



AWI Quarterly

SPRING 2018 / VOLUME 67 / NUMBER 1

SPOTLIGHT

USDA Proposes Letting Industry (Secretly) Police Itself

The US Department of Agriculture is soliciting public comment on a discredited idea that would undermine the Animal Welfare Act (AWA) by putting animals at the mercy of the industries that exploit them. The USDA's Animal and Plant Health Inspection Service (APHIS), which is responsible for AWA and Horse Protection Act enforcement, wants input on how it should recognize "third-party inspection and certification programs as a positive factor when determining APHIS inspection frequencies at facilities licensed or registered under the [AWA]." Translation: APHIS wants to allow industry self-policing.

Under this proposal, puppy mills and other unscrupulous breeders, exhibitors, and laboratories would escape the

stricter scrutiny of the USDA if they are accredited and inspected by industry trade groups. Such "inspections" would be infrequent and announced beforehand, and resulting reports would not be publicly available.

Self-policing rarely works. USDA inspectors have reported numerous deficiencies at zoos accredited by the Association of Zoos & Aquariums (AZA) and—as noted in the *AWI Quarterly*, spring 2012—at laboratories accredited by the Association for Assessment and Accreditation of Laboratory Animal Care International (AAALAC). One prominent AALAC-accredited research institution was cited for shortcomings in veterinary care and environmental enrichment for primates. Another was cited repeatedly for a long list of problems that resulted in the suffering and deaths of monkeys, rabbits, and other animals. AZA-accredited exhibitors have been written up for various infractions; one accredited zoo paid a \$45,000 fine to settle 51 willful violations of the AWA.

In short, there is no substitute for the unannounced compliance inspections conducted by the USDA's experienced staff, for public access to inspection reports, and for the enforcement mechanisms available under the law. Since the USDA wants to hear from the public on this plan, please visit www.awionline.org/usda-privatize and tell the department you do not support it. 🐾

FOUNDER

Christine Stevens

DIRECTORS

Cynthia Wilson, Chair
John W Boyd, Jr.
Jill Carey, CPA
Caroline A Griffin, Esq.
Mary Lee Jensvold, PhD
Cathy Liss
Chris Miller, DVM

OFFICERS

Cathy Liss, *President*
Cynthia Wilson, *Vice President*
Jill Carey, CPA, *Treasurer*
Caroline Griffin, Esq., *Secretary*

SCIENTIFIC COMMITTEE

Gerard Bertrand, PhD
Roger Fouts, PhD
Roger Payne, PhD
Samuel Peacock, MD

Viktor Reinhardt, DVM, PhD
Robert Schmidt, PhD
John Walsh, MD

INTERNATIONAL COMMITTEE

Aline S de Aluja, DVM, *Mexico*
Ambassador Tabarak Husain, *Bangladesh*
Angela King, *United Kingdom*
Agnes Van Volkenburgh, DVM, *Poland*

STAFF AND CONSULTANTS

Nadia Adawi, Esq., *Executive Director/General Counsel*
Alexandra Alberg, *Graphic Designer*
Nancy Blaney, *Director, Government Affairs*
Bill Clark, PhD, *International Wildlife Program Specialist*
Kate Dylewsky, *Senior Policy Advisor*
Sue Fisher, *Marine Animal Consultant*

Haley Frevert, *Membership Coordinator*

Brittany Bailey, *Website and Communications Coordinator*

Dena Jones, *Director, Farm Animal Program*

Eric Kleiman, *Researcher*

Susan Millward, *Director, Marine Animal Program*

Kate O'Connell, *Marine Animal Consultant*

Ryan Ososki, *Policy Advisor*

Amey Owen, *Public Relations Coordinator*

Alicia Prygoski, *Farm Animal Policy Associate*

Mary Lou Randour, PhD, *Senior Advisor, Animal Cruelty Programs*

Ava Rinehart, *Senior Graphic Designer*

Naomi Rose, PhD, *Marine Mammal Scientist*

D.J. Schubert, *Wildlife Biologist*

Regina Terlau-Benford, *Executive Assistant*

Erin Thompson, Esq., *Staff Attorney, Farm Animal Program*

Dave Tilford, *Writer/Editor*

Tara Zuardo, Esq., *Wildlife Attorney*

For subscription inquiries or other information, contact:

Animal Welfare Institute
900 Pennsylvania Avenue, SE
Washington, DC 20003
(202) 337-2332
awi@awionline.org
www.awionline.org

ISSN 1071-1384 (print)
ISSN 1930-5109 (online)

Tax ID# 13-5655952
CFC# 10474

**ANIMALS IN LABORATORIES**

- 22 Caregivers in Research Say Animals Calmed by Conversation

COMPANION ANIMALS

- 25 Law Enforcement Agencies Ramp Up Efforts to Address Animal Cruelty
- 26 USDA Keeps Extending the Leash on Abusive Dog Breeder

FARM ANIMALS

- 19 Good Food Purchasing Program Promotes Animal Welfare
- 20 USDA Thumbs Nose at Public, Moves to Withdraw Organic Animal Rule
- 20 Another Ag-Gag Law Ruled Unconstitutional
- 21 Drawing a Curtain on Cruel Confinement of Veal Calves
- 21 California Ballot Initiative Seeks Stronger Confinement Ban

HUMANE EDUCATION

- 32 "A Voice for Animals" Contest Is Back

MARINE LIFE

- 4 AWI Sues over Access to Tilikum Necropsy
- 4 Captive Orca Gets Day in Court
- 4 Vancouver Aquarium Calls It Quits on Cetacean Display
- 5 AWI Welcomes Increased Clamor over Ocean Noise
- 5 Switzerland Bans Live Boiling of Lobsters
- 5 AWI Files Suit to Save Vaquita

WILDLIFE

- 6 AWI Promotes Animal Protection at CITES Standing Committee Meeting
- 9 USFWS Seeks Political Seats at the Science Table
- 9 Sanctuary Secured for Longsuffering Elephant
- 10 Airlines Put Hunting Trophies on Infrequent-Flyer List
- 16 Costa Rica Adopts Enlightened Wildlife Rules
- 18 2018: The Year of the Bird
- 29 Name Brands Complicit in Kangaroo Slaughter

GOVERNMENT AFFAIRS

- 2 USDA Proposes Letting Industry (Secretly) Police Itself
- 14 Trump Tweets Distaste for Tusker Trophies
- 15 House Majority Leader Asked to Move Key Bills
- 15 SEA Act Drops Anchor on Marine Species
- 15 Zinke Zaps Migratory Bird Treaty Act
- 15 Appropriations Bills Pull Plug on Wildlife Protections
- 24 States and Cities Opting Out of Circus Animal Acts
- 24 Pennsylvania, Texas Take Aim at Animal Cruelty

REVIEWS

- 30 *Kangaroo*
- 31 *The Inner Life of Animals*
- 31 *Wolf Nation*



Animal Welfare Institute

www.awionline.org

**ABOUT THE COVER**

A male lion in Kenya's Masai Mara National Reserve strikes a regal pose. Although this lion is protected from trophy hunters, other African lions—particularly in southern African nations—are not so fortunate.

US policy on trophy hunting is in limbo: The US Department of the Interior is touting its supposed economic benefits and seeking to lift restrictions on trophy imports. President Trump, however, seems of a different mind on the matter (see page 14). Many airlines, meanwhile, have taken a clearer stand, denying transport of trophies taken from Africa's "big five"—lions, elephants, rhinos, leopards, and buffaloes (see page 10). Photograph by Doug Perrine/Minden Pictures.

 become a fan on Facebook at www.facebook.com/animalwelfareinstitute
 follow us on Twitter: @AWIonline

AWI SUES OVER ACCESS TO TILIKUM NECROPSY

AWI filed suit in January against the National Oceanic and Atmospheric Administration (NOAA) and the National Marine Fisheries Service (NMFS) related to the agencies' refusal to enforce requirements for SeaWorld Parks and Entertainment to submit necropsy results of three orcas who died last year—including Tilikum, the orca featured in the documentary *Blackfish*.

SeaWorld is obligated under display permits issued prior to 1994 to provide complete veterinary records and necropsy results for these animals to NMFS upon their deaths. NOAA/NMFS and SeaWorld, however, claim that 1994 changes to the Marine Mammal Protection Act extinguish those obligations. AWI provided the federal agencies with legal analysis to the contrary, and the agencies themselves have offered no legal justification for the claim. AWI requested documents under the Freedom of Information Act pertaining to the decision. When the agencies failed to respond, the lawsuit was filed.

As it stands, the government is allowing SeaWorld to withhold

information critical to science—one of the justifications for public display under the law—that would shed light on the lives and deaths of these orcas.

CAPTIVE ORCA GETS DAY IN COURT

On January 23, in Utrecht, the Netherlands, an appeals court heard the arguments of the Free Morgan Foundation (FMF) for revoking the certificate (permit) that allowed the orca known as Morgan to be transferred from a Dutch aquarium to a zoo in Spain in 2011. Dolfinarium Harderwijk rescued Morgan in 2010, a juvenile whale emaciated and alone in the Wadden Sea, declared her unreleaseable, and then sent her, with the Dutch government's permission, to Loro Parque in the Canary Islands.

The young whale fell through a number of cracks in the EU regulatory system—the first was keeping her captive (the Dutch government was lax in its oversight of the assessment of her releasability). The next was the Spanish government allowing her to be commercially exploited after the Dutch government had authorized her transfer

only for research. And the last was when Loro Parque announced late last year that Morgan was pregnant; the Dutch had not authorized her use for breeding, yet the Spanish government allowed it.

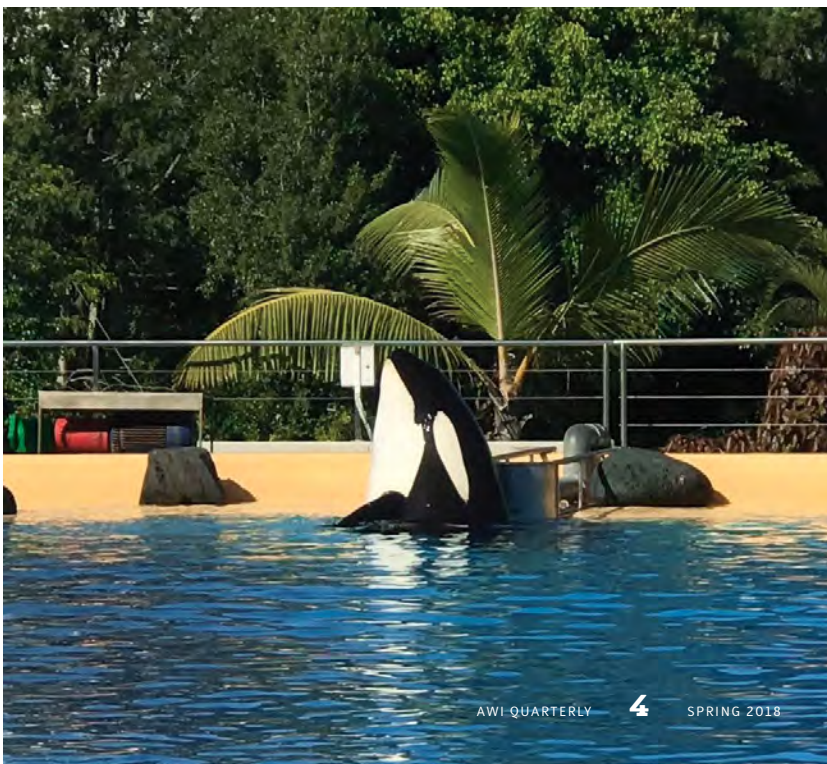
The three judges were clearly engaged and asked excellent questions of all parties to the legal action. It is our hope that they will conclude that the Netherlands still has the authority and jurisdiction to determine Morgan's fate. Ideally, she would then be brought back to Scandinavia and a seaside sanctuary. At the very least, Loro Parque should be prevented from continuing to breed her or use her for commercial entertainment shows.

VANCOUVER AQUARIUM CALLS IT QUITS ON CETACEAN DISPLAY

After many years of resisting the clear trend of history regarding the captive display of cetaceans, the Vancouver Aquarium has finally conceded: On January 18, the aquarium's management announced that it would no longer display cetaceans once their last one—a Pacific white-sided dolphin named Helen—dies or is transferred elsewhere.

The controversy in the city over captive cetaceans had become more heated, as first two beluga whales and then a rescued harbor porpoise and false killer whale died over the course of a year, leaving Helen alone. With this decision, the sole Canadian facility with no plans to end the captive display of cetaceans is Marineland in Ontario, which has over 50 belugas, a few bottlenose dolphins, and a solitary orca named Kiska.

Morgan in her enclosure at Loro Parque. An appeals court in the Netherlands heard arguments in January over the validity of Morgan's 2011 transfer from a Dutch aquarium to this facility in the Canary Islands.



Off the Florida coast, an Atlantic bottlenose dolphin adult and calf sail over the water. Beneath the waves, these and other marine animals are increasingly threatened by human-generated noises, including seismic blasting in search of oil and gas.

AWI WELCOMES INCREASED CLAMOR OVER OCEAN NOISE

AWI has long been involved in the issue of anthropogenic ocean noise directly or indirectly generated by the military, the oil and gas industry, commercial shipping, and scientific research. Marine animals use sound for essential functions, including navigation, communication, finding food, and avoiding predators. Intense sound interferes with these activities and results in serious—sometimes fatal—consequences. Anthropogenic noise levels in the marine environment are increasing at an alarming rate and pose a significant threat to marine ecosystems.

AWI and allies have repeatedly pressed the United Nations to take up the issue and work toward a global approach to addressing noise impacts on marine life. We are heartened that the United Nations Informal Consultative Process on Oceans and the Law of the Sea will devote an entire week to the subject of ocean noise this coming June. AWI will be involved in the deliberations, the outcome of which will be presented in the fall to the UN General Assembly for appropriate action.

The timing of the UN meeting is even more significant given that the current US administration has announced plans to open almost all US federal waters to offshore drilling activities, including in the Arctic. Thousands of coastal communities, interest groups, and officials—including state governors, fishing groups, and local chambers of commerce—are



BRANDON TRENTLER

standing up to these threats to their communities and livelihoods. Even the US Department of Defense and NASA have voiced concern that oil and gas development could negatively impact their activities.

SWITZERLAND BANS LIVE BOILING OF LOBSTERS

The traditional method of cooking lobsters is to boil them alive. In January, the Swiss Federal Council passed a law deeming this practice inhumane and requiring that lobsters and other crustaceans be stunned, rendering them insensible to pain, before being killed. The new law also prohibits transportation of crustaceans on ice or in ice water because it causes unnecessary suffering; they must now be transferred in their natural aquatic environment. The decision follows several studies suggesting that lobsters and other crustaceans can feel pain. Switzerland is the second country to outlaw boiling lobsters alive—New Zealand did so in 1999, and there is also a regional effort in Western Australia to ban the practice.

AWI FILES SUIT TO SAVE VAQUITA

In a desperate attempt to save the last remaining vaquita porpoises, AWI and other groups filed suit against several federal agencies in December. The vaquita, a small porpoise that exists only in Mexico's Upper Gulf of California, is one of the world's most endangered animal species, with likely fewer than 30 vaquita now remaining. The vaquita population's precipitous decline of more than 95 percent over the last 20 years is attributable to incidental entanglement and drowning in gillnet fishing gear set in or near vaquita habitat to catch various commercial fish species in Mexico. AWI believes that, under the Marine Mammal Protection Act, the United States has an obligation to ban the import of fish and fish products from Mexico caught with gillnets. Without this ban, the vaquita is predicted to be extinct by 2019. AWI is hoping for a quick resolution of the lawsuit, resulting in an import ban that will persuade Mexico to act swiftly to rid the Upper Gulf of gillnets.

Among the many topics of discussion at the most recent CITES Standing Committee meeting: clamping down on international trade in the endangered African grey parrot.

AWI PROMOTES ANIMAL PROTECTION AT CITES STANDING COMMITTEE MEETING

The 69th meeting of the Standing Committee of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), held November 27 to December 1, 2017, in Geneva, Switzerland, featured more than 600 registered participants—a record. The scope of the meeting was also larger than ever, with several contentious issues under discussion. Carolina Caceres, from Canada, served as chair (the first woman to do so).

While the committee made decisions on some issues, most of the substantive work was relegated to 27 working groups established during the meeting. The working groups cover a diversity of animals, from European eels to African lions (a species subject to increasing threat from trophy

hunting, habitat loss, disease, and legal and illegal trade in bones and other body parts). They also address a number of broader issues, including trade in live animals, wildlife cybercrime, handling of stockpiles of CITES-listed species, and trade in captive-bred and ranched animals.

The working groups are often tasked with developing proposals on treaty compliance and species-specific issues, which are then considered at the next CITES Conference of the Parties—May 2019, in this case. AWI is participating in working groups on the African lion, disposal of confiscated specimens, livelihoods and food security, and rules of procedure. As a member organization of the Species Survival Network, AWI will also provide input into the deliberations of other groups.

For elephants, the Standing Committee asked Qatar to develop and submit a national action plan to document its efforts to combat illegal trade in elephant ivory. It also sought revised ivory action plans from Vietnam, Malaysia, and Togo and warned Cameroon, Egypt, Ethiopia, and Tanzania that failure to submit progress reports on the implementation of their ivory plans could result in trade suspensions.

The committee directed the Democratic Republic of the Congo (Congo-Kinshasa) to not issue any export permits

for commercial or noncommercial trade in grey parrots until it can prove that its grey parrot trade complies with the convention. It identified Botswana, the Republic of the Congo (Congo-Brazzaville), Guinea, India, Kazakhstan, Laos, Mongolia, Tunisia, and Uzbekistan as needing to urgently address deficiencies in their national laws implementing CITES, with Mongolia and Tunisia warned of potential trade suspensions if they fail to act. Laos—a hub for illegal wildlife trade—was given a list of tasks to address its compliance issues, including developing wildlife farming legislation, implementing new laws to combat illegal wildlife trade, and completing an inventory of its captive tiger farms.

A significant victory was obtained for the pangolin, the world's most trafficked mammal (mainly for its scales, used in traditional Asian medicines). All pangolin species were uplisted to Appendix I in 2016, meaning that international trade for "primarily commercial" purposes in the animals and their body parts is prohibited. The committee voted 11-3 to support applying the trade ban to *all* dead pangolin specimens—including those collected or confiscated before pangolins were added to Appendix I. The CITES secretariat, in a controversial recommendation that would have upended decades of CITES precedent, suggested that pangolin specimens collected before pangolins were uplisted be considered "pre-convention." Had the secretariat's interpretation been accepted by the committee, it would have established a dangerous precedent, allowing unlimited trade in such stockpiled specimens, and further jeopardizing the survival of pangolins and other protected species.

Vaquita Gets Short Shrift at Meeting

The vaquita porpoise sits perilously close to extinction due to drownings in gillnets, including those illegally set for the totoaba, a large fish that shares the vaquita's Upper Gulf of California habitat. (Totoaba swim bladders are prized in parts of Asia for their supposed cosmetic and medicinal value.) Both the vaquita and totoaba are critically endangered and listed on CITES Appendix I. Thus, CITES parties face a unique challenge in which the illegal trade in one Appendix I species is leading to the extinction of another.

With fewer than 30 vaquita likely remaining on the planet, there is no time to waste in ending illegal fishing, clearing their habitat of illegal nets, and ending the demand for totoaba swim bladders. This was the message that AWI and allies communicated at the Standing Committee meeting.

Despite the dire status of the vaquita, the meeting documents prepared by Mexico and the CITES secretariat failed to acknowledge the significant inadequacies of efforts by Mexico, the United States, and China (respectively, the main source, transit, and consumer countries involved) to end the trade and save the species from extinction.

While a few nations, including New Zealand and Portugal, noted the urgency of the situation, the debate was shockingly abbreviated, especially given the role that illegal international trade is playing in the vaquita's demise. Even more disappointing was the parties' initial complete silence in response to a recommendation, made by the Environmental Investigation Agency on behalf of AWI and a number of other nongovernmental organizations, for a high level diplomatic mission to Mexico to identify concrete actions to stop illegal totoaba fishing and trade.

Fortunately, at the very end of the meeting, Mexico expressed support for the mission and the CITES secretariat accepted an invitation to participate. The mission cannot occur soon enough; it must throw a final lifeline to the vaquita by developing and aggressively implementing specific, rigorous, time-bound actions to stop the illegal fishing

A Standing Committee vote to ban commercial trade in all pangolin specimens—including those collected before pangolins were uplisted to Appendix I—will help protect these heavily trafficked animals.





A sei whale mother and calf. Last summer in the North Pacific, Japan killed 134 of these endangered whales—clearly for commercial purposes and in violation of CITES restrictions.

for and trade in totoaba. Only then does the vaquita have any chance of surviving.

AWI and partners have provided input to mission participants from Mexico, China, the United States, and the CITES secretariat. In addition, we continue to pursue other efforts, including litigation and the ongoing boycott of Mexican shrimp, to save the vaquita. Mexico's environment minister has acknowledged that the two principle causes of vaquita deaths are shrimp fishing and the illegal totoaba fishery. Therefore, we are calling on both retailers and consumers to boycott shrimp from Mexico until that country takes decisive and effective action to ensure that vaquita are no longer threatened by gillnets in the Gulf of California. (For more on how you can aid this effort, visit www.BoycottMexicanShrimp.com.)

Strong Action Sought in Response to Japan's Sei Whale Hunt

Trade in sei whale products was the subject of considerable debate and controversy at the meeting. AWI and partners provided delegates with extensive evidence and legal arguments documenting Japan's illegal import of sei whale products for commercial sale and pressed members of the Standing Committee to impose sanctions on Japan for violating the convention.

As noted earlier in this article, CITES prohibits international trade for "primarily commercial" purposes in species listed on Appendix I. Under CITES rules, international trade includes the landing of specimens caught on the high seas (referred to as "introduction from the sea"). Japan holds reservations exempting it from CITES restrictions for most whale populations—but not for the Appendix I listing of the North Pacific sei whale population. Consequently, Japan cannot legally bring the body parts of these whales ashore for commercial sale.

Japan has hunted sei whales since 2002 in its so-called scientific whaling program in the North Pacific, now

known as NEWREP-NP. The country conducts limited and scientifically questionable research on some of the whales' organs and tissues, but the vast majority of what it brings to land is meat and blubber that has already been frozen or vacuum-sealed in sales-ready packages aboard its massive factory ship. The intended purpose of landing these edible products—about 12 metric tons per whale—is indisputably commercial sale. All told, Japan lands more than 1,600 metric tons of sei whale products annually.

In early 2016, the European Union asked the CITES secretariat to investigate the legality of these introductions from the sea. For more than a year, the secretariat asked Japan for documentation on how it ensures that sei whale specimens are not used for primarily commercial purposes, in violation of CITES. Japan's responses were reviewed during this Standing Committee meeting, where many parties denounced Japan's deficient and evasive replies and expressed concern that its practices appear to violate the convention.

AWI and allies provided Standing Committee members and other parties with extensive evidence of Japan's commercial use of sei whale meat, including Japanese government reports describing governmental management of the production, distribution, and marketing systems that support and promote the trade. We also provided a detailed legal analysis demonstrating that Japan's actions clearly violate the requirements of the convention.

Our aim of securing sanctions against Japan at this meeting fell short, but the Standing Committee directed the CITES secretariat to conduct a technical mission to Japan to seek answers to its questions about the commercial trade in sei whale products. It will report its findings at the next Standing Committee meeting, in October 2018, when parties could potentially impose trade sanctions on Japan if they determine that it is not complying with the treaty. AWI's efforts will continue over the coming months in the hope that decisive action will be taken under CITES against Japan's commercial use of sei whales. 🐬

USFWS SEEKS POLITICAL SEATS AT THE SCIENCE TABLE

A leaked memo from the US Fish and Wildlife Service concerning how the agency plans to regulate endangered species listings under the Endangered Species Act (ESA) could have severe impacts on imperiled wildlife. According to the memo, the USFWS intends to formally request the presence of at least two representatives from state governments on all species status assessment (SSA) teams—one from the state's fish and wildlife management agency and one designated by the governor's office.

SSA teams are crucial to how the USFWS decides whether to list a species or remove a currently listed one under the ESA. The teams have always been composed of scientists who are qualified to collect the relevant data on a species and provide it to the agency. The USFWS then relies upon that expert information to make its decision. Infusing politics into the decision-making could have devastating consequences for species

such as the Utah prairie dog, where the science supports listing but the state government opposes it.

The ESA requires that listing determinations be made “solely on the basis of the best scientific and commercial data available [emphasis added].” The addition of the state and its political interests in the listing determination would violate this mandate of the ESA. The agency *can* consider state and private interests in decisions such as designating critical habitat, but those viewpoints can only be considered after the scientific assessment has been completed and reviewed and the listing determination made.

Through its use of the word “solely,” Congress made an unequivocal statement about what can and cannot be considered in the listing determination. The policy that the USFWS seems to be proposing could be found invalid based on the plain language of the ESA. In addition, the agency arguably cannot make regulatory changes like this without first going through public notice and

comment. Adhering to the letter of the law under the ESA—and keeping political interests out of listing decisions—is critical to the protection of species such as prairie dogs and wolves that reside in states hostile to ESA protections.

SANCTUARY SECURED FOR LONGSUFFERING ELEPHANT

Nosey the elephant has not had an easy life. Born in Zimbabwe in 1982, she was stolen from her wild family at age 2 and brought to Florida. Purchased by Hugo Liebel in 1988, she spent the next three decades with the Liebel family's circus—an operation that (under various names) has reportedly racked up over 200 Animal Welfare Act violations involving Nosey and various other animals since 1993. One online media outlet called it “the worst animal exhibitor in the U.S.”

In October 2017, an animal control officer in Lawrence County, Alabama, went to check on Nosey. What she encountered—a solitary, sick, underfed, arthritic elephant standing in feces in a trailer too small for her to lift her head—resulted in Nosey's removal from the circus and temporary placement in the Elephant Sanctuary in central Tennessee.

In January, a district court judge made the move permanent. Henceforth, Nosey will be able to spend her days as she pleases, in the company of her own kind, within the largest natural habitat sanctuary for elephants in the United States.

The Utah prairie dog has been at the center of efforts to weaken the Endangered Species Act and politicize the scientific process used to determine when protection of a species is warranted.



JAMES MARVIN PHELPS

wildlife

AIRLINES PUT HUNTING TROPHIES ON INFREQUENT-FLYER LIST

SAFARI hunting has suffered a few setbacks recently. Ever since American dentist Walter Palmer bungled the killing of a well-known Zimbabwe lion named Cecil in 2015, international outrage has stung the industry, resulting in a sharp decline in the African safari hunting business.

The public criticized the overall unsavory character of trophy hunting—killing impressive “trophy quality” animals as a form of recreation. Data then started to reveal that most of the hunted animals are nearly tame, either because they are hand reared or at least raised in an enclosed area with frequent exposure to humans.

Most trophy hunts in Africa

are “canned hunts”—conducted within a fenced enclosure. There is no possibility for the animal to escape.

Trophy hunters might like to return home and brag about stalking dangerous animals across an exotic landscape, nights beneath a starry African sky and days trekking beneath the searing African sun. But in reality, there's greater challenge in shooting a rabbit in the Pennsylvania woods. In most cases, the African hunting guide already knows which animal will be shot long before the hunter arrives at the camp. And it is not unknown for the safari operator to inject a dose of acepromazine or some other tranquilizer into the doomed creature and set out bait to attract the animal to a particular killing zone shortly before the hunter arrives. It's



all a big pay-to-slay farce motivated by narcissism, dazzle, and an aberrant psychological yearning to provoke envy at home.

Revelations about abuses in the safari hunting camps—a bit too much alcohol, overassertive personalities, incompetence with weapons, and other disagreeable factors—stoked indignation even further. Distraught governments, businesses, and individuals started to take action. Government agencies were subjected to pressure from two sides—wildlife protectionists demanding prohibition of hunted trophies, and hunting organizations insisting that imports continue. In North America and Europe, where the very large majority of trophy hunters live, government responses have tended to vacillate and are liable to change overnight.

A more consistent response has come from the airline industry, with major airlines announcing they were discontinuing the carriage of hunting trophies. These were simple business decisions.

The major US airlines—Delta, United, and American—all discontinued carriage of hunting trophies from Africa’s “big five” (elephants, rhinoceroses, lions, leopards, and buffaloes). Delta wins special applause because it stood up to a lawsuit by trophy hunting groups. Eventually, it won the case and the appeal. This victory is important because Delta flies to four African destinations, including Johannesburg, where the pressure to carry hunting trophies back to the United States is most intense.

For some time, European airlines such as Air France, KLM, British, and Lufthansa have had even more comprehensive policies against transport of trophies. KLM, for example, has refused to accept any hunting trophies since 1998. So it’s difficult for the trophy hunter to load his carcass on one of these airlines and return to the United States via Europe.

Some other airlines go even further. Hong Kong-based Cathay Pacific Airlines consults with conservation and animal protection societies before determining wildlife carriage policies. Today, it refuses to carry any hunting trophies whatsoever. It also forbids carriage of cetaceans for amusement or performance purposes. It declines carriage of animals going to laboratories and greyhounds intended for racing. Ivory and shark fins are also prohibited.

Faced with airline embargoes, trophy hunters have a predicament. Sure, they can purchase a license to kill trophy animals in some countries, and they can wrangle permits to import many of those trophies into the United States and elsewhere. But how do they get the carcass home when most airlines won’t accept dead wildlife as cargo?



A trophy-hunting trio pause to snap a photo after snuffing out a white rhino’s life. The gunman’s claim to the carcass, however, is another matter. An increasing number of airlines are refusing to carry animal trophies of Africa’s iconic species.

There are a few holdouts. South African Airways and Ethiopian Airlines are two carriers that continue to accept hunting trophies. Government-owned South African dithered on the trophy issue after the Cecil incident—first announcing a ban on carriage of trophies and then reversing itself a few months later, after being vigorously lobbied by the country’s professional hunters’ association. Ethiopian seems to have a policy of dodging the question: no policy statements, no media releases, no response to questions from AWI. Most recently, Ethiopian made its bad reputation that much worse by transporting 30 juvenile elephants from Zimbabwe to zoos in China.

But these carriers have only limited penetration in the United States. Ethiopian Airlines might carry a lion trophy from Africa to Washington’s Dulles International Airport—but then what? Who will carry the lion’s head from Dulles to Dallas, Dubuque, or Duluth? Yes, for the persistent, ways can be found. But they’re complicated and somehow inconsistent with the image of a triumphant trophy hunter marching home with his conquered trophy. It’s more like sneaking in the back door.

So in recent years, the nimrods have had to find something else to do with their time, and the African safari-outfitting companies have suffered loneliness and financial decline. They’ve pestered the airlines, for certain, but to no avail. So then they tried to get someone more influential to pester the airlines, but that fizzled also. They tried to persuade the parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) to approach the CEOs of major airlines and explain to them how useful and important trophy hunting is.

Zimbabwe produced a document, aired at the most recent CITES Standing Committee meeting in Geneva, protesting

Trophy hunters argue that killing is key to conservation and supports African communities. Little of the money they spend to pursue their “game,” however, ends up in actual conservation programs or the hands of private citizens.



that “the recent decisions of several airlines and maritime shipping companies to stop transporting/carrying legally acquired wildlife products and specimens are having undesirable and significant negative impact.” That document also said, “We believe CITES promotes sustainable and legal international trade in a way that insures species survival.” That last sentence is dangerous because it asserts that the *regulator* of international wildlife trade should be the *facilitator* of such trade—and that can lead to catastrophe.

Nowhere in the text of CITES is there a word about *promoting* wildlife trade. Article 2 of the treaty defines its fundamental principles, and they are entirely focused on regulating trade in species that are listed on its appendices. The dangers of regulators becoming facilitators are profound—just remember 2008: The US government-sponsored financial service corporations Fannie Mae and Freddie Mac made it much easier for subprime borrowers with terrible credit histories to get very large real estate mortgage loans. At about the same time, regulators at the Federal Reserve Bank relaxed controls on the financial services industry and facilitated its ability to make ever-riskier transactions. The regulators became facilitators and both the real estate and the financial services industries crashed, with terrible consequences for many people.

The lesson should be applied to wildlife regulators, whether CITES, the US Fish and Wildlife Service, or state wildlife agencies: There is serious danger when such entities get too cozy with the interests they are mandated to regulate. Fortunately, the CITES parties politely and adroitly sidestepped the Zimbabwe proposal to pressure airline CEOs.

The Zimbabwe strategy also seeks to tarnish animal welfare interests as somehow being misanthropic. They have protested that blocking transport of hunting trophies damages the livelihoods of poor people in rural African

communities. It is a common refrain from apologists for trophy hunting that animal welfarists don’t care about people. That’s a big lie. Quite the contrary, it’s the trophy hunters who don’t give two hoots about whose toes they step on while stalking their prey.

It’s part of the charade, seeking sympathy by using spurious arguments about how important trophy hunting is to impoverished communities in rural Africa. Otherwise, who in their right mind could possibly sympathize with a wealthy foreign hunter who botched the bow-and-arrow execution of a habituated lion?

Just what type of rural livelihoods does trophy hunting support? Well, there’s the lady who does the hunter’s laundry, and the fellow who serves the hunter’s “sundowner” whisky at the end of the day, and the people earning minimum wage for sweeping up the camp and washing the dishes. Not much more. People in rural villages normally receive about 3 percent of the money paid by a trophy hunter for a safari. The big profits are distributed between the safari outfitters who arrange the hunts and the government offices that sell the hunting permits. So it should be expected that it’s the outfitters and governments that are shouting the loudest right now.

If the safari hunters were truly interested in supporting the livelihoods of rural Africans, they could follow the example AWI is setting in Senegal. (See *AWI Quarterly*, fall 2017.) Let them pay to employ local people to build infrastructure and pursue other tasks needed to protect wildlife. And they could also provide ancillary projects, such as creating a village vegetable garden and assuring better water conservation for wildlife, domestic animals, and people. This is work that has a more benevolent impact on livelihoods while promoting a quality of life that encourages rural people to live in peace with nature and wildlife.

The trophy hunter's deceit about livelihoods is a subterfuge that extends to all commercial exploitation of wildlife. Similar arguments are applied across the several industries that depend upon trapping or killing wild animals for commercial profit. Those Gucci women's python boots retailing at \$3,850 were made from a python skin that the wholesaler sold for about \$220. The snake hunter earned about \$20 for catching and killing the snake. It's pretty clear who has the better livelihood in this business. The system isn't set up to provide living wages to the poor.

Similar mark-ups are common across the wildlife trade spectrum. A local hunter in the developing country normally receives about 1 or 2 percent of what an item is sold for at retail. That other 98 percent is banked in the accounts of businesses in industrialized countries.

Assertions about trophy hunting providing conservation benefits are also without merit. For example, some trophy hunters claim they target only post-reproductive males. They say they hunt only the older bulls who no longer contribute to the population recovery of a species. The loss of these unproductive bulls, so the story goes, simply provides more space and resources for the younger generation and its efforts to reproduce.

More than a few grains of salt are necessary to make such flapdoodle palatable. Older males usually make terrible trophies. Usually they're battered, scarred, and a bit gaunt. Horns and tusks of older males are often cracked and chipped. Manes tend to be tattered and matted—all the consequence of a long life in the wild. A robust male early in his prime usually makes a much more attractive trophy.

Trophy hunters almost invariably seek the individual animals with the largest, cleanest, and most symmetrical horns or tusks, or the biggest, most impressive manes, or other characteristics that define them as "trophy." Very often, these impressive characteristics are precisely what would otherwise help them survive. Trophy hunting effectively removes these animals, along with the important genes that would help determine the size and proportions of horns, tusks, and manes of future generations.

Wildlife enthusiasts are certainly aware of these issues and have been campaigning to stop the abuses associated with trophy hunting. Initiatives such as persuading governments to prohibit the import of such trophies have met with sporadic success, however. Politics tends to be somewhat unreliable. Citizens have seen their own governments change policy and rules with alarming ease and very little consultation.

Airlines thus represent a more reliable pathway to change. If airlines refuse to carry trophies, most hunters won't go through the effort of traveling great distances to kill a trophy animal that they can't take home and brag about.

But airlines need to be encouraged. If the airline you fly with refuses to carry wildlife trophies, please write a letter to its CEO and applaud its policy. And if it doesn't have such a policy, write a letter to the CEO anyway stating that it is in the interest of the airline, and the interest of the world's living treasures, to decline the carriage of trophies. It's up to us to assure them that their customers care, and are paying attention. 🐾



Trump Tweets Distaste for Tusker Trophies

On November 8, 2017, the US Department of the Interior announced the formation of an “International Wildlife Conservation Council” whose chief objective would be to increase public awareness of the “economic benefits that result from US citizens traveling to foreign nations to engage in hunting.” Thirty-eight members of Congress wrote Interior Secretary Ryan Zinke urging him to abandon the idea and calling trophy hunting “unethical, unpopular, and of questionable conservation value.”

One week later, the US Fish and Wildlife Service stoked public outrage by reversing a 2014 Obama administration ban on the importation of sport-hunted elephant trophies from Zimbabwe and Zambia. (The 2014 policy was enacted after the same agency noted that it could not find that the sport-killing of

an African elephant, a species listed as “threatened” under the Endangered Species Act (ESA), “would enhance the survival of the population”—a key requirement of the ESA.) Moreover, in October, the USFWS had quietly lifted restrictions on lion trophies from Zambia and Zimbabwe as well, even though all populations of the African lion remain listed either as “threatened” or “endangered” under the ESA.

But then, on November 17 and 19, President Donald Trump flipped the script and caused much puzzlement with these two tweets:

Put big game trophy decision on hold until such time as I review all conservation facts. Under study for years. Will update soon with Secretary Zinke. Thank you!

Big-game trophy decision will be announced next week but will be very hard pressed to change my mind that this horror show in any way helps conservation of Elephants or any other animal.

In a January 28 interview with Piers Morgan, the president again blasted trophy imports, while suggesting that the money generated by these hunting expeditions actually ends up lining the pockets of government officials rather than supporting the intended conservation efforts. Taking credit for reinstituting the 2014 import ban, the president said:

I didn't want elephants killed and stuffed and have the tusks brought back into this [country] and people can talk all they want about preservation and all of the things they're saying where the money goes towards—well, money WAS going—in that case, going to a government which was probably taking the money, ok? I turned that order around. You know, that was an order. I totally turned it around. Were you shocked I did it?

In the same interview, referring specifically to the USFWS' November decision to reverse the 2014 ban, the president again highlighted his administration's varying views on trophy hunting:

I thought it was terrible. That was done by a very high level government person. As soon as I heard about it, I turned it around. That same day—not even a day went by. No, I was not believing in [the conservation argument].

It is clear that as the populations of both the African lion and elephant plummet, a ban on trophy imports is warranted. As of this writing, there has been no follow-up announcement. But to have Donald Trump, whose two sons are notorious trophy hunters, call trophy hunting a “horror show” left everyone reeling. In the meantime, a court case has thrown the original ban into question on procedural grounds, so a final resolution on these imports remains anyone's guess. 🐾



MEGAN COUGHLIN

ANDEE DUNCAN



HOUSE MAJORITY LEADER ASKED TO MOVE KEY BILLS

With the second session of the 115th Congress well underway, AWI president Cathy Liss sent a letter to House Majority Leader Kevin McCarthy (R-CA) requesting support for these legislative priorities in the coming year: the Preventing Animal Cruelty and Torture Act (HR 1494), the Pet and Women Safety Act (HR 909), the Shark Fin Sales Elimination Act (HR 1456), and the Humane Cosmetics Act (HR 2790). All of these bills have significant numbers of bipartisan cosponsors; well over half of the members of the House cosponsor three of them. AWI has asked Majority Leader McCarthy to bring these humane, reasonable, and widely supported bills to the House floor for a vote.

SEA ACT DROPS ANCHOR ON MARINE SPECIES

The Marine Mammal Protection Act celebrated its 45th anniversary last year, but a sizable faction in Congress seems intent on dismantling some of its core provisions. On January 10, the House Natural Resources Committee approved HR 3133, the Streamlining

Environmental Approvals (SEA) Act. This devastating bill would promote oil and gas exploration and drilling on public lands and offshore areas, resulting in harm to wildlife, habitats, and coastal communities. It would also create dangerous loopholes in Endangered Species Act protections, putting vulnerable marine mammal species at further risk. Representative Raúl Grijalva (D-AZ), ranking member of the committee, called it “a dangerous bill that was solely written to fulfill the oil and gas industries wish list.”

ZINKE ZAPS MIGRATORY BIRD TREATY ACT

On January 11, AWI wrote to Interior Secretary Ryan Zinke requesting that his department halt its plan to eliminate certain protections for migratory birds. This plan, released in late December, would reverse an Obama administration policy that made it clear that even unintended killing of migratory birds was prohibited under the Migratory Bird Treaty Act (MBTA). The Trump administration’s drastic reinterpretation of the century-old MBTA is an overt attempt to shield the energy industry from having to take reasonable precautions to avoid

killing birds. Millions of birds die each year from electrocutions, chemicals, collisions with structures, and other anthropogenic causes. The US Forest Service estimates that power lines alone kill up to 175 million birds annually.

APPROPRIATIONS BILLS PULL PLUG ON WILDLIFE PROTECTIONS

In September, the House passed HR 3354, an omnibus (bundled) spending bill that included four amendments to weaken the Endangered Species Act. Then, in November, the Senate Appropriations Committee’s draft funding bill for the US Department of the Interior proposed blocking or restricting protections for gray wolves, lesser prairie-chickens, and sage-grouse; limiting the ability of other federal agencies to consult with the US Fish and Wildlife Service on projects that could be detrimental to protected species; and decreasing funding for activities necessary to determine whether species should be listed as threatened or endangered.

AWI continues to closely monitor these spending bills and will actively oppose any riders that undermine important animal protection measures.

What You Can Do

Visit AWI’s Compassion Index (www.compassionindex.org) for actions you can take to help move positive animal welfare legislation through Congress, stop bad bills, and let the administration know you expect protections for wildlife to continue.

costa rica

ADOPTS ENLIGHTENED WILDLIFE RULES

TICOS (as Costa Ricans call themselves) use a Latin phrase to define the noble intentions of their new wildlife regulations, adopted in 2017: *in dubio pro natura*—when in doubt, favor nature. Following that fundamental principle, the new rules provide 231 articles that itemize how responsible citizens must interact with wildlife in that Central American country.

Costa Rica has long been admired as the quintessence of principled and effective nature conservation in general and wildlife protection in particular. Cruel devices such as steel-jaw leghold traps, strangling snares, and poisons have been prohibited for decades. Commercially valuable wild species such as scarlet macaws, capuchin monkeys, and green iguanas have been vigorously protected in their habitats. But the new rules are taking the country several steps further.

Trade in wild pets (both wild-caught and captive-bred wild animals) is prohibited. The capture of Costa Rican animals from the wild for the pet trade was banned in 2012 (as was hunting for sport). Import of wild animals for the pet trade is now prohibited, as well.

The new regulations anticipate that some people might ignore such provisions, so they include procedures for seizing wildlife from traffickers. Seized animals go to credentialed rescue centers only—and not to just any convenient zoo, hobbyist, or breeding facility. The rules state that “the animal’s well-being must always be ensured” by wildlife officers and others who seize and take possession of illegally held animals.

Wording of the article that prohibits falconry and similar practices has a patriotic ring: “Training of wild animals used to hunt for entertainment or similar purposes shall not be allowed in our country.” How refreshingly explicit!

The new regulations do not shut down all zoos, despite a spirited campaign by many Ticos to include such measures. However, those new rules do impose some new reforms and obligations on zoos. Zoos are now required to provide environmental enhancement—meaning that they must “provide animals with conditions similar to those of their natural habitat” so as to “improve their quality of life” and

stimulate their “exploratory behavior, natural instincts, and social life.”

The regulations acknowledge that sometimes wild animals cause damage to the human community that must be addressed. But it must be done cautiously. Someone must complain to the wildlife agency, and an inspector must verify the nature of the damage and which individual animals caused the damage. Lethal solutions against individual animals can be applied only with great hesitancy and when no alternative nonlethal means are available.

Article 216 establishes “failure to report cases of animal cruelty despite being aware of their occurrence” as a “very serious offense” that is punishable under the new regulations. That’s cruelty to a *wild* animal. Such rules are unheard of in most other countries.

In fact, Costa Rica’s new regulations reflect a much greater benevolence in general toward wildlife than is found in the wildlife codes of more developed countries, including the United States. There is a certain respect, indeed esteem, that can be felt when reading terms such as “intrinsic value,” “respect for their well-being,” and “a healthy and ecologically balanced environment”—a far cry from other countries’ wildlife regulations consisting of tedious legalese. Costa Rica’s new regulations express concern for wild animals and seek to protect their welfare. There are no euphemisms to conceal or justify exploitative interests.

It is all very fitting. The Ticos live within one of the earth’s most astonishing natural treasures. Their country is acknowledged by wildlife biologists worldwide as being among the most biologically diverse on the planet. There are 1,251 species of butterfly alone. Five of the earth’s seven species of sea turtles nest on Costa Rican beaches. Birders have identified 894 bird species—more than in the United States and Canada combined, all in a country smaller than West Virginia. Costa Rican forests are home to such animals as jaguars, howler monkeys, toucans, and the resplendent quetzal.

Costa Rica has extended legal protection to about 25 percent of its land area, substantially more than most other countries.

CHRIS1089



That's part of the reason why Costa Rica was rated as the top performer in Latin America and the Caribbean in the 2016 Environmental Performance Index (a project of the Yale Center for Environmental Law and Policy, the Yale Data-Driven Environmental Solutions Group, and the Columbia University Center for International Earth Science Information Network that uses more than 20 specific indicators to measure environmental responsibility).

The Ethical Traveler—a nonprofit organization that seeks to “use the economic clout of tourism to protect human rights and the environment”—listed Costa Rica as one of



RYANACANDEE

the “World’s Ten Best Ethical Destinations” in 2017. That list is compiled annually after a detailed assessment of a country’s environmental, social welfare, and human rights status is made. Costa Rica scored number one worldwide in environmental protection (something for AWI members to consider when planning their next vacation abroad).

All in all, Costa Rica’s new wildlife regulations are among the most enlightened, progressive, and benevolent on earth. One can only hope the rest of the world will take notice—and follow suit. 🐾

THEJAAN



CHUCK624



AWI QUARTERLY



GAREN M

2018: THE YEAR OF THE BIRD

The International Union for Conservation of Nature assessed more than 740 newly recognized bird species in 2016 and found that 13 of these species were already extinct—before they'd even been recognized as distinct species. While most of the 13 presumably disappeared a long time ago, several reportedly vanished within the last 50 years.

There will likely be more extinctions in the coming years, as trade, invasive species, logging, and unsustainable agricultural practices continue to push bird species past the point of no return. A stunning 13 percent of all bird species are now considered “threatened,” including the African grey parrot, the victim of unsustainable trapping for the pet trade and habitat loss. At the 17th meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora in 2016, the species was moved to Appendix I—giving it the highest level of protection under the treaty and banning commercial trade in wild specimens (see *AWI Quarterly*, winter 2016).

The Wild Bird Conservation Act (WBCA), a 1992 federal law championed by AWI, already eases US pressure on wild African grey parrots. The law bans the import of exotic bird species whose survival is most threatened by capture for the commercial pet trade. Prior to passage of the WBCA, the United States annually imported an estimated 800,000 wild-caught birds to be sold as pets—a statistic that did not even include the huge numbers who died during capture and transport. Following passage of the WBCA, the number of birds imported annually into the United States for the pet trade was drastically reduced—to about 5 percent of the previous total.

This year marks the 100th anniversary of another landmark bird conservation law, the Migratory Bird Treaty Act (MBTA). The MBTA makes it unlawful without a waiver to pursue, hunt, take, capture, kill, or sell migratory birds listed under the Act. The law was enacted at a time when relentless pursuit of wild birds for their feathers was driving some species—including the snowy egret—toward extinction. Today, the law covers more than 1,000 species, including a since-recovered population of snowy egrets.

In recognition of the MBTA centennial and to draw attention to the need to continue protecting birds, 2018 has been declared “The Year of the Bird.” The National Geographic Society is featuring posts on birds each month on its website, with topics such as how birds help us and what you can do to make a difference.

Unfortunately, as we note on page 15 of this issue, not all are on board with the notion that bird protection is important: As a gift to the energy industry, the US Department of the Interior announced in late December that it plans to enforce the Migratory Bird Treaty Act against *intentional* killing only—thus absolving the industry of the need to pursue reasonable mitigation measures. Such a reinterpretation of the law is reckless in the extreme. With bird populations facing so much pressure from a multitude of threats, now is not the time to clip the wings of one of the nation’s most venerable animal protection laws. 🦉





ASISEIT

— Good Food Purchasing Program Promotes Animal Welfare —

In 2012, the Los Angeles Food Policy Council set out to transform the city's food purchasing system into a more sustainable model that prioritizes the environment, animal welfare, and the local economy. The council did this by developing the Good Food Purchasing Program (GFPP), a certification-based initiative to create more transparent and equitable food procurement systems. The program quickly took hold. Soon after the City of Los Angeles approved the program for its institutional food purchases, it was also adopted by the LA Unified School District—the largest school district in the nation and the city's largest food purchaser, serving approximately 650,000 meals a day. Other public institutions around the country followed LA's lead. Thus far, the San Francisco Unified School District, the Oakland Unified School District, the City of Chicago, and Chicago Public Schools have adopted the GFPP, with school districts and city governments in Austin, Minneapolis, and Washington, DC, in the process of doing so.

The GFPP focuses on five core values—environmental sustainability, local economies, nutrition, valued workforce,

and animal welfare—that together introduce a multitude of benefits into a food procurement system. On the animal welfare front, it requires participating public institutions either to use suppliers whose higher-welfare practices are third-party certified or to replace some percentage of animal products with equivalent plant-based protein. There are different GFPP certification levels depending on the total dollars spent on higher-welfare products or percentage of animal products replaced. This is a key component of the GFPP; it's a flexible program built to ensure success for institutions of varying food procurement needs and capacities.

Because the GFPP impacts hundreds of millions of meals served every year, it has a significant effect on farm animal welfare—which is why AWI is part of a coalition of stakeholders promoting its adoption in Washington, DC. In 2016, both local and national organizations began working with District of Columbia Public Schools (DCPS) and the DC Food Policy Council to explore the possibility of implementing the GFPP in the District. As the coalition continued to grow, a requirement that

DCPS adopt the GFPP was also added to a local bill, the "Healthy Students Amendment Act of 2017." AWI testified in support of the bill before the DC City Council in November 2017, as did approximately 40 other individuals and organizations. The District is expected to approve the program this year.

Currently in the United States, the vast majority of farm animals are raised in industrialized, unsanitary warehouses where they are packed so densely they can barely move. The GFPP seeks to transition food procurement systems away from this inhumane status quo toward methods of farming where the animals are able to roam, forage, and socialize, which is clearly better for their well-being.

Public institutions purchase a vast volume of animal products, and thus, the choices they make either contribute to farm animal suffering or help to alleviate it and encourage higher-welfare farming. In cities across the country, the GFPP continues to help public institutions create a more equitable process for food procurement that will result in more humane conditions for farm animals. 🐾

KRODERE



Despite overwhelming public support for a rule—approved in the last days of the Obama administration—that would improve the welfare of organically raised animals, the USDA has indicated it intends to withdraw it.

USDA THUMBS NOSE AT PUBLIC, MOVES TO WITHDRAW ORGANIC ANIMAL RULE

In January, the US Department of Agriculture proposed withdrawing the Organic Livestock and Poultry Practices rule. The rule represents the culmination of a decades-long process involving multiple stakeholder groups, including animal advocates, the organic industry, and the National Organic Standards Board. The rule provided basic protections to improve the welfare of organically raised animals, including access to the outdoors, space to roam, and prohibitions on certain types of painful physical alterations.

In the proposed withdrawal, the USDA claims that it lacks authority to regulate animal welfare under the Organic Foods Production Act. In reality, the USDA has acknowledged its authority to regulate animal welfare many times in the past. For example, the agency has a history of regulating animal welfare under the National Organic Program, including setting standards for animal care, living conditions, and access to the outdoors.

Additionally, studies show that animal health and welfare are inextricably intertwined; the USDA's assertion that it can only address "health care practices" but must avoid "stand-alone concern for animal welfare" is patently ridiculous.

AWI has rallied its supporters to submit comments in opposition to the withdrawal and continues to advocate in favor of implementation of the rule. Based upon review of the comments, a vast majority oppose withdrawal of the rule. Despite this, AWI is not optimistic that the rule will be implemented due to the influence of large organic egg producers, which have lobbied the USDA against implementation from the beginning of the rulemaking process. AWI will continue to monitor the status of this rule and advocate for higher welfare standards for farm animals.

ANOTHER AG-GAG LAW RULED UNCONSTITUTIONAL

In a split decision, the Ninth Circuit Court of Appeals has partially affirmed the district court's findings that an Idaho

"ag-gag" law is unconstitutional. The Idaho law was passed under the guise of protecting farmers from disruption to their business. In reality, it was carefully crafted to stop animal rights activists from conducting undercover operations at industrial farming facilities. To protect industrial agriculture, the law made it illegal for an individual to use false pretenses to gain access to or surveil an agricultural operation.

A handful of states, succumbing to pressure from industry groups, have enacted ag-gag laws like this to silence whistleblowers and allow factory farms to hide inhumane conditions at their facilities. These laws prevent activists from documenting common industry practices such as intensive confinement, physical alterations conducted without pain relief, and unsanitary and unsafe conditions on farms.

The court agreed with animal rights activists that the law's recording ban impeded their First Amendment rights. (Last year, a district court ruled Utah's ag-gag law unconstitutional on similar grounds. The Utah attorney general elected not to appeal.) The Ninth Circuit did, however, uphold the provision in Idaho's law that criminalized obtaining employment by misrepresentation with the intent to cause injury. Despite this, it is a victory for animals and their advocates in Idaho, who can—at least in some circumstances—continue to document and expose the poor treatment of animals on factory farms.

DRAWING A CURTAIN ON CRUEL CONFINEMENT OF VEAL CALVES

The end of cruel confinement methods for veal calves in the United States is drawing ever closer. In 2007, the American Veal Association (AVA) pledged to transition away from solitary crates and neck tethers to group housing by the end of 2017. Since calves are social animals, this was a significant industry shift toward higher-welfare practices. Fast forward 10 years to the beginning of 2018, and the AVA has confirmed that all its members have successfully completed the move to group housing and have stopped tethering calves.

Starting this year, Ohio veal producers will be subject to similar standards—in this case, codified into law. In 2009, Ohio citizens voted in favor of an agriculture industry-backed ballot initiative to create the “Ohio Livestock Care and Standards Board,” which was tasked with creating new livestock standards for the state. The board worked with the industry and animal welfare organizations and agreed to

create new regulations to phase out solitary confinement for veal calves, which went into effect on January 1, 2018. The new regulations stipulate that calves must be able to fully turn around in their enclosures, and that they be housed in group pens by 10 weeks old.

In 2014, Kentucky’s Livestock Care Standards Commission also agreed on a similar, mandatory phase-out goal for veal crates, which went into effect at the beginning of this year. Seven other states (Arizona, California, Colorado, Maine, Massachusetts, Michigan, and Rhode Island) have also made commitments to ban veal crates.

CALIFORNIA BALLOT INITIATIVE SEEKS STRONGER CONFINEMENT BAN

This November, California citizens may have the chance to vote for farm animal welfare. A coalition of stakeholders is gathering signatures for a ballot initiative that would strengthen the California law that

bans extreme confinement of farm animals. It would require that all veal, pork, and eggs sold in California come from animals who are not raised in extreme confinement, even when produced out of state. If the measure passes, California would be the second state to have such a comprehensive anti-confinement law; in 2016, Massachusetts overwhelmingly passed a similar ballot initiative. This push for farm animal welfare comes at a time when several states and hundreds of companies are reforming policies and banning cruel confinement practices.

Along those lines, Smithfield Foods, the world’s largest producer of pork, recently announced that its transition from isolated gestation crates to group housing is complete. However, caveats are in order: It only applies to sows after 5–6 weeks of gestation in the crates. Further, sows with piglets are still housed in cramped farrowing crates. And finally, at this time, the transition applies only to Smithfield-owned farms, not to independent farms that raise pigs for Smithfield. (Smithfield is “recommending” that its contractors make the transition by the end of 2022.) This all underscores the necessity of continued pressure for legal protection, like the California ballot initiative, to ensure that farm animals are allowed the basic freedom to stretch their limbs and move around. In addition to California and Massachusetts, 10 other states currently have some form of confinement ban on the books.



A calf imprisoned in a veal crate, designed to severely restrict movement throughout the animal's short life. State governments and even the industry are finally taking steps to phase out this horrendous practice.

FARM SANCTUARY

Caregivers in Research Say *Animals Calmed by Conversation*

A LAREF DISCUSSION

This past December on AWI's Laboratory Animal Refinement and Enrichment Forum (LAREF), a question posed by Erik Moreau prompted a discussion on whether talking to animals in a laboratory setting helps reduce their stress. Further, does announcing a certain procedure make it more predictable for the animals and does that communication have a positive impact on data collection? In answer to these questions, Viktor Reinhardt, Marcie Donnelly, Jeannine Rodgers, Christina Winnicker, Evelyn Skoumbourdis, and Michele Cunneen all chimed in to share their experiences. (Comments have been edited for brevity and clarity.)

WHEN I started caring for macaques, I very quickly learned not to barge into the animal rooms (and have them all freak out), but to calmly enter while talking to the animals; once in the room, I continued talking, saying things like "Hi guys, I have to take a few blood samples," because not all the animals could see me. I never had to deal with a crowd of highly alarmed and fearful macaques. My wife Annie and I used the same simple technique of politeness when we studied feral bison and feral cattle. When the animals could hear us approach, they kept calm and allowed us to come close and do our behavioral recordings among them. (Viktor)

I ALWAYS talk to all my animals, even rats. I find the monkeys and dogs calm down nicely—well, sometimes dogs stay excited for a bit, but they are excited anyway; as soon as they know you're there, they all want to see you. (Marcie)

I "HOO" in the hallway outside to let them know I'm there, before I enter. (Jeannine)

I LOVE the idea of the hall-hoo-er! I don't do that, but I definitely talk to all the species I work with, mice to monkeys. I think its good acclimation for them to get used to the sound of my voice, and I use specific terms for specific events so that they can start to associate them with the procedure I'm going to ask them to do. (Christina)

I HAVE always talked to the animals I work with—heck, I even say hello to the zebrafish and *Xenopus* [clawed frogs] upon entry to the rooms. I use different intonations and different



types of speech for different species, and always announce to the group what I'm there for, whether it be an "I'm really sorry, but we have to take blood samples today" or a "Hey, guess what? It's goodie time!"

For rabbits, I tend to keep my words soft, but when I say "it's time to get out the hay," I will perk up. Also, I tend to sing (albeit somewhat poorly) bunny parody songs I've created (e.g., "Tiny Bunnies in the Wine") because it really does help them get used to sounds from people. With rodents, I'm straight up "Hey guys, how ya doing?" unless someone brings a sick/distressed rodent to my attention. Then, I get out my "poor little fella" calm voice.

With swine, I tend to let them lead me to where we should be for the conversation. I always enter the room with a "hey" or a "Yo, ladies, how are ya?" and after that it really depends upon the general feel of that particular group for that day. We all have bad days sometimes, and I know the animals do, too. So, if they want to be a little "down" that day, I let them, and just do what I can to soothe them with a scratch or a snout rub if they desire.

With sheep, dogs, and cats, I always say "hello" upon entering and then assess their stance and see what's needed for that particular entry point. Fearful animals and fractious cats require completely different language and intonation than excited, happy-to-see-you critters. With monkeys, it was always a "Hey guys, what's up?" and we would go from there. I'd have individual conversations with each once I learned their personalities, and even discovered with one group of Mauritian cynomolgus macaques that speaking French was the way to go. By entering with a sing-songy "*bonjour, petit garçons*" they instantly knew it was me, and I would get some hoots right back. I really miss my monkeys—they were some of my greatest confidants.

One thing I do quite often, that I have not seen many do, is ask permission of the animal to handle them, provide treatment, take a sample, etc. I had one research tech actually ask me last week what I would do if the rat looked at me and said "no." This is something I'm going to have to deeply consider. (Evelyn)

I HAVE always talked to everyone as I enter, even the mice. Rats, rabbits, primates, pigs, goats, snakes, bats—all definitely like to hear you enter. (With mice, however, I'm never sure they care.) I also think background music helps with that, although some pure behaviorists call that stress.

Many investigators adopt these methods when they see how easily you can interact with the animals that otherwise may try to bite them. I remember a PI [principal investigator] who



MICHELE CUNNEEN

had worked with hamsters for years at another institution. He came to mine and arrived for orientation and training with a chain mail glove to handle his hamsters. After the regulatory portion of the training we went to the training animals. I took the hamster cage off the shelf and cooed some gibberish to the hamsters. I put the cage on the bench, opened it, and reached in. You could hear him gasp as I came up with the hamster in my unprotected hand.

In the ensuing conversation he said that he had always been bitten and never handled them without the chain mail gloves. I never asked him not to use the glove, but by the end of 20 minutes he was handling and cooing at the hamsters. He carried the glove for about a month, as he still thought it was a trick of my training the animals. When his research animals came in and the projects started, however, the glove was never used.

As a footnote, after about a year, the PI told me his data had never been as tightly grouped as it has been since he came to my institution and stopped using the glove. (Michele) 🐾

STATES AND CITIES OPTING OUT OF CIRCUS ANIMAL ACTS

Two states and several local governments joined a growing list of jurisdictions acting on behalf of wild and exotic animals exploited by circuses and other traveling exhibitions this past year. In Los Angeles, Councilman David Ryu, who sponsored that city's new ordinance prohibiting "the exhibition of wild and exotic animals for entertainment or amusement," stated, "Treating animals in this manner has taught generations of people that it is okay to view wild and exotic animals as toys. Los Angeles must take action to make clear that exhibiting animals in this way is no longer in line with our City values."

New York City also banned the use of wild or exotic animals in circuses, with the goal of ensuring public safety and animal welfare. Mayor Bill de Blasio signed the bill on July 28, tweeting, "We are banning exotic animals from circuses in NYC because we're looking out for New Yorkers big and small, furry and tall." And in Portland, Maine, the city council's vote to prohibit circuses and other traveling shows that display wild and exotic animals was endorsed by its Health and Human Services Committee, which stated, "Animals have long been displayed for human entertainment but acceptance of this practice is shifting, and those performances are now often viewed as acts of cruelty to the captive animals involved."

Illinois became the first state to ban the use of elephants in circuses and other traveling exhibits when Governor Bruce Rauner signed SB 1342. In a statement, bill sponsor Senator Linda Holmes said, "Traveling circuses are not able to properly care for elephants and as a result, elephant exhibitions

in Illinois have been found to be in violation of the Federal Animal Welfare Act several times. Allowing these inhumane practices to continue would be irresponsible and poor stewardship of such impressive animals." Not long after the Illinois action, the New York General Assembly passed the Elephant Protection Act, prohibiting the use of elephants for circuses and other performances throughout the state.

PENNSYLVANIA, TEXAS TAKE AIM AT ANIMAL CRUELTY

Pennsylvania, long notorious for its weak repercussions for even the worst cases of abuse, took a giant leap forward when Governor Tom Wolf signed Libre's Law. The state finally acted as a result of public outrage over the case of Libre, a Boston terrier who had been so neglected by a puppy mill operator that he was close to death when a concerned deliveryman finally convinced the breeder to let him take

the puppy to a vet. Although the breeder pleaded guilty to abandoning Libre to die, the worst punishment he faced was a fine of less than \$1,000. While the new law maintains the much-maligned summary offense for certain acts, misdemeanor and felony charges are now available in more instances; for example, torturing an animal and neglect or cruelty that causes serious bodily injury or death are now felonies.

In June Texas Governor Bill Abbott signed Senate Bill 762, which increases penalties for certain especially heinous acts of animal cruelty, including torturing, cruelly killing, poisoning, or causing serious bodily injury. Incidents of extreme animal cruelty have been on the rise across Texas; setting dogs on fire has become especially common.

Libre gives his stamp of approval to the eponymous new law that imposes tougher penalties on animal abusers in Pennsylvania.



COURTESY OF GOVERNOR TOM WOLF



Law Enforcement Agencies Ramp Up Efforts to Address Animal Cruelty

One of the latest signs of progress in the effort to convince law enforcement agencies to take animal cruelty seriously is the uptick in the creation of animal cruelty units in police departments and offices of district attorneys and attorneys general.

The first state-level special animal unit was created in January 2015 by Attorney General Mark Herring of Virginia, with Assistant Attorney General Michelle Welch at the helm. Prior to taking over the unit, Welch had already distinguished herself as a champion of animals. In 2012, AWI presented her with the Albert Schweitzer Medal in recognition of her work to promote diligent prosecution of animal cruelty crimes. (See *AWI Quarterly*, winter 2012.) Since Virginia started the ball rolling, the attorneys general of Missouri and New York have added such units, and more states are expected to follow.

District attorneys' offices also are creating special units to prosecute animal cruelty crimes. As of this date, 13 such specialized units exist in the United States. New York leads the way with five, located in the counties of Albany, Erie, Nassau, Queens, and Staten Island. The Queens Animal Cruelty Prosecutions Unit—the first of its kind in New York City—was instigated by prosecutor Nicolette Caferri. She proposed it to District Attorney Richard Brown after she handled an appeal in the conviction of an animal cruelty case. Brown agreed and the unit was formed in January 2016 with Caferri in charge. California has four such units, in Fresno, Los Angeles, San Bernardino, and (most recently) Sacramento counties. The four remaining county-level units are in Florida (Orange/Osceola), Massachusetts (Essex), Texas (Dallas), and Washington (Pierce).

Some municipal police departments are also organizing special animal cruelty investigative units. The Los Angeles Police Department has an animal cruelty task force and the Las Vegas Metropolitan Police Department has an animal cruelty unit. While there is no exact count of how many police departments are creating special units for animal cruelty crimes, new ones do seem to be surfacing. El Paso's, formed in December 2017, is one of the most recent. The unit (pictured above) is comprised of four detectives, a sergeant, and an officer. Two detectives who helped lobby their chief to form the unit noted that information available on AWI's website was useful in convincing Chief Greg Allen to approve their request. Now, according to Sergeant Sandra Zamudio, the chief is "100 percent behind this unit."

Although newly formed, the El Paso Police Department's animal cruelty investigative unit has already demonstrated its worth. As of this writing, five people have been arrested on serious animal cruelty charges (all involving dogs), including the owner of Fergie, a 15-year-old boxer found bleeding, emaciated, and suffering from maggot-infested rotting wounds. Fergie had to be euthanized, but others among the injured and neglected dogs have recovered and have been placed in homes.

In sum, law enforcement is getting it: Animal cruelty is serious and deserves their attention. These specialized animal cruelty units, dedicated to investigating and prosecuting animal crimes, are being adopted as a way to better serve animal welfare and the community at large. 🐾

USDA Keeps Extending the Leash on Abusive Dog Breeder

The *Des Moines Register* published an editorial on November 13, 2016, entitled “Why won’t the USDA shut down this serial animal abuser?” The paper of record for the state of Iowa—one of the biggest puppy mill states—was referring to dog breeder Gary Felts, d/b/a Black Diamond Kennel. The editorial noted that Felts had pleaded guilty to making false statements under oath relating to his failure to pay a 2010 fine levied under the Animal Welfare Act (AWA).

But the *Register* aims its most scathing criticism at the US Department of Agriculture for continuing to license this breeder despite abysmal inspections dating back to 2005, while describing the hell that these dogs endured, as documented by the USDA itself in three separate inspections from 2015 and 2016. The editorial raised fundamental questions about how the USDA could possibly have renewed Felts’s license, year after year, even while knowing he had lied under oath and continued to violate the AWA with impunity, without taking any enforcement action.

The editorial ended with a withering analysis—which, unfortunately, is relevant to far too many other instances of the USDA’s failure to vigorously enforce the AWA:

The mere act of observing and documenting the ongoing,

unrelenting neglect and abuse of these poor creatures does not constitute any form of “protection.” In fact, it’s nothing more than an unconscionable dereliction of duty.

But there is far more to this story, in particular events that occurred after the editorial’s publication. However, to truly understand the full import of these extraordinary actions—and inactions—we need to start at the beginning.

THE 2010 DEFAULT DECISION AND ORDER

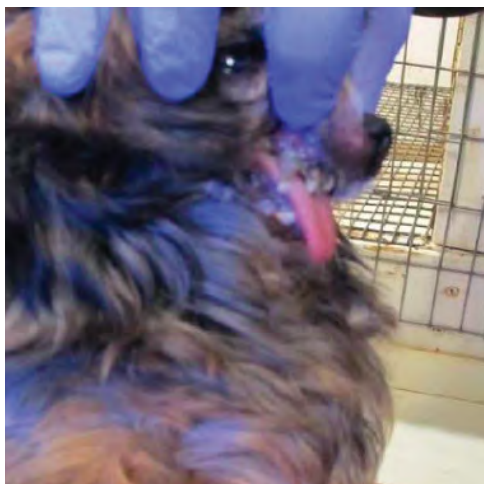
On January 4, 2010, the USDA filed a complaint against Felts alleging 51 violations of the AWA documented on 11 occasions from September 2005 to July 2009. These involved failure to provide adequate veterinary care, housing, cleaning, sanitation, and housekeeping, as well as multiple refusals by Felts to allow the USDA to inspect his facility. Felts requested and was granted an extension of time to respond. However, he never filed a timely response, and as a result, a default decision and order was entered against him in June 2010. This default decision, by definition, meant that Felts admitted to each of the 51 violations. In addition to a 30-day suspension of his license (which was lifted after Felts passed an inspection), the judge ordered him to pay a civil penalty of \$18,938.

On March 25, 2011, the US attorney, on behalf of the USDA, filed a civil complaint against Felts seeking collection of the civil penalty. On January 17, 2012, judgment and order were entered against Felts for the \$18,938 plus interest and penalties. As a condition of this judgment and order, he was required to file, under oath and penalty of perjury, financial disclosure statements with the US Attorney’s Office.

FELTS PERJURES HIMSELF IN HIS 2013 FINANCIAL DISCLOSURE

In his 2013 statement, Felts failed to disclose bank and checking accounts. He also failed to disclose that he received a workers’ compensation settlement of \$25,000 on April 16, 2013. Instead of using the settlement money to pay the civil penalty he owed from 2010, as mandated, *Felts used it to expand his kennel.*

The USDA was investigating on behalf of the US attorney and therefore knew of the failure to disclose. As the USDA investigated Felts’s fraudulent statements and other matters related to the civil complaint, it continued to document terrible conditions and extreme suffering at Felts’s kennel. Despite this, and Felts’s 51 admitted AWA violations, the USDA continued to renew his license to operate as a dealer.



In 2013 and 2014, inspections documented rusted surfaces and grime and showed Felts did not have adequate records for the dogs. Inspections from July and September 2015 and May and August 2016 detailed truly horrific, continued suffering at the hands of Felts. The *Register* editorial described the depth of the dogs' suffering detailed in the latter three inspections.

FELTS INDICTED, PLEADS GUILTY TO ONE COUNT

On May 26, 2016, the US attorney charged Felts with three counts of knowingly and willfully making false material statements, representations, and omissions in his financial disclosure statements. Felts could have spent 15 years in prison and been forced to pay a \$750,000 fine.

On July 13, Felts pleaded guilty to one count relating to the fraudulent 2013 financial disclosure statement. In November, he was fined \$100 and ordered to pay at least \$200 per month to pay off the remainder of his civil penalty from June 2010. As the *Register* pointed out, at that rate, Felts will have to pay off his debt by April 2022—a full 17 years after the USDA first cited him.

In a November 2016 press release, the US attorney gave some background on the case and reaffirmed that the USDA had investigated it. He also cited the conditions of Felts's three-year probation: "Felts was ordered to remain current with his monthly payments to USDA and must comply with all applicable federal, state, and local

regulations regarding his license and care of animals, including the Animal Welfare Act."

THE DEVASTATING JANUARY 11, 2017 INSPECTION

Just two months after the US attorney had announced that Felts's probation terms mandated compliance with all applicable laws regarding his care of animals, including the AWA, the USDA again inspected his kennel. The appalling results (detailed in the box on the following page) mirrored findings from inspections conducted July 2015, September 2015, May 2016, and August 2016—including extreme dental problems, severe matting, oozing wounds, and feces buildup. In the May 2016 inspection, a dog's tooth fell out after Felts merely touched it.

Yet despite *all* of this, the USDA still did not file an enforcement action under the AWA. Throughout this sordid and unconscionable history of inaction and automatic license renewal in the face of overwhelming evidence of violations of law—both civil and criminal—the USDA did not seek to permanently revoke Felts's license.

USDA INITIATES PROCEEDINGS TO TERMINATE FELTS'S LICENSE

One week later, on January 18, the USDA filed an "order to show cause" why Felts's license should not be terminated. But it asked for termination rather than revocation, which, as explained below, would have represented a sterner penalty. And this

From 2005 until 2017, the USDA cited Gary Felts's Black Diamond Kennel time and again for egregious violations of the Animal Welfare Act, but allowed him to retain his license to operate as a dealer. Even after he was charged with knowingly and willfully making false statements on financial disclosure forms (in an apparent effort to avoid paying his fines), he was allowed to keep breeding puppies under miserable conditions. In 2017, Felts's license was finally terminated. Pictured at left are scenes from a 2013 inspection at the Black Diamond Kennel: puppies in filthy, deteriorating cages with wire mesh floors; a dog with severe dental issues; dogs standing out in the cold next to a bucket of frozen drinking water. Photos by USDA.

four-page document referenced only Felts's 2010 default decision and order and his felony guilty plea.

There was no mention of any of the USDA inspections. For all intents and purposes, those 2015 through 2017 inspections may as well never have existed. The USDA certainly did not use them in any legal proceeding against Felts. And so the *Register's* editorial rebuke carries that much more meaning: "Why in blazes is the USDA content to dutifully catalog the actions of a serial animal abuser who has lied to the agency and failed to pay his fines"—yet not use this evidence in any enforcement demanding the permanent revocation of his license?

Moreover, teams of inspectors often went to Felts's kennel, indicating that the USDA knew the situation was grave. The USDA attorney's failure to mention even one of their reports is a slap in the face to each one of these inspectors

who for years were on the ground documenting Felts's malfeasance.

On May 30, 2017, another default decision and order was issued, and Felts's license was terminated.

TERMINATION VS. REVOCATION

The AWA has distinct, separate sections regarding licensure and enforcement. The regulations make a noteworthy distinction between license termination and permanent revocation. For revocation, the regulatory language is clear and quite broad. No person whose license has been permanently revoked shall ever have a license in their own name or in any other manner. It applies not only to the person whose license has been revoked; any person "who has been or is an officer, agent, or employee" of a revoked licensee and who was "responsible for or participated in" the violation that resulted in the revocation shall also not be licensed.

There is no corresponding language for a license termination. The regulations do state that "[n]o license will be issued under circumstances that the Administrator determines would circumvent any order suspending, revoking, terminating, or denying a license under the Act." Is that enough to cover any businesses, employees, etc. of Felts? Perhaps. Perhaps not. But what is clear is that the permanent revocation language covering licensees, their businesses, and their associates is far broader and appears to be a significantly harder shield to pierce.

What is even clearer is that the USDA's utter failure to adequately enforce the AWA, as exemplified by the awful case of Gary Felts, felon and admitted violator of the AWA, must never happen again. AWI will do whatever we can to make that a reality by continuing to monitor and expose weak enforcement of the Animal Welfare Act. 🐾

BLACK DIAMOND KENNEL JANUARY 11, 2017, INSPECTION

The following items were among the findings from the January 11, 2017, USDA inspection of Felts's premises.

- A 9-year-old male poodle had severe dental tartar, sores on both front feet, and excessive matting. There was creamy, yellow discharge from his cheek teeth. His gums were bright, red, puffy, and pulling away from the tooth root. Both front feet had open wounds and were red and swollen. Matting extended all over his body.
- A 7-year-old male Chihuahua had severe dental tartar. There was creamy, yellow discharge on his canine teeth. His gums were bright, red, puffy, and pulling away from the tooth root. He had no other teeth.
- An 8-year-old female English bulldog was squinting. Her inner eyelids were red, swollen, and tearing, with brownish-yellow discharge. The whites of both her eyes were severely bloodshot.
- A 2-year-old female English bulldog consistently squinted her eye. She would completely close it with excessive blinking. Her inner eyelid was red and swollen. She pulled her head away when the inspector tried to examine closer.
- A 3-year-old male English bulldog had red, patchy, swollen hairless regions on both cheeks, neck, and both front feet. He had a dark yellow, crusty region on his right cheek. His entire muzzle, chin, and neck down to chest bone were moist, sticky, hairless, and severely red. Both feet were warm to the touch, severely red, and swollen, with large patches of hair loss.
- An enclosure with six puppies had a build-up of feces covering more than 75 percent of the surface. There were 29 adult dogs in enclosures with brown grimy residue on doors, walls, and corners of the concrete floor.



A young kangaroo in the care of a wildlife rehabilitator after his mother was killed.

NAME BRANDS COMPLICIT IN KANGAROO SLAUGHTER

If you ask the average American what they know of Australia, they might mention the Sydney Opera House, didgeridoos, boomerangs, the Great Barrier Reef, the Outback, and, of course, Australia's iconic wildlife, including crocodiles, koalas, and kangaroos. The kangaroo, whose stylized silhouette is the symbol of Qantas Airways, who is the mascot of many of the country's athletic teams, and whose image is featured in Australia's tourism promotions, may be the world's most recognizable animal ambassador.

What Americans may not know is that Australia's biodiversity is collapsing as a result of relentless land clearing, climate change, wildfire severity, and invasive species, resulting in an extinction rate higher than that of any other country on the planet.

As for the kangaroo, each year millions of the animals are slaughtered. Under cover of darkness, hunters equipped with powerful spotlights mounted on trucks ruthlessly gun down these animals for the manufacture of pet food, leather products, and meat for human consumption.

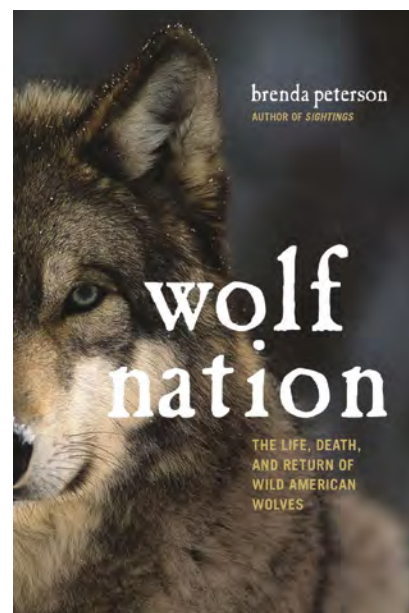
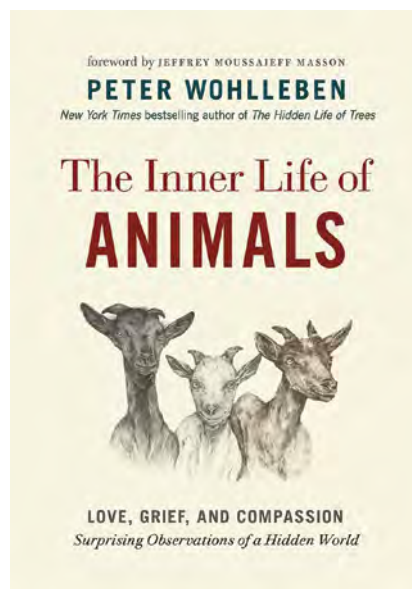
What began as a cull to control kangaroos wrongly blamed for competing with livestock for grass has become a profit-driven commercial enterprise. As profits have grown, so have efforts by politicians to protect and promote the industry, by industry representatives to sell it as sustainable, and by bureaucrats and government scientists to ensure high kill quotas. The situation is chronicled in grim detail in the documentary *Kangaroo: A Love-Hate Story* (see review on the following page).

The European Union is the leading importer of kangaroo products, according to the documentary, while China,

Russia, and the state of California are seen by the Australian government as ripe for expanded export markets. In California, despite a concerted lobbying effort by the Australian government and the industry, a ban on the importation of kangaroo products was reinstated in 2016. The United States as a whole, however, remains the second largest market for such products.

An astonishing amount of wild kangaroo products flow into the country each year: In 2015 alone, according to US Fish and Wildlife Service data, the United States imported over 1.9 million pounds of meat, over 387,000 shoes, nearly 48,000 large leather products, close to 9,000 whole skins (nearly 27,000 square meters of whole skins or skin pieces), and over 12,000 pounds of bones. The meat is served in restaurants that feature exotic species or sold directly to consumers, while the skins are used to manufacture leather goods such as soccer cleats and goalkeeper gloves. According to 2014 data, the companies importing kangaroo products include household names such as Adidas, Louis Vuitton, Nike, Versace, BMW, Dolce & Gabbana, Under Armour, Ferragamo USA, and Giorgio Armani.

These companies' complicity in this gruesome spectacle (not to mention that of the US government) should not go unchallenged. Consumers have the power to stop this cruel industry by refusing to purchase their products. If their bottom line starts to suffer as a result of compassionate choices made by consumers, they will rethink their use of kangaroo products and their role in the largest commercial slaughter of wildlife in the world. 🐾



KANGAROO

2018 / Kate Clere McIntyre and Mick McIntyre / 96 minutes

The secrecy, brutality, corruption, scientific malfeasance, and greed that drive the Australian kangaroo hunt (see preceding page) are depicted in *Kangaroo: A Love-Hate Story*, an award-winning documentary by filmmakers Kate McIntyre Clere and Mick McIntyre. Using archival footage, stunning images of kangaroos in the wild, and gruesome video of their killing, along with interviews with politicians, agency officials, scientists, hunters, ranchers, and kangaroo protection advocates, the film provides a riveting and compelling examination of the history, complexities, and realities behind the all-out assault on the kangaroo.

In *Kangaroo*, scientific evidence is presented to counter claims that the hunt is well managed and sustainable and to dismiss the perception of kangaroos as overabundant pests. It shows that government officials are, in fact, manufacturing “paper” kangaroos through dubious data extrapolations and population count correction factors in order to maintain the kill quotas. In reality, kangaroo populations are declining and the species range is contracting, with evidence of localized extermination. Such data are ignored by industry apologists,

including government scientists, who continue to promote export of kangaroo products—including kangaroo meat contaminated with *E. coli* and *Salmonella*.

For those who despise animal cruelty, *Kangaroo* may be difficult to watch. The film includes images of kangaroos being shot, hunters dismembering their kills and leaving body parts (including heads) in the field to rot, injured kangaroos left to die a prolonged and painful death, joeys ripped from their mother’s pouch and killed by blunt force trauma, and an orphaned joey too weak or young to stand or hop. Nevertheless, the grotesque cruelty of the hunt, as well as its lack of scientific justification, must be exposed if this massive commercial killing of kangaroos is to end.

Kangaroo is not all violence and gore, though, as it depicts the efforts of scientists, politicians, citizens, an aboriginal elder, and landowners who engage in research, collect evidence of the hunt’s barbarity (often risking their own lives), and speak out to expose the realities of the hunt and the industry in order to stop the slaughter.

For more on the film, visit www.kangaroothemovie.com.

THE INNER LIFE OF ANIMALS

Peter Wohlleben / Greystone Books / 272 pages

In *The Inner Life of Animals: Love, Grief, and Compassion—Surprising Observations of a Hidden World*, author Peter Wohlleben expertly blends anecdote, personal observation, scientific conclusion, and inference from physiology and behavior to show us that a wide variety of animals experience a broad range of thoughts and feelings, many of which are very similar to our own. For example:

Animals lie. To protect their precious winter nut caches from theft by other squirrels, squirrels will only pretend to bury something when other squirrels are watching.

Animals behave altruistically. Vampire bats who return to the cave well fed will share their meal with other bats who may not have fared so well. Amazingly, the bats keep score, and those who have been more generous in sharing are the first to be looked after when they, too, run into a string of bad luck.

Animals express gratitude. Four-year-old human Gaby was a messy eater but crows in her yard were only too happy to help clean up. When Gabi got older, she began sharing her lunch with the crows as she walked to the bus stop, and then began feeding them daily at a backyard feeder. Shortly afterwards, crows began bringing her gifts: bits of glass, broken jewelry, screws. This largesse extended to a camera lens cap that Gaby's mother had lost—one day, it showed up on the bird feeder.

And more—you'll learn why it doesn't always pay to be the head deer in a herd, how bees share information about pollen sources, and what could induce a marten to destroy a car.

Wohlleben is the manager of a woodland in Germany and thus has firsthand knowledge of the working of ecosystems and of the importance of animals and insects we might consider pests. Wasps, for example, are a boon to gardeners because they eat worms that feast on cabbages. But lest we romanticize the natural order of a functioning ecosystem, Wohlleben reminds us that "what we understand as a finely tuned balance between prey and predators is in reality a harsh struggle with many losers."

The Inner Life of Animals is an engaging read and a layperson's guide to the nascent science of animal cognition. As an aside, some readers may balk at occasional lapses into too-precious language—for example, describing baby animals as "tykes" (although that may be chalked up to an awkward translation from the original German). On a more serious note, the invasive nature of some of the scientific experiments described in the book is troubling. Nevertheless, there is an overall sense of awe engendered by this book. One cannot help but walk away thinking we have more in common with the other animals on this planet than we have differences.

WOLF NATION

Brenda Peterson / Da Capo Press / 304 pages

Wolf Nation: The Life, Death, and Return of Wild American Wolves tackles the very difficult issue of human coexistence with wolves and how polarizing it has become—pitting federal against state governments, rural against urban, unfettered "use" against preservation. The book looks at the thousands of wolves killed at the hands of private citizens in state-sanctioned hunting and trapping and by the USDA's Wildlife Services program. *Wolf Nation* also discusses the positive side: wolf advocates and ranchers working together to help decrease livestock depredation and prevent human-wildlife conflict.

And then there are the stories of the wolves themselves—the complex lives that they lead, the strong family bonds they have, and the individual wolves who have acquired a degree of fame, such as OR7 ("Journey"), the first gray wolf to arrive back in California in 2012 after wolves were extirpated from the state in 1924, and Yellowstone's most famous wolf, 832F ("o6 Female"), the alpha female killed in Wyoming by a trophy hunter when she stepped outside the park's boundaries.

In addition to providing an interesting history on wolves in America, *Wolf Nation* does a good job of emphasizing just how much wolves need us right now in their struggle to return to areas they once occupied, as well as their potential to restore the healthy ecosystems we all depend upon.

Bequests

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

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



Animal Welfare Institute

P.O. Box 3650, Washington, DC 20027

Return Service Requested

Non-Profit Org.
US Postage
PAID
Washington, DC
Permit No. 2300



become a fan on Facebook at
www.facebook.com/animalwelfareinstitute



follow us on Twitter: @AWIonline



SPEAK UP STUDENTS! A VOICE FOR ANIMALS CONTEST IS BACK

AWI, together with the Humane Education Network, is pleased to announce the 2018 *A Voice for Animals* Contest. Students age 14–18 are invited to submit essays, photos, or videos that address issues affecting animals around the globe.

Each year we are heartened by the many contest entries we receive that tackle tough problems such as animal cruelty, climate change, and

the protection of species threatened with extinction. The entrants' creative solutions and active involvement in efforts to improve the lives of animals reinforce our position that compassion and empathy for other living beings can and should be encouraged early in life.

This year's contest will include a special essay category for 14- to 15-year-olds who write about endangered species. Katherine Applegate, author of the

popular *Animorphs* series and *The One and Only Ivan* has graciously agreed to provide winning entries in this category with signed copies of her new book, *Endling #1: The Last*.

Submissions will be accepted through April 30, and the winners will be announced on June 11, 2018. Please visit www.hennet.org for more details and instructions on how to enter. 🐾

