

TREATY TO PROTECT THREATENED WILDLIFE CONCLUDED

The United States convened a plenipotentiary conference February 12 to March 3, 1973 to bring international protection to wild fauna and flora in danger of extinction due to commerce. Ninety-two nations were represented. The treaty which they concluded must be ratified by ten nations in order to go into effect.

Secretary of the Interior Rogers C. B. Morton set the tone of the conference in his opening address to the delegates. He said:

"It is a great pleasure for me to welcome the delegates to this important conference. You are here today not merely as the representatives of individual nations, but in a true sense as the representatives of mankind in a meeting with his own conscience. In our molding the world to fit human needs, we have taken upon our conscience the responsibility for the other species that we threaten, yet are privileged to share the bounties of this planet. Their evolution down the centuries has not equipped them to contest man's supremacy: if they are to survive it must be owing to man's self-control.

"Today, all men share the bond of concern for the future of our planet. That bond is impervious to geographic, cultural, or ideological influences. Last year at the Stockholm Conference, we crossed the threshold of an era where all nations and all men agree to work together to save our natural heritage and protect our environment. What you do at this conference is an important part of that new international endeavor. For the threat to the wildlife of our earth—the leopards of the Serengeti, the polar bear of the Arctic, the whales under the sea—is in a sense a part of the threat to mankind from the degradation of his environment.

"It is ironic that men can move so rapidly in doing harm to the environment and so slowly in protecting it. This conference had a long incubation period, going back at least a decade to the original efforts of the International Union for the Conservation of Nature and Natural Resources in 1963.

"But time is moving on and for many species, it is moving against the future of our wildlife. The rate of extinction has been on the rise dramatically. Of the recorded extinctions of mammals over the last two thousand years, fully half have met their final fate within the last sixty years. It is sad to acknowledge to ourselves that during the ten years we have been preparing for this meeting, perhaps eight percent of all recorded mammal extinctions have taken place. My fellow citizens of the world our task is urgent.

"Our task is by its very nature a truly international endeavor. In the final analysis, each country must carry the burden of protecting its own wildlife. But we have found that so long as international trade in wildlife is not controlled, the individual country, acting alone, is not able to act effectively to protect its native species which are threatened or endangered. If the demand is not controlled, the supplier nation cannot move effectively to protect itself. And even if one country acts to control its own demands—as the United States has in its Endangered Species Protection Act of 1969 and the Lacey Act—the demand will merely move from that country to another, and the market still creates the same insoluble problem for the supplier country. Experience makes it clear: Unless we all act together to control trade in the endangered species, none of us will be able to act as effectively as we must to protect what is precious and is our own.

"Therefore, you do have a vital and urgent task before you at this Conference. In concluding this Convention, you are performing an honorable duty before future generations. You are showing man's responsibility in safeguarding the fragile legacy of the wild species of our world.

"In welcoming you on behalf of the United States Government, I assure you that the people of this coun-

(Cont. on page 2)

ALBERT SCHWEITZER MEDAL PRESENTED TO RUSSELL TRAIN

Chairman of the Council on Environmental Quality, Russell Train, was the Schweitzer Medallist at a ceremony held in the Smithsonian Institution's Hall of Life in the Sea November 21, 1972. Secretary of the Smithsonian, Dillon Ripley, made the presentation.

Chairman Train played a leading role in obtaining the 53-0 vote at the Stockholm Conference in favor of a ten-year international moratorium on commercial killing of whales. At the International Whaling Commission meeting which followed soon after in London, he proposed that the press be admitted to the hitherto secret sessions, but no country seconded his motion, so, after the voting, Mr. Train called a press conference at the American Embassy and reported on how the representatives of the different countries voted on the U.S. proposal for a moratorium.

Before turning his efforts to whales Russell Train brought help to the land animals in Africa through the African Wildlife Leadership Foundation. Later, as Chairman of CEQ, he and his associates played a major part in bringing about that most humane Executive Order, the barring of poison for predator control on the public lands. His achievements in the fight against ocean dumping and in the development of the World Heritage Trust convention, will make it possible for countless creatures to have a place where they can survive.

Following are the remarks of Secretary Ripley and Chairman Train.

Remarks of S. Dillon Ripley, Secretary of the Smithsonian Institution

Thank you very much, Christine Stevens, for your generous and kind introduction of me this afternoon for a purpose which could not be more pleasurable. One of the things that I am pleased about this meeting of the Animal Welfare Institute being held here in the Smithsonian is to emphasize to all of you once again the essential unity that exists between people who are trained in natural history and those of you who are concerned with the care of animals. It is not so much a question of training as it is of natural instincts, I think, for most people, like myself, who become drawn into the field of natural history do so essentially for poetic or romantic or somewhat sentimental reasons. I had no intention of being a natural historian, as the phrase might be, when I was a small boy—not at all. I liked the out-of-doors and I liked everything to do with it but I was told faithfully and religiously and seriously by my family that you had to "fight the good fight" in life and you had to go out and do serious and sensible things and not indulge yourself in your whims and fancies and aberrations and it wasn't until later when I was in College where in the college yearbook I had announced firmly that I was going into business via the Law that I suddenly began to realize that it all sounded terribly boring and that what I really wanted to do was do what I wanted to do, which was, in effect, to become a biologist, and to become a biologist interested in field biology and the out-of-doors and this caused a great deal of consternation among my friends and associates in New York, my relatives, and so on; and so I think somehow in the same way that Russell, our beloved friend, who is here this afternoon must have thought from time to time when he gradually began to abandon his serious, worthwhile and utterly sensible career in the Law and take up his increasing interest in conservation. What is it about conservation; what is it about animal welfare, that has suddenly begun to seem so sensible? Why after all these years, for people of my own age, for example, or people now somewhat younger, because I'm beginning to feel now somewhat "over the hill" myself, but why is it that all of sudden we are realizing that we were absolutely right and that the things that we were interested in, fascinated by, and moved by were, indeed, the essential verities. And so I have had an enormous sense of accomplishment and pleasure these last

few years in being associated with our honored guest this afternoon. Nothing could be a greater honor for me to have been asked by your Institute to this felicitous task and to be able to do it under the whale where we can hear the music of the spheres, as we stand or sit, and to think about the earth as it really is rather than the earth as constructs in economics and the social sciences would have us believe that it is, is something of enormous importance. Russell Train has performed a great service in his manifold works in the environmental-conservation field and I, for one, through my friendship with him and knowledge of him am convinced that this is merely the beginning, and that he will go on from strength to strength and so, if I may, I would like to present you, Russ, with the Schweitzer Medal on behalf of the Animal Welfare Institute.

Remarks made by Russell Errol Train, Chairman, Council on Environmental Quality, on being presented the Albert Schweitzer Medal.

Dr. Ripley, Dillon, Christine, all my friends here, and family—family seems to occupy a good portion of the audience—I'm very proud and very humble to be given this honor—it is a very great honor—and I am sincerely, deeply grateful. I am also sensitive to the fact that whatever efforts I have made and whatever successes I may have had in the area which brings us together of wildlife and animal protection, environmental improvement generally, has been shared and in a very real sense made possible by my associates in government and the private sector who bring a very essential dimension to mutual effort. In government I have to speak first of my own associates in the Council on Environmental Quality, and speaking of whales I have to nod to Lee Talbot, whom so many of you know, and the Department of Interior, Secretary Morton, Secretary Nat Reed, and Buff Bohlen, all old friends and fighters for the whales, among others; and the Department of Commerce, to NOAA and my great friend, Bob White, and Bill Aron, whom I see here, and any others from NOAA I may not have noticed; and other members of the Cabinet, indeed the President himself, who has, I think, given more leadership to our concern for wildlife than we have seen for some while; and then, of course, also, and most importantly to our friends and associates in Congress, the members of Congress, and the Committees and their staffs, all of whom are an integral part of the successes and the efforts we have made. And on the outside the many organizations and people here and abroad who have in a sense given rise to our new environmental conscience and without which, really, nothing would have happened, and you had a very excellent example of what I am talking about before you a few moments ago in Christine Stevens who has been a tireless fighter and an inspiration to all of us. I think it is quite clearly the case that without citizen concern and citizen action, really, nothing would happen in this area. Governments move and politicians move, bureaucrats move, because the people want them to and "put the heat on" and it's just about that simple. We're seeing this happen around the world and I am delighted to see so many friends from other governments, members of the diplomatic corps, here because I know they are sensitive to this same phenomenon occurring in their own countries and this is all to the good—and as I travel abroad I am frequently asked "What is the highest priority for action in the environmental field?" and I think quite simply it is this—the creation of an informed and concerned citizenry. We have had some very real successes and even when we have not won the entire battle, we have, I think, over the last very recent few years and months, made some very important steps forward. You have heard about the whales—I think we can be proud of the fact that the United States stopped whaling; the United States stopped the importation of whale products into this country, and while we no longer have a direct self-interest in whale problems, we have taken the lead in the world in trying to see the whale as something more than a commercial target, as part of a total environment on whose health we all depend. Christine has mentioned the action of our government in stopping the use of poisons on the public lands against predators, a very difficult decision, taken by the President by Executive action: very controversial, as those of you who may come from Wyoming or Colorado or other sheep country in the West know that this was a "tough bullet to bite." We have got marine mammal legislation now on the books; we have just achieved in concert with 91 other countries a landmark ocean dumping convention, and after all if we don't protect the habitats of these animals there's not much point in trying to worry about the animals themselves. A World Heritage Trust Convention pro-



Chairman Train with his daughter Alexandra after receiving the medal.

posed by the President in February of 1971 was approved at Paris this past Thursday and for reasons that escape me hasn't made the newspapers at all, but we're very pleased with that. Last night the invitations went out from the United States to all Nations in the World to an Endangered Species Conference to produce an Endangered Species Convention and International Agreement here in Washington, to be held, I think, in February and March. So, we are moving ahead and I think all of us, all Americans, can be proud of the record of our country in this field where I think we are presenting very real leadership, but all countries are now participating in this great effort to protect and preserve the environment on which we all depend.

Dr. Schweitzer, Albert Schweitzer, spoke both through his writings and, probably, more eloquently through his work of the need for a "reverence for life," and I don't think any of us would pretend we have succeeded in achieving, in the kind of measure he would have us achieve, that goal, but I do think we are seeing some very important stirrings in the world of a new recognition and a new sensitivity to the interdependence of life and that in our concern for ourselves and for human life and for man we cannot really separate this from our concern for all life because we are all part of a great web of life that involves us all and I think we are coming to see that if we thoughtlessly strike at any part of that web we are, in a very real sense, striking at ourselves. So this is no mere romanticism. It is a very real self interest that we come to this new understanding of the world of which we are a part. Someone said that if we do see a species that is disappearing, need we ask for whom the bell tolls; we know, I think, we increasingly know. All of this, I think has led to, what I hope is—what we might call a new maturity in our approach to the natural world around us and to the other forms of life that inhabit this planet with us. We increasingly, I think, care for other forms of life because they are wonderful and exciting beings, but we also, I think, have come to understand that the health of the whales, the health of the other marine mammals, of the other terrestrial animals and the birds—is part—an essential part—of the health of the total environment, of which, we, too, are a part. That is what this concern for wildlife is all about. So again, just let me say in closing I'm deeply grateful to all of you for coming and to share, in a sense, this celebration of a concern and a goal which is bigger than any of us, and again to say, how deeply grateful, Christine, I am to you—the Animal Welfare Institute—for doing me this honor. Thank you.

Treaty to Protect Threatened Wildlife Concluded

(Cont. from page 1)

try—and truly all the peoples of the world—salute you in what you are doing."

Maurice Strong, head of the new Environment Secretariat of the United Nations, told the delegates his greatest hope was for a strong convention. They responded by designating his Secretariat to carry out the work from its headquarters in Nairobi.

Christian Herter, Jr., Special Assistant to the Secretary of State for Environmental Affairs, was elected chairman of the conference, a position which he filled with great credit to his country, achieving the conclusion of the entire 25-article treaty, article by article, amendment by amendment, by consensus. At the end, the chairman of the African group, the Ambassador of Swaziland, spoke of the treaty as having "translated into a living memory the wishes of the people of the earth." The Russian delegate thanked the government of the United States for its initiative and for

providing, as he put it, "the necessary conditions for fruitful labor."

The delegates of Argentina and Sierra Leone spoke of the terrible difficulties encountered in attempts to protect wildlife and their need for international help. "In my country there has not been any awakening," said Sierra Leone's representative sadly.

Kenya's delegation, by contrast, played a leading role in obtaining the strongest possible convention. Perez Olindo, Director of Kenya National Parks, and Dr. A. O. Adede, head of the Foreign Ministry's Legal Department, were ever alert to spring into action with an unbeatable combination of first-hand knowledge concerning many endangered species and the means used to flout national laws for their protection, and practical ideas on how to meet objections raised by the consumer countries. Kenya gave the most vigorous and solid support to the U.S. delegation headed by Russell Train, Chairman of the Council on Environmental Quality, and including such highly effective conservationists from the executive branch as Nathaniel Reed, Assistant Secretary of the Interior, his deputy, Curtis Bohlen, Dr. Lee Talbot, CEQ's Senior Scientist, and Ambassador Wymberly Coerr, of the State Department's Office of Environmental Affairs. Congressman John Dingell, Chairman of the Subcommittee which initiated legislation calling for the plenipotentiary conference on endangered species was a Congressional Adviser.

Active efforts to weaken the treaty came from Japan, the United Kingdom and other members of the European Economic Community, and, in certain cases, from Australia, Canada and Russia. Major disagreements focused on the question of "Introduction from the Sea" to which the Japanese were especially opposed and which was finally gained only by a promise from the U.S. delegation that it would not seek to list all the commercially killed whales but only those five species already recognized as endangered by the International Whaling Commission. The U.S. Endangered Species List is, thus, superior with respect to whales to the lists agreed to by the conference, though the conference listed a larger total number of species than the U.S. had done.

The fur producing and importing nations, especially the U.K. which is the center of the international fur trade, demanded that every product or derivative of an endangered species be specifically listed if it were to be regulated by the treaty—a provision which, if it had been adopted, would have hindered enforcement, reduced protection, and perhaps even made it impossible to conclude the treaty itself because of the proliferation of work to be accomplished in the three-week period available to the conference to complete the lists. The U.K. also sought, with the support of Japan, to reject Appendix III, the list which is made up of species protected by individual nations who need cooperation of the other nations in halting the lucrative smuggling of rare furs—a multimillion dollar international criminal activity.

Fortunately, three Appendices were adopted by the delegates. Appendix I lists 375 animals so seriously threatened that no commercial trade in them or their products can be allowed; Appendix II lists 239 animals whose status is less serious but which need the protection of careful regulation of commerce. The numbers of species which will appear on Appendix III is not yet known.

An important provision of the treaty is the requirement that any living specimens must be handled, housed, or shipped in a manner which will "minimize the risk of injury, damage to health or cruel treatment". This valuable humane requirement was specifically sought by the U.S. delegation which successfully fought off objections from countries who wanted to go no farther than mere survival of the specimen. This is the first time that a treaty has required nations to prevent cruelty to animals.

An unusual feature of the conference was the broadcast over the State Department's public address and translating system of a two-minute excerpt of the "Songs of the Humpback Whale," recorded by Dr. Roger Payne. The songs were played at the request of the delegate from South Africa, Dr. S. S. du Plessis, who made a moving plea for consideration of the whale for itself, not merely as the object of whaling. The Society for Animal Protective Legislation made a copy of the record of the whale songs available to all of the 92 delegations attending the conference.

The meaning of the new treaty is well expressed in the following editorial which appeared in *The New York Times*, March fourth.

Protecting Wildlife

In the most far-reaching move yet made to save the endangered animal species of this planet, eighty nations have signed a convention to act in concert for their protection. What is most remarkable and encouraging about this agreement is the willingness of the signatories, including all the major powers except China, to include maritime creatures taken beyond national boundaries and all products derived from the animals specified.

Neither the United States nor Kenya, the two nations that took the lead in achieving the agreement, had reason to believe they would get as sweeping a commitment as they did, though inevitably there will still be difficulties. The convention unfortunately provides for no sanctions against violating nations, but the signatories are pledged to, and a system for monitoring import-export permits will insure, the kind of disclosure that governments will find it hard to treat lightly. Russell E. Train, chairman of the Council on Environmental Quality, also felt compelled to warn of unconscionable raids in the next few months on all endangered animals, a quick killing in more ways than one before the agreement can become effective.

Nevertheless, the conference marks a turning point in the long struggle to conserve the threatened species of the world, an event for which, among the Americans, Mr. Train and Christian A. Herter Jr., who chaired the conference, deserve the greatest credit.

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The following Associated Press Story appeared in *The El Paso (Texas) Times*, *The Columbus (Ohio) Dispatch* and other papers in February.

CONFINING DOG NOT HUMANITARIAN

EDMONTON, Alberta (AP)—Confining a dog in a cage without exercise is contrary to everything that is humanitarian, and to the training of a veterinarian.

"This statement was made by Dr. David Secord, director of the University of Alberta's Health Sciences Animal Centre, during a speech to the U.S. Department of Agriculture's Board which is reviewing and revising regulations concerning animals used for scientific research.

"Dr. Secord, who is also an associate professor of surgery, was invited to speak on behalf of the Animal Welfare Institute, an international organization that has long been active in insuring the humane treatment of research animals.

"The care and treatment program at the University of Alberta for animals used in research projects was initiated under the direction of Dr. Secord in 1961. This University was the first in Canada to adopt such a program and has provided a model for other institutions across Canada."

WHALE TEETH SMUGGLER FINED

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January 12, 1973

Special to The Province

SEATTLE — Donald Gordon Cochrane, 27, of Vancouver was fined \$500 and ordered out of the United States Friday after he pleaded guilty in U.S. District Court to illegally transporting 168 pounds of whale teeth into the U.S.

Cochrane was arrested Dec. 21 after U.S. customs agents found two bags of the teeth, one under the seat and one under the hood of Cochrane's car, said Douglas Graham, assistant U.S. attorney.

The teeth were from a sperm whale, which the U.S. has declared an endangered species. This makes killing the whales and transportation of any parts of such whales illegal.

Graham said the teeth had not been declared to customs by Cochrane.

District Court Judge William J. Beeks at first sentenced Cochrane to be deported, but later modified it to an order to leave the country, said Graham.

Maximum penalty under the law which Cochrane was charged under is one year in prison and a \$10,000 fine. It is a misdemeanor rather than the more serious classification of felony. Aliens convicted of felonies are barred from future entry into the U.S., said Graham.

Cochrane, unable to raise bail set first at \$5,000 and then reduced to \$1,500, had been held in custody in Seattle since shortly after the incident.

Graham said court was told Cochrane had been approached by a person in Vancouver to take the teeth to Blaine and at first had refused. He later agreed to make the trip to Blaine where he was to have met a man, turn over the teeth and receive \$200, Graham said.

THE PLANTS AND ANIMALS OF DETENTE

by Scott McVay

Reprinted by permission of *The Washington Post*
The writer is associated with the
Environmental Defense Fund.

"The hard-working, house-building beaver is a noble creature within the family. When the male and female, who mate for life, are forced apart . . . they cry as we would."

So we were told by an authority on the beaver, Dr. V. V. Krinitsky, a man who directed nature preserves for 26 years and the able leader of the Soviet working group on endangered wildlife. This was one of the revelations between the first friendly handclasp at Moscow's airport and final vodka toast during the last nine days of January. American and Soviet wildlife specialists had met to determine projects involving endangered animals and plants on which scientists of both nations will work together in the months ahead. These meetings were the first of many that will take place under the Environmental Agreement signed on May 23, 1972, by President Nixon and President Podgorny.

Although we have dealt harsh blows to the environment in the rapid industrial expansion of both countries, interest in wildlife protection is not a new thing in the Soviet Union. Ninety-five nature preserves have been set up over the years, and some animal species such as the moose, saiga antelope, sable, and sea otter, whose numbers had been greatly reduced, have recovered through protection.

We traveled to the Voronezh preserve, 300 miles south of Moscow, following two days of meetings at which groundwork for collaborative research was laid. We were the first American visitors, and a sign over the entrance to the museum/library greeted us with "You are welcome!" in English and Russian, conveying the spirit the Soviets brought to all our work. They showed us their program for restoration and domestication of the beaver dating from the founding of the preserve in 1923. This work has helped to re-populate former habitats of the beaver throughout the U.S.S.R.

While at the preserve, a family of 10 wild boar was caught in a pen trap. After milling about for a few hours, the boar usually initiate their escape by either battering down part of the wooden enclosure or scrambling over 12-foot walls. Even baby boar have remarkable spring in their hind legs. When we arrived, the large boar were snorting about, pronged teeth in evidence. They and their offspring were quickly corralled into boxes for relocation elsewhere.

Oka Terrace is only 20 square miles and smallest of the Soviet nature preserves, but it has remarkably rich flora for the latitude (80 miles south of Moscow). Some 900 species are found in the area due to a variety of ecological conditions—topography, soil, flooding in spring—at a juncture of northern and southern species. Certain critical areas are fenced, not only to protect rare, beautiful plants from wild boar but also from "lovers of nature." Last year a family of boar wreaked havoc in a unique ecosystem containing over 250 species of plants. The director urged us to come back in a few months when their "favorite girl," Nature, was bedecked in her spring attire.

Oka Terrace is the survival center for the European bison, and the biologist-in-charge explained that "each animal living here is an old friend." In 1927 there were only 48 European bison, all in zoos and hunting parks. The bison nursery at Oka Terrace was established in 1948. The species has made a steady recovery through selective breeding and is now being released into its former habitats in substantial numbers. The total population now numbers about 1,200.

We saw two excellent wildlife films, one on the recovery of the saiga antelope and the other, "Forest Symphony," featuring the life history of a young deer, with extensive footage from the Voronezh preserve. Built into our agreement is provision for exchange of wildlife film documentaries.

Altogether the two teams concurred on 22 separate

projects. We agreed to develop a treaty covering the conservation of birds migrating between our countries. Joint studies of polar bears, which were fully protected in the Soviet Union in 1956 and in the U.S. in 1972, will be conducted, as will studies of northern swans and wolves. Projects involving collaborative work by Soviet and American scientists on marine mammals will include the Pacific walrus, ice seals, the gray whale (which Siberian natives are now taking at the rate of 150-200 a year), and the Bowhead whale. Seven separate programs involve endangered plant species.

As Party Secretary Leonid Brezhnev stressed in announcing the recent decree by the Supreme Soviet to strengthen conservation of natural resources: "Not we alone, but the coming generations should also be able to use and enjoy all the gifts of our country's splendid natural environment." Krinitsky said at one point, "As we know, each study is a discussion with your colleague . . . or with yourself." The prospect of American biologists working side-by-side with Soviet colleagues on a myriad of projects involving endangered species and wildlife conservation may contribute to our survival and sanity and spirit. For too long we have tilted thoughtlessly with the natural environment of which we are a dependent part.

SCIENTISTS RECOGNIZE DANGER TO PRIMATES

A resolution adopted by the International Primatological Society at its Fourth International Congress, August, 1972, in Portland, Oregon makes an urgent appeal to scientists to become active in the protection of monkeys and apes. Noting on the preamble that the Society is "composed of scientists of many disciplines and different countries," who are aware of their responsibilities "urgently submit to International and National organizations the following appeal that:

"1. Scientists be selective in the usage of nonhuman primates, employ other animal models when they are appropriate, and not carry out research on endangered and rare primates that would adversely affect their survival in their natural habitats;

"2. Scientists contribute to the conservation needs of primates by introducing and insisting upon humane and efficient procedures for their capture, translocation, and maintenance prior to and during their use."

The resolution also calls for prohibition of primates as pets, laws on capture and transport, breeding programs, and funds from governments, research institutions and the pharmaceutical industry to promote development of knowledge on how to insure survival in nature of all primate species.

PROTECTION FOR KANGAROOS

The ban on export of kangaroo hides and meat from Australia will take effect April first. The ban was announced January eleventh. According to *The New York Times* article by Robert Trumbull which appeared the following day, "The summary curtailment of kangaroo exploitation is one of many long-awaited reforms instituted by the Labor Party Government of Prime Minister Gough Whitlam, in office just more than a month. Its electoral victory unseated the conservative coalition that had ruled for 23 years with the support of the grazing interests."

Culling of kangaroos in sheep grazing areas will continue, and Australian businessmen will continue to process the meat and fur for domestic consumption (mostly pet food); however, the approximately one million skins formerly bought by the American fur and leather trade will no longer be exported. Nor will American pet food manufacturers who have been purchasing three quarters of the meat be able to obtain it from April first on.

Paralleling the Australian action and confirming its wisdom, the U.S. Department of the Interior proposed the addition to the Endangered Species List of several kangaroos, including the Yellow-footed rock wallaby, the Red kangaroo, the Eastern gray kangaroo, Western gray kangaroo and Gaimard's rat-kangaroo.

ANIMAL WELFARE INSTITUTE

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DOLPHINS STILL DROWNING IN TUNA PURSE SEINES

Although most of the tuna boats have now been equipped with the Medina net which helps prevent drowning of dolphins and porpoises caught along with the tuna, there was a mortality of an estimated 300,000 of these friendly marine mammals last year as the direct result of tuna fishing by American tuna boats. This is 100,000 more deaths than the previous year.

The National Ocean and Atmospheric Administration (NOAA) reports that although a smaller number of dolphins and porpoises were caught per set, there were more sets for yellowfin tuna last year, because it was a bad year for skipjack tuna. It is in order to capture the yellowfin tuna that the huge purse seines are used. They are set on the schools of dolphins with whom the yellowfin tuna swim.

Congressman John Dingell (D., Mich.) Chairman of the Subcommittee on Fisheries, Wildlife, Conservation and the Environment of the House Merchant Marine and Fisheries Committee, who conducted the hearings on the Marine Mammal Protection Act of 1972, has issued a statement pointing out the inadequacies of the program so far carried out by the Commerce Department's NOAA. On May 10 he appeared before the House Appropriations Subcommittee on State, Justice, Commerce and Judiciary and said in part:

"The Marine Mammal Protection Act of 1972 (Public Law 92-522) was enacted by the Congress last year after extended consideration by our Committee. While there was and is still divided opinion as to the precise nature of the controls that should be imposed upon the taking of marine mammals by humans, there is no dispute that our present level of knowledge about these animals is sketchy.

"As far as we can tell, the Department of Commerce budget covering marine mammal activities is inadequate. One obvious area of inadequacy has to do with research on porpoises. I am sure that most members of this Committee have seen in the papers, or have had constituents write to inquire about, stories having to do with porpoises killed in the course of commercial fishing for tuna. To varying degrees, those stories are true: porpoises have been killed by tuna fishermen, and no doubt continue to suffer mortalities from these operations.

"The Marine Mammal Protection Act recognized this fact, and also that the tuna fishermen were taking some steps to lessen or eliminate the problem. Although most marine mammals can now be taken only with a permit from the appropriate Secretary, commercial fishermen have been given a two-year exemption, allowing them to continue their operations without obtaining prior permits until October 1974.

"This by no means gives them *carte blanche* to do anything they wish to porpoises in the interim: the bill provides regulatory authority and direction to the Secretary of Commerce to see that the minimum number of porpoises is threatened or taken, and gives the Secretary authorizations for funds which, after extensive consideration, we concluded should be adequate for the purpose. For the next fiscal year, we authorized one million dollars for the coming fiscal year for research on commercial fisheries gear to eliminate or reduce this problem. We authorized \$2 million to authorize the Department to handle other responsibilities including research on porpoises and factors in the ocean that affect porpoises.

"My understanding is that of this \$3 million (and I have not mentioned in this context an additional authorization of \$16.3 million for research grants, which is not being utilized), the Department has requested appropriations of less than 1/3 - \$700,000 in all. This is simply not enough to handle the responsibilities that they have been given.

"I will admit that I have further problems with the ways that this money is to be spent: they have, for example, mis-

(Cont. on page 3)

RANCHER TESTIFIES IN SUPPORT OF BILLS BANNING POISONING OF PREDATORS

Dayton Hyde, who owns and operates a 6,000 acre cattle ranch in southern Oregon, testified before the Subcommittee on Environment of the Senate Commerce Committee, May tenth on his experiences with predators and poisons. Characterizing the coyote as "a pretty good neighbor," the rancher, author of *Sandy* (Dial Press, 1968) who is now writing a book on predators, pointed out, "...poisons do not work. They kill many animals, but they do not solve the problem."

The Hyde ranch has been in the family for two generations, and 25% of it has been restored to its original marsh condition. Hyde has been a close observer of wild population balances, both natural and unnatural. He stated:

"I have had many opportunities to observe the use of poisons in predator control and am strongly opposed to them. The livestock industry failed in its responsibilities to use a very dangerous tool carefully and intelligently. Thus we are denied its use. The industry must now look elsewhere for solutions to its problems. By my own observation, when poisons were available, in spite of stringent regulations as to their use, they were handled in a reckless and often illegal manner. On my own land predators were protected and in balance.

"In fifty years and two generations we have not lost one single animal to predators. A small band of stray sheep wintering untended on my ranch lost not one single animal, although coyotes were ever present. The nearest lambing areas were over 60 miles away. Year after year, the same old pairs of coyotes maintained their same territories and we knew many as individuals. Their pelts were good and knowing where every mouse run and ground squirrel colony was in their range they made a good living and bothered nothing. Left alone, they did not increase beyond the food supply.

(Cont. on page 2)

EXCESSIVE IMPORTATION OF EXOTIC TURTLES 20,150 Hatchlings Incinerated

by Jim Weaver

For more than 20,000 baby South American turtles crowded into the ten crates seized by the U.S. Game Management Agent at Los Angeles International Airport, the first nationwide Earth Day celebration brought no relief from the pitiful misfortune which befell them on that date, April 19, 1971.

Their trip from Barranquilla, Colombia had not been a pleasant one. These delicate creatures had been packed tightly into layers without any filler or moist material. Even if the evidence indicating that the same turtles had already made one round trip between Barranquilla and Miami proved false, there could be little cause for wonder at the nauseous odor coming from the crates: masses of the turtles were dead.

Even this cruel negligence was overshadowed by the crucial problem it exemplified. For thousands of years the Indians of the Orinoco and the Amazon had hunted and thrived on the meat and oil provided by this turtle; yet in the short span of a century, the more "efficient" harvesting of the European settlers had pushed it dangerously close to extinction.

These were turtles of the genus *Podocnemis*, one of the anachronisms of turtle evolution. To the North American or European, they represent a most comical variation from turtles commonly encountered. As juveniles, their soft

Rancher Testifies For Poison Ban

(Cont. from page 1)

leathery limbs and colorfully spotted faces contrast most pleasantly with the baby "red-eared" turtles supplied in the millions throughout the world, and their special preference to retract their heads sideways into their shells, rather than straight back like most other turtles, betrays an ancient ancestry.

Nevertheless, in the Amazon region no less than five species of *Podocnemis* were, until recently, thriving, survivors of over two hundred million years of evolution. With the advent of the pet industry came trouble. Overnight what had been a staple for all Indians became a rarity.

The use of *Podocnemis* as a pet store item was the specific reason why this particular lot of 20,150 turtles had made such a long journey. They were en route to a dealer in Japan who had bought them. According to this man, 300,000 of these turtles would be sold in 1971. The name of the company for which he was working: Chinese Food Stuffs Co., 18, 22-2 CHOE Minamiyama, Minato-ku, Tokyo.

For some unknown reason the lot of 20,150 baby turtles had been routed to Japan by way of the United States where *Podocnemis* had already been listed as an Endangered Species and protected by the provisions of the 1969 Endangered Species Act. So it happened that the 20,150 turtles arriving in Los Angeles on April 19th as well as the 33,215 which had arrived in Miami only five days earlier, came to be seized and ordered returned to their shipper in Barranquilla, Arnoldo Martinez, AMCAM y Cia., Ltd.

The shipment sent back from Miami made it to Barranquilla. The airway bill, a document used to control air freight movement, which accompanied the Miami shipment, reappeared in Los Angeles with the shipment of 20,150. That shipment was doomed. Its return flight from Los Angeles was interrupted in Panama City when a Panamanian airline refused to accept the shipment for the final flight segment to Barranquilla because of its nauseous odor. On April 23rd a Panamanian quarantine inspector was summoned, and when a 95% mortality was discovered, the entire shipment was incinerated, as required by Panama health regulations. The surviving turtles were burned alive!

Podocnemis is partially protected by law in Venezuela, Brazil, and Colombia. Practically all the exportation is done by Colombia. Judging from reports from Colombian scientists and conservationists, frustrating difficulties are encountered in managing consistent conservation programs. For example, in 1971 500,000 permits for the collection of *Podocnemis* were sold to animal traders. An official within the Colombian agency issuing the permits explained that the agency's initial intention was to sell only 5,000 permits but the number became changed to 500,000 by another official who happened to be a cousin of the person who ultimately shipped the lots of turtles to Miami and Los Angeles.

The scandal of the over-exploitation was attacked by a prominent scientist in a Colombian newspaper, and 15 days later, the director of the agency resigned.

Podocnemis is not the only exotic turtle being exploited by the pet industry. U.S. importation figures for turtles were 175,000 in 1970 and 80,000 in 1971. These numbers were derived from surveys by the U.S. Bureau of Sport Fisheries and Wildlife and information from the importers themselves.

The situation in Japan is even worse. Based on minimum numbers for the turtle importation in Japan, a nation of 100 million, a consumption of 627,000 minimum in 1970, and 1,020,000 minimum in 1971 was found. These figures reflect only South American species. Such levels reflect an astounding per capita consumption of exotic turtles as high as 25 times that of the United States.

Happily, recent initiatives by herpetological societies indicate that awareness of the needless and dangerous importation is growing. Several resolutions have been adopted to boycott businesses dealing in depleted species and recklessly overstocking specimens. Yet the small fraction of the total turtle consuming market that these groups represent bodes ill for the effectiveness of their boycott.

Proposed U.S. Department of Health, Education and Welfare regulations would have established a ban on the importation of any turtle specimen under six inches, but this was revised down to four inches as a result of criticism from both importers and herpetologists, although for differing reasons. Such a weak restriction is not enough.

Importation of turtles for the pet trade should be promptly ended.

"Without my permission a light plane flew over my ranch scattering strychnine and meat. Within a mile of my house I found fourteen dead coyotes and my English setter. Few coyotes were left as a result of the poison drop on my private land. In a normal year, several hundred Canada geese and countless ducks are produced in my marshes. But without the coyotes to control the raccoons, they proliferated until within three years waterfowl production had tragically died out and there were only a few unsuccessful nestings. Numbers of short-tailed ground squirrels and meadow mice visibly increased. As the coyotes staged a comeback, production of waterfowl soared and rodent numbers fell to a number I could live with.

"On another occasion on my own land, several miles from the nearest sheep range, I found the hind quarter of a horse treated with 1080 wired to a post. Regulations demanded that this poison be removed at the end of the season and disposed of in a certain dry well. Two years later it was still there. The nearest permit for its placement was for land seven miles away on a government range.

"In spite of the fact that it was expressly illegal, some of the local sheep men travelled over the ranges with buckets of poisoned meat in their pickups. Several fine working dogs, including sheep dogs, were lost in the area to the poison.

"While I have great sympathy for those sheep men and cattlemen who have suffered bona fide losses to predators, I think that the use of poisons has increased their losses rather than reduced them. Control programs were often set up without proper understanding of the complex biology involved. In many cases, stable harmless populations of coyotes were killed off. Into the territorial vacuum came new coyotes who did not know the territory or the limits of the available food supply and got hungry.

"Studies in Texas (Knowlton) indicate that reductions in coyote populations result in subsequent increases in litter sizes. In Kansas, Gier found that 75% of the female coyotes were sexually active under good conditions, but less than 36% were active when conditions were less favorable.

"Uncontrolled rodent and rabbit populations are wildly cyclic. Extreme highs are followed by extreme lows. A good supply of predators tends to moderate the degree of these swings so that even when prey populations are down the predators do not face extreme hunger and are not so apt to do livestock damage. In my county in southern Oregon most of the predators were destroyed a number of years ago. In the 1950's, the county experienced the largest population explosion of meadow mice in world history save for one epidemic in Russia. It is interesting to note that in areas where poison baits were used, rodent populations dropped, then soared again, after each successive poisoning. Damage to crops amounted to millions of dollars in the county alone. Due to lack of time and money some areas went without poisoning. Their mouse populations soared until disease and other factors reduced them to almost zero. Much less damage was done to crops in the untreated areas than in the treated areas.

"In short, poisons do not work.

"They kill many animals, but they do not solve the problem.

"On my own land, we halted rodent control when we noticed that populations fell after a poisoning then soared after predators abandoned the scene. Now with predators protected on the land, populations of rodents seem to have stabilized at a quarter of the average population which existed when poisons were employed for control. Now a stable population of predators, such as hawks, owls, bobcats and coyotes are working the area. In the loft of my barn is a horned owl's nest. Lined up beside the nest were eighteen short-tailed ground squirrels brought to the incubating owl by its mate.

"Ground squirrels are a major economic problem. Studies by Shaw indicate that twelve ground squirrels per acre reduce production of herbage by 35%.

"My studies indicate that a coyote consumes five ground squirrels per day. Assuming that a ground squirrel destroys only his body weight in forage, or roughly one-half pound of grass per day, in a hundred day period one ground squirrel might be expected to cost us fifty pounds of forage. This does not take into consideration the rapid reproduction of ground squirrels, and how much their offspring would consume in addition.

"I am not a mathematician, but we can use simple arithmetic to give us some idea of what ground squirrels cost the

rancher and how much the coyote saves the rancher by controlling them. If the coyote consumes 500 ground squirrels during a hundred day season, even assuming that only half of them were replaced and not all killed immediately, the coyote has saved us 12,500 pounds of grass. Reduced to dry matter, this would amount to 2.2 tons with a cash value of \$88. If a coyote then is worth \$88 and lambs are worth \$40 per head, a coyote could eat two lambs in this hundred day period and still have no debt to pay to society. Actually, because ground squirrels and other rodents are so prolific, I think coyotes are worth a good deal more than \$88.

"Not all coyotes kill sheep; a goodly percentage of them are quietly out there minding their own business. I have left out the value of a coyote as a scavenger. Although the coyote has sometimes competed with man for deer, we seldom if ever mention that a good many deer die of disease. It is my personal observation that coyotes keep my deer herd from bunching up and overusing some units of forage to the neglect of others and thus reduce disease losses.

"I have spent a good deal of time in southern Idaho where some ranchers tell me that they are losing as high as 25% of their alfalfa to jack rabbits, and they devoutly wish they had more golden eagles, bobcats and coyotes to help them out.

"I feel that the livestock industry has come to believe its own propaganda about predators, and only when it accepts the fact that poisons are not going to be available and realizes that reduction of predators does not insure an end to losses will it then look for answers in the areas of research and management. There are things that can be done:

Better fencing of lambing areas.

Better selection of herders. I have personally found several hundred sheep wandering unattended in forests and the herder drunk in camp.

Development of repellants or breeds of sheep more able to protect themselves.

Stricter leash laws to control roaming dogs and to prevent interbreeding of feral dogs with coyotes.

A better method of determining causes of death among sheep or even a system where livestock owners are reimbursed for losses by predators that can be authenticated.

"There must be better ways; with use of poisons everyone was deluded.

"Once I took several years to establish wild turkeys on my ranch. In one afternoon I wiped out my entire flock by feeding my cattle a mixture of cottonseed meal and mill-run salt. Once, using an insecticide termed safe by the government, I wiped out trout along several miles of my stream when the sprayed cattle waded into the river to drink.

"We are in a crisis. No longer can we afford to initiate programs without regard to their effects on the total resource. I realize that by taking this stand I am saying goodbye to many old friends in the industry, but I am confident that time will prove me right.

"In time, others besides me may find that the coyote has been a pretty good neighbor right along."

NEWS IN BRIEF ON MARINE MAMMALS

A partial ban on imports of whale products to the United Kingdom went into effect March 15th when The Minister of Agriculture, Fisheries and Food announced that, with the exception of sperm oil, spermaceti wax, ambergris and products incorporated abroad into manufactured goods, no whale parts or derivatives would be permitted entry. Friends of the Earth, Ltd. is working for a total ban.

* * *

Canada's Minister of the Environment, Jack Davis, announced the closing of Canadian whaling stations beginning December 21, 1972. On March 16, he announced that no permits would be issued for sport hunting of beluga whales.

* * *

Shortly before the hearing scheduled in Washington on the request by Bergner International Corporation for an economic hardship exemption under the Marine Mammal Protection Act to import approximately 10,000 sealskins Bergner voluntarily withdrew its application. Blueback seals the young of the rare hood seal which is normally defended by both parents, were among those named in the application.

* * *

Australia has banned importation of whale products from countries who do not belong to the International Whaling Commission.

ALFRED R. GLANCY, JR.

Alfred R. Glancy, Jr., Vice President of the Animal Welfare Institute since its founding in 1951, died following head injuries inflicted when burglars broke into his home in Grosse Pointe, Michigan and "pistol whipped" him.

A knowledgeable horseman, Mr. Glancy was especially interested in prevention of cruelty to horses. Although he did not live to learn that his recommendation had been accepted, he would have been especially gratified with the decision of the Washington International Horse Show to drop the Tennessee Walking Horse classes at the 1973 show. Mr. Glancy took his duty very seriously as steward of the 1971 and 1972 Washington shows, and of numerous other shows throughout the country. He was a director of the American Horse Show Association.

His first experience with the cruel soring of Tennessee Walking Horses came several years earlier when he was acting as steward of a Michigan horse show where he insisted, over violent opposition, that sore horses be removed from the ring.

Mr. Glancy was active in realty investment circles and served on the boards of many charities and institutions, including Hill School, Cranbrook Schools, Harper Hospital, and the Michigan Cancer Foundation.

Dolphins Still Drowning in Purse Seines

(Cont. from page 1)

used much of this money by augmenting staff rather than by pinpointing the problems and contracting for that research to be done. There are significant implications to this which we intend to explore in detail later in the year when we hold oversight hearings on the operation of the program. But my basic problem with their budget is that they are not taking a wide enough perspective on the problem, and are not asking for the money which they will need to get the job done.

"I urge you to provide the full amount, \$3 million that is, authorized to be appropriated by the Marine Mammal Protection Act. If anything, we did not authorize enough money to them."

RECENT HEARINGS OF INTEREST TO HUMANITARIANS

Endangered Species bills, referred to the Senate Commerce Committee and House Merchant Marine and Fisheries Committee. Hearings held March 26 and 27 by Hon. John Dingell; June 18, by Senator Ted Stevens, June 21, by Senator John Tunney.

Predator Damage Control bills, referred to Senate Commerce Committee and House Merchant Marine and Fisheries Committee. Hearings held March 19 and 20 by Hon. John Dingell; March 27 and 29 and May 10 by Senator Adlai Stevenson III. Hearings by Senate Interior Committee held June 4, Casper, Wyoming by Senator Clifford Hansen, and June 1, in Sun Valley, Idaho by Senator Floyd K. Haskell.

Ratification of Convention on International Trade in Threatened Species of Fauna and Flora, referred to Senate Foreign Relations Committee. Hearings held June 20 by Senator Claiborne Pell.

United Nations Environment Program Participation Act of 1973, referred to House Foreign Affairs Committee and Senate Foreign Relations Committee. Hearings held April 5, by Hon. Donald M. Fraser; April 16, by Senator Claiborne Pell.

Oversight Hearings on Horse Protection Act of 1970. Senate Commerce Committee. Hearings held May 2, by Senator John Tunney.

Hearings on Economic Hardship Exemptions, Marine Mammal Protection Act, National Marine and Fisheries Service, National Ocean and Atmospheric Administration, U.S. Department of Commerce.

LEGISLATION SOUGHT TO CUT TRAPPING CRUELTY

Senator Birch Bayh (D., Ind.), Congressman William Broomfield (R., Mich.) and Congressman Clarence Long (D., Md.) have introduced bills to curb cruelty in trapping. Congressman Broomfield, a long-time advocate of such legislation, stated April 12:

"With little expense or inconvenience we could at least require that trapping be done as humanely and painlessly as modern technology will permit. Recently, I reintroduced legislation which I first introduced in 1957 with Senators Humphrey, Neuberger and Kefauver which would do exactly that by banning leg-hold and steel-jaw traps. Sixteen years ago our legislation was lost among thousands of other bills. For all the attention it received, it might as well have not been introduced at all. Fortunately, times have changed. Of late my measure to prevent the unnecessary cruelty and suffering inflicted by steel-jaw traps has been the focus of growing support by environmental and animal welfare organizations."

In introducing his bill on April 18, Senator Bayh described trapped animals' reactions. He said in part, "The animal's initial reaction to trapping often will be repeated attempts to bite or pull the affected limbs free, resulting in torn ligaments and flesh, broken teeth, and other injuries. In many instances, animals will chew off their legs in order to escape. Known as 'wring-offs' the wounded escapees are easy prey for other animals. Those that avoid predators face a slow death from gangrene, shock, loss of blood, and infection."

"The suffering of trapped animals is not confined to furbearers; the steel jaw trap does not discriminate. Dogs, cats, birds, deer, domestic stock, and even endangered species are being caught and killed in these devices. Even the Canadian Government admits that the number of unwanted birds and animals 'accidentally' caught in leg-hold traps is twice the catch of target animals. And, according to the Canadian Association for Humane Trapping, the ratio of unwanted animals to desired furbearers found in traps is 3 to 1, based upon a sample survey. . . .

"The most significant fact is that trapping is primarily conducted by amateurs who are interested in recreation or a source of supplemental income. According to Argus Archives, a reputable publication on humane issues, the single greatest portion of trappers in the United States consists of high school students. Only 1 per cent of all trappers can be classified as experienced professionals. Thus, for the most part, trapping is a hobby, for weekend sportsmen whose traps are left untended during much of the week, and for children who are unlikely to check their lines during the inclement weather which usually accompanies trapping seasons. These facts make the intent of this legislation more clear; it is to discourage inhumane trapping, not to abolish trapping entirely."

"It is recognized that a market for wild animal pelts does exist, and that it would not be possible for the United States to ban leg-hold traps unless inexpensive effective alternative traps are available which are capable of painlessly capturing or instantaneously killing animals. For instance, the Conibear series are competitive with leg-hold and other traps, but their purpose and design are radically different from those of the leg-hold; the Conibear is designed to kill an animal instantly, by breaking its neck or back. For those trappers who have already invested in a number of steel jaw traps, strips of weatherstripping can be wrapped around the jaws of an offset trap. My own staff can attest to the fact that an Oneida Victor No. 3 trap, thus transformed, will not harm or even pain the fingers of a person accidentally caught; nor can the fingers be set free without aid from a third party. The cost to the trapper of this minor adjustment is less than 40 cents per trap."

"The feasibility of banning leg-hold traps is already well established. The States of Florida and Hawaii have recently taken such action, and in New Jersey and Alabama the use of leg-hold traps is so restricted as to require an almost total

dependence on instant kill and humane capture devices. In addition, at least five bills which would ban the use of inhumane traps have been introduced in State legislatures, specifically: Washington, Indiana, Wisconsin, Oregon, and, according to reports, West Virginia and Connecticut. In at least four other States, bills are being drafted."

On June 4, the Illinois House of Representatives passed a bill by a vote of 110 to 20 banning the conventional leg-hold trap, but allowing quick killing traps and those which have been offset and padded.

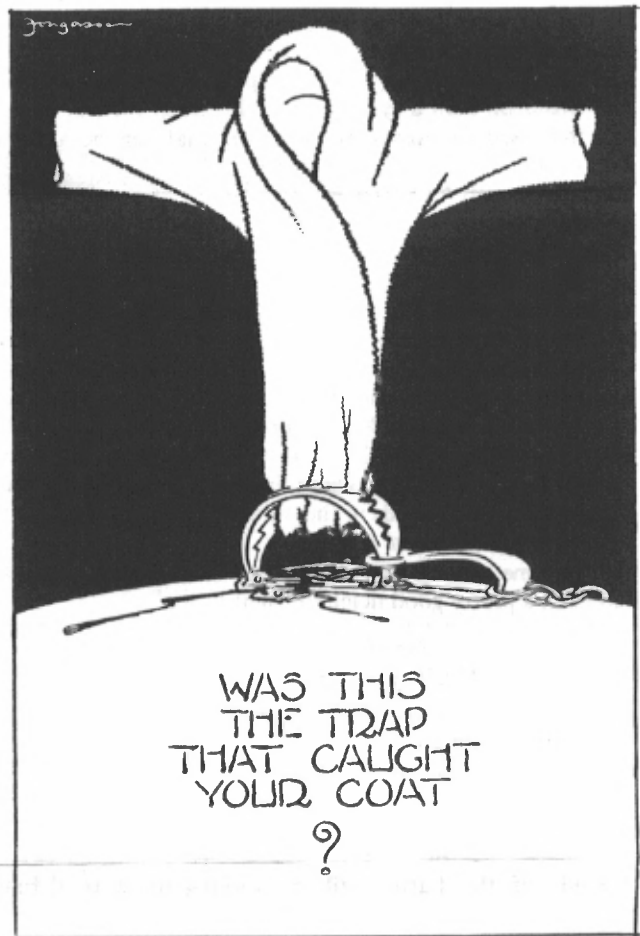
Sears Roebuck and Company ended sales of leg-hold traps over a year ago.

FACTS ABOUT FURS PUBLISHED

The long-awaited second edition of "Facts About Furs" is now available from the AWI. An enormous amount of meticulous work, involving international correspondence over a long period of time, was involved in seeking information on the way furs are obtained throughout the world. Dr. F. Jean Vinter, author of the 106-page 1973 edition, published by the Animal Welfare Institute, wrote the first version for publication in 1959 by the Universities Federation for Animal Welfare in Britain.

The manual comprises fourteen chapters and an appendix. There are twenty-eight illustrations. An index makes reference to specific problems easy for the reader seeking particular information. The facts are fully documented with numbered references at the end of each chapter.

"Facts About Furs" may be obtained by sending one dollar to the AWI at the address on the masthead. One free copy is available to any humane society or library which requests a copy.



An illustration by Fougasse (Kenneth Bird), former Editor of *Punch* and Chairman of the Universities Federation for Animal Welfare, from *Facts About Furs*.

ANIMAL WELFARE INSTITUTE

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CONSERVATIONISTS CALL FOR WHALING MORATORIUM Boycott of Japan proposed

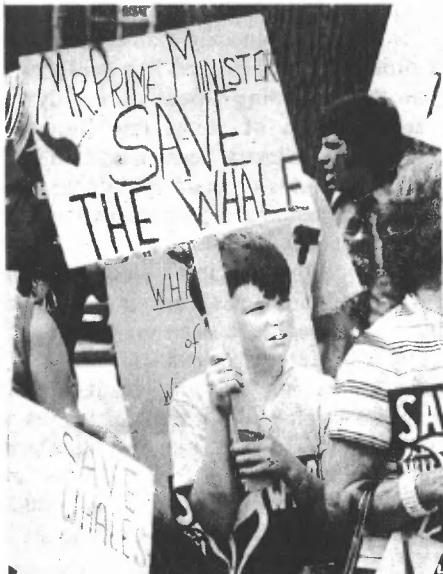
Dear Prime Minister Tanaka,
Don't let the greedy whaling industry ruin Japan's international reputation. Lead your country to join the overwhelming majority of world opinion for a ten-year moratorium on commercial killing of whales.

Defenders of Wildlife The Fund for Animals
Friends of the Earth
Humane Society of the United States
Society for Animal Protective Legislation

These words on a six-foot-long sign were part of a demonstration held on the occasion of the Japanese Prime Minister's State Visit, July 31, 1973. Gathered in Lafayette Park opposite the White House, where the Prime Minister had just been driven, was a crowd of whale protectors carrying a variety of Save-The-Whale signs and accompanied by the recorded songs of the humpback whale.

Cleveland Amory, President of The Fund for Animals, addressed the gathering forcefully calling for a boycott of Japanese goods till Japanese whaling stops. "We mean business," he said, "not Japanese business."

Information on how to help the boycott is obtainable from the Animal Welfare Institute. Free leaflets and reprints for distribution are available on request.



Photos by R. Norman Matheny, staff photographer

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STATE OF CALIFORNIA BANS CRUEL HIGH SCHOOL EXPERIMENTS

On June 1, 1973, Governor Ronald Reagan approved Senate Bill 112 introduced by Senator Albert S. Rodda to prevent infliction of suffering on animals in public elementary or high schools or in school-sponsored activities. The law as finally passed represents years of effort on the part of Senator Rodda and California humanitarians. It is well worded, brief and to the point. An amendment to the Education Code, it is entitled "Humane Treatment of Animals," and reads as follows:

"In the public elementary and high schools or in public elementary and high school school-sponsored activities and classes held elsewhere than on school premises, live vertebrate animals shall not, as part of a scientific experiment or any purpose whatever:

"(a) Be experimentally medicated or drugged in a manner to cause painful reactions or induce painful or lethal pathological conditions.

"(b) Be injured through any other treatments, including, but not limited to, anesthetization or electric shock.

"Live animals on the premises of a public elementary or high school shall be housed and cared for in a humane and safe manner.

"The provisions of this section are not intended to prohibit or constrain vocational instruction in the normal practices of animal husbandry."

JAPANESE FIRM SELLING CANNED WHALE MEAT IN UNITED STATES

Not only is Japan continuing boldly in the face of world opinion to kill thousands of the whales that have been listed by the United States Department of the Interior as endangered with extinction, but a Japanese Company, the Diamary Trading Company, is reportedly the source of the whale meat which was recently being offered for sale illegally in New York.

Diamary sold smoked whale meat to an American outfit known as "Reese Finer Foods," a subsidiary of the company that produces Pet Milk. Macy's Gourmet Foods Shop was selling the illegal canned whale meat which has now been confiscated by the Attorney General of New York State, Louis J. Lefkowitz. Whale products may not be sold or offered for sale in New York under the State's law protecting endangered species of animals. Attorney General Lefkowitz announced August 10, 1973 that his office had confiscated 17 cases of the Diamary Trading Company's whale meat. As the result of the investigation by Assistant Attorney General Joel H. Sachs of the Environmental Protection Bureau, a large supply of the illegal whale meat was located at the warehouse of Reese Finer Foods, Inc. at 1325 Morris Park Avenue in the Bronx.

Under the terms of an assurance of discontinuance signed by Reese Finer Foods, the company admitted its violation of law and agreed to forfeit its existing supplies of whale meat to the State and to refrain from selling any products in New York State made from any species of endangered wild life. In addition, Reese paid \$800 in costs to the State. Any evidence of further violation by Reese will constitute prima facie proof of a violation of the laws and will subject it to additional penalties.

The violation of New York State law points to possible violation of at least one federal law. Federal investigation is on the way.

Readers of the *Information Report* are urged to keep a sharp lookout for any whale products on the shelves of grocery stores or supermarkets and to report immediately any such products they may find. A sample of any product suspected of being illegal should be purchased at once as evidence. Please send the information to the Animal Welfare Institute at the address on the masthead.

FIGHT TO SAVE WHALES INTENSIFYING

The voice of the Japanese whaling industry was heard loudly and persistently at the 1973 meeting of the International Whaling Commission held in London June 25-29. The IWC's Scientific Committee, the super-secret arm of an organization which denies the press entry even to its plenary sessions, is a center of disagreement about the state of whale populations. It is supposed to present "the best scientific evidence" to the commissioners to help them in making decisions, but as Sir Peter Scott pointed out, there are differences of opinion up to 300% among the scientists concerning the condition of whale stocks. Most serious are the indications that expediency, not science, dictates certain statements expressed behind the closed doors by Japanese scientists. A vote of 13 to 1 against Japan in the plenary session when Japan sought to raise the Minke whale kill for the '73-'74 season, gave hope to conservationists that the most blatant demands of the Japanese whaling industry, under the leadership of Commissioner Fujita, erstwhile vice-president of the commercial fisheries association in Japan, are finally under fire, even by the other nations that still kill whales.

The attempted increase in the kill of the small Minke whales represented an effort to fill oil barrels and meat lockers left empty by reduction in the killing of the big fin whales whose stocks, in turn, began to be massively depleted after the blue whale, biggest of all the world's animals, had been decimated by the whalers. When the blue whale population fell from an estimated 200,000 to only about 1,000 it was no longer of serious commercial interest and it was at that point, and that point only, that the International Whaling Commission listed it as a species not to be killed by member nations.*

In an all-out effort to protect all species of cetaceans, the United States proposed in 1972 and again this June, a ten-year international moratorium on commercial whaling. Last year the proposed moratorium was defeated by a vote of 4-6 with 4 abstentions. This year it won a majority; 8-5 with one abstention, but a $\frac{3}{4}$ majority under IWC rules is required for a resolution to pass, thus it failed to be adopted.

The two major whaling countries, Japan and Russia, who between them, kill some 85% of whales taken each year, both threatened to disregard the majority decision even if it had reached $\frac{3}{4}$. They continue to threaten to give up the International Observer Scheme in the Antarctic which began only a year ago after having been unsuccessfully proposed for 14 straight years. This scheme is designed to prevent cheating by placing an observer from another country on whaling ships and shore stations to check infractions.

The only voluntary concession by a major whaling country was the pledge of the Soviet Union to "phase out" killing of fin whales in the Antarctic by the 1975-76 season. It was this offer by the U.S.S.R. which made it possible to pass, by a vote of 7-2 with 5 abstentions, a reduced quota of 1,450 fin whales in the Antarctic for the 1973 season, with a complete phase-out within three years. The byzantine relationships within the IWC are such that although the U.S.S.R. volunteered the phase-out on fin whales, it voted "no" when the same proposal was made by the U.S. stating that Soviet approval applied only when attached to a previous Norwegian proposal!

Dr. Robert White, U.S. Commissioner, argued forcefully for the moratorium. He cited the vote in Geneva the week before, pointing out that it was the follow-up of the Stockholm Conference and that the governing council of 58 nations considered the moratorium proposal and directed the Executive Director again to urge the International Whaling Commission to adopt a 10-year moratorium on commercial whaling. Dr. White noted that Japan *alone* expressed reservations; no other government among the remaining 57, which includes the Soviet Union, expressed a reservation.

Dr. White, a scientist himself, spoke frankly about the limitations of the scientific data available, characterizing it as "highly uncertain and in many cases questionable." He pointed out that the views of the United States on the moratorium were not capricious or hastily arrived at. He asked unanswerable questions, for example, why have sei whales off South Africa virtually disappeared? Is it because the quotas are too high? Or is it because of what we do in the Antarctic? Can the social structure of these animals sustain catches based on maximum sustainable yield? Are

we justified in using the maximum sustainable yield concept which has evolved from studies of fish?

Fujita speaks up for Whaling Industry

"What little scientific knowledge we have," he warned, "is cause for caution." But Mr. Fujita complained that Dr. White's speech in defense of fin whales "increases international tension," and that he was exhausted by what he called "dramatic, intense scenes." He urged that "the industry and their interests should also be taken into consideration, or I should say, their interests should not be disregarded" a suitable quotation for *The New Yorker's* Department of Understatement. The International Whaling Commission, after it had rejected the moratorium, approved in vote after vote on different species in different parts of the ocean, a kill of 37,500 individual whales in the coming season.

At the conclusion of the International Whaling Commission meeting, representatives of observer organizations who had attended the plenary sessions agreed that a boycott of Japanese goods was essential if the continued decimation of whale populations were to be prevented.

"Of all our fellow mammals, the most remote and the most difficult to understand is the great whale," wrote Faith McNulty in a *New Yorker* profile on whales, August 6, 1973.*

But whales are constantly commanding more attention and more sympathy with their plight. As *Time* magazine (July 16, 1973) put it, "The great gentle creatures need it. Of an estimated original population of some 4.4 million whales, no more than a few hundred thousand are left." The Japanese last year killed 14,477 whales. "Once every 17 minutes," *Time* wrote, "a great whale is killed, its back blown open by a grenade-tipped harpoon, its blood spewing into the ocean. The chief purpose: the manufacture of cosmetics, margarine, transmission oil and pet food."

Canada Urges Moratorium

The opening speech of the Canadian Commissioner was personally composed by the Canadian Minister of the Environment, Jack Davis. The statement follows in full.

"Since the meeting of the Commission a year ago, Canada has stopped its commercial whaling operations in the North Atlantic. Two small land stations at Dildo and Williamsport in Newfoundland have been closed as has another station at Blandford in Nova Scotia. As a result, Canada's production of fin and sei whales has ceased. The total ban, which became effective before the whaling season opened in 1973, will extend for an indefinite period.

"Whaling on Canada's West Coast ceased in 1967. So, the latest developments on Canada's East Coast takes Canada out of commercial whaling altogether. With the exception of a few whales which are killed by our Eskimo and Indian people for their own use, there is no whaling anywhere in Canada at the present time. Nor, is there any intention of starting up whaling operations again in the foreseeable future.

"Canada's decision to stop the taking of fin and sei whales off Nova Scotia and Newfoundland followed a close analysis of whale population data and catch per unit of effort information prepared by our scientists. The total stock of fin and sei whales had been reduced sharply as a result of operations from the mid-1960's onward. While the industry, to remain financially viable, required a catch of the same order as that achieved in recent years, it was estimated that the remaining stocks were only sufficient to support an operation of about one third that size.

"Had the Canadian industry been permitted in 1973 to take the estimated sustainable yield of 143 fin whales and 70 sei whales, the remaining stocks might have remained at or about their present low level. However, uncertainty as to the true size of the remaining stocks together with information from the companies which indicated they were already losing money led to a decision to close Canada's East Coast whaling operations altogether.

"Looking back over the past decade, it would appear that the level of cropping of fin and sei whales was too high. It was much higher than the optimum sustainable yield of whales of these types off Nova Scotia and Newfoundland. We have, therefore, decided to rebuild these stocks to a point where there can be no doubt of their survival now and in the long run.

"There has been some discussion, recently, of the killing of white or beluga whales for sport in Hudson's Bay.

*Non-member whaling nations such as Brazil and Peru whose whaling industries are closely integrated with Japan's, can still kill blue whales if they can find any to blast with explosive harpoons supplied along with catcher boats from Japan.

*Due for publication in book form by Doubleday this fall.

Our Minister of Fisheries, together with our Minister of Indian and Northern Affairs, however, intervened and a ban was instituted to ensure that a hunt of this kind would not get under way in Canada.

"In closing, Mr. Chairman, I would like to say that the Canadian Delegation hopes it will be able to make an effective contribution to the deliberations of this Commission. While Canada is no longer engaged actively in commercial whaling, it continues to be interested in whales. Our whale research program will continue and we will maintain our membership in the International Whaling Commission in the belief that its future deliberations will help to rebuild those whale stocks found off the coasts of Canada and others found throughout the world's oceans."

MARINE MAMMAL PROTECTION ACT REPORT

The Report of the Secretary of Commerce on the first six months in the life of the Marine Mammal Protection Act was published in the August 1, 1973 *Federal Register*. The 37-page Report contains 27 pages on what is known of the current status of 79 species of marine mammals. In many cases "the best available information," as it is called in the Act, is very sketchy. Plans to improve this and other knowledge about marine mammals are outlined in the Report with special emphasis on research and development to reduce porpoise mortality in tuna purse-seining and studies of the Pribilof Island fur seals. The Report states, "...an expanded porpoise program was developed at the National Marine Fisheries Service Southwest Fisheries Center, La Jolla, California....Most of the effort and research funds are being channeled into gear dynamics and development since these appear to offer the greatest promise of speedy and practical short-range reduction of mortality. The objective is to reduce incidental porpoise deaths to zero or as near it as possible, by providing realistic solutions which are applicable for use by foreign fishing fleets as well as those of the United States. The approach is to isolate all separate causes of mortalities and to provide both preventive and remedial measures."

The Report notes further, "Aerial observations with cameras and remote sensors, if they prove feasible, will enable rapid census of cetacean populations over vast oceanic areas. The practicability of this technique is still under study."

To quote from the summary of significant occurrences December 21, 1972 to June 21, 1973: "Fifty applications for undue economic hardship exemptions were received and acted upon. Of these 13 were approved, three denied, four withdrawn, and 30 are pending."

"Fourteen formal public hearings on applications for undue economic hardship exemptions were held in nine areas, namely, Washington, D.C., Anchorage and Kodiak, Alaska; Terminal Island and San Diego, California; Mystic, Connecticut; Galveston, Texas; Pensacola, Florida; and Seattle, Washington. Four hearings involved scientific research; seven involved public display; and three involved taking of marine mammals for other purposes. In addition, five other applicants were heard informally at related hearings.

"New measures for conserving all whales were proposed to the International Whaling Commission, and additional management considerations for harp and hooded seals were recommended to the International Commission for the Northwest Atlantic Fisheries.

"Studies of large whales to include development of an independent United States capability for analysis of world catch statistics and stock assessments are in the planning stage.

"Discussions were initiated with the State Department regarding its responsibility under the Act for seeking negotiation with other nations on bilateral and multilateral agreements on marine mammals.

"Contracts were executed with ten coastal States which provide funds for enforcement of the moratorium on taking marine mammals, including investigations and appearing as witnesses in subsequent judicial actions."

The Report then notes the appointment of the three-member Marine Mammal Commission by President Nixon, May 14, 1973.

"Victor B. Scheffer, of Bellevue, Washington, a marine mammal biologist retired from the United States Fish and Wildlife Service. He will serve as Chairman.

"A. Starker Leopold, Professor of Zoology, University of California at Berkeley.

"John Ryther, Chairman, Department of Biology, Woods

Hole Oceanographic Institution, Falmouth, Massachusetts."

The Report details some of the actions taken by National Marine Fisheries Service on economic hardship applications. The most startling were those from non-native Alaskans for mass slaughter of seals and sea lions with special emphasis on baby animals—the very creatures whose killing in Canada created the impetus which led to enactment of The Marine Mammal Protection Act. It is a curious fact that volume after volume of hearings in both the House of Representatives and the Senate failed to make any mention of the killing of tens of thousands of baby seals and sea lions in Alaska. Indeed, it has been impossible to find any member of Congress or staff, however closely informed of the details of hearings and versions of the bill as it went through to final passage, who had been able to learn that white men were regularly killing baby seals and sea lions in Alaska. In short, Congress passed the law in the belief that only Eskimos, Aleuts and Indians killed more than an occasional stray seal who might be destroyed by a fisherman.

The Alaska Department of Fish and Game, of course, was well aware of the facts, and at the economic hardship hearings one of its staff has enthusiastically endorsed the killing. The most recent application for an economic hardship exemption appeared in the August 1, 1973 *Federal Register* from an individual who says he has been in the business for 18 years!

The Report notes, "...requests involving approximately 51,000 animals could be forthcoming." As a result it was decided that an Environmental Impact Statement would be required. The Report states, "The draft Environmental Impact Statement is being prepared by NMFS, in cooperation with the State of Alaska." It seems a foregone conclusion that the State of Alaska will approve the killing of the animals as it apparently has done for the past 18 years. The content of the draft is expected to be made public soon.

ACTION BY CONGRESS ON ENDANGERED SPECIES

July 24, S. 1983, to provide for the conservation, protection, and propagation of species or subspecies of fish and wildlife that are threatened with extinction, introduced by Senator Harrison Williams (D., N.J.), amended and passed by the United States Senate.

July 27, H.R. 37, to provide for the conservation, protection, restoration, or propagation of endangered and threatened species of fish, wildlife, and plants, approved as amended by the House Committee on Merchant Marine and Fisheries.

August 2, Convention on International Trade in Endangered Species of Wild Fauna and Flora, ratified by the United States Senate.

September 17, H.R. 37 passed the House of Representatives.

AWI-HSUS EXHIBIT ON ANIMAL BIRTH CONTROL AT AVMA CONVENTION

The Animal Welfare Institute and the Humane Society of the United States joined forces in a booth exhibit at the annual convention of the American Veterinary Medical Association in Philadelphia July 17-19, 1973. Publications of both organizations were available to veterinarians visiting the booth with major emphasis on preventing births of unwanted puppies and kittens.

A large red and white sign covering the back of the exhibit stated:

"NATIONAL PROBLEM:
PET OVERPOPULATION

"WILL VETERINARIANS LEAD
THE COUNTRY IN PROVIDING THE ANSWERS?

"Through VETERINARY RESEARCH TO
DEVELOP NEW METHODS OF BIRTH
CONTROL FOR ANIMALS?

"Through VETERINARY COOPERATION WITH
HUMANE ORGANIZATIONS, GOVERNMENT
AGENCIES AND OTHERS: IN SEEKING
FUNDS FOR RESEARCH: AND IN THE
STERILIZATION OF MAXIMUM NUMBER
OF PETS?

"Through PUBLIC EDUCATION?"

REVIEW

Nonhuman Primates – Standards and Guidelines for the breeding, care and management of laboratory animals. Second Edition-Revised, National Academy of Sciences, 1973

The preparation of this 61-page booklet involved no less than seven agencies of government all of which had grants for the work and included contributions from pharmaceutical companies and other industry.* It begins with the word NOTICE: in capital letters and announces sternly, "The project which is the subject of this report was approved by the Governing Board of the National Research Council, acting in behalf of the National Academy of Sciences. Such approval reflects the Board's judgment that the project is of national importance and appropriate with respect to both the purposes and resources of the National Research Council." The "review process" and "scholarly competence" of the authors is then detailed. By this time only a very cautious and cynical reader could fail to be impressed with the combined wisdom and expertise, the best that science and government have to offer, on apes and monkeys distilled in this modest-looking little booklet.

How distressing then to find that although "Conservation of Rare and Endangered Species of Primates" very properly heads the list of chapters, the actual indications of degree of endangerment frequently flout the Department of Interior Endangered Species List and completely ignore major international action taken March third of this year after 92 nations met for three weeks in Washington, D.C. and concluded a treaty, The International Convention on Trade in Endangered Species of Wild Fauna and Flora. Signed by 25 nations the treaty was ratified by the United States Senate, August second. It contains three appendices. Species and subspecies listed on Appendix I are known in common parlance as "basket cases." There is serious question whether Appendix I species can be saved from extinction even if the best efforts are put forward to protect them. No such impression is created in this handbook which is an open invitation to scientists to order primates.

In Chapter II, "Taxonomy and Abbreviated Profiles of the Order Primates," an asterisk appears from time to time, and the corresponding footnote reads "Some species endangered." For example, the genus "*Cacajao* (Uakaris Monkeys)" is listed with the casual comment that they are "rare," yet the entire genus appears on the U.S. Department of the Interior's Endangered Species List and on Appendix I of the treaty. There is no asterisk at all for "*Alouatta* (Howler Monkeys)" although *Alouatta palliata* (*villosa*) is on Appendix I.

As for "Callitrichidae (marmosets and tamarins)" they do have an asterisk, but without any indication of which of the genera are on the brink of extinction. *Nonhuman Primates* calmly states, "the genera *Leontideus* or *Leontopithecus* and *Saguinus* are called tamarins." Not the faintest hint of the desperate status of the lion marmosets is given. But to quote *Laboratory Primate Newsletter*, Vol. 12, No. 3, July, 1973, "The lion marmosets of the genus *Leontopithecus* are among the rarest and most endangered mammals in the world." After reporting on an international conference held in February, 1972 and a notation on financing of a breeding project by the World Wildlife Fund, the authors urge readers to join them in the "Save the Lion Marmoset Campaign," Museum of Comparative Zoology, Harvard University, emphasizing the need to publicize the plight of these creatures.

The reader of *Nonhuman Primates* could without being aware of what he was doing perform a terminal experiment on one of these animals in the belief that he was following the best advice that government and industry money could buy.

To note other errors, no asterisk appears for the Cebus or Capuchin Monkeys though *C. capuchin* appears on Appendix II of the treaty.

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"*Nasalis* (proboscis monkeys)" have no asterisk, though *Nasalis larvatus* is listed on Appendix I.

The greatest shock of all comes when the great apes are reached. It might be supposed that every schoolboy who can read a newspaper knows that Orang-utans are in extreme danger of extinction. Here is the heading in *Nonhuman Primates*, "*Pongo* (orang-utans)*" and the inevitable footnote, "Some species endangered." What can the authors possibly mean by this strange description? Orang-utans are, of course, listed on Appendix I of the treaty and on the Department of Interior's Endangered Species List. There are two subspecies of orangs, *Pongo pygmaeus pygmaeus* and *Pongo pygmaeus abelii*, but only one species. All Orang are endangered.

The only three animals that — *Nonhuman Primates* clearly and unmistakably marks with a dagger (corresponding footnote "Endangered Species") are the Central American red-backed squirrel monkey, the Lion-tailed macaque, and the gorillas. The rest are left to take part in a kind of guessing game if they are fortunate enough to belong to a genus which is given an asterisk by the authors. The chimpanzees have no mark at all, though both *Pan troglodytes* and *Pan paniscus* appear on Appendix II of the treaty.

According to the most recent edition of *Animals for Research*, (Eighth Edition-Revised, National Academy of Sciences, 1971) there are fourteen animal dealers who supply chimpanzees to laboratories. One is Michael A. Nolan, head of Primate Imports Corporation of Port Washington, New York. Mr. Nolan is also one of the six-member Subcommittee on Revision of Nonhuman Primate Standards of the Institute of Laboratory Animal Resources, responsible for the writing of *Nonhuman Primates*. He also supplies a variety of other primates for experimental use as noted in *Animals for Research*.

The chairman of the committee, David A. Valerio, was, until recently, with Bionetics, a commercial primate laboratory in Maryland whose business consists largely of government contracts. In mentioning these affiliations, there is no intention to impute motives to the compilers of the booklet, but rather to attempt to throw as much light as can be brought to bear on their general point of view. To be expected are recommendations for the usual small cages. Extreme timidity in suggesting even the possibility that it might be more practical to purchase larger ones seems to be built in to the whole commercial laboratory primate situation. Two quotations will give the flavor: "Unless space is at a premium or long-term projects with the smaller primates are planned, it is probably advisable to purchase larger cages to provide greater flexibility in accommodating animals." (P. 19 Emphasis supplied). Or, this candidate for the Department of Understatement: "When disease, odors, or condensation become a problem in spite of adequate routine care and sanitation, the area is probably overcrowded." (P. 15)

To give them credit, the authors are not unaware of some of the disadvantages of close confinement, and they refer to "fighting because of an unstable social order, and the confined space" when group breeding is attempted in cages. (P. 43) They recognize, too, in speaking of semi-natural breeding colonies, "The system provides maximum opportunity for exercise and social development, which are important to breeding efficiency and normal infant development." (P. 42) However, the scientist who follows this booklet's guidance will, like as not, try to buy an endangered species, put it in a small naked cage, and feed it monkey chow. The combination of the National Institutes of Health, the Atomic Energy Commission, the Army, Navy and Air Force, Department of Agriculture, National Science Foundation, American Cancer Society, the pharmaceutical and other industries should have been able to do better than that, and we suggest they withdraw the booklet from circulation and try again.

As we go to press, the Government of Japan formally objected to the three main conservation decisions taken by the International Whaling Commission this June: the phase-out of Killing fin whales in the antarctic; the quota on minke whales; and the "by-area" catch quotas of sperm whales to prevent populations from being wiped out.

This means that Japan plans to kill thousands more whales in defiance even of the modest restrictions set by overwhelming majorities at the International Whaling Commission (votes of 11-3, 12-2 or 13-1). Unless strong punitive sanctions are pressed against Japan, the whales cannot be saved. In addition to a boycott of Japanese goods, a government embargo under the "Pelly Amendment" is needed against destructive international intransigence.

HEARINGS AND A STABBING FOCUS ATTENTION ON HORSE SORING

U.S.D.A. Obtains Criminal Convictions Against

On September 7, 1973, the first two criminal convictions for soring Tennessee Walking Horses were handed down. Trainers Doug Wolaver and Don Bell were each fined \$1,000 for violating the Horse Protection Act. It was just over a year ago, September 6, 1972, that Mr. Bell showed Bo-Mar's Ebony Belle at the Diabetes Trust Fund Charity Horse Show in Decatur, Alabama and was found by U.S.D.A. inspectors to have sored her legs. (See Information Report Vol. 21 No. 4). A third conviction September 10, 1973 brought a fine of \$500 to Dick Peebles.

Only a few days earlier however, another trainer was found innocent by a judge in Tennessee despite the testimony of no less than seven veterinarians that the horse was sore, one of them commenting that the back of the horse's foot was "the worst I've ever seen."

Oversight hearings on the Horse Protection Act of 1970 were held by Senator John Tunney (D., Ca.) on May 2, 1973. Testimony showed that soring still continues despite the fact that the U.S. Department of Agriculture spent more money attempting to enforce the law than was authorized by Congress. Delays by Agriculture Department lawyers in processing cases were considerable, and the rejection by the court of the first case for lack of sufficient evidence brought harsh criticism of the Department by Senator Tunney and representatives of the American Horse Protection Association, Pearl Twyne and Joan Blue.

Chief spokesman for the Department, Dr. F. J. Mulhern, acknowledged that soring, which he characterized as a despicable practice, had not been stopped and asked for a series of amendments to strengthen the Horse Protection Act. These suggestions were promptly acted upon by Senator Tunney and Senator Warren Magnuson (D., Wash.), Chairman of the Senate Commerce Committee, who introduced S. 2093 embodying all of the suggestions made by U.S.D.A. The bill is pending before the Commerce Committee with no hearings scheduled.

U.S.D.A. inspectors have found 278 potential violations, 151 of which have gone to Agriculture's Office of General Counsel. Of these, 66 have been sent to the United States Attorney, but only seven have actually been tried in court. Seeking a different approach to the courts U.S.D.A. has recently gone directly to local District Attorneys, and 31 individuals were indicted for alleged violations of the Horse Protection Act at the Cotton Festival held in Memphis.

The Department has purchased a sophisticated piece of equipment designed for medical diagnostic purposes to detect inflammation. The machine produces color photographs which can be used in court to prove inflammation of a sored horse's feet or legs. The machine was on display at the convention of the American Veterinary Medical Association convention in Philadelphia in July, and at the Shelbyville "Celebration" in August it was put to practical use. Before the "Celebration" in Shelbyville, the center of the Tennessee Walking Horse Industry, the controversy reached an even more heated pitch with a leading horse trainer stabbed in the back at a fish fry and one of his stallions shot dead with a high-powered rifle. Fuller details appear below in an article which appeared in *The Nashville Tennessean*, July 19, 1973.

Champion Horse Trainer Says Knife Incident "Silly" by Jerry Thompson

"Champion Tennessee Walking Horse Trainer C. A. Bobo of Shelbyville will be released from a Lewisburg hospital today after a knifing incident Monday he describes as a "silly incident."

"Bobo, trainer of Sensation Shadow, the world's champion Tennessee Walking Horse in 1971, was stabbed in the back and throat Monday night at a fish fry sponsored by the Marshall County Horseman's Association.

"Frank C. Musgraves, Jr., a dairyman and horsebreeder of the Farmington Community, was charged with assault with intent to commit murder after surrendering at the sheriff's office shortly after the incident. He was released on bond.

"It was just a little squabble among friends," Bobo said last night from his room at the Lewisburg Community

Hospital. "People get tied up sometimes over their horses and children and carry their feelings on their shoulders. This thing was something like that, but it's all over and forgotten about. Everybody has apologized to each other and it's done with."

"Bobo would not elaborate on the disagreement that led to the knifing.

"However, sources in the walking horse industry said yesterday that the two men argued over a trip to Washington Bobo had scheduled for next Monday reportedly to discuss means to police the multimillion dollar industry within its own ranks.

"The industry has come under fire in recent years over the practice of soring walking horses. The practice was prohibited in the Walking Horse Protection Act of 1970, however, several incidents of soring have been detected since the federal legislation went into effect.

"It was reported that Bobo and other walking horse trainers and breeders would meet Monday with Sen. John Tunney, D-Calif., and other members of the Senate Commerce Committee and with members of the U.S. Agriculture Department to discuss means of policing the industry from within.

"Bobo denied that such a meeting was planned. He acknowledged that he is planning to go to Washington Monday for a private meeting to discuss ways of helping the industry," but denied that the meeting was called to specifically discuss soring.

"Some of us are going to Washington for a private meeting," he said last night, "but it won't be with anybody in government. I don't believe I'm at liberty to say what we are going to discuss."

"An industry source said yesterday that Bobo was instructed by one of his most prestigious clients, Texas billionaire, H. Ross Perot, that none of the horses he owned was to be sored in any way because of the possible embarrassment it could cause his children who show the horses.

As a result, according to the source, Bobo has become a leader in the move to clean up the industry and is getting repercussions from some of his fellow trainers and breeders.

"On July 12, one of Bobo's stallions was shot and killed by a high-powered rifle shot, however the source said it had not been determined whether the incident was an act of vandalism or retaliation for Bobo's active role in the anti-soring campaign.

"Bobo said he was training five horses for Perot and 50 others for clients 'all over the world.'

"Bobo reiterated last night that he would not press the charges against Musgraves and maintained that it was 'just a silly incident that is forgotten.'"

* * * *

Not Just So-Called Clean

In a "Dear Exhibitor" letter dated July 27, 1973, Bill Tune, Executive Director of "Celebration, Inc.," the Shelbyville, Tennessee, Walking Horse Show around which the billion-dollar industry is centered wrote a very plain warning:

"Every horse that is brought to the Celebration Grounds for the purpose of exhibiting, showing, sale or any other purpose must be completely sound in accordance with the provisions of the Horse Protection Act of 1970. It is our view that this horse must not be just so-called clean, but must be *absolutely* sound. If your horse cannot qualify under these requirements, please leave it at home."

The letter ends with the exhortation: "In the interest of the future of the entire Walking Horse Industry, we earnestly request your fullest cooperation."

Last year, even a modest and wholly inadequate move against sore horses at the Celebration caused a near-riot among the trainers which stopped the show.

This year a different mood prevailed. According to *The Nashville Tennessean*, August 26, 1973, 66 of 313 horses were turned down by the show veterinarians that day and never entered the ring. The Tennessean noted, "Unhappy trainers have an option when the show veterinarians reject their animals. They may request that their horses be examined in another room of the station by the U.S. Department of Agriculture veterinarians using the AGA Thermovision 680, an infrared heat detecting device that records inflamed sensitive areas on a TV monitor screen, an indicator of a sored horse. There's a catch to this option, however, Commission stewards warn disgruntled trainers that if the machine tests show up positive, they may be prosecuting themselves."

DOG LABS TRY TO SUPPRESS PUBLICATION OF PROPOSED STANDARDS

After six years of consideration of the minimum standards required under the Animal Welfare Act, the U.S. Department of Agriculture prepared a proposed revision to require that laboratory dogs housed in cages be released for exercise. The Animal Welfare Institute learned the phraseology of the proposal not from the normal and proper source, *The Federal Register*, but from the lead letter to the editor of *Science* July 6, 1973, which bewailed the expense of letting dogs out of cages for even as much as half an hour a day five days a week. Further checking revealed that an organized effort to suppress publication of the proposed regulations was being carried on by institutions throughout the country that use laboratory dogs.

A signed article which appeared in *The Austin (Texas) American-Statesman*, June 2, 1973 quoting officials of the University of Texas concludes baldly with the following paragraph, "College officials throughout the country, they said, are working to stop the publication because of the extra expense involved."

Next time readers of the *Information Report* hear a university official mention academic freedom, we hope they will ask him what he thinks of a move by alleged champions of such freedom to prevent publication of proposed minimum standards under a federal law, in other words, attempted censorship of a proposal so that it could never be seen or commented on by the public.

This back-door approach has undoubtedly been successful in delaying publication of standards on the subject, but outraged letters from persons concerned with the welfare of research dogs have brought a response from the Department of Agriculture indicating that it will bring "several factors to the public for further comment in the form of specific proposals published in *The Federal Register* in the near future."

The argument has now been focused squarely on dollars and cents by the dog-using institutions, some of whom are determined to spend more millions of dollars on permanent caging of dogs in small cages. For example, the regents of the University of Texas are currently being asked to approve a new \$3,000,000 animal building which (to quote again from the June second *Austin American-Statesman*) "as well as others planned for being constructed throughout the system will not comply with the new regulations."

Statements such as these make it painfully clear that cruel caging will be compounded until regulations under the Animal Welfare Act, Public Law 91-579, require decent standards for laboratory dogs.

For many years, scientists using dogs have claimed a greater interest in the welfare of laboratory dogs than that of their critics. Now is the time for them to prove that interest by supporting a requirement for daily release of caged dogs or, alternatively, the housing of dogs in runways, pens, or other enclosures large enough to provide room for exercise.

The Animal Welfare Institute film, "Laboratory Dogs," is available for rental or purchase by all interested persons and institutions. It documents housing experimental dogs in small compatible groups in rooms on either side of a long corridor, with a few individual pens for immediate post-surgical cases. Cost of cages and cage-washing are eliminated in this system in which the dogs are contented and healthy. Their barking is occasional, never persistent, so that the idea of debarking does not even arise. Those who have used the system point out that it is *less*, not more expensive. But cost should not be the criterion. It is a question of ethics. Human beings owe a great debt to the millions of dogs that have suffered and died in medical research institutions. The very least that can be done is to make such dogs as comfortable and contented as possible in return for their sacrifice.

REPRINT AVAILABLE FOR INSTITUTIONS PLANNING DOG HOUSING

The May 1973 issue of *College Management* contained a useful article, "Modular Kennels for Laboratory Animals," by William Hoffer who interviewed responsible officials at two leading medical schools, Johns Hopkins and the Medical College of Virginia, that have installed kennel runs.

A few quotations from the illustrated article give an idea of its value. Speaking of the movable mesh panels the director of animal services for Johns Hopkins said, "They cost only about a fourth as much as cages but the biggest advantage is that we have so much flexibility with them." Describing quick conversion of an old storeroom, the article notes, "The result was an instant animal holding room with 16 spacious kennel runs. The dogs were happier, the doctors were happier, and the inspector from the U.S. Department of Agriculture was happier."

At the Medical College of Virginia a sudden change on the part of a researcher from dogs to rhesus monkeys caused no serious problem in a new country facility with one hundred kennel runs. "If the college had purchased cages for the dogs, they would have had to order new, different types of cages for the monkeys. The dog cages would have been stored until they were needed again."

"We simply ordered more panels," the director of animal services is quoted as saying. "We clamped these over the tops of the runs so the monkeys couldn't get out...with more panels we constructed a security area outside the doors of the main runs."

Copies of the reprint are available free on request from the Animal Welfare Institute at the address on the masthead.

SYNTHETIC FUR ADOPTED BY ARMY

Congressman William Whitehurst (R., Va.) protested against a proposed Defense Department contract which would have produced 277,502 parka hoods lined with wolf fur. He was joined by humane and conservation groups in his objections. The result was announced July tenth by Congressman Whitehurst who stated that Army tests show that untreated, undyed, modacrylic synthetic fur is an adequate alternate for natural fur. "The Army informs me that the specification citing synthetic fur has been furnished to the Defense Supply Agency for future Army purchases of fur trimmed garments," he said. "The synthetic fur is expected to reduce the cost of each hood by nearly \$4.00, resulting in a savings of \$1,100,000 on a contract such as this one."

JACK DAVIS SAVES THE ROBINS IN CANADA

Canada's Minister of the Environment, Hon. Jack Davis, came to the rescue of thousands of robins that Canadian blueberry farmers wanted to kill. In a letter to the Animal Welfare Institute he said, "By now you probably have heard that I have decided that no permits will be issued to kill robins. The Department of the Environment is convinced that alternative measures must be found to control blueberry crop losses, and is vigorously working to that end.

"I am sure the members of the Animal Welfare Institute will be pleased to hear of this decision."

AMENDMENT PROPOSED TO HUMANE SLAUGHTER ACT

A bill to prohibit importation of meat or meat products from livestock slaughtered or handled in connection with slaughter by inhumane methods was introduced May 22nd by Congressman Bill Gunter (D., Fla) and referred to the House Committee on Agriculture. The bill, H.R. 8055, is an amendment to the Federal Humane Slaughter Act and would require producers of foreign meat products to meet humane standards equal to those of American producers if the meat is to be sold in the United States.

ANIMAL WELFARE INSTITUTE

Scientific Committee on Humane Standards for Research Animals

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Lee R. Dice, Ph.D.

Paul Kiernan, M.D.
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Samuel Peacock, M.D.
John Walsh, M.D.

International Committee
David Ricardo - Canada

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Major C.W. Hume, O.B.E., B.Sc., M.I. Biol. - United Kingdom

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PETS AND LABORATORY ANIMALS SUFFER IN AIR TRANSIT

by Fay Brisk

Recommendations to provide more humane treatment for animals in air transit are expected to be reported out in January by the House Government Operations Committee.

Oversight hearings on the mistreatment of these animals were held by the Special Studies Subcommittee in September. Dean Kalivas, a Subcommittee counsel, said the report would be sharply critical of lettuce crates and other flimsy containers used mostly to air ship dogs, cats and other animals to pet shops, zoos, research laboratories and hunters. "And we're just as unhappy with some of the handling methods we've seen at airports," he added.

The Committee is expected to recommend that special facilities — such as provisions for feeding, watering and exercising — be built at airports, financed and operated by sources other than humane societies.

The September 25-28 hearings were triggered by public demand resulting from the Washington (D.C.) Humane Society's press and television exposure of cruelty in animal air traffic, and by the Society's publicized efforts to obtain corrective action from Federal agencies and airline and air express companies. In addition, the Society called for volunteers to go to Washington National Airport with buckets of food and water and subsequently established a volunteer "animalport" — the first of its kind in the country.

Among those participating in the hearings were officials of the Civil Aeronautics Board, the Federal Aviation Administration, the U. S. Department of Agriculture, as well as representatives of the airline and pet industries and humane organizations, including the Society for Animal Protective Legislation and the Washington Humane Society. Photographs taken at Washington's REA air express terminal showed:

(Continued on Page 2)

HORRORS OF INTERNATIONAL LIVESTOCK TRANSPORT

In response to a request from Senator Bellmon (R., Okla.) the U. S. Department of Agriculture prepared reports on shipments of livestock to many parts of the world. The suffering which these animals underwent as the result of callous airline practices and conscienceless shippers can be imagined in reading the following appalling document which appeared in *The Congressional Record* October 3, 1973.

U.S. DEPARTMENT OF AGRICULTURE
Washington, D.C. July 24, 1973.

"Dear Senator Bellmon: This is in response to your telephone request for a short description of several export livestock shipments transported by air where losses occurred.

"1. On May 3, 1970, 307 young calves were loaded in Boston, Massachusetts, for export to Greece. Everything went wrong. The export veterinary inspections were made at a facility at Acushnet, Massachusetts, and the calves were trucked to the Boston Airport in double-decked trucks. One of the upper decks gave way, and a number of calves in the lower deck were killed or injured. Loading of the calves into containers (3-calf containers) was made in the open in cold, rainy-weather. The airline had promised that loading would take place under cover but did not comply. A delay of 5 hours occurred at Frankfurt, Germany, where the crew

(Continued on page 2)

U. S. GOVERNMENT, CONSERVATION ORGANIZATIONS SCORE JAPANESE AND RUSSIAN REPUDIATION OF WHALE PROTECTION

The Government of the United States has responded vigorously to the Diplomatic Note from the Government of Japan which objected to conservation decisions taken at the International Whaling Commission meeting in June and stated that it would not adhere to them. A cable signed by Secretary of State, Henry Kissinger, made a detailed response and concluded with the following strongly-worded paragraph: "Such wholesale disregard for views of all other member nations with few exceptions leads to several questions. Why should there be a Commission if its decisions can simply be ignored? Why should scientific committee prepare recommendations? And why should twelve of fourteen member nations push for improvements in International Whaling Commission if progress made can be destroyed by one or two nations? United States Government is extremely disappointed with backward step occasioned by Japanese objections and is hopeful that Japanese Government will reconsider its decisions in the next ninety days

(Continued on Page 4)

LABORATORY ANIMAL DEALER CHARGED WITH MULTIPLE VIOLATIONS

"A major New Jersey animal wholesaler who supplies dogs and cats to pet stores and research laboratories throughout the metropolitan area was charged by federal authorities yesterday with inhumane treatment of animals being shipped for scientific experiments," wrote Robert Rudolph in *The Newark Star-Ledger*, October 24, 1973.

"In one case," the report continued, "it was charged, cats shipped on a 500-mile trip to a Buffalo neurology lab were stuffed in cake-box sized containers and arrived with some dead and dying and one so sick it was ordered destroyed. The charges were leveled against the wholesaler, Henry Christ of Farmingdale, in a complaint filed by the U. S. Attorney's Office which accused him of repeated violations of the Federal Animal Welfare Act.

"The complaint, brought in U. S. District Court in Newark, seeks fines totaling \$11,000 against Christ."

According to a U.S.D.A. press release, besides violating the Animal Welfare Act on three counts involving 22 violations, Mr. Christ violated a legally binding order issued by U.S.D.A. in January, 1969 directing him not to commit specific violations, including the use of substandard shipping crates. This cease-and-desist order grew out of a previous charge of violations occurring between July 18, 1967, and December 31, 1968.

The Newark Star-Ledger report noted "inhumane treatment in the shipment of dogs he had purchased at a country auction in Mannheim, Pennsylvania. Authorities revealed that Christ had also been cited several years ago for housing dogs and cats at his kennel in inadequate and unclean facilities. The complaint filed yesterday stems from alleged violations uncovered by Agriculture inspectors involving a shipment of 15 cats to the Suny-Buffalo Neurobiology Animal Facility at the State University of New York at Buffalo."

The Animal Care Staff of the U.S. Department of Agriculture is preparing new guidelines for completing the Annual Report required of Research Facilities registered with the Department under the Animal Welfare Act of 1970. Research Facilities reports are due by February 1, 1974. U.S.D.A. announced the guidelines will soon be available and can be obtained from the U.S.D.A. Veterinary Services Representative in the State where the Facility is located. The guidelines will assist research facilities in providing uniform and complete information for preparing the Department's report to Congress of the activities under the Act.

Pets and Laboratory Animals Suffer in Transit

(Continued from Page 1)

— Nearly 1,000 dead rats destined for the National Institute of Health and other research laboratories. (The rats had died in transit and were beginning to rot in the summer heat).

— A carton of laboratory rats that had been torn apart and chewed by an Irish setter that had escaped from his crate.

— A poultry crate crowded with 10 laboratory cats shipped from Meadowbrook Farms, Richmond, Mich., to Fairfield University in Connecticut.

Among the exhibits was a wooden crate from Primate Imports, N. Y., that had fallen apart on the airfield. The laboratory monkeys got away.

As witness after witness described other problems — insufficient ventilation and lack of temperature control in aircraft cargo compartments, poor routing, false health certificates, slow pickups and deliveries and negligence on the part of airport personnel — Subcommittee Chairman Floyd V. Hicks (D.-Wash.) sought to center the responsibility for corrective action in one single Government agency.

Neither the CAB nor the FAA wanted this responsibility, although the FAA admitted that it did have the authority to issue regulations involving the safety of animals in aircraft cargo compartments. Both Agencies pleaded "lack of expertise" in the enforcement of animal safety regulations, and suggested that USDA would be better qualified for the job.

But Dr. E. E. Saulmon, testifying for USDA, pointed out that the Animal Welfare Act of 1970 exempts airlines and common carriers from USDA jurisdiction. He offered the Department's assistance in the development of "voluntary standards" for animal air shipments, adding that "if such activity does not result in improvement, we recognize that additional legislative authority may need to be considered."

Such legislation has been in the Senate Commerce Committee for some time. Among the bills are: S.2217, introduced by Sen. Howard Baker (R.-Tenn.) and co-sponsored by Sen. Robert Dole (R.-Kan.) and S.399, sponsored by Sen. Lowell Weicker (R.-Conn.) H.R. 1264, sponsored by Rep. H. William Whitehurst (R.-Va.) is in the House Agriculture Committee. No hearings have been scheduled.

Meanwhile, the problem is becoming even more acute as airlines cut back on flights and personnel because of the fuel shortage. Already, animals are piling up at terminals, with laboratory suppliers shipping as usual and commercial breeders aiming for the Christmas pet shop trade. But unless there is a higher priority given to animal air shipments, that Christmas puppy, as well as thousands of laboratory and other animals, may be stranded on icy ramps throughout the country, waiting for flights that may come too late. Or not at all.

Horrors of International Livestock Transport

(Continued from Page 1)

left the plane with doors closed and no auxiliary ventilation provided. Upon unloading in Greece, 50 calves were dead and 20 more died in the next few days. The shipment was met by the Greek Minister of Agriculture and our Agricultural attache. Our Washington office did not hear of this disaster for nearly a year, and while a report was requested from the airline, it has not materialized.

"2. On February 7, 1973, 10 bred Holstein-Friesian heifers and 360 Holstein heifer calves, 3 months of age, were loaded on a DC8-63F at O'Hare International Airport, Chicago, Illinois, for export to Italy. Upon arrival in Milan, Italy, 47 of the calves were dead. According to the consignee and an Italian veterinarian, the animals apparently died from suffocation (lack of oxygen).

"3. On July 2, 1973, 239 mixed Charolais bull calves, averaging 326 pounds, were loaded at St. Petersburg, Florida, on a Boeing 707 for export to Italy. Ten positions were double-decked and three were single-decked pens. Loading the aircraft was not made in accordance with Department recommendations. Upon arrival for refueling at J.F. Kennedy International Airport, 54 head were dead, 2 were blind (thought to be due to brain damage from lack of oxygen), one had a broken leg, and 5 were down and unable to rise. Most of the animals that died were in the upper deck. It was reported (and later confirmed) that the air-conditioning ground unit attached to the aircraft broke down 2 hours before loading was completed. Upon arrival at JFK, the captain was annoyed and reported that

something was wrong with the calves and that the temperature had reached 188° F. The balance of the calves was unloaded and placed in a paddock adjacent to the "Animalport" of the ASPCA with feed and water. In the evening, 175 head of calves were loaded and according to our Agricultural Attache in Rome, arrived in Milan in good condition.

Sincerely,

J. M. HEJL,

Acting Deputy Administrator, Veterinary Services"

Losses in Air Transport of Livestock

"1. On July 2, 1968, 467 breeding swine were loaded at Chicago, Illinois, on an American Airlines 707 for delivery to J. F. Kennedy International Airport (JFK Airport) for trans-shipment to Romania. These swine were in 29 to 42 individual containers of varying size on each of 13 pallets. The swine were accompanied by a U. S. Department of Agriculture veterinarian and arrived at JFK Airport at about noon. Some heat buildup was noted, and the flight engineer reported that one of the two freon units was not operating. The animals were unloaded and placed in a cargo building awaiting transshipment. Two swine were found dead after unloading. In the evening, the pallets were loaded on an Air France 707 flight which left the cargo area at midnight. A representative of the exporter accompanied the flight from New York to Romania and upon his return, reported the following: 'Take-off was delayed 1 hour during which time the heat in the cockpit was almost unbearable. Upon unloading in Romania, 99 head were dead. Romanian veterinarians, who conducted the post-mortem examinations, reported death from asphyxiation.' It seems obvious, although it cannot be confirmed, that the swine died at the JFK Airport during the delay before take-off.

"2. On December 10, 1971, a syndicated thoroughbred horse was to be shipped on a DC8-63F from the John F. Kennedy International Airport to Shannon, Ireland for breeding purposes. The horse, 'Never Bow,' was reported to be valued at \$500,000. The horse would not walk into a regular horse stall (open top); so it was backed in. The horse stall was moved to a pallet transporter and loading began. The stall would not clear the cargo door, so it was moved away from the door about 3 feet. The horse then reared up and got both legs out of the container. Two grooms were able to get one leg back into the container before the horse again reared up and got his body half way out of the container and fell to the ground, hitting a ladder on the way down. The horse struggled to get up but could not rise. After a 1½ hour delay an ambulance from the Aqueduct Race Track and the race track veterinarian arrived, and the horse was moved to the race track hospital. Upon further examination, the horse was found to have a completely shattered right shoulder blade and a puncture wound in his side. A decision was made to have the horse destroyed, and this was completed in the evening.

"3. On January 8, 1972, 527 head of swine shipped by Illinois Produce International, Bloomington, Illinois, were loaded aboard a DC8-63F at Chicago, Illinois, for exportation to South Vietnam. Upon arrival at Anchorage, Alaska, about 25 head were dead, and at least 50 more exhibited severe distress. Airline personnel immediately opened all doors, and improvement in the condition of most of the swine was noted. Unloading was not considered as the ramp temperature was below zero. Upon arrival in Saigon, South Viet Nam, 84 head were found dead, and 20 head more died soon after unloading. Cause of losses was thought to be use of calf containers (used previously for a feeder calf shipment to Korea) which did not permit proper air circulation.

"4. On January 21, 1972, 77 Hereford heifers and 2 bulls were loaded on a Boeing 707 at San Francisco, California, for export to Japan. The animals were placed 5 to 6 head in a palletized container, the sides of which were 5 feet high. Only the top of each container, which was a foot higher than the heifers loaded, was open for ventilation. When the cargo door was opened for a refueling stop in Anchorage, Alaska, steam rushed out into sub-zero air outside. Water was dripping from the ceiling of the plane. When a rear door was opened, the cattle were perspiring heavily and showing respiratory distress (mouth breathing). Upon arrival in Tokyo, Japan, a number were noted to be in a weak condition. One animal was dead and one died shortly after unloading. Inadequate containers that did not allow good air circulation were thought to be the primary cause of the problem.

ILL CHILDREN AND SUFFERING TURTLES: A CASE FOR STRONG ACTION

by Mary L. Anderson

Thirteen and a half million domestically bred turtles, mostly red eared slider hatchlings from the turtle farms of Mississippi and Louisiana, are sold annually as pets for children. Dying within a few weeks or months in the average home due to inadequate care and abusive treatment, practically the entire 13,500,000 perish before the year is out, leaving a ready market for next year's crop.

The turtle trade is built on death. Even the industry itself admits that 90% of these pets live only 4 to 6 months. Except for those fortunate enough to end up in the hands of either meticulous, serious owners and hobbyists or herpetologists, the other 10% will die also before any appreciable growth is reached. So rare is it that one of these baby turtles lives and grows to maturity that the majority of persons, believing them to be miniature turtles incapable of growth, are astounded upon learning that under proper care, these sliders can attain a shell length ranging from 6 to 11 inches and can live more than 40 years in captivity.

Even worse than the shocking loss of life is the horrible suffering involved. Starved on worthless commercial turtle food, sickened by scanty, low-level, low-temperature water, injured at the hands of children, these tortured animals spend weeks, sometimes months, ill and dying. Often deficiencies and infections combine to produce sightless eyes, degeneration of the liver and severe damage of lung tissue with attendant pitiful gasping for breath, endured for weeks until death ends their misery.

Considering the long duration of suffering and the vast numbers involved, the sale of turtles as pets can certainly be classified as one of the major national cruelties demanding immediate attention. A complete ban on the sale of these frail hatchlings is necessary since even with proper instructions, they fail to survive in the average home. The peculiar care requirements of these reptiles cannot be met by children in whose hands their care is usually left; neither are they met successfully even by most adults who somehow miss the mark in applying instructions.

All human considerations aside, there is urgent need for swift action to ban the sale of turtles in order to protect the health of humans, particularly children. Yearly 300,000 cases of salmonellosis, an acute febrile gastroenteritis which can be severe enough to require hospitalization, and which can cause associated meningitis and brain abscesses in extreme cases, are transmitted to humans by turtles. Most victims are children.

Federal Regulations, effective December 18, 1972, providing for certification of turtles as free from Salmonella and Arizona bacteria before shipping in interstate commerce, have proved entirely inadequate. As high as 63% of the turtles so certified have been found contaminated after shipment. The turtle breeders are using copper sulfate to temporarily rid the turtles of the bacteria, knowing full well that they will be capable of making children ill after shipment. The U. S. Center for Disease Control, declaring that turtles are inherently contaminated and can never be permanently rid of the germs, is calling for a complete ban on the sale of turtles in order to protect the health of children. The Food and Drug Administration refuses to issue a ban, contenting itself with proposing a warning label and with enforcing the present inadequate Regulations which, they state, have not had time to work. This is beside the point since it is now known that certification of turtles is meaningless.

This refusal to take the necessary action is an example of the policy of government leniency toward the turtle industry over the past ten years wherein the financial interests of the breeders have been given precedence over the health of children, and is even more inexcusable now in view of the fact that recent research demonstrates that pet turtles can carry six other genera of bacteria in addition to Salmonella and Arizona. Some of these pathogens are capable of causing illness far more serious than salmonellosis.

As if the suffering of children and turtles were not great enough already, the turtle breeders, backed by the pet industry, are advocating use of the outrageously cruel dry bowl method of keeping turtles in the home as a means of lessening the chance of salmonellosis transmission. In this method the water turtle is kept constantly in a dry bowl deprived of its natural element, water, except for ½ hour a day for feeding. Despite the fact that prominent herpetologists have stated that this method would cause

dehydration, shell warping and shell destruction, and that it would be dangerous and inhumane, the turtle industry is proceeding with all haste to implement this abominable method, willing to torture the turtles in order to prevent more stringent restrictions on their nefarious trade.

The manufacturers of various items of turtle-keeping equipment have been urged by the pet industry to push the dry bowl method. A double page advertisement in the December 1972 issue of *Pet Age* displayed bowls, designed for the torturous method, under the caption "The Modern and Approved Way of Feeding and Housing Turtles". The re-writing of turtle care books is being advocated; thus humane education will be in reverse, teaching children cruelty rather than kindness. That the implementation of this barbaric method has proceeded this far in a supposedly civilized age is shocking.

The time has come for the humane community to join with those who have been seeking a ban on the sale of turtles for the protection of the public health so that through their combined efforts, swift action may be taken. The entire situation is without parallel, demanding drastic action, likewise, without parallel. Therefore, since the government agency concerned has failed to take adequate action, nothing short of top priority legislation prohibiting the sale of turtles should be introduced in Congress immediately, and should be handled in an emergency manner in order to be passed in time to deal with the millions of turtles which will be hatched early next summer bringing more disease and cruelty. An end must be put to this perpetual cycle of needless suffering.

U. S. AID MISSION TO LAOS FIGHTS PET ABANDONMENT

As a result of a letter from a member of the AWI who had recently returned from Laos, a request was made by the AWI to U. S. AID officials in Washington to take action to prevent abandonment of pets by returning Americans. An "Administrative Support Team Notice" was issued promptly. The text reads as follows:

"TO: ALL AMERICAN EMPLOYEES
SUBJECT: PERSONAL PETS

"There have been reports that American employees are contributing to the stray animal problems in Laos by their abandonment of personal pets, and particularly dogs, upon their departure from Laos.

"Abandoning pets not only adds to the problems of the community but it is cruel treatment which no conscientious American should permit. It is unbelievable that any thoughtful person would leave a dog, which had grown up in the shelter of a family, to fend for itself in competition with the hungry packs of pei dogs that roam the back yards and alleyways of Vientiane. Leaving them to be fed by neighbors and servants in the KM-6 compound is not much more humane. Salving conscience by 'giving the dog to the servants' is usually only an excuse, unless the servant is known to be devoted to the animal.

"If you cannot find a new, responsible owner for your pet and you do not wish to take it with you, humane disposal is the best solution.

"The Mission Guard Service is prepared to destroy pets upon request."

Roger A. Provencher, Chairman

FAKE FUR MANUFACTURER WINS CASE AGAINST FURRIERS

According to *Women's Wear Daily*, September 24, 1973, "A class action suit by a group of fur associations and others to stop the advertising of E. F. Timme & Son, Inc., manufacturer of fake furs was dismissed Friday by Federal Judge C. L. Briant, Jr.

"Timme says its television, newspaper and magazine advertising stresses ecological and price advantages of fake fur, piled fabric apparel over apparel made from the pelts of animals including those from endangered species.

"Judge Briant's decision to permit Timme to continue its advertising was handed down after a hearing on the suit filed in March. The action was based on the Trademark Act which makes it illegal to falsely represent or describe goods or services.

"Harold Levine, president of Levine, Huntley & Schmidt, Timme's advertising firm, said the suit 'represented a serious threat to all of the advertising field in which there is healthy competition.'

**VIC THOMPSON, MAJOR PROTAGONIST
IN HORSE SORING CONTROVERSY,
PLEADS GUILTY
Five Trainers Fined**

The first guilty pleas in the country to charges of violating the U. S. Horse Protection Act of 1970 were entered in Federal Court in Nashville, Tennessee, October 23, 1973. According to the United Press report, "Vic Thompson, 54, a Tennessee Walking Horse Trainer and vice president of the Walking Horse Trainers Association, Inc., and his assistants, Boyd Melton, 38, and Larry Webb, 28, all of Shelbyville, pleaded guilty to charges of soring horses. The three admitted using chains and boots which caused three horses to become sore.

"Thompson pleaded guilty to four counts of training and showing three sored horses in four shows last year. He was fined \$1,000. Melton and Webb were fined \$500 each. Thompson was trainer of 'Mr. Handshaker' and 'Scat Man's Tom Cat,' exhibited at the Goodlettsville Horse Show on June 16, 1972; 'Ellen's Sun Delight,' shown at the Madison Horse Show, June 24, 1972; and 'Scat Man's Tom Cat,' exhibited at the Bend of the River Horse Show in Cookerville July 1, 1972.

"Drs. W. C. Breeding and Walter R. Eskew, Jr., veterinarians for the U. S. Department of Agriculture, examined the horses after each show and determined they had been shown with severe rawness and pain on the pastern area of the forelegs."

On November 20, 1973, in Atlanta, Georgia, two horse trainers, Tex Smith of Alabaster, Alabama and Ron Spears of Tullahoma, Tennessee, were each fined \$1,000 for exhibiting sored Tennessee walking horses and other criminal violations of the Horse Protection Act of 1970. Smith and Spears changed earlier pleas of "not guilty" to "guilty" on charges that each man had exhibited a sored horse and used a prohibited foreign substance on its feet.

Japan, Russia Scored
(Continued from Page 1)

and make its plans regarding strengthened Secretariat known and thereby indicate its intention to make IWC a viable conservation organization."

Not long after the Japanese rejection of three whale-protective measures, the Soviet Union joined in rejecting two of them with the result that more whales can be expected to be blasted with the explosive harpoon this year than in 1972 despite the overwhelming international support for a moratorium on commercial whaling (See Information Report, Vol. 22, No. 3)

Joining the AWI in the boycott of Japanese and Russian goods are Friends of the Earth, Defenders of Wildlife, Environmental Policy Center, Fund for Animals, Animal Protection Institute, Let Live, Inc., Society for Animal Protective Legislation, and the National Wildlife Federation whose three and one-half million members makes it the biggest private conservation organization in the world.

An editorial in *The New York Times*, November 26, 1973, stated in part:

"Japan would have the world believe that it must eliminate the whales of this planet to satisfy the protein needs of its people. There is every reason for the world to believe, instead, that Japan's declared refusal to abide by the quotas set by the International Whaling Commission last June has much more to do with greed than with need.

"The fin whale, the killing of which the commission voted to phase out, is reported to have declined from 380,000 at the end of World War II to some 77,000 today. Japan, which belongs to the commission, objected to the phase-out and has now served notice that it will not comply."

"If the singing humpback whale and the magnificent blue are not to be followed to the brink of extermination by other whale species, Japan and Russia will have to be effectively impressed with the fact that world opinion is against them. It was not enough for them, apparently, that the United Nations Conference on the Human Environment went on record by an overwhelming vote of 53 to 0 for a ten-year moratorium on the killing of all whales.

**U. S. INTERIOR DEPARTMENT
ACTS AGAINST ILLEGAL BIG GAME HUNTING**

Two major law enforcement actions by the United States Department of the Interior were reported in recent articles in *The New York Times* which are reproduced in full below.

**U.S. Agents Tell of
Infiltrating Poaching Parties.**

Los Angeles, November 22 (AP) Federal officials have disclosed how they uncovered an illegal hunting trip business that killed rare game at such places as Yellowstone National Park.

"The hunting parties, allegedly arranged by two men in a group of 18 indicted for poaching, were infiltrated by two undercover agents of the United States Fish and Wildlife Service, according to an agent, Bruce Parker.

"Seven of the 18 are on trial here currently.

"Mr. Parker told a Federal jury yesterday that he and another agent, Paul Bagalia, hunted elk, Rocky Mountain bighorn sheep, Alaskan polar bear and desert bighorn sheep. He said that he and Mr. Bagalia each shot one elk apiece — at a fee of \$1,500 each to their guides. The shootings occurred on the Crow Indian Reservation near Billings, Mont., he said.

"Another time they participated in a hunt in which a rare desert bighorn was killed in Anza-Borrego State Park near San Diego, Calif. The animal was flown by private plane to Seattle where it was dressed as a trophy, Mr. Parker said.

"The two defendants charged with arranging the trips are Lon Sanford and Rick Sanford. Others on trial here are the Jonas Brothers Company of Seattle, Gene Klineburger, George Gamble, Gary Swanson, and Pearl Prudhomme. All were among the 18 indicted.

**"Guide is Accused of a Jaguar Hoax
'Wild' Animals Shot in Hunt Said to Come From Zoos**

Santa Fe, N.M., Nov. 24 (AP) — Trophy hunters paid \$3,500 apiece to kill jaguars in southwest New Mexico, unaware that their guide was providing captive prey born in United States zoos, the state game department says.

"Curtis Jackson Prock of Donnelly, Idaho, and British Honduras is scheduled for arraignment in Albuquerque Dec. 3 on five counts of violating and conspiracy to violate the Lacey Act, the United States Marshal's office at Boise, Idaho, said. The Lacey Act prohibits interstate shipment of animals taken in violation of state laws.

"Mr. Prock, an internationally known guide, was indicted Oct. 23 by a Federal grand jury in Albuquerque after a state game department investigation. He was arrested in Idaho Nov. 11 and released without bond.

"The state investigation cited at least 10 commercial jaguar hunts near Magdalena, N.M. between August, 1972 and last March.

"State game and wildlife officials said that the client on a hunt would be led through the area believing that a wild jaguar had been spotted recently. A large track would be found, and then the jaguar would allegedly be released from a hidden cage and nearby hunting dogs would be released bringing the animal to bay for an easy shot. State and Federal investigators said that Mr. Prock had likely bought all the jaguars used in the hunts from zoos or animal dealers within the United States.

"One investigator said that most of the hunters were 'rich medical doctors.'

"All of them the ones interviewed indicated they were completely in the dark, and that they had no idea jaguar weren't found here,' another investigator said.

"The maximum penalty for each count against Mr. Prock is a fine of \$500 and up to six months in prison.

"The Federal indictment also lists five instances in which Mr. Prock allegedly shipped jaguar pelts from Magdalena to Knopp Brothers Taxidermy Studios in Spokane, Wash.

"The Interior Department lists the jaguar as a rare and endangered species. Importing jaguar pelts to the United States has been illegal since 1971, the Bureau of Sport Fisheries and Wildlife said."

ANIMAL WELFARE INSTITUTE

Scientific Committee on Humane Standards for Research Animals

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428