fast Food Nation* by Eric Schlosser. They learned about the negative impacts to animal welfare, human health, and the environment from stuffing cattle with corn—which happens in industrial settings (and even many so-called organic farms).

They must be doing something right. Products from their farm were featured in the 2010 wedding of Chelsea Clinton and Marc Mezvinsky. In October 2011, the Gibsons decided to take food service to the next level, opening Grazin' with the help of their daughter and son-in-law. Housed in a 1940s-era stainless steel diner, Grazin' is the first restaurant in the United States to use meat, eggs and dairy products sourced exclusively from AWA-certified farms.

The primary supplier is the Gibsons' own farm. (To secure a milk

supply, they purchased a nearby dairy farm.) But Grazin's "farm-to-table direct" menu also gets buttermilk and a variety of cheeses from AWA-certified dairies, including Hawthorne Valley Farm of Ghent, Consider Bardwell Farm of West Pawlet, Vermont, and Prodigal Farm of Rougemont, North Carolina (see farm profile, page 6). In addition, the restaurant uses only locally produced, organic produce, bread, and other ingredients in its offerings. (Even the sodas are made on the premises with local ingredients.)

At Grazin', fresh, sustainably-produced food—and a handshake from the farmer—are always on hand. 🐾



Top and near right: some of the residents of Grazin' Angus Acres, an Animal Welfare Approved (AWA) farm in Ghent, NY. Far right: the world's only AWA restaurant, the Grazin' Diner, is in nearby Hudson, NY.

PHOTOS: MIKE SUAREZ



At Prodigal Farm, School Is Cool for Kids *(and Four-Footed Adults)*



Kathryn Spann and Dave Krabbe are

the owners of 97-acre Animal Welfare Approved (AWA) Prodigal farm in Rougemont, North Carolina, where they raise goats for meat and cheese. Like Dan and Susan Gibson of Grazin' Diner and Grazin' Angus Acres (profiled on page 5), Kathryn and Dave traded fast-track lives centered around New York City for life and labor on the farm. Dave, a carpenter, worked as a high-end residential general contractor in great demand by wealthy clients. Kathryn spent a decade and a half as a lawyer, working 80-hour weeks for federal judges, law firms, and the New York Attorney General's Office.

In 2007, they called it quits on the city. According to Kathryn, "Dave and I made the decision that we were going to hit the eject button. At that point the only thing that we knew is that we were going to buy some farmland back down here."

It's a long way (literally and figuratively) from New York City to rural Rougemont, but for Kathryn, the move was a homecoming. She grew up in Durham, only a few miles south of the farm, and stayed in her hometown to attend Duke before heading off to Vanderbilt Law and then on to New York. In fact, her Tobacco Road roots go deep. Prodigal Farm is in the same county where her mother's family farmed tobacco for generations—hence the farm's name: "prodigal" as in prodigal child, but also, "prodigal" in the sense of "yielding abundantly." Not, however, "prodigal" in the sense of wasteful. As stated on their website, "We believe that nothing should be wasted—not old buildings, not food trimmings, not manure. We are mildly obsessed with soil and the density of life within it. We select and develop technologies that respect natural systems and use energy efficiently."



Kathryn and Dave raise their goats outdoors, on pasture, in accordance with AWA standards. They also rotationally graze them, a "pretty uncommon practice," according to Kathryn, "because the goats have pretty high shelter requirements." To do this, the couple needed a practical system not just to get the goats around, but to make shelter readily available for them, as well. They tried portable sheds, but these became too heavy as the herd expanded.

Then, one day, they were hit by a burst of inspiration when they noticed a school bus sitting idle in a field. Inspiration led to solution: school buses, absent the seats and filled with straw bedding, became sunny mobile shelters for the goats. As Kathryn explains, a school bus "has nice soft wheels, is not going to dig up your pastures, and can provide double-decker shelter" in the sense that the goats huddle inside the bus when they want to keep warm, but rest (or sleep) comfortably in the ample space *under* the bus when they want to keep cool. As Dave told a local television news reporter, "The goats love the bus. ... It turned out to be a lifesaver for us."

"The school buses [now plural] are also helpful," says Kathryn, "because—as opposed to having a social barn where the animals are always located on soil that can get parasites established in that soil—with the school buses it's a metal floor. They are getting mucked out regularly [so] there is no place for the parasites to continue to live."

The system is doubly good for parasite control because now, the goats can continuously forage grasses and browse the



At top, Kathryn Spann, co-owner of Prodigal Farm, cozies up to a couple of the kids. Opposite page: goats roam in and out of the modified school buses that serve as shelter. Photos by Mike Suarez



Prodigal Farm's handcrafted farmstead goat cheeses are in demand from New Orleans to New York, as well as at local farmers' markets.

woodlands high off the ground as opposed to the goats cropping plants down to the soil in one patch of field, where they might be prone to ingest unwanted hitchhikers. Kathryn says the rotational grazing also helps the fields themselves by keeping pressure down on them, making for better soil and water conservation.

Such elements are important to the couple. "Our underlying farming philosophy is respect for our animals, respect for the environment, respect for the people who help us care for both the animals and the environment," says Kathryn. "Our years of farming have taught us that if you take care and

follow the nature of the animals and the nature of the land, then the land and the animals will take care of you."

They are also conscious of the need to take care of customers: "Terms that are bandied around in marketing animal products these days—you hear natural, pastured, cage-free, or organic and I think there is a growing consumer skepticism... especially about organic," says Kathryn. "You would think organic would be a gold standard and yet folks are starting to realize that buying organic does not necessarily ensure that people are in fact getting a product that came to them through practices that are what the consumer is seeking."

Which is why Kathryn and Dave chose to have Prodigal Farm certified by AWA: "The AWA label more than any of the other humane certification labels has a really solid reputation for being exactly what it purports to be," asserts Kathryn. She adds that AWA "has an educational component for us as producers and sort of an annual touchstone [through regular audits] for us to review our practice. It can help bring information to us but it helps us bring information to the world by providing a label that has a strong and progressively growing reputation. The label ensures the consumer can have integrity in the product that they are purchasing and the ethical decisions that they are really trying to make." 🐾



Raise Your Right Paw! Canine Comfort in the Court

FACT: PETTING AN ANIMAL HELPS TO REDUCE STRESS.

We don't really need science to tell us this, but there are studies documenting very real physiological and psychological benefits to being around animals. Another fact: Appearing in court can be a very stressful experience, especially for children who are witnesses to or victims of crime. So some localities have put two and two together to come up with a way of easing the trauma for these victims and witnesses: bringing dogs to court! The idea originated with Ellen O'Neill-Stephens—at the time, senior deputy prosecutor for King County, Washington—after witnessing the effect her own son's therapy dog, Jeeter, had on children involved in two different abuse cases. Interacting with Jeeter enabled the children to talk about what had happened to them. That set a process in motion. In 2005, after persuading chief prosecutor Norm Meleng to agree and then finding the right dog for the "job," O'Neill-Stephens introduced a Labrador named Ellie to the King County Courthouse as the nation's first full-time courthouse dog.

In general, these specially trained animals may be present not just during a trial but also during pretrial interviews, and some jurisdictions now want to allow dogs to accompany victims of domestic violence to the stand. Their presence even helps relieve stress for courthouse staff and jurors!

Enthusiasm has not been universal however. Defense lawyers have objected to allowing dogs in court, claiming it would bias the jury. Prosecutors argue that it is similar to other accommodations courts have made, such as



JACK STEPHENS

Sean Stephens with his therapy dog, Jeeter. Jeeter's interactions with children involved in abuse cases inspired Sean's mother, Ellen O'Neill-Stephens, to push for a full-time courthouse dog in King County, WA.

allowing a child to bring a doll or stuffed animal, and judges generally agree. A New York appeals court recently upheld this view, ruling that the presence of a dog is not inherently prejudicial to the defendant.

There are now 48 dogs working in 21 states. If Norm Meleng (who passed away in 2007) could have had his way, they would be everywhere. Shortly after he acquiesced to the use of courthouse dogs in King County, he was sold—telling *The Seattle Times* “I think no Prosecutor's Office is complete without one.” 🐾

San Diego Says Sayonara to Puppy Mill Pet Sales

SAN DIEGO IS NOW THE SECOND-LARGEST CITY in the United States (behind Los Angeles) to ban the retail sale of dogs, cats and rabbits originating from puppy mills and other commercial breeding facilities. An ordinance passed the City Council in July with near-unanimous support, and went into effect in September, making it unlawful to display, sell or give away live dogs, cats or rabbits unless the animals are obtained from shelters, humane societies, animal control agencies, or rescues.

Over the past three years, more than 30 municipalities in North America, including Toronto, Ontario; Albuquerque, New Mexico; and Austin, Texas, have taken similar action. These laws are an attempt to curb the abuse and neglect inherent in large-scale commercial breeding facilities, which churn out purebred puppies, kittens and rabbits while the “breeder” animals spend their entire lives in barren wire cages, impregnated again and again until they are physically worn down and discarded. 🐾



Stilson, a courthouse dog in Snohomish County, WA, gets a hug from an admirer.

BILL FRENCH

California Legislature Approves Lead Ammunition Ban

A NEW LAW IN CALIFORNIA will phase out the use of lead ammunition for hunting throughout the state. The law, introduced as Assembly Bill 711 in March 2013 by Assembly Member Anthony Rendon, passed both the Assembly and the Senate and was signed by the governor on October 11. It provides that non-lead ammunition “shall be required when taking all wildlife, including game mammals, game birds, nongame birds, and nongame mammals, with any firearm,” and establishes an implementation deadline of July 1, 2019.

It is hoped that this law will help restore populations of imperiled species by reducing lead exposure. Lead is a toxin that, when deposited in the wild, is known to harm birds—

including bald eagles, loons, swans, condors and ravens—as well as bears and other animals. It also poses risks to human health, and may harm those who ingest meat from animals killed with lead ammunition through exposure to lead residue.

Because non-lead ammunition is readily available, hunters may easily and cost-effectively make the transition away from lead bullets. The use of lead ammunition for hunting waterfowl has been prohibited nationwide since 1991, and lead shot has been banned in parts of California since 2008 to protect the California condor. AWI applauds California's efforts to protect wildlife and public safety by restricting the use of lead ammunition. 🐾

Tragedy at Ohio Kennel Prompts Passage of “Nitro’s Law”

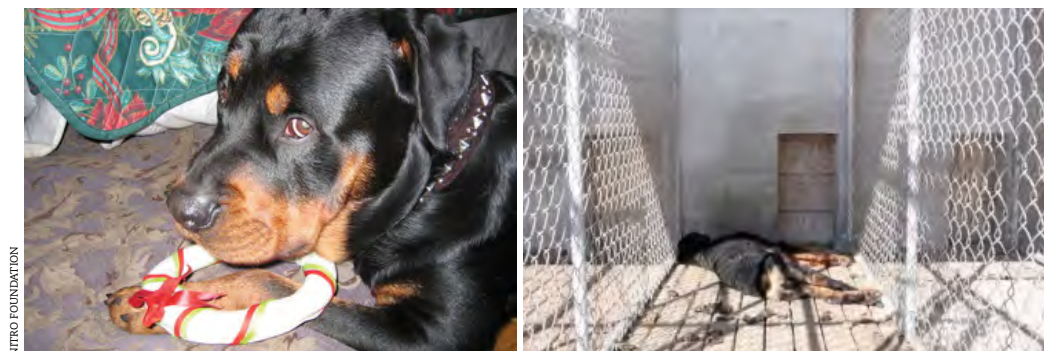
IN THE SUMMER OF 2008, due to a family medical emergency, Tom Siesto and Liz Raab left their beloved Rottweiler, Nitro, at the Youngstown, Ohio, kennel of well-regarded trainer, Steve Croley, who was offering a “dog summer camp.” Croley was paid \$2,000 and provided three months of food and vitamins for Nitro.

In October, Nitro’s family sought to retrieve their dog, but Croley suggested they let Nitro stay with him a bit longer. Two weeks later humane agents found seven dead and 12 starving dogs at the kennel. Nitro was among the dead.

Croley was charged with four misdemeanor counts of animal cruelty. Legal problems with the raid induced the prosecutor to drop 15 additional charges. A plea bargain resulted in Croley being sentenced to just four months

in the county jail. Nitro’s family and humanitarians in Ohio were outraged at the light sentence and determined to strengthen the state’s weak anti-cruelty law. On June 30, 2013, thanks to a determined group of legislators and citizens, “Nitro’s Law” was signed into law, establishing a fifth-degree felony charge for kennel owners, operators or employees who abuse animals.

Examples of other state laws that were strengthened around the country this year: Pennsylvania now requires persons charged with animal abuse to pay up to \$15 a day per animal plus medical costs until the case is resolved. This measure was needed to provide financial relief to the shelters and rescues that take in the animal victims. Colorado has a new “Dog Protection Act,” which mandates training for local police and sheriffs in how to handle situations involving dogs. It is hoped that this will curtail the all-too-common use of deadly force against dogs. In Texas, a law to “protect the pet of a person named in or protected by certain protective orders” was strengthened to benefit domestic violence victims and their animals. 🐾



Nitro, at far left, weighed 105 pounds before he was dropped off at the kennel. His emaciated body, near left, weighed 50 pounds when it was discovered.



ERIC KILBY

Not a house cat: taking the mountain lion out of the wild does not take the wild out of the lion.

PLEASE DON'T PET THE PUMA

Every year, both animals and members of the public are injured or killed because animal exhibitors allow visitors to pet and pose with lions, bears, tigers, primates, and other animals. The animal protection community has long urged a change in the Animal Welfare Act (AWA) regulations governing public contact. In August, USDA—which is responsible for enforcing the AWA—published a petition it had received requesting that it amend the regulations to clearly prohibit public contact with big cats, primates, and bears, and also to prohibit the separation of baby animals from their mothers before they are weaned unless medically necessary. In comments to USDA, AWI supported the petition but also argued that the regulatory change should go further and prohibit public contact with ALL wild and exotic animals. Many other species are subjected to unwanted and unnecessary handling by nonprofessionals, which exposes animals and visitors alike to potential harm. 🐾

The King Amendment's Attack on State Animal Welfare Laws

BOTH THE U.S. HOUSE OF REPRESENTATIVES AND SENATE have passed versions of the 2013 Farm Bill, and the two chambers of Congress must now reconcile their respective bills and agree upon the provisions that will become law. The House bill includes a dangerous amendment inserted by Congressman Steve King (R-IA) that would prohibit states from establishing animal welfare standards for agricultural products sold in-state but produced elsewhere.

This provision would shield producers from having to comply with farm animal welfare laws of the states where they do business. It would, in fact, interfere with countless state laws across the country and would nullify the progress that has been made in many states to better protect farmed animals from cruelty. In California for instance, it could invalidate laws prohibiting the sale of eggs from hens kept in extremely small, crowded battery cages, as well as foie gras, which is produced by brutally force-feeding geese. It could also interfere with states' restrictions and bans on gestation crates for pigs, veal crates for calves, tail-docking for cattle, and horse slaughter. In addition to animal welfare provisions, the broadly worded amendment could have consequences that extend to food safety, worker protection, and environmental quality standards.

As the House and Senate reconcile their respective versions of the 2013 Farm Bill, AWI will seek to ensure that the King amendment to the House Farm Bill is omitted from the enacted legislation.

Please contact your legislators and tell them to oppose the King amendment. You can contact your legislators by calling 202-225-3121, by visiting www.awionline.org/takeaction, or sending letters as follows: For representatives: Honorable (full name), U.S. House of Representatives, Washington, DC 20515; for senators: Honorable (full name), U.S. Senate, Washington, DC 20510. 🐾

Animal Sellers No Longer Out of (Over)sight on the Web

WITH THE ADVENT of the Internet and the online sale of all measure of goods, it was inevitable that animals also would be sold over the web. Those who breed animals for the commercial pet trade, particularly large-scale puppy mills, increasingly made use of this medium, because web-based operations were exempt from licensing and inspection by USDA under the Animal Welfare Act (AWA). Internet sales

further served the breeders by preventing potential buyers from seeing and evaluating the animals prior to purchase.

In September, in response to years of pressure by AWI and others in the humane community, USDA announced changes to the AWA regulations. The changes will at long last establish USDA oversight of breeders for the pet trade who sell animals solely via the Internet. 🐾

Can-Do Attitude Abounds at Social Housing of Laboratory Animal Conference

CONGRATULATIONS to the organizers of the Symposium on Social Housing of Laboratory Animals for an extremely informative meeting dedicated to improving the welfare of animals in research. The conference, held on the National Institutes of Health campus in late August, included a full day focused on social housing of non-human primates, with talks by experts Mollie Blooms Smith, Kristine Coleman, Steve Schapiro, and Kelly Harding. The second day included presentations on dogs (LaVonne

Meunier), pigs (Candace Croney), rabbits (Karen Froberg) and rodents (Rianna Gaskill).

No one there questioned the importance of social housing or offered up excuses. Rather, the focus was on finding ways to make social housing work, whether the issues involved individual animals, facility management or principal investigators. In all cases, attendees received guidance on successful approaches.

Many new faces at this meeting meant the information was gratefully absorbed by a fresh crew of caregivers, veterinarians, and other laboratory personnel. The proceedings should be published and available in the New Year. Hopefully, the conference can be taken on the road as a means to reach out to those in different parts of the country who are anxious to do more for the animals, but could use some assistance. 🐾

CLASS B DEALER GETS A LITTLE CAGE TIME

Former random source Class B dealers Floyd and Susan Martin—owners of Chestnut Grove Kennel in Shippensburg, Pennsylvania—were back in court on August 26 for formal sentencing on charges of mail fraud (Floyd) and conspiracy (Susan) stemming from their illegal acquisition of hundreds of dogs and cats for sale to laboratories over a five-year period. (See Spring 2013 AWI Quarterly.) According to the indictment, the Martins falsified documents submitted to USDA to conceal the number of dogs they acquired from “bunchers”—unlicensed individuals who collect dogs for such purposes. They then sold the dogs at substantial profit to research facilities and some of the nation’s largest hospitals—including Johns Hopkins.

AWI had written to Judge John E. Jones III supporting the prosecutor’s recommendation of jail time for Floyd and a substantial probation period for Susan, and a payment of \$300,000 in restitution. The letter stated in part that the recommended sentences “... send a strong message to USDA licensees ... that lying about their activities in order to avoid obeying the law will not be tolerated.” The judge imposed the recommended fine, sentenced Susan to three years’ probation, and sentenced Floyd to six months in prison.

Judge Jones said, in fact, that he would have put Floyd away for the maximum 14 months were it not for Floyd’s



Squalid conditions are the norm for dogs at a Class B dealer facility. The dogs are collected (sometimes illegally) from random sources and sold at a substantial profit to research institutions.

poor health due to multiple sclerosis. As reported on *Philly.com* (the website of the *Philadelphia Inquirer*), the judge was not at all impressed by Floyd’s in-court apology, telling Floyd “I think you are sorry you got caught.” Addressing both Martins, Judge Jones said, “You gamed the system not once but many times, wantonly, deliberately for great financial gain. You ... encouraged others to break the law. ... There are multiple animal victims and that makes a difference to this court. ... I hope this sends a message to others who violate the strictures kennels are under.” 🐾



AWI Joins Willie Nelson's 80th Birthday Bash

AWI WAS HONORED TO BE WITH WILLIE NELSON and his family at the Hard Rock Café in New York City in June for a celebration of his 80th birthday, and to recognize his legacy and his commitment to activism on behalf of horses. Hard Rock International honored Willie as part of the Artist Spotlight program, acknowledging his many accomplishments as both a musician and an advocate.

Willie performed some of his best-known songs, and was joined by a number of bands led by talented family members, including the Paula Nelson Band, Raelyn Nelson Band, Lukas Nelson and the Promise of the Real, Insects vs. Robots, Folk Uke, and Lechuzza. Members of Willie's family have often joined his animal protection efforts, and this was an excellent opportunity to celebrate not only the enormous talent of the Nelson family, but also their willingness to speak out on behalf of horses, dogs and other animals.

Horse welfare, in particular, has long been an issue of great importance to Willie. He works with AWI in support of a federal horse slaughter ban. Amy and Raelyn Nelson, Willie's daughter and granddaughter, respectively, have accompanied AWI's legislative team to Capitol Hill to speak to legislators about the importance of protecting America's horses from the cruelty inherent in slaughter. The Nelsons have been instrumental in raising awareness about the many ways supposedly unwanted horses could benefit society rather than end up in the slaughterhouse, and about our responsibility to treat all horses with kindness and respect.

Willie speaks out on behalf of wild horses, as well, advocating for an end to inhumane and unnecessary roundups of free-roaming, wild horses by the Bureau of Land Management (BLM). The BLM—ironically, the federal agency charged with protecting these wild equines—routinely rounds them up and herds them into holding pens on public lands. The BLM's stated justifications—to address overpopulation, damage to range, and other adverse ecological impacts—are unsupported by scientific evidence. The BLM's management decisions, rather, are tailored to benefit a livestock industry that has long exploited Western public lands—reaping huge profits at taxpayers' expense. Willie has consistently voiced his opposition to BLM's cruel roundups and implored the Bureau to dramatically change its management approach to better comply with the Wild Free-Roaming Horses and Burros Act of 1971, the federal law that mandates protection of these animals.

AWI is proud to celebrate Willie's talent, legacy and dedication to animal welfare, and we applaud his ongoing commitment to protecting wild and domestic horses. As part of its Artist Spotlight program, Hard Rock Café is selling commemorative Willie Nelson t-shirts, pins, and bandanas, with a portion of the proceeds donated to AWI. For more information or to purchase these items, visit www.awionline.org/WNelsonHRC. 🐾

Top left: On Broadway, AWI gets its name in lights next to a country music legend. Middle: Willie performs for the Hard Rock crowd. Right: multiple musical generations of the Nelson family pose for the camera.



LELAND GRASS

HORSES ARE SACRED

A View from the Nohooká Dine'



CONASHIEMA CLARK

by Leland Grass

In August, Navajo Nation President Ben Shelly stated that—to alleviate what he claimed was a horse overpopulation problem—the government of the Navajo Nation would support rounding up, selling, and slaughtering wild horses from Navajo lands, as well as the planned opening of a horse slaughterhouse in Roswell, New Mexico. (No horse slaughter facilities currently operate within the borders of the United States.)

His stance disturbed many of the Dine' people (as the Navajo formally refer to themselves). The Elders and Medicine People of the Nohooká Dine' (Earth Surface People) made it clear that the president did

not speak for them, unanimously passing a resolution in August condemning the roundups and subsequent “execution” of the horses. In September, the Dine' Hataali Association and several Navajo chapters—including the Tsayatoh, Iyanbito and Shiprock Chapters—all passed resolutions opposing the roundups and slaughter. Finally, in October, President Shelly backed down and withdrew the government's official support for roundup and slaughter.

Leland Grass is a Dine' Traditionalist from the Betatakin Canyon area of Arizona, south of Navajo National Monument. He is the youngest Ho'ya'nee' (vigilant one) for the 12 Traditional Headmen Council of Nohooká Dine'.

The following article by Leland offers a perspective concerning what horses mean to the Dine' and why the Nohooká Dine' feel horse slaughter is a grievous violation of their culture and tradition. AWI is honored to have the opportunity to work with Leland and his fellow Elders and Medicine People to present a humane and responsible management plan for their wild horses.

The Dine' (Navajo) people reside in their innate homeland, within four cardinal sacred mountains, encompassing portions of Arizona, New Mexico, Utah and Colorado. It is from this spiritual center that horses remain sacred. This understanding of sacred was challenged by the Navajo Nation, a federally recognized tribal government and its political leader, President Ben Shelly.

The traditional leaders, Elders and Medicine People developed a resolution on August 26, 2013, that stated: “Nohooká Dine' strongly oppose any and all actions by the Navajo Nation, Department of Interior and Department of Agriculture that leads to the mass execution of the horses that have been illegally round-up. ... these illegal actions violate Our Dine' Way of Life and Our Responsibilities as Human Beings.”

You cannot go to Dine' People's grazing area and take animals without our consent, permission or without proper notification and identification.

The Navajo Nation government is breaking their own rules by conducting the round-up and sale in this manner.

This conflict between the original teachings of the Nohooká Dine' and the contemporary political structure of the Navajo Nation is a clash on how to care for and maintain the Nation's horse population. The Navajo Nation addressed the horse management issue by rounding up and selling the horses to kill buyers to be slaughtered in Mexico. The inhumane treatment of the horses during this round-up and sale also alarmed the Dine' Hataalii Association, a distinguished association comprised of Dine' Medicine Men and Women. The Association responded by clearly stating they do not support or in any way condone the slaughtering of horses and the sale of horses to those that are identified as kill buyers.

This struggle between maintaining cultural traditions and being assimilated into contemporary culture is being played out on the range. Indigenous peoples see this clash as a microcosm of a much larger issue. Traditional Dine' knowledge explained by the Dine' Hataali Association describes the

physical make-up of the horse and its connection to Nature. The horse's mane represents dark rain clouds and ensures moisture and well-being to all life forms on Mother Earth and in Father Sky. Underneath the hooves are arrowheads that ensure the protection of the Dine' people and all other life forms. With this understanding the Dine' see the inhumane treatment of the horse as a violation against Mother Earth and her natural cycles.

In the resolution developed by the Nokooká Dine', we clearly expressed our objection to the Navajo Nation's way of managing the horse population by stating "to treat Life so recklessly and without the counsel of the Elders and Medicine People IS NOT Our Way of Life, rather it is the way of life that was planted in our young people when they cut their hairs and prevented our children from speaking our language, it is a forced assimilation. We see this mass execution of our relatives, the horses, as the rotten fruit of a bad seed that was planted in the minds of our children in the earlier days."

After pressure from the Elders and Medicine People of Nohooká Dine', the Dine' Hataali Association, animal advocacy groups, former New Mexico Governor Bill Richardson,



LELAND GRASS

and actor Robert Redford, Navajo Nation President Shelly released a statement reversing his support for horse slaughter and bringing a halt to rounding up the Nation's horses.

The Dine' people continue to struggle and strive to maintain our way of life, the way the Creator taught us from the beginning of Creation. This knowledge and way of life that has been handed down generation-to-generation from the beginning maintains that all life is sacred and it is our responsibility as human beings to respect this understanding. It seems as Indigenous Peoples we continue to be our own worst enemy when we forget who we are and the spiritual foundation we stand on.

With the help of horse lovers across this land and the Dine' Elders and Medicine People who still maintain and protect this sacred connection to the horses and all Creation, we were able to ensure, in this case, that horses remain sacred. This issue of horses is tied to our way of life as Indigenous Peoples so we realize that it's not only the horses that are threatened but it is also our way of life that is threatened. It is our understanding that the health and future of the horses are intricately tied to our own. That is why we are fighting so hard. We are fighting for our own future generations. 🐾



LELAND GRASS

Dine' for Wild Horses at the Shiprock Northern Navajo Nation Fair in October 2013. Pictured left to right: Jones Benally, Leland Grass, Kenneth Davis, and Clayson Benally.



VIC DELEON

A blacktip shark in the Bahamas. The fin trade is devastating shark populations. Awareness is growing, however, of the trade's cruelty and ecological harm, and the need to protect sharks.

Putting the Bite on the Shark Fin Trade

TWO NEW DEVELOPMENTS spell good news for sharks. The first: India, a major shark fishing nation, has banned shark finning at sea, the practice of slicing off a shark's fins—often while still alive—and throwing the mutilated shark back into the ocean. According to international wildlife trade monitoring agency, TRAFFIC, India is the world's second-largest shark-catching nation behind Indonesia, with the two countries accounting for 20 percent of yearly shark catches.

The second positive development: Shark fin imports to Hong Kong have dropped 20–30 percent following the launch of a campaign involving AWI and dozens of other international and Hong Kong-based groups to persuade major airlines to refuse to carry shark fins as cargo. Emirates banned transport of shark fins on their cargo flights in June, and Qantas banned them in May, two of at least a dozen airlines that have responded positively to the campaign. A drop in demand has also been cited as a reason for the decline; consumption of shark fins in China has dropped 70 percent since the end of 2012. A Chinese government crackdown on corruption and extravagance involving lavish banquets and government officials is said to be a major factor in this precipitous (and welcome) decline. 🐾

Score One for the Whales! NMFS Bats Down Beluga Import Bid

AWI IS VERY PLEASED TO REPORT that the National Marine Fisheries Service (NMFS) has denied a permit application by Georgia Aquarium and partners (including SeaWorld and Shedd Aquarium) to import 18 wild-caught beluga whales from Russia for the purposes of public display. (See Fall 2012 AWI Quarterly.) AWI testified against the import at a public hearing held by NMFS, submitted detailed public comments to NMFS outlining the reasons for denial of the application, and asked AWI members to voice their opposition directly to Georgia Aquarium. In announcing its decision, NMFS stated that the application failed to meet the requirements of the Marine Mammal Protection Act. For one, the applicants could not ensure that the capture and import, in combination with other activities, would not have an adverse impact on the source population—the Sakhalin-Amur beluga whale stock from which the 18 were taken. NMFS determined, rather, “that issuance of this permit would contribute to the demand to capture belugas from this stock for the purpose of public display in the U.S. and worldwide, resulting in the future taking of additional belugas from this stock.” Georgia Aquarium filed an appeal to this decision in district court on September 30; AWI is monitoring the proceedings and remains committed to supporting the permit denial. 🐾

RIGHT TO CELEBRATE: URUGUAY DECLARES WHALE SANCTUARY

Uruguay's national legislature has voted to establish a protected sanctuary for migrating right whales and other cetaceans. The final approval of the bill came via a unanimous (62–0) vote in the Chamber of Representatives on September 3.

Southern Atlantic right whales feed in the Southern Ocean during the austral summer. During the winter months, a segment of the population migrates north along South America's eastern coast to raise calves. In recent years, various development schemes—some involving mineral mining and offshore oil and gas production—have threatened the Uruguayan coast and coastal waters. 🐾

CETACEAN SHOWS: NOT QUITE SO CAPTIVATING

The past three years have seen considerable progress on the campaign to end the display of captive cetaceans. The change appears to date from the tragic death of SeaWorld trainer Dawn Brancheau, who was killed by the orca Tilikum. Sadly, it is just such a calamity that too often serves as the catalyst for reform.

In August 2010, SeaWorld was cited by the Occupational Safety and Health Administration (OSHA) in the death of Brancheau and immediately challenged the citation in court. Nine days of testimony in autumn 2011 led to a May 2012 ruling against SeaWorld, as the judge ordered the company to implement the abatements prescribed by OSHA. (See Summer 2012 AWI Quarterly.) SeaWorld has appealed this ruling; the appeals court will hear oral arguments this November.

Meanwhile, in May 2013, India banned the establishment of dolphinariums anywhere in the country. Proposals to build new dolphinariums had been submitted in various cities by local and international entrepreneurs. A global effort to alert the Indian government about the welfare concerns associated with dolphinariums led to this historic ban.

In South Korea, three illegally captured bottlenose dolphins were successfully released back into the wild in July after spending four years in captivity. The dolphins were caught in fishing traps around the island of Jeju, where there is a small, resident dolphin population. When the captures were challenged in court by local animal groups, the mayor of Seoul convened a committee of



INGRID VISSER

The ocean is in view—but out of reach—for dolphins at Sea Life Park in Oahu, HI.

stakeholders to return the animals to their home. After several weeks in a sea pen, the dolphins were released. Two were tagged and all are being tracked and have reintegrated into established pods.

Back in the United States, the National Marine Fisheries Service, after a tidal wave of protest against an import request by Georgia Aquarium for 18 wild-caught beluga whales from Russia, denied this request in August 2013 (See page 16.)

Finally, the book *Death at SeaWorld* by David Kirby (reviewed in the Fall 2012 AWI Quarterly) and the documentary *Blackfish* (reviewed in the Summer 2013 AWI Quarterly) have pushed this debate into the mainstream of public consciousness. *Death at SeaWorld* received universal praise for its in-depth coverage of the issue, and there is Oscar buzz around *Blackfish*.

Not only governments and the public are grappling with the question of whether cetaceans belong in captivity; the marine mammal scientific community, which has long tried to ignore the elephant—or orca—in the room, is at last addressing the issue. The Society for Marine Mammalogy will host an evening panel discussion at its 20th Biennial Conference on the Biology of Marine Mammals in December in New Zealand, which represents the first time this academic society has debated the question.

AWI and its coalition partners have been actively involved in all of these successes. Victory, however, remains on the horizon, not immediately at hand. The marine theme park industry continues to sell tickets to its cetacean shows—lots of them. Cetaceans are still being torn from their homes and families and pressed into service as “entertainers” within sterile, cramped environs. While the tide of public opinion is turning, there is more to do. 🐾



INGRID VISSER

At Mundo Marino in San Clemente del Tuyú, Argentina, a tiny pool holds the aquarium's lone orca, Kshamenk. He has not seen another orca in nearly 14 years—more than half his life.

Dr. Rose Tackles Thorny Issues of Marine Mammal Captivity

IF DR. NAOMI ROSE, who joined AWI's staff in September as the organization's marine mammal scientist, ever elects to pen an autobiography, she knows where to go for the "early years" outline. All she has to do is look in the index of the book *Death at SeaWorld* under "Rose, Naomi." A significant portion of the book—in which author David Kirby untangles the twisted ethical hoops humans have jumped through to turn orcas into acrobats—is dedicated to Naomi's own life story. She is a central figure in the book because she is a central player on the issue. For more than 20 years, Naomi has been a leader of domestic and international efforts to publicize and address the many problems associated with the capture and captivity of marine mammals for public display.

Marine mammals are not Naomi's only area of expertise (do not attempt to stump her on the finer details of the venerable British sci-fi series, *Dr. Who*—you will fail), but they certainly have been a singular obsession from an early age. When she was 13, she announced to her parents that she was going to study dolphins. They may have written it off as a young girl's romantic whim—all the more so considering what sparked it: an exceedingly earnest 1970s-era music video featuring wild cetaceans and John Denver's ode to Jacques-Yves Cousteau's iconic ship, *Calypso*. If they did, however, they seriously underestimated their daughter's focus, determination and drive. Her mind was made up.

Indeed, Naomi's career choice did not waver through her high school and college years. Later, it propelled her doctoral work at UC Santa Cruz, where her dissertation



Naomi in Chile, 2008.

examined the social dynamics of wild orcas. But what started out as an academic's desire to unlock the secrets surrounding the lives, habits, and social structure of the largest dolphin morphed into a scientist's affronted sensibilities concerning the unnatural and illogical way in which humans conscript and confine marine mammals for entertainment purposes.

Over the years, Naomi has become the "go to" scientific authority for print, radio, and television reporters when they wish to address the (de)merits of cetacean captivity. A recent screen appearance came in October 2013, when she appeared on a special edition of Anderson Cooper's popular 360° show to discuss the issues addressed in *Blackfish*—a 2013 documentary that covers some of the same ground (or concrete-walled water) as *Death at SeaWorld*—with Gabriela Cowperthwaite, the film's director, opposite zoo and aquarium representatives.

She is also a prolific writer—authoring/co-authoring over 30 scientific papers and authoring numerous articles for animal protection publications, as well as chapters in several books. She lectures annually at three universities and has testified before the U.S. Congress four times, on issues as diverse as polar bear sport hunting, the welfare of captive marine mammals, and the impacts on marine mammals of human-caused noise in the ocean. The behemoths of the cetacean world occupy her attention, too: Naomi has been a member of the International Whaling Commission's Scientific Committee since 2000, within which she participates in the subcommittee on whale watching and the standing working group on environmental concerns.

At AWI, Naomi will lead our efforts to protect captive marine mammals and contribute to other campaigns in our marine mammal program. We are thrilled to have her aboard. 🐾



Naomi with Dr. Lori Marino of Emory University and *Death at SeaWorld* author David Kirby at a book signing and panel discussion in Atlanta, GA.

WANTON WASTE AND SUFFERING SUFFUSE FAROE ISLANDS DRIVE HUNTS

Long-finned pilot whales have been hunted for human consumption in the Faroe Islands (a small Danish territory located between Scotland and Iceland in the North Atlantic) since the first human settlement of the islands. As the islands evolved into a vibrant, modern economy with other food readily available, the so-called “drive hunts” or “grinds” have not faded away, but rather have endured at high levels. In fact, the hunt reached depressing new lows this summer, as islanders killed far more whales than they could possibly (or safely) consume, targeted new dolphin species—including the slaughter of 480 white-sided dolphins in a single day—and employed even more inhumane killing methods.

High levels of contaminants in pilot whales pose such a threat to Faroese consumers that the islands’ chief physician and chief medical officer recommended in 2008 that pilot whale meat no longer be used for human consumption. However, despite the well-documented connection between maternal exposure to whale meat and neurological delays

and cardiovascular problems in Faroese children and an elevated risk of hypertension, arteriosclerosis and Parkinson’s disease in adults who consume the whales, the Faroese government refuses to ban consumption—or the hunts. Instead, it advises that one or two pilot whale meals per month are safe for all but children and young, pregnant or breast-feeding women to consume.

Either this advice goes unheeded, or a huge amount of whale meat (which is given out for free) is wasted—never distributed or, as we suspect, thrown out of freezers when fresh meat becomes available. This summer’s hunts of more than 1,200 whales and dolphins will have yielded hundreds of metric tons of meat and blubber, far more than 30,000 adult male and post-reproductive female consumers in the Faroe Islands could possibly consume.

During Faroese drive hunts, whales are herded by motor boats into a bay, where men waist-deep in water either jab sharp-ended hooks into the whales’ flesh or jam blunt hooks into blowholes, to drag the thrashing

animals onto the shore and restrain them so that a spinal lance can be used to sever the main artery to the brain. However, on at least one occasion this summer, such a large group of whales was driven into a bay that many had to be killed in the water, where restraint is difficult and the spinal lance ineffective. As grisly photographs attest, the slaughter of 267 pilot whales on July 30 lasted at least an hour and a half, causing unimaginable suffering, as well as acute distress to the whales watching, hearing and smelling the carnage as family members were killed around them.

AWI and others swiftly petitioned the authorities to investigate the management of this particular hunt and immediately ban the taking of large groups of whales, but our long-term goal is the permanent end of Faroese grinds. We are working with other animal welfare and conservation groups to launch a campaign to bring an end to a brutal and obsolete tradition that the Faroese public are risking their own lives to preserve. 🐾





WHILE THE WORLD MOVES ON, U.S. STILL CAUGHT IN ITS TRAPS

Although more than 85 countries have banned or heavily restricted the use of steel-jaw leghold traps, the United States—one of the world's largest fur producing and consuming nations—continues to defend these inhumane devices.

Each year, millions of animals are killed for their fur in the United States, and many suffer prolonged deaths in traps. An extremely conservative figure of 4.9 million furbearers met this fate in 2010, and in 2011 that figure rose to 6.8 million. It should be noted that these figures are most certainly gross underestimates, as they were compiled by the Association of Fish and Wildlife Agencies (AFWA) and rely on data from state game agencies, a number of which failed to submit any data at all.

Among the most commonplace—and most egregious—devices used to capture furbearers and other species are steel-jaw traps. Acknowledging the extreme and unnecessary cruelty associated with steel-jaw traps, the National Animal Control Association and American Animal Hospital Association have condemned the devices.

Any unsuspecting animal may be lured into a trap by following bait or scent to an area where the trap has been hidden beneath dirt and/or leaves. The trap is powered by as many as four coil springs, two long springs, or a single spring underneath the trap. When the animal steps on the pan of the trap, it releases two opposing steel jaws to slam violently together on a leg or paw. The jaws clamp tightly on the limb to prevent the animal from pulling free. Injuries

are caused both from the force of the jaws coming together and from the tight clamp they keep on the victim. Blood flow is restricted to the limb, if not cut off altogether, leading often to gangrene. In freezing temperatures, the portion of the limb below the jaws is likely to get frostbite—ensuring permanent disability of any non-target animals who are caught. Further injuries are incurred as the animal struggles desperately to get free. Trapped animals frequently suffer extreme edematous swelling, torn or severed tendons and ligaments, and broken teeth and bones; some even chew off their own limbs to escape on three legs—called “wring off” by the trappers.

If the animal is still alive when found in the trap, guidance provided to trappers in the form of state-issued trapping manuals instructs them to kill an animal by delivering a blow to the head (by using a club, shovel, or metal pipe) or via suffocation, instructing a trapper to stand on the animal’s chest or choke the animal. Fur trappers do not typically shoot trapped animals because bullet holes can damage pelts and reduce the value of furs.

Some states not only permit steel-jaw traps, they permit traps with “teeth” on the jaws that inflict puncture wounds and add to the suffering caused. Traps, called “double-jaw,” may have a second jaw below the primary one, or an “auxiliary arm.” Both are intended to prevent wring-off. The “stop-loss” trap—originally designed for muskrats, who are known to chew off trapped limbs to escape—is a steel-jaw trap equipped with an auxiliary arm that, when triggered, holds the victim away from the trapped limb so he or she is unable to chew it off and escape. Trappers have reported catching muskrats with one, two and even three feet missing

from repeated capture in these devices. The trappers don’t use these modifications to benefit the animals; they exist solely to prevent escape.

Another variation on the steel-jaw leghold trap is the so-called padded trap. Although it may sound like two pillows coming together to gently hold an animal, these devices are virtually identical to their non-padded counterparts except for the addition of thin strips of hard rubber attached to the trap’s jaws.



COURTESY WILDLIFE SOCIETY

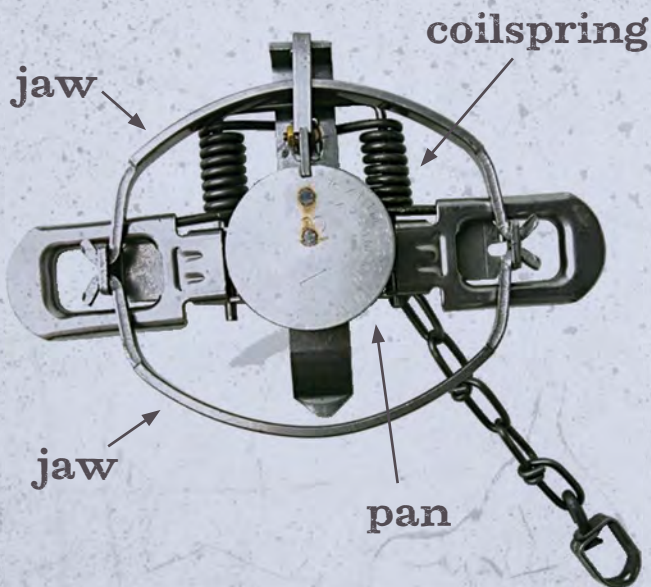
This young coyote, caught in a padded leghold trap for at least two days, tried to gnaw his leg off.

Lastly, there is the “jump” trap—steel-jaw traps with a spring beneath the pan of the trap. As the name implies, this trap is intended to jump when triggered, thereby capturing animals higher on their limbs than other steel-jaw traps. The higher catch is to prevent animals from pulling their limbs out of the traps or chewing off a paw to escape.

Despite the wide range of modifications that may be employed, no steel-jaw trap has been created that has reduced animal suffering to an acceptable level. The jaws of a leghold trap must slam together with tremendous force to quickly catch the animal’s limb, and they must clamp together with sufficient force to prevent an animal from pulling free—it is this basic operating principal that makes such traps brutal regardless of the modifications made.

Regulations & Adjustments

Although technically regulated at the state level, trapping is often subject to minimal restrictions, and regulations that do exist in many instances are poorly enforced.



Only a minority of states have banned or restricted the use of steel-jaw traps. Arizona, California, Colorado, Florida, Hawaii, Massachusetts, New Jersey, Rhode Island, and Washington have limited the use of leghold traps. The New Jersey law is particularly strong, establishing an outright ban on the manufacture, sale, possession, import, transport, and use of steel-jaw leghold devices.

In some states, trappers are not even required to check their traps (and release non-target animals) within a certain time frame; in Montana and Alaska, for instance, there is no mandatory trap check time for most leghold traps, while Wyoming trappers are directed to check leghold traps just once every 72 hours. Where trap-check standards are in place, they are often weak and unenforced. Where trap check times have been established for “furbearers” and other categories of animals, species classified as “non-game” or “predatory”—such as coyotes—may be excluded, allowing victims to suffer indefinitely. New Mexico, for example, excludes coyotes from existing trap check standards. Moreover, there is generally a shortage of enforcement personnel to ensure compliance with existing trapping regulations. Little attention is given to evaluating the impact of these trapping practices on wildlife populations, and relaxed licensing and record-keeping requirements compound this problem. For instance, New York law does not mandate reporting for furbearers other than bobcats, and a number of states from Nevada to Virginia do not require trapper education courses in order to obtain a permit.



KATHLEEN PHILAN

Animals caught in steel-jaw traps can experience gruesome injuries and may suffer for days. Some states do not even specify how often a trapper must check traps.

Trap monitoring devices, which have been researched at USDA's National Wildlife Research Center, can reduce the suffering that results from prolonged struggles in leghold traps. Trap monitoring devices consist of transmitter equipment that serves to notify trappers when a trap has been triggered and the animal has been caught, so that trappers may go to trap sites and release or kill the animals rather than leaving them to suffer for days. Unfortunately, there is no mandate for use of these monitors, and they are not used under most circumstances.

Tranquilizer trap devices (TTDs) also have the potential to reduce the suffering of trapped animals. TTDs are devices that contain a tranquilizer and are attached to traps. When captured, the animal bites at a bulb containing the tranquilizer, thereby ingesting it. The trapped animal is sedated. Studies indicate that TTDs can substantially reduce injury and are a promising means to reduce animal suffering. Unfortunately, their use is limited to certain situations and can only be deployed by federal agents since it involves a controlled substance.

Best Management Practices

AFWA, representing the 50 state agencies; federal agencies responsible for natural resources management; and provincial, territorial and national government agencies in Canada, promotes “best management practices,” or BMPs, as a substitute for mandatory welfare-based measures. The BMP Trap-Testing Program claims to represent progress in exploring trap standards and establishes a trap certification process based on sound science and research. Non-binding guidelines are featured on state agencies' websites and touted as research-based models for trapping wildlife while minimizing animal suffering.

In reality, the program legitimizes standard leghold traps (and other controversial devices) to ensure that steel-jaw traps can continue to be used and that trade with European countries is not disrupted. The program involves paying fur trappers with taxpayer dollars to participate and trap furbearing species as part of a testing program. BMPs neither protect animals nor eliminate the need for regulations mandating humane wildlife management practices—for example, unmodified steel-jaw leghold traps are included in the list of traps that meet BMP criteria. AFWA provides BMPs for 19 individual mammalian species found in the United States—including the federally protected Canada lynx—and nearly all of these guidelines



DAVID

In the Lower 48 states, it is illegal to intentionally trap Canada lynx—a species protected under the Endangered Species Act. Yet lynx get caught in traps set for other animals.

endorse the use of steel-jaw leghold traps. Also, even though BMPs designate specific traps approved for catching a specific species, the BMPs don't assess the ability of the trap to selectively trap the species for which it is approved, thereby adding to the farce.

Although federal funds have been used to support the BMP research and development process, it has been undertaken with minimal transparency since the program was initiated 15 years ago. Animal welfare advocates and the public have been excluded from the BMP process, while trapping interests and associations have been given substantial influence. Lacking both scientific merit and enforceability, BMPs are thus little more than a public relations tool for the fur industry and a distraction from the suffering associated with steel-jaw leghold traps.

Problems for Non-target Animals

Whether on land or in water, steel-jaw traps threaten both target and non-target species. The species most commonly captured in these brutal traps include raccoons, red foxes, coyotes, muskrats, beavers, minks, bobcats, and gray foxes, but the traps are notoriously non-selective, maiming and killing non-target animals such as birds, threatened and endangered species, and even companion animals.

Numerous studies have shown that non-target capture is a significant problem associated with the use of steel jaw traps. In fact, non-target animals can comprise a majority of those captured. Alarming, some states have sanctioned the take of non-target threatened species—such as Canada lynx in Maine—if they are taken “incidentally” to efforts to capture other furbearing animals. Even states that have established restrictions on the types of traps that may be used and the methods by which non-target animals are to be released have few means of evaluating and responding to the numbers of non-target animals trapped and thereby ensuring that non-target animals do not suffer the same fate as targeted species.

Dispelling the Myths & Moving Forward

Because state wildlife departments receive revenues from the sale of trapping licenses, they are influenced by trapping interests, and have little incentive to proactively reform trapping.

This brutal practice continues because trapping is hidden from the public eye; most people are unaware it is even happening. As winter approaches and peak trapping seasons begin throughout the United States, AWI encourages individuals to exercise caution while outdoors—particularly with companion animals—and to inform friends, neighbors, communities and legislators about the substantial and unnecessary suffering that is caused each year by steel-jaw leghold traps in the United States. 🐾



The trap for this muskrat was set under the ice. The trap jaws snapped high on the leg—considered desirable by trappers as it hinders the animal's ability to chew off a limb.

IN JULY, a scathing *New York Times* editorial entitled “Agriculture’s Misnamed Agency” highlighted the myriad problems plaguing USDA’s rogue Wildlife Services program, including its outdated and nonselective killing practices, lack of transparency and accountability, and ecologically destructive approach to wildlife management. The editorial concluded “It is time the public got a clear picture of what Wildlife Services is up to, and time for the Department of Agriculture to bring the agency’s work into accord with sound biological practices.”

As public awareness about the ironically named program has spread and calls for reform have intensified, Wildlife Services has launched a campaign to improve its image. Rather than responding with substantive reforms, the program has directed its energy toward further misleading the public. In a rebuttal to the *Times* editorial, the USDA Animal and Plant Health Inspection Service (APHIS) administrator stated that the original piece “left the wrong impression.” On this point, he is correct—the editorial board was far gentler than it could have been in describing Wildlife Services’ laundry list of misdeeds.

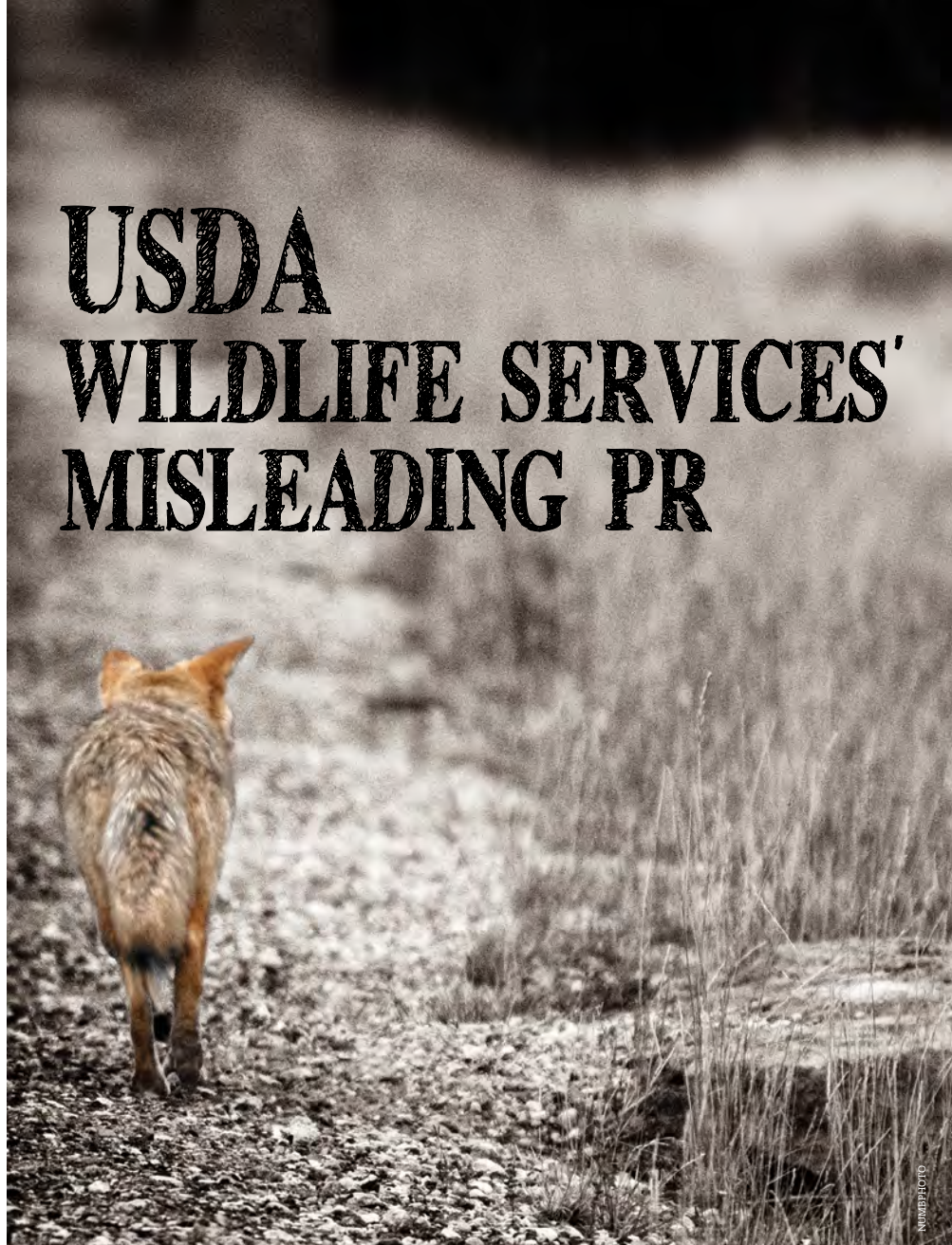
The administrator’s letter to the editor suggests that members of the public who are not farmers or ranchers are being unreasonable in opposing the use of their tax dollars to carry out inhumane and unnecessary operations—which often include trapping, snaring, poisoning and aerial

gunning—for the benefit of private livestock producers and other farmers. The notion that taxpayers should continue to support the program without demanding accountability—“If you don’t live in rural America or work in agriculture, it is easy to misunderstand” the secretive program’s “important work,” states the letter—reflects Wildlife Services’ long-ingrained, misguided attitude toward its responsibilities.

Equally offensive is the accompanying assumption that all agricultural producers support Wildlife Services’ lethal management of native

carnivores and other wildlife species. On the contrary, a growing number of ranchers have successfully adopted humane, cost-effective livestock management practices that allow them to avoid conflicts with wildlife while reducing losses and saving money. Marin County, California, provides a particularly strong example of the effectiveness and countless other advantages of eschewing Wildlife Services’ techniques and adopting nonlethal methods of livestock protection. After terminating the County’s contract with Wildlife Services in 2000, livestock losses were

USDA WILDLIFE SERVICES’ MISLEADING PR



WILDLIFE PHOTO

cut in half, while annual costs declined by \$50,000. Pilot projects elsewhere have demonstrated similar success.

Despite the cost savings and loss prevention demonstrated in Marin and elsewhere upon the abandonment of Wildlife Services and its cruel methods, USDA leaders insist that the program and its archaic practices are critical to the livestock industry. The letter highlights the annual financial impact of depredation, noting annual losses of 500,000 head of livestock worth \$138 million, but misleadingly omits context. The very reports that support this estimate show that depredation has a relatively minor impact on the livestock industry. In the case of cattle, for instance, less than one quarter of one percent of the nation's stock was lost to predators in 2010 (the most recent year for which a report is available). Digestive problems, respiratory ailments, calving complications, and weather-related issues each accounted for far more cattle and calf losses than did depredation. Yet those challenges are treated as costs of doing business, while taxpayers are expected to bear the costs of addressing—often in a very cruel manner—perceived threats from wildlife.

Particularly surprising is the letter's assertion that lethal control is Wildlife Services' "last resort" for managing wildlife conflicts. We have seen time and time again that Wildlife Services turns to lethal tools without hesitation. Despite the fact that the program's own National Wildlife Research Center has invested substantial sums of taxpayer money into investigating and advancing wildlife management approaches, outdated and inhumane methods such as steel-jaw leghold traps and dangerous poisons continue to be a first line of defense in "managing" wild carnivores and other animals.

It is particularly telling that, despite ongoing calls for Wildlife Services to formally adopt a "nonlethal first" policy, no such rule or guidance exists.

Finally, we cannot continue to ignore the pervasive culture of cruelty that has emerged within Wildlife Services. The administrator's letter states that Wildlife Services' employees "comply with law and regulations," and emphasizes the program's "professionalism." Yet the alarming acts of animal cruelty that have been brought to light and attributed to program employees suggest otherwise.

In June 2012, Wildlife Services employee Kyle Traweek, acting in violation of use restrictions established by the Environmental Protection Agency, set a poisoned trap near a family home in Texas that later killed the family's dog. Wildlife Services ignored the situation, and went so far as to reset the trap repeatedly in the weeks following this incident. Later that year, trapper Jamie Olson published on social networking sites images labeled as "work," which depicted a number of live animals captured in brutal leghold traps and, alarmingly, showed Olson torturing these defenseless and already-suffering animals by allowing his dogs to torment and attack them. In

response to public pressure, Wildlife Services initiated an investigation, but more than one year later has yet to meaningfully reprimand Olson. In January, program trapper Russell Files—while on the clock as an Arizona Wildlife Services employee—used two steel-jaw traps to intentionally capture a neighbor's dog, who was found covered in blood and with 22 broken teeth resulting from her struggle to escape. Although two of the three employees involved in these incidents have left Wildlife Services, neither was terminated by the program in response to these events. Despite Olson's egregious act of animal cruelty—as well as a petition bearing over 87,000 signatures calling for his resignation, which was presented directly to the APHIS administrator and other top USDA officials in July—Olson remains a Wildlife Services agent.

The concerns described here are just a few among countless problems associated with Wildlife Services, which is also characterized by supervisory endorsement of animal cruelty, a "cooperator" system that allows private interests to unduly influence the program, and systematic reliance on wasteful and ineffective practices. AWI will continue to press for long-overdue reform within Wildlife Services. 🐾



CAMILLA H. FOX/PROJECTCOWYOTE.ORG

Non-lethal predator control: a llama obtained through the Marin County Livestock and Wildlife Protection Program is an effective guard for a flock of sheep.

USFWS Makes Move to Stem Rhino Poaching

ON SEPTEMBER 10, the U.S. Fish and Wildlife Service announced that it proposes to list the southern white rhinoceros as “threatened” under the Endangered Species Act (ESA). Listing this subspecies will help conserve all rhinos worldwide by aiding international law enforcement efforts to fight poaching and crack down on trafficking in rhino horn.

Rhino poaching has reached unprecedented levels. Four of the five rhino species surviving in the wild today (black, Sumatran, Indian, and Javan), as well as the northern white rhino subspecies (*Ceratotherium simum cottoni*), are fully protected as endangered under the ESA. But differentiating between horns and horn products made from the southern white rhino and the other species/subspecies is extremely difficult. This similarity has allowed traffickers to pass off the horns of endangered rhinos as “southern white rhino horn” to evade restrictions on sale and transport.

The proposed rule seeks to protect the southern white rhino as a threatened species under the ESA's “similarity of appearance” provisions and prohibit the sale or offer for sale in interstate commerce of this species and its parts and products, consistent with all other rhino species. 🐾



A pair of southern white rhinos in Lake Nakuru National Park, Kenya.



SCOTT KINMARTIN

Neonicotinoid pesticides and bees don't mix. Without bees as pollinators, many plant genes won't either.

BEES AS BELLWETHER: A SILENT SPRING SEQUEL?

On the first day of summer 2013, agriculture officials confirmed that 50,000 bees—likely representing more than 300 colonies—discovered dead in a shopping mall parking lot in Wilsonville, Oregon, were done in by a neonicotinoid pesticide sprayed on nearby trees. The next week hundreds of dead bees turned up in Hillsboro, Oregon, where trees were treated with the same pesticide.

Neonicotinoid pesticides were first registered for use in the mid-1990s. Since then, they have become widely adopted for use on crops, ornamental landscaping, and trees. Seeds commonly are soaked in neonicotinoids before they are planted. Not only do the toxic chemicals infiltrate the entire plant, including the pollen and nectar bees come in contact with, but they also contaminate and persist in the environment and soil. In mid-August, out of growing concern for bees and other insect pollinators, the Environmental Protection Agency (EPA) announced new labeling requirements for neonicotinoid pesticides. At least one group—the American Bird Conservancy—is calling on the EPA to take much stronger action and suspend all uses of neonicotinoids pending independent review of their effects on birds, terrestrial and aquatic invertebrates, and other wildlife. 🐾

BEQUESTS

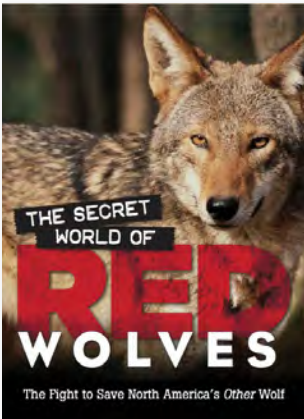
If you would like to help assure AWI's future through a provision in your will, this general form of bequest is suggested:

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.

The Secret World of Red Wolves: The Fight to Save North America's Other Wolf

by T. DeLene Beeland
The University of North Carolina Press
ISBN: 978-1469601991
272 pages; \$28



According to author T. DeLene Beeland, many devoted wildlife lovers are completely unaware that there is a separate species of wolf in North America called the red wolf (*Canis rufus*); even fewer know that the red wolf likely evolved solely in North America, unlike its more famous cousin, the gray wolf (*Canis lupus*).

In *The Secret World of Red Wolves: The Fight to Save North America's Other Wolf*,

North Carolina-based nature and science writer Beeland tells the oft-overlooked story of the red wolf, its flirtation with extinction, and its restoration to the wild in one of the earliest efforts by the United States Fish and Wildlife Service to reintroduce a native carnivore to a portion of its historic range.

Historically, red wolves are thought to have ranged from Pennsylvania south to Florida and west to central Texas and southern Illinois. Intensive predator control programs and the degradation and alteration of the species' habitat had greatly reduced its numbers by the early 20th century. By 1980, the red wolf was considered extinct in the wild. In 1987, an experimental population of red wolves from a captive breeding program was reintroduced into eastern North Carolina. Today, there are about 100 wild red wolves living within the designated recovery area, but their survival and recovery is severely threatened by hunting, climate change, and hybridization with coyotes.

Beeland explains how ecologically, the red wolf—one of the shyest, most elusive predators in nature—lives and functions in a manner similar to other wolves: red wolves live in extended family units, and the breeding pair bond

and produce young over many breeding seasons, often spending their entire adult lives together.

In an interview with UNC Press, Beeland states “The red wolf’s story is very much the broader story of many wolves and wild canids globally that have been misunderstood and persecuted until their populations shrank to near extinction, but that were then revived or stabilized with modern conservation efforts. The question, of course, is what trajectory these wolves will take from here.”

In October 2013, AWI and other organizations filed a federal lawsuit, charging that the North Carolina Wildlife Resources Commission is in violation of the Endangered Species Act by continuing to allow coyote hunting in the Red Wolf Recovery Area. For information about the case, see www.awionline.org/redwolf. 🐾

AWI RELEASES REPORT ON INDIANA PENNING INVESTIGATION

A new report by AWI, Project Coyote, and the Animal Legal Defense Fund (ALDF) entitled *Indiana Coyote “Penning”: An Inside Look at Animal Abuse and Cruelty* details the results of an investigation of an Indiana penning facility, uncovering extreme animal suffering and providing strong evidence that wild coyotes are being illegally confined and killed by hunting dogs. The findings of the investigation, which took place in 2012 at WCI Foxhound Training Preserve (WCI), near the town of Linton in southwestern Indiana, further suggest that the Indiana Department of Natural Resources has turned a blind eye to this illegal conduct and instead encouraged penning in the state. In December 2012, AWI, Project Coyote, and ALDF won a default ruling declaring that the possession of coyotes by WCI is unlawful under Indiana law. The 12-page report can be downloaded for free from AWI’s website, or ordered by mail for \$1. 🐾





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Dallas Aquarium Attempts Fast Grab of Endangered Sloths

ON SEPTEMBER 9, 2013, Dallas World Aquarium (DWA) representatives traveled to Panama to collect several pygmy three-toed sloths—the world's smallest sloth—to bring back to Texas. The sloths are highly endangered; as few as 79 are left in the wild. Occurring solely on Isla Escudo de Veraguas, pygmy three-toed sloths have only been recognized as a separate species since 2001.

Eight sloths were captured and crated that day; DWA had an export permit to bring back six. This species is not yet protected under the Convention on International Trade in Endangered Species of Wild Fauna and Flora or the U.S. Endangered Species Act (ESA)—which is why DWA only needed Panamanian export permits and a veterinary certification to take them.

DWA claims that it was taking the animals in order to ensure their survival, in case they disappear from the wild. However, the species does not survive well in captivity, and

no one has successfully bred them in captivity. According to reports, DWA also failed to consult with anyone—Panamanian or international—actually working to save pygmy sloths. The Smithsonian Tropical Research Institute, the International Union for Conservation of Nature, the Zoological Society of London, Panama's *Conservacion, Naturaleza y Vida*, the Max Planck Institute, and others were all unaware of DWA's plans.

When the private plane containing the sloths landed in Bocas del Toro, 75 to 100 local protestors gathered and menaced the would-be exporters until they agreed to return the sloths, which were eventually released back to their native island. DWA, however, has vowed to try again.

AWI submitted an emergency petition to list the species as endangered under the ESA in an attempt to prevent future U.S. imports. In moving forward, AWI will work to obtain an Appendix I listing (banning all international commercial trade) in pygmy three-toed sloths. 🐾