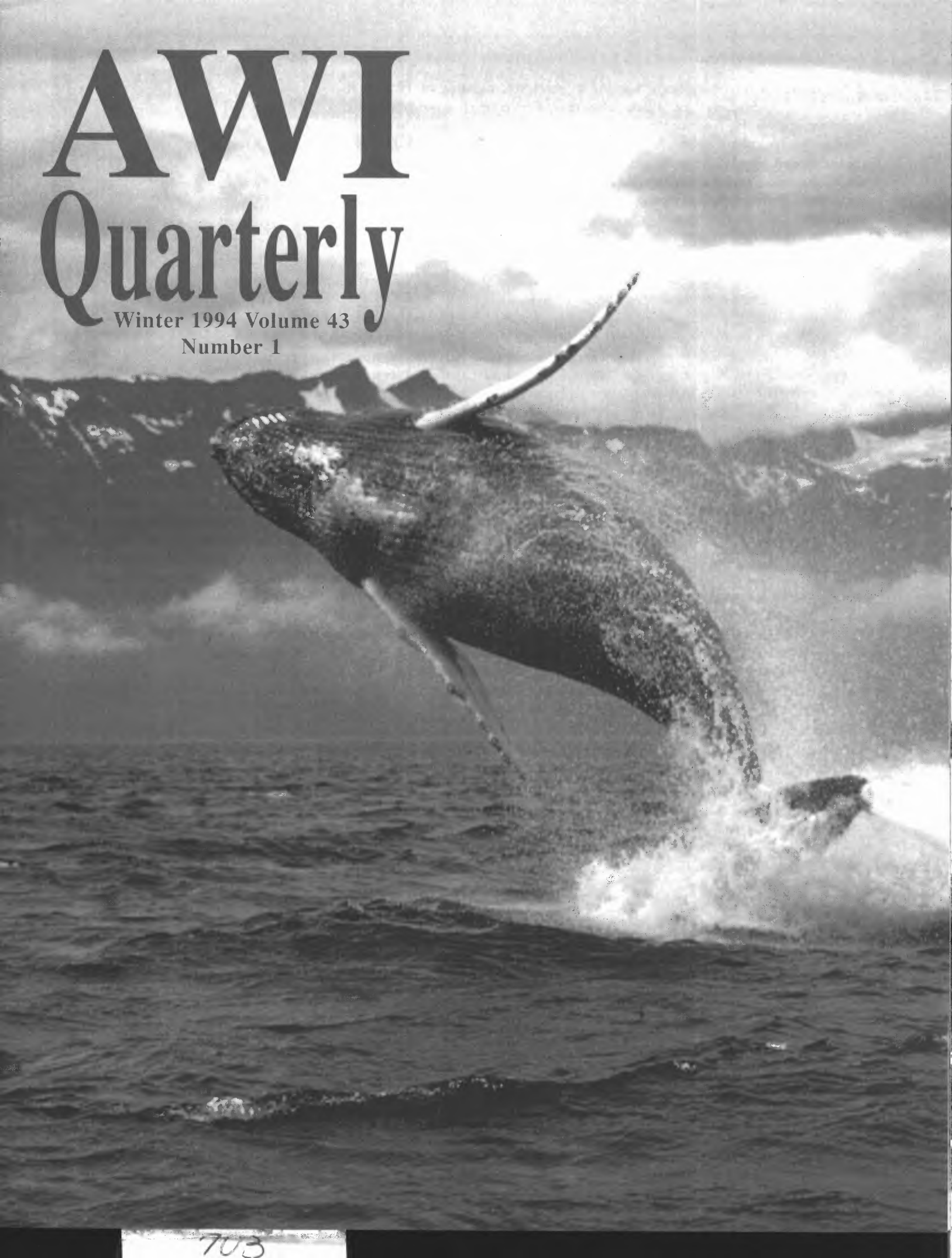


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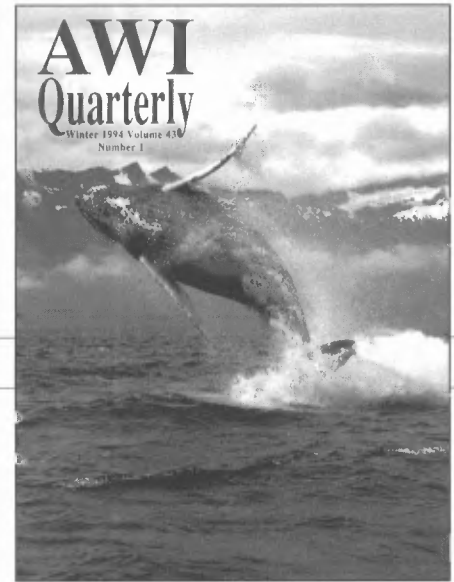
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Cover: This magnificent humpback whale was captured on film by R. Shelton "Doc" White, who comes from a long line of seafarers and merchant seamen. He continues the tradition of Captain John White, an early New World explorer commissioned by Sir Walter Raleigh in 1587. In 1968, Doc was commissioned in the US Navy and was awarded two Bronze Stars, a Purple Heart, and the Vietnamese Cross of Gallantry. He has devoted himself to diving, professional underwater photography and photographic support, scientific research support, and seamanship.



Doc White/Images Unlimited

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Investigation Reveals Continued Trade in Tiger Parts

Startling evidence from a recent undercover investigation on the tiger bone trade in China was released this month by the Tiger Trust. Perhaps the most threatened of all tiger sub-species is the great Amur or "Siberian" tiger, a national treasure to most Russians and revered by Russian indigenous groups who call it "Amba" or "Great Sovereign." Michael Day, President of Tiger Trust, along with Dr. Bill Clark and Investigator, Steven Galster went to Russia in November and December to work with the Russian government to start up a new, anti-poaching program designed to halt the rapid decline of the Siberian tiger. Neighboring China has claimed to the United States and Convention on International Trade in Endangered Species (CITES) that tiger bones are no longer being purchased, processed, or sold by Chinese companies. Suspicious of these reports Galster decided to stay behind in Russia to research the underground tiger bone trade and to determine its end point. Over the course of 4 months, Galster, acting as a businessman, met poachers, middlemen, and eventually followed the trail to the main market, China. Fellow investigator, Rebecca Chen, joined Galster and traveled to China, where state medicine company officials revealed their operations. Once inside the executive conference rooms and factories of the state companies, Galster and Chen turned on their hidden cameras and recorded the truth: tiger bone products still being manufactured and sold internationally by one of China's largest state medicine companies.

This evidence was presented in Geneva on March 21, 1994 at the CITES Standing Committee meeting, but unfortunately China and its pro-trade allies



M. Day

Siberian Tiger Threatened with Extinction

dismissed it and killed all attempts to table a resolution criticizing China. This same evidence, which then appeared on NBC news on March 29, is being shared with the US government, and it is hoped that the Clinton administration will treat it more seriously. In the meantime, The Tiger Trust is heading back to Russia to help the Russians launch their new anti-poaching program, code-named "Operation Amba." Those who wish to help can contact Mike or Sophey Day at The Tiger Trust, New Market, Suffolk, CB8 8TN England.



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A victim of the Korean dog meat trade stares anxiously through the cage bars.



Robert Gesell

On March 23, 1994, the Vermont legislature gave final approval to a bill requiring that milk and other dairy products produced using recombinant bovine somatotropin (rBST) carry labels to say so. Vermont becomes the first state in the nation to pass a law giving consumers the right to know if dairy products contain rBST. Only federal legislation will protect all consumers (see page 20 for the complete story).

Secret Slaughter of Blue Whales Exposed

Professor Alexey V. Yablokov is a greatly valued member of AWI's Scientific Committee. He is now Special Advisor to the President of Russia for Ecology and Health, where he works from his office in the Kremlin. His great ability as an honest and highly reliable scientist with a comprehensive grasp of the history and politics of his country, makes his outspoken assessments of inestimable value.

His humane approach to the conservation and protection of whales was vividly illustrated in a recent letter to *Nature* (January

13, 1994), the international scientific journal. He reports on the secret, massive slaughter of blue whales, the largest animal that has ever lived. The letter is reproduced below. It will be of especial concern to all Commissioners of the International Whaling Commission (IWC) when considering the proposal by whaling countries to adopt the Revised Management Procedure (RMP) because the RMP requires accurate knowledge of historical catch data. It cannot withstand the revelation of massive falsehoods.

Validity of Whaling Data

Sir:

For many years, scientists have been arguing about the validity of catch data from commercial whaling operations. Some parts of previously secret records from Soviet whaling in the Antarctic were recently made public during the plenary session of the Conservation Status of Marine Mammals at the Society of Marine Mammalogy's Tenth Biennial Conference in Galveston, Texas, on 12 November 1993. Actual Soviet catch data on right, humpback and blue whales from the 1960s were reported. These data were from one of the four factory ships that operated in the Southern Hemisphere after the Second World War. The catches for right, humpback and blue whales were reported as 717; 7,207 and 1,433 respectively. These numbers are much higher than were previously reported to the International Whaling Commission (IWC). The catches for humpback and blue whales were originally reported as 152 and 156 respectively.

Right whales have been protected under IWC regulations and some earlier agreements, since the 1930s. However, Best¹ in 1988 reviewed three episodes of illegal exploitation by Soviet whaling fleets operating around Tristan da Cunha in the South Atlantic. These catches have been confirmed by the data presented at Galveston.

There have been constant rumours about illegal large-scale Soviet whaling operations not only in the Antarctic and South Atlantic, but also in the South and North Pacific. When I studied cetacean morphology at the land whaling station on Paramuschir Island (in the Northern Kurile Islands) at the end of the 1950s, I received anatomical materials not only from humpback but also from right whales.

It was also known that in the 1960s a Soviet factory ship illegally operated for a couple of weeks in the Okhotsk Sea and caught several hundred right whales. It was also well known in the Soviet Union that blue whales continued to be killed after they were protected by the IWC².

During the Galveston conference, I pointed out in my talk about the IWC that data problems exist with catch records from other countries as well. Kasuya³ and others have reported that catches of sperm whales were under-reported by both number and sex in Japanese land-based sperm whaling operations.

In these circumstances, it has been impossible to conduct a meaningful comprehensive review of the impact of all past commercial whaling operations. In order better to understand how various species of whales have been over-exploited, it would be highly desirable to investigate all whaling records now available. Such a review would also help us to understand the potential for recovery of all depleted whale populations.

Alexey V. Yablokov
Special Adviser to the President of
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Kremlin, Moscow, Russia

¹Best, P. B. *Biol. Conserv.*, 46, 23-51 (1988).

²Zemsky, V. A. & Sazhinov, E. G. In *Marine Mammals: Collected Papers* (ed. Arsen'ev V. A.) 53-70. (All-Union Research Institute of Marine Fisheries and Oceanography, VNIRO, Moscow, 1982) (in Russian with English summary).

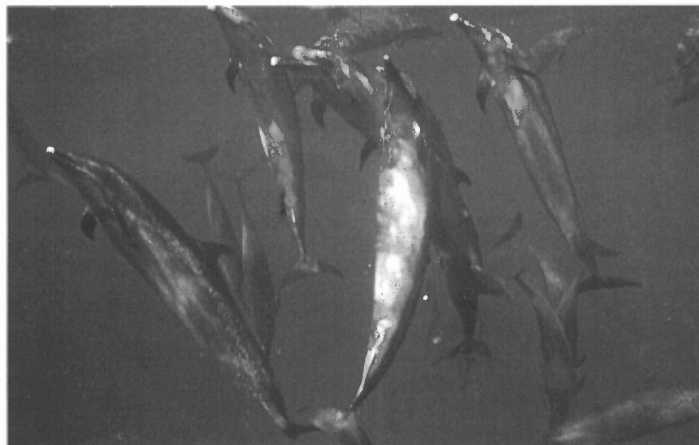
³Kasuya, T. *Mar. Mammal Sci.*, 7, 230-257 (1991).

Judge Henderson Rules on Protection for Spotted Dolphins

US District Judge Thelton E. Henderson ordered the Commerce Department to withdraw permits allowing US fishing vessels to kill northeastern offshore spotted dolphins in the course of netting tuna. The judge's decision paralleled the National Marine Fisheries Service's decision to prohibit all taking of these dolphins, whose populations have sunk to a mere 23% of their original levels because of decades of slaughter by US and foreign tuna fleets.

According to Earth Island Institute, only three US tuna vessels continue the practice of killing dolphins in their tuna purse seines. However, an additional 70 dolphin-killing vessels operate under Mexican, Venezuelan, and Vanuatuan flags. In 1990, as a result of consumer pressure, the largest US tuna companies ceased the sale of tuna caught by setting nets on dolphins.

David Phillips, Earth Island Institute's Executive Director, said, "This ruling makes it clear that Mexico, Venezuela, and Vanuatu must stop the killing of these dolphins if they want to sell their tuna products to US markets."



Spotted dolphins trapped in a purse seine

NMFS

US Scientific Panel Says RMP Not Ready to be Used

In October of 1993, the National Marine Fisheries Service established an independent scientific peer review panel to evaluate the Revised Management Procedure (RMP), which the International Whaling Commission's (IWC) Scientific Committee recommended be adopted. The RMP would be used to calculate kill quotas for renewed commercial whaling (See *AWI Quarterly*, Vol.42, No.1). The review panel's final report found that before the RMP can be applied to the calculation of any real whale harvest quotas, a comprehensive range of additional implementation trials must be conducted, with safe results achieved in each of the following areas.

Abundance and Catch Records

The panel found that the RMP's performance "may be degraded by bias in abundance or historical catch records." This finding is especially timely, since Dr. Sidney Holt recently determined that Norway's claim that the North East Atlantic minke whale population is 86,736 has been overstated by a factor of 2.8. He concluded that the actual number is closer to 30,000. Also, historical catch data have been shown to be seriously flawed (see opposite page). Four decades of IWC historical catch records will have to be redone.

Stock Boundaries

The panel concluded that "one danger in the implementation of the RMP is that small, genetically distinct subpopulations within a small management area will be eliminated." Mistakes in determining stock boundaries would be the most probable and most costly errors under the RMP. Dr. Justin Cooke, creator of the RMP, has even warned that eradication of individual stocks of Southern Hemisphere minke whales is probable if the RMP is instituted.

Cumulative Effects

The RMP ignores the potential cumulative effects, within and across years of, for example, a devastating natural catastrophe and deadly human-related ecological accidents occurring simultaneously. This is increasingly likely, given the overwhelming evidence of multiple causes of mortality, especially environmental threats.

Single Stock Approach

The panel observed that effective cetacean management cannot be achieved through the use of a procedure that does not view whales as integral parts of complex, interactive ecosystems. The single stock approach of the RMP considers neither the vast array of external phenomena affecting a particular whale species, nor the many interrelationships between a hunted species and other facets of the ecosystem.

Monitoring

Our scientific knowledge about whale populations and their abilities to replenish themselves is dangerously incomplete. Monitoring a stock's depletion or recovery is exceedingly difficult. However, as the panel noted, the RMP includes no provision for research to contribute to effective management.

The Clinton administration has announced that "science, not sentiment" will guide the formulation of US policy on environmental issues. Science clearly does not support the resumption of commercial whaling under the current RMP. If US science is to guide the development of national policy on commercial whaling, then the report of the peer review panel should place the RMP firmly on hold.

Fishermen Ordered to Pull Gill Nets

A ban on gill nets in California waters went into effect January 1, three years after voters approved an initiative to outlaw them.

Assemblywoman Doris Allen (R, Cypress), author of the 1990 ballot measure, told a Capitol news conference, "This is a great day for marine mammals."

San Diego County Superior Court Judge Arthur W. Jones rejected pleas from the fishing industry for a temporary reprieve from the ban. Supporters of the proposition report that many species of marine mammals are only just beginning to reestablish themselves after severe declines.

Russian Pirate Whaling

The February 12, 1994 issue of *The Guardian* published the following statement:

Ernst Cherny, a member of Russia's team investigating Soviet killing of whales, is appalled by the records. These are his words:

We have discovered the hunting of protected species, whaling at prohibited times in prohibited areas, extermination of entire herds and even populations—all were commonplace.

The hypocrisy of the people involved in whaling was so great that no one paid any attention to the rules. The ships killing the largest number of whales were considered the best, regardless of the fact that over 90 per cent of their take constituted violations of rules. The ones who observed the rules and thus had smaller catches were considered the worst. The 'leading workers' were rewarded with the maximum bonuses, flats and medals.

The data on violations of whaling rules contained in official Soviet reports to the IWC bore no resemblance to the real situation. These were based on orders from the ministry of fisheries, indicating how many and what kind of violations should be reported. Therefore, all IWC information about Soviet whaling was false, and the conclusions based on it mistaken.

It is worth mentioning that the floating bases for Soviet whaling

fleets were designed so that the flensing deck could be covered by steam, hiding the carcasses of protected species. Observation from the air was made difficult. Another means of keeping illegal whaling secret was coded radio communications.

All radio conversations about whaling had been specially ciphered by the KGB, more reminiscent of some wartime or intelligence operation than peaceful commercial activity. The ciphers contained, for example, such concepts as 'foreign aeroplanes have appeared,' 'a foreign fleet is in sight,' and 'sink the prohibited whales.'

Before entering a foreign port, the crews were briefed with false information about the number of whales killed. Everything was done as if a whaling fleet was some underground organization. Thus, one can be sure that large-scale Soviet whaling had been planned as pirating without observance of rules and limits, and fully ignoring the International Whaling Convention signed by the USSR.

In the meantime, the discussion about a revival of the Antarctic whaling industry is going on; and the danger of new pirate actions is still possible. One hopes that the surviving data will be fully analyzed and commented upon by Russian scientists, and that whaling will be decried as one of the darkest pages in the pioneering of the world ocean. Prohibiting a revival of whaling is almost the only means of preserving these animals and the unique Antarctic ecosystem, which is a universal treasure of all humankind.

The sordid history of whaling in Norway has been thoroughly researched by Aileen Hennes. She has translated a comprehensive article first published in Noah's Ark, excerpts from which are reproduced below.

The Whale Protection Law of 1904

by Aileen Hennes

The first moratorium on whaling came about in Norway. The law protecting whales, which came into force in January 1904, made it illegal to chase or catch any whale in the coastal waters of Norway's three northernmost counties, Nordland, Troms and Finnmark.

When Svend Foyn invented the grenade harpoon and started modern whaling, he created a veritable "goldfever" among those who wanted to get rich quick. However, Foyn was given the sole right to shoot whales the first ten years of his career in the northern waters. Like a reigning monarch, he handed out a few concessions to hunt to others, but only on some very peculiar conditions: The concession-holders were not to shoot whales in the Varanger-fjord, they should not hire any man who had been in Foyn's employment during the past three years and finally, they had to give 10% of their net earnings to the missionary society. When the ten-year period was over, seven companies were established in Eastern Finnmark and now others were arriving. One hopeful upstart after the other went to Finnmark to build himself a whaling station. Most came from the region of Sarpsborg, Larvik and Tonsberg in the south and had earned their capital on sealing. In their excitement they built their stations as close as possible to the prosperous Foyn.

From the mid-eighties to the mid-nineties, the hunting was formidable, well above a thousand blue whales a year. This number must, however, be multiplied many times since it was customary to count 2.5 fin whales or 7 sei whales as one blue whale. It was, in other words, "valuable units" that were counted rather than lives. (This way of counting incidentally lasted into the 1960s and was even used at the International Whaling Commission).

The whale oil was sold in Britain at 30 pounds sterling per ton. The whale bones sold at first at 20 pounds sterling per ton, but the price increased to 230 pounds sterling when the supply became scarce.

The whaling company "Haabet" (The Hope) earned a net profit of 110,000 Norwegian Kroner in its first operating year, minus, of course, the 11,000 that had to go to the missionaries.

"A Type of Whale We Call a Fish-herd"

Already during the first years of the hunt, however, there were protests from local people. The fishermen believed that the whales herded the cod and the capelin towards shore and that the whaling

disturbed this relationship and made it more difficult to catch fish. The claim was based on experience: Since Foyn had started hunting in the Barents Sea, there were less fish in the inshore waters. Their experience was supported by the Sagas.

The Whaling Law of 1880

Professor O. Sars from Bergen went up north three times during the 30-year conflict. He was of the opinion that it was not the hunting of whales that caused the absence of the capelin and the cod and would, therefore, not support a moratorium. What he did suggest, however, was a law forbidding the hunting of whales too close to land in order to protect the fishermen's lives and their equipment. A wounded whale with a whaling ship on tow could cause great damage if it swam towards the fishermen's boats. On his suggestion, a law was made that forbade the hunting of whales within one geographical mile of the shore, and he warned against a possible extinction of whales in the Barents Sea.

In the 1890s the annual catch of whales was halved, and even to catch this amount the boats had to go further and further afield,

sometimes all the way to Spitzbergen. The dead bodies of the whales would be towed all the way back to the flensing stations on the coast of Finnmark. By the turn of the century, there were 29 whaling companies in existence. It goes without saying that their incomes could not have been great. Some of the companies were indeed earning less than what they had previously given away annually to the missionaries just a few years before. But Svend Foyn, speaking at a people's meeting in Vardo, said, "I have consulted Our Lord as to whether the whaling causes injury to the fisheries and Our Lord says no."

The scientists supported Foyn and the government. Sars, Guldberg, Collett and Hjort expressed in turn that the whaling could not be looked upon as detrimental to the fisheries. They were, however, brought to book by the "Committee for the Moratorium on Whaling" (hvalfredningskomiteen): "It is strange how the so-called scientists in this country seem to have a vested interest in playing into the hands of those who profit by whaling even when it is obvious to

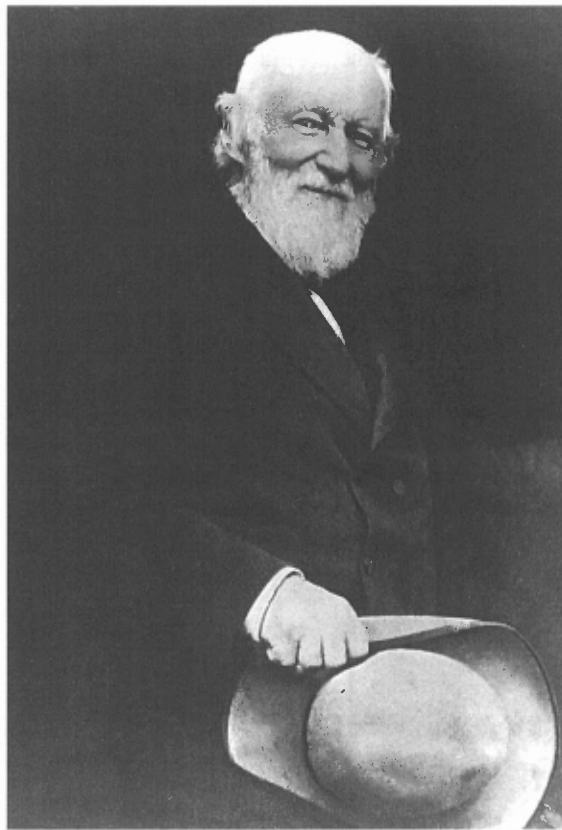
all, through 30 years of experience, that the whaling is detrimental to the nation."

In the same speech, the scientists are accused of being "courtly obscurantists," and that could not have been said better today!

The Fishermen Take Action

The battle increased in force. Eventually it split the nation in a south/north division: Finnmark and Troms against Jarlsberg and Larvik counties.

The fishermen then decided to take things into their own hands, and on a night in June 1903, local fishermen, 1,500 in number, attacked Tanen whaling station in Mehavn. They pulled down the



Commander Christensen's Museum, Sandefjord

Svend Foyn (1809-1894) invented the explosive harpoon to kill thousands of whales with greater ease. He introduced commercial high seas whaling to countries all over the world. His bad example still influences Norwegian policy.

huge pipe and smashed up the building and all that was in it. Only a handful of the culprits were arrested, and as both the county and the state lawyer were against whaling, their sentencing was light. Three men were given twenty days each on bread and water, one was given fifteen, and four ten days. Two men were sentenced to pay 80 Kroner each in damages, while six fishermen were *compensated* with 300 Kroner each.

The struggle between fishing and whaling interests had lasted 30 years. After this incident, the situation was considered "potentially dangerous" by the government, and they decided to pass a law that forbade further whaling in coastal waters. The law was passed on January 7, 1904.

The Real Winners

The Barents Sea was "shot clean" of whales. Even from the mid-nineties, most whales were shot miles away from Norwegian territorial waters and towed along to the shore-based flensing stations. The running of the system had become uneconomical for the whalers. When the fishermen up north eventually forced the government's hand to protect the whales, they did the whalers a grand favor, since the government was now obliged to compensate them for their loss. **They were paid handsomely to leave the sea they had emptied of whales; species of whales that have never returned.**

With their new capital, the Norwegian whalers "flagged out." Many had established new whaling stations on Spitzbergen, in Iceland, the Shetlands, the Faroes, Japan and Newfoundland already by the end of 1904. Christian Salvesen established his whaling company in Leith, Scotland in 1905, while at the same time Christian Christensen's "Oceana" seal and dolphin hunters set up in Antarctica, and the dolphin hunter Johan Bryde set up a whaling station in South Africa.

Then started the great organized annihilation of whales. A firsthand report states: "The whaleboats, seething at the bows, follow right on the tails of the whales.

"The 'Prussian chase' has begun. There is only a semidarkness for a couple of hours at night, and from the first daylight to the last, the gunners blast off above and into the rapid backs of the whales. The harpoons, with 60 arms' lengths of rope attached to them, fly through the air and speed right through the fin whales. When the grenades go off, splinters come flying in all directions. The rope goes overboard so fast that smoke comes off it. The crew heaves the beasts alongside the ship. "Get the pump into 'is belly and blow 'im up! Get a flag into 'im! Get into the school again!"

"The gunners fire once more."

Source material: Hans Bogen: "Lines in the History of Norwegian Whaling," Ascheoung & Co., 1933. Fridjov Barth Larsen: "Whales and Whaling," Fabritius & Sonners Forlag, 1943.

Attempted Smuggling of Norwegian Whale Meat

Japan has shown great interest in minke whale meat from Norway. Representatives of the Himeji company allegedly visited numerous Norwegian whale product distributors in the winter of 1992. On November 10, 1993, *Verdens Gang* reported the attempted smuggling of 3 1/2 tons of minke whale meat from Fornebu Airport. The illegal cargo was declared as "Norwegian prawns" which were to be flown by Lufthansa via Frankfurt to Seoul, Korea. A Scandinavian Airlines employee discovered the fraud because of damaged packaging.

Environmental Threats to Whales

by Allan Thornton

In recent years, the International Whaling Commission (IWC) has begun to recognize and express its increasing concerns at the degradation of the marine ecosystem and its known or potential impacts on whales. New scientific data continues to emerge at a bewildering rate which confirms the increased deterioration of the marine ecosystem that is causing great stress on whales.

One of the most horrifying discoveries is the dangerously high level of organochlorines (PCBs and DDT composites) polluting marine mammals worldwide. This is the most likely cause of declining populations of belugas in Canada, orcas in Washington State and harbor porpoises and striped dolphins in the Dutch Wadden Sea. In the Faroe Islands and Japan, people illegally hunt and eat these polluted animals in vast quantities.

Since the moratorium on commercial whale hunting was passed, "die-offs" of dolphins, seals and others have shifted from being virtually unheard of to disturbingly common. At least 2,500 bottlenose dolphins from the inshore population of the east coast of the United States perished in 1987-88. Some 7,000 striped dolphins died in the Spanish region of the Mediterranean sea in 1990. In 1988, 38 dead sperm whales washed up in Norway or were seen offshore. Another 20 washed up in 1990, among these 12 in Ireland and the UK, which has had an observer scheme and recorded a total of only 12 stranded whales between 1913 and 1966.

Global warming will have far reaching effects on whales and other cetaceans, especially through the impact on the whole food chain. Many cetacean species rely on colder areas of the oceans, which are exceptionally productive, for seasonal or year-round feeding. If these habitats fail to produce sufficient abundance or variety of food, resident species, especially those with coastal habitats could find themselves left with no adjacent productive areas to which they can migrate. In 1989, global oceans were shown to be warming at twice the rate estimated earlier in the decade.

Large scale driftnetting emerged as a major killer of cetaceans. Hundreds of thousands of cetaceans are known to have been killed in such operations. Even small driftnets and fixed gill nets are known to cause serious levels of cetacean mortalities.

Antarctic ozone levels have declined from 1987 to 1993, and the affected surface area is growing. Various experiments have demonstrated that UV-B radiation, insufficiently blocked by the thinning ozone, reaches the surface and causes direct damage to juvenile fish, fish eggs and larvae, shrimp larvae, crab larvae and other small animals that are essential to the aquatic food-web. A change in community composition at the base of food-webs may produce instabilities within ecosystems affecting organisms higher in the food-chain, such as whales.

Most recently, pox-like marks have appeared on the backs of southern right whales migrating annually to the Peninsula Valdes, Argentina. The right whales reach peak numbers in the area during September and October—when the ozone hole is at its largest—and enjoy resting at the surface for hours at a time.

With the world's cetaceans facing such a disastrous variety of environmental threats, a resumption of commercial whaling characterizes the height of irresponsibility. The existing moratorium on commercial whaling must be upheld and the Antarctic whale sanctuary should be implemented.

Allan Thornton is the President of the Environmental Investigation Agency.

Matthew Block Fined by USDA

The US Department of Agriculture (USDA) has assessed a civil penalty of \$16,000 from Matthew Block's Worldwide Primates, Inc. A hearing regarding apparent violations of the Animal Welfare Act would have led to revelations of the precise nature of mistreatment of animals dryly listed by the USDA's Animal and Plant Health Inspection Service (APHIS). Therefore, Block accepted a consent agreement and agreed to cease and desist from violating the Act and its regulations and standards.

The Order states:

Respondents, their agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the regulations and standards issued thereunder, and in particular, shall cease and desist from:

- (a) Failing to store supplies of food and bedding so as to adequately protect them against infestation or contamination by vermin;
- (b) Failing to make provisions for the removal and disposal of animal wastes;
- (c) Failing to construct and maintain indoor housing facilities for animals so that they are adequately ventilated;
- (d) Failing to provide animals with adequate shelter from inclement weather;
- (e) Failing to provide animals with adequate water;
- (f) Failing to provide animals with wholesome and uncontaminated food of sufficient quantity and nutritive value to meet their normal daily requirements;
- (g) Failing to maintain primary enclosures for animals in a clean and sanitary condition;
- (h) Failing to keep the premises clean and in good repair and free of accumulations of trash;
- (i) Failing to establish and maintain an effective program for the control of pests; and
- (j) Failing to establish and maintain programs of disease control and prevention, euthanasia, and adequate veterinary care under the supervision and assistance of a doctor of veterinary medicine.

Block's Worldwide Primates is one of the biggest suppliers of monkeys to laboratories for experiments and tests. He is responsible for the massive suffering endured by these wild-caught primates.

Even though he has confessed to felony conspiracy in the orangutan smuggling case*, he is still travelling the world conducting his lucrative primate importing business, and he maintained a commercial exhibit at the annual meeting of the American Association for Laboratory Animal Sciences. Matthew Block employs influential and expensive attorneys, who have brought about a series of delays that have kept Block out of jail. Neither the Department of the Interior nor the Department of Agriculture have revoked the licenses Worldwide Primates holds under their jurisdictions.

* See *AWI Quarterly* Vol. 42., No. 1; Vol. 41, No. 4; Vol. 41, No. 2; and Vol. 40 No. 3.

No New Trial for Matthew Block

Judge James W. Kehoe has rejected Matthew Block's motion to vacate his sentence and reopen the sentencing proceedings in the case of the smuggled baby orangutans. The judge stated, "... the court rejects Block's assertion that the newly discovered evidence indicates that the USA acted in bad faith ..."

Block's attorneys also charged the prosecution with "constitutionally impermissible motivation, such as race or religion," but Judge Kehoe ruled against Block for lack of evidence and rejected Block's request for a new trial.

Beating Pets to Death in

"The Chinese Year of the Dog"

The Chinese Year of the Dog has begun, but in Beijing, pet dogs are being systematically beaten to death by "da gou dui," dog-beating teams.

According to the *Toronto Globe and Mail*, Li Wenrui, the East City district of Beijing's Deputy Chief of Public Security, told a reporter: "We beat 351 dogs to death in the past week. Our policy is to annihilate them." Wenrui organizes 11 five-member teams, one from each neighborhood police station. "My men make their own dog-beating weapons," he said. "They use metal poles with steel wire on the end."

The *Globe and Mail* adds: "Police hate the dog-beating detail, according to the *Beijing Legal Daily*, but not because they're soft on dogs. They're afraid of the owners."

Stebane Finally Out of Business

After years of cruelty and neglect, notorious dog dealer, Ervin Stebane, forfeited his animal dealer's license on March 14, 1994.

In March 1960, a Wisconsin humane group and a sheriff's officer raided Stebane's farm where he raised dogs for use in research labs. They found appalling conditions but no charges were brought against him. US Department of Agriculture (USDA) inspection reports since 1980 cite him for over a hundred apparent violations of the Animal Welfare Act, including diseased, poorly fed, or dead dogs; inadequate shelter from rain or snow; and filthy pens and surroundings.

In 1987, the USDA fined Stebane \$1,500 and suspended his license for 20 days for violating standards of sanitation and animal care. He has also been investigated at least four times by the Calumet County Sheriff's office on stolen dog complaints, and area residents have found their pets at his ranch. Stebane was charged by Wisconsin authorities in May 1993 with animal cruelty and arrested for allegedly selling dogs for human consumption. He was later acquitted despite videotape evidence.

As a result of the consent decision and order filed by Stebane with a USDA administrative law judge on March 14, the animal dealer is permanently prohibited from seeking any kind of USDA licensing.

Bequests to AWI

To all of you who would like to help assure the Animal Welfare Institute's future through a provision in your will, this general form of bequest is suggested:

I give, devise and bequeath to the Animal Welfare Institute, a not-for-profit corporation exempt under Internal Revenue Code Section 501(c)(3), located in Washington, DC, the sum of \$ _____ and/or (specifically described property).

We welcome any inquiries you may have. In cases where you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.

Animal Welfare Institute
Post Office Box 3650
Washington, DC 20007

Massive Dog Meat Sales in Korea

In Korea, both live and dead dogs are displayed in street markets. A major Korean television station, MCB-TV, showed the slaughter and sale to an audience which comprises two-thirds of the viewers in Korea. The videotaped record of this evening prime time news broadcast shows customers selecting dogs from more than 30 huge cages. The broadcast was made from Sungnam City, Moran Market, the largest dog market. A partial transcript follows:

There are more than 30 huge cages here. The customers will be directed to come here to see the dogs, and they themselves will choose the dog they want.

Customer: "How much does this dog weigh?"

Dog dealer: "About 27-28 kun." (36-37 pounds)

When the choice is made and the transaction finished, the dog is slaughtered on the spot: the dog's neck is held and his head hit with a metal stick. After the concussion an electric stick is then used to complete the killing. This happens to dogs (in the market) all day long.

One couple selects a dog. A rope is put around the dog's neck and he is dragged out of the cage. This time, electrocution is used right away. The dog screams and then becomes stiff. The rope is taken off the dog and he is given the electric shock one more time. Then another dog is killed by same method.

The slaughtered dogs are brought to the processing factory by motorcycle.

First, the dead animal is put into a huge pot of boiling water. It is a machine for the removal of the fur; all of it is removed by means of the fast whirlpool action in this machine.

When the fur has been removed, the dog is browned by torch.

Then, once more, the dog is transported to the shop by the motorcycle.

This is the process used for preparing dog meat.

This kind of slaughter is not regulated by law: to process a chicken for the market one must follow a strict livestock sanitation and product law, but there is no law or regulation for the killing and processing of dog for the market. There is no question that the lack of guidelines presents many problems.

First, because there are no regulations, the illegal and open torture and killing of these animals on the streets causes emotional dis-



Dog dragged off for slaughter.



Crates of dogs brought to the slaughter house.

stress and disgust. When there is regulation for slaughter houses, the process of killing is confined to certain facilities, but in the public spaces anyone can see the cruelty to the dog every day, all day long. There are no proper facilities. The sanitation problem is tremen-

dous. Flies are everywhere.

Reporter: "How come there are so many flies here?"

Filthy, bloody waste water is thrown out on the streets, anywhere. There is no proper plumbing. This waste water will eventually pass into the streams.

Dealer: "Every day I try very hard to keep this place clean, but there are just too many dogs. I cannot say that it is sanitary."

Several dogs look very sick. Meat from such animals goes on the market in large quantities.

Dealer: "This one cage holds 800 dogs."

Reporter: (astonished) "How many!?"

Dealer: "800 dogs."

Reporter: "Then if the cages are filled up, there will be more than 1,000 dogs! How many dogs can you sell around summer *Bok* days?" (Korean lunar summer hot dog days—starts middle of July ends early August usually)

Dealer: "Around 1,000 dogs a day."

"We have ignored this situation for a long time. Meanwhile the problem is getting bigger and bigger. Now we have to solve it one way or another."



Dog carcasses on display for sale of meat in a market.

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Footsnares Can Reduce Injuries to Trapped Coyotes

by Cathy Liss

An animal heads down a trail where an unwary footstep triggers the pan of the hidden steel jaw trap, activating the jaws, which slam together with violent force on the animal's leg. Excruciating pain and fear grip the animal, as a fierce struggle for freedom ensues. Torn flesh, severed tendons, cutaneous lacerations, tooth fractures, broken bones and countless hours, if not days, of agony and terror are some of the horrors inflicted on animals caught in steel jaw leghold traps. For decades the federal Animal Damage Control (ADC) program has been using these archaic steel traps to catch and kill millions of coyotes to "Protect American Agriculture."

Aware of the horrendous injuries caused by steel traps but unwilling to look beyond them, ADC personnel spent countless tax dollars fooling with modifications to steel traps in their research department. However, at last there are signs that the Department of Agriculture's ADC program is loosening its grip on steel traps.

In addition to pursuing alternatives to trapping coyotes, the Animal Damage Control staff has decided to test a variety of footsnares* on coyotes. Bob Phillips, the principal investigator, invited me to the Utah compound to observe the footsnare testing.

Also present were Dr. Marianna Roetto, the study veterinarian, Bob's assistant Ken Gruver, Tom Garrett, and Tommy Svensson of Sweden. John McConnell, experienced at moving coyotes without getting bitten, was the coyote handler.

The footsnares to be tested were two spring-arm powered snares: the Fremont and the Bouffard and three tubular-type snares: the Ezyonem, the Lulea and the Aberg. The research protocol called for placing each of the footsnares on the animals' legs to determine if they were able to hold the animals and to ensure that the snares were not causing severe damage. The next step was setting the snares in an enclosure with free-roaming coyotes to be certain that the snares could catch and hold the animals. For this preliminary look at footsnares, it was agreed the longest time a coyote would be held was 2 hours. At any time I felt a coyote was going to be seriously injured or was in severe distress, I could call off the test, but this did not prove to be necessary.

A captive-reared colony of coyotes is maintained by the Department of Agriculture for research purposes. They are stunningly beautiful animals, extremely alert and keenly intelligent, each with a distinct personality. Once one animal lifts his head and starts to call, the others quickly join in and their song is captivating. They demonstrated their sagacity by their ability to avoid snare sets and in their efforts, once caught, to get out.

* It is important to distinguish footsnares which restrain the animals, from necksnare which strangle animals, resulting in a slow and agonizing death.

All of the devices which were tested have a mechanism to prevent the circulation from being cut off as would happen with an ever-tightening snare noose. Another important feature was a coating and/or tubing along the snare cable to protect the animal's limb.

A comparison was made of footsnares staked firmly to the ground versus use of a "drag," a weighted object affixed to the end of the snare. Once animals are caught, they are able to move to cover, rather than being held in a fixed location. In Sweden it is mandatory to use a drag when trapping foxes.

Tommy Svensson came to demonstrate proper use of the Swedish footsnares, the Aberg and the Lulea. Though very similar, the Aberg appears to be the less injurious. The Aberg was able to catch and hold numerous coyotes. Its current design is intended for use on foxes so it will need some modification for application with coyotes. It is lightweight and easy to set. In Sweden it is only permitted to be used in snow, which is preferable, yet it can be used in a "dirt set."

The Ezyonem footsnare was actually too easy on the coyotes. They are strong animals, able to escape from it with relative ease.

We were unable to test the Bouffard because of difficulties in setting the snare properly. It will have to be examined in the future, after acquisition of a newer design and instructions for proper setting.

The Fremont footsnare was able to hold coyotes successfully. However, operational difficulties were encountered when attempts were made to catch them; the coyotes were able to pull their legs free before the snare noose had closed. Here, again, setting instructions are needed to ensure that the set is made properly.

Fortunately, during my three days of observation, I did not need to halt any of the tests. The lock on the Fremont snare caused a small laceration on a coyote's leg. This injury can be prevented if the lock is modified to eliminate sharp metal edges. Another coyote broke a tooth biting on the metal pan of the Lulea snare. This problem is avoided in the other footsnares which do not have metal pans (Ezyonem) or have pans which detach after catching an animal (Aberg, Fremont, Bouffard). While the capture of coyotes is by no means a serene event, reducing the impact a trap has on an animal reduces the pain and suffering caused by the ordeal. Many of the coyotes held in footsnares responded with annoyance at being caught and held, which contrasts sharply with their frenzied fight against steel jaw traps. Additional study and refinement or modification of footsnares will be necessary, but this formal test by the US Government demonstrated clearly that they can be a viable alternative to steel jaw traps.



Female coyote held in a Fremont footsnare.



The Aberg snare developed in Sweden holding another coyote.

Friends of Furbearers: Delegations That Voted for Removal of the Word "Humane" from the Title of the Trap Standards



Senator Rolland Gillet
BELGIUM



Cristian Krogell
FINLAND



Peter Vingerling
NETHERLANDS



Neil Wells
NEW ZEALAND



Peik Bendixen
NORWAY



Tommy Svensson
SWEDEN

Twelve nations sent delegates to the Ottawa meeting on trapping standards of the International Organization for Standardization (ISO), February 8-11. The majority of countries vigorously opposed use of the word "humane" to describe the traps which the ISO standards would legitimize. The current draft standards would have characterized as "humane" traps which cause painful and terrifying experiences such as broken teeth and bones, amputation of toes, gangrene and forcible drowning. When a vote was finally taken after four days of debate, Belgium, Finland, Germany, the Netherlands, New Zealand, Norway, Sweden and the United Kingdom voted to delete the word. To our shame, the United States, represented by

trapper Tom Krause, voted to characterize such traps as "humane". So did Denmark which has a huge and powerful fur industry. Argentina and Canada abstained.

Canadians Fred Gilbert, Chair of the Working Group on Restraining Traps, and Jan Jofriet, Chair of the Working Group on Killing Traps resigned and left the meeting.

Having lost the vote, the organizers of the meeting created a single working group and are scheduling their next meeting for New Zealand. The struggle over the standards is far from over. It is a virtual certainty that North American fur interests will seek to reinsert the word "humane" at a later date. Meanwhile efforts are underway to recruit additional countries such as China which would support the North American position, championed by the fur industry.

Petitions Delivered

In January, two wheel barrows full of petitions were delivered to ISO Secretary-General Dr. Lawrence Eicher in Geneva. Thanks to all who collected petition signatures for AWI requesting deletion of "humane" from the title of the trap standards. Petitions represented an international constituency. Special thanks go to the European Federation for Nature and Animals.

In the latest pronouncement from the veterinary community, the World Veterinary Association declared the steel jaw leghold trap to be inhumane.

Little Girl Trapped by Steel Jaws

"I just kept screaming and screaming," exclaimed eleven-year old Jessie Lang of her capture in a steel jaw leghold trap set along the creek near her family's vacation cottage in northern Wisconsin.

Jessie had been playing with her nine-year old sister when she thought she saw a tool. Reaching for it, she found herself held fast by the thumb. In pain and with no idea what was holding her, she yelled while her sister ran to get her parents.

Her distress calls brought the neighbors and her sister brought her father, who found Jessie suffering a fate intended for furbearing animals. Jessie said, "I was trapped and the trap was tied to a steel pole." The adults were able to free the young girl from the trap that had been set to capture muskrats.

Jessie thinks she was held for a matter of minutes, though it seemed like much longer. After her rescue she said, "There was an indentation where the trap was on my thumb and it was red and very puffy on the end."

Now she is nervous about going near the creek and described a similar situation endured by a friend's dog. The dog was caught in a steel trap and was stuck struggling in the water. The trap was probably supposed to drown its victim, but the dog survived. However, he is scared and won't go in the water anymore. Jessie has

two dogs and is worried about them getting caught in steel traps, stating, "I don't want any animal or any person to go through what I did. The trap hurts. It was scary."



This is a picture of me, my dog Tara and my cat Coco. In the background you see my hamster Teddy. You can't see him but you can see his cage. I also have another dog and bunny but they are not in the picture. I wanted a snake for Christmas but Santa didn't deliver it. Sincerely, Jessie Lang

The Biophilia Hypothesis

Edited by Stephen R. Kellert and Edward O. Wilson, Island Press/Shearwater Books (Washington, DC), 1993, 434 pages, \$27.50.

The 20 distinguished contributors to this book met together at Woods Hole to discuss the concept that human beings have a natural, inborn, love of nature which should be encouraged and nurtured. The chapters they wrote are almost as varied as the biodiversity they revere.

David W. Orr writes, "I think it is impossible to unravel natural diversity without undermining human intelligence as well." He calls for a new covenant with animals.

Edward O. Wilson, who first wrote about biophilia ten years ago, tells us kinship with other species is "literally true in evolutionary time."

All higher eukaryotic organisms, from flowering plants to insects and humanity itself, are thought to have descended from a single ancestral population that lived about 1.8 billion years ago. Single-celled eukaryotes and bacteria are linked by still more remote ancestors. All this distant kinship is stamped by a common genetic code and elementary features of cell structure. Humanity did not soft-land into the teeming biosphere like an alien from another planet. We arose from other organisms already here, whose great diversity, conducting experiment upon experiment in the production of new life-forms, eventually hit upon the human species.

Nevertheless, research in biophobia is far better funded than research in biophilia. For example, research on human twins has "yielded convincing evidence that biophobia has a partly genetic basis," according to psychologist Roger S. Ulrich. Snakes and spiders apparently are most likely to inspire a phobia.

However, the positive influence of natural scenes on clinically anxious patients was analyzed for 15 years in a Swedish hospital where abstract pictures inspired strong complaints and "even physical attacks (such as tearing the picture from the wall and smashing the frame." But, "During the fifteen-year history of the ward, apparently no attack had been directed at a picture depicting nature."

Dr. Ulrich made a study of patients assigned to a window view of a natural setting and those in identical rooms which faced on a brown brick wall. The wall-view patients "required many more injections of potent painkillers" and took longer to recover.

The evolutionary history of humans in African savanna landscapes is mentioned often by contributors to *The Biophilia Hypothesis*. They indicate that an uninterrupted view with groves of trees is favored by most people. Although there is no discussion of the preferences of animals, in a study of pigs living freely in Scotland, they showed a marked preference for a wide view of this kind from the top of a hill.

Holmes Rolston III interprets the theory of "selfish genes" benignly. "Natural history," he writes, "is not an evil scene driven by maliciously selfish genes. It is a wonderland of adaptive fit, a community of intrinsic values woven instrumentally into a systemic web."

Summing up what has happened to us, David Orr writes: What we call 'modernization' represented dramatic changes in how we regarded the natural world and our role in it. These changes are now so thoroughly ingrained in us that we can scarcely conceive any other manner of thinking. But crossing this divide first required us to discard the belief that the world is alive and worthy of respect if not fear. To dead matter we owe no obligations. Second, it was necessary to distance ourselves from animals who were transformed by Cartesian alchemy into mere machines. Again, no obligations or pity are

owed to machines. In both cases, use is limited only by usefulness. Third, it was necessary to quiet whatever remaining sympathy we had for nature in favor of hard data that could be weighed, measured, counted, and counted on to make a profit. Fourth, we needed a reason to join power, cash, and knowledge in order to transform the world into more useful forms. Francis Bacon provided the logic; the evolution of government-funded research did the rest. Fifth, we required a philosophy of improvement and found it in the ideology of perpetual economic growth, now the central mission of governments everywhere. Sixth, biophobia required the sophisticated cultivation of dissatisfaction which could be converted into mass consumption. The advertising industry and the annual style change were invented.

For these revolutions to work, it was necessary that nature be rendered into abstractions and production statistics of board feet, tons, barrels, and yield. . .

Removed to purely artificial environments and deprived of 'beauty and mystery,' the mind 'will drift to simpler and cruder configurations' that undermine sanity itself. Still, biophilia competes with what Wilson describes as the 'audaciously destructive tendencies of our species' that seem also to have 'archaic biological origins.' Allowing those tendencies free rein to destroy the world 'in which the brain was assembled over millions of years' is, Wilson argues, 'a risky step.'

Yet another possibility is that at some level of alertness and maturity we respond with awe to the natural world independent of any instinctual conditioning. 'If you study life deeply,' Albert Schweitzer once wrote, 'its profundity will seize you suddenly with dizziness.' He described this response as 'reverence for life' arising from the awareness of the unfathomable mystery of life itself. (The German word Schweitzer used, *Ehrfurcht*, implies more awe than the English word *reverence*.) Reverence for life is akin, I think, to what Rachel Carson meant by 'the sense of wonder.' But for Schweitzer reverence for life originated in large measure from the intellectual contemplation of the world: 'Let a man once begin to think about the mystery of his life and the links which connect him with the life that fills the world, and he cannot but bring to bear upon his own life and all other life that comes within his reach the principle of Reverence for Life.' Schweitzer regarded reverence for life as the only possible basis for a philosophy on which civilization might be restored from the decay he saw throughout the modern world. 'We must,' he wrote, 'strive together to attain to a theory of the universe affirmative of the world and of life.'

We have reason to believe that this intellectual striving is aided by what is already innate in us and may be evident in other creatures. No less an authority than Charles Darwin believed that 'all animals feel wonder.'

California Bears Shot for the Gall Bladder Trade

William Jim Taek Lee was charged with four felony counts for the illegal hunts he arranged in which 30 or more California black bears were killed. Mr. Lee's Ace Hunting Club advertised in South Korean as well as California newspapers. According to the Associated Press, he also solicited customers at a local gun shop. The hunters paid \$1,500 each to Lee, who also sold bear parts in South Korea.

Lieutenant Eddie Watkins of the California Department of Fish and Game reports that Lee's business was growing. Before his arrest, he planned to expand his hunts to Washington, Alaska and Africa. The arrest resulted from a five-month investigation. Maximum sentences for each felony are a year in jail and a \$5,000 fine.

The case provides "solid evidence that people are being solicited from outside this country to come to California and kill bears illegally," according to Greg Laret, Deputy Chief of California's Wildlife Department.

Berosini Case Unanimously Reversed by Nevada Supreme Court

The Nevada Supreme Court has ruled against Bobby Berosini, who claims that the striking of young orangutans before his Las Vegas "comic" act was a "disciplinary procedure." Humanitarians who viewed the videotape, taken undercover, were outraged at the cruelty, but a lower court decided that People for the Ethical Treatment of Animals (PETA) and its co-plaintiffs should pay Berosini \$4.2 million for invasion of privacy and defamation.

In a 32-page decision, the Supreme Court concluded, "The judgment of the trial court is reversed in its entirety." The ruling stated:

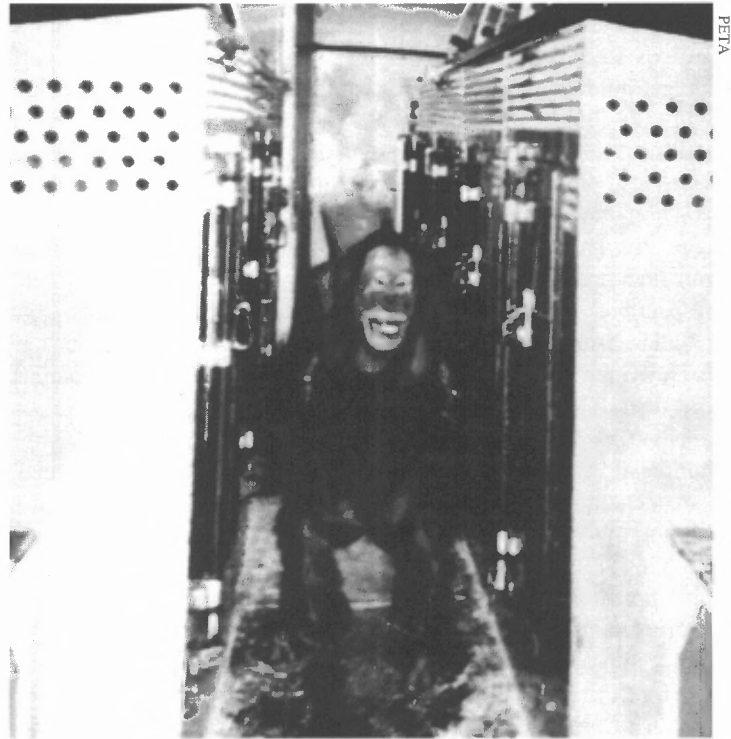
The videotape is not defamatory because Berosini and his witnesses take the position that the shaking, punching, and beating that appear on the tape are necessary, appropriate and 'justified' for the training, discipline, and control of show animals . . .

Appellant Ottavio Gesmundo did the actual taping of Berosini. Gesmundo was a dancer in the Stardust Hotel's 'Lido' floor show, at which Berosini's animal act was the principal attraction. Gesmundo claims that he was prompted to videotape Berosini's treatment of the animals because he had become aware of Berosini's conduct with the animals and thought that he would be in a better position to put an end to it if Berosini's actions were permanently recorded on tape. Gesmundo says that he had, on a number of occasions, heard the animals crying out in distress and that he had overheard 'thumping noises' coming from the area backstage where the videotaping was eventually done. The area in question was demarcated by curtains which kept backstage personnel from entering the staging area where Berosini made last-minute preparations before going on stage. By looking through the worn portions of the curtains, Gesmundo testified that backstage personnel were able to observe the manner in which Berosini disciplined his animals in the mentioned staging area. Berosini's position is that his actions depicted on the tape were a 'proper' and 'necessary' manner of treating these animals.

Medical Researcher Endorses Beatings of Orangutans

Four of Berosini's orangutans came from Yerkes Primate Center, a major facility for the conduct of experiments on large numbers of primates of different species. Berosini called upon Professor Kenneth Gould, Ph.D., of Emory University, where

Yerkes is located, to testify. Dr. Gould stated that the beatings portrayed in the videotape were "appropriate and necessary action on his part with regard to discipline of animals under his control."



Berosini's orangutans lived in these outrageously cramped cages for years till he was compelled by law to enlarge them.

What then does the Yerkes Primate Center, funded by the National Institutes of Health (NIH), consider acceptable control of oranges and other primates used for research? How much pain does Dr. Gould consider is "appropriate and necessary" in his research?

Note: NIH grants to Dr. Kenneth Gould totalled \$445,619 in 1990, \$483,952 in 1991, \$204,099 in 1992 and \$283,077 in 1993.

NIH Official Wants Thousands of Scientists to Tell the Public They "Care Deeply" About Animals

Dr. Louis Sibal, Director of the Office of Laboratory Animal Research, Office of Extramural Research, National Institutes of Health, says he is "reaching out to a concerned public" to let them know that "scientists are sensitive and care deeply about animals."

Dr. Sibal's claims are contrary to what is actually happening with respect to the Improved Standards for Laboratory Animals amendments to the federal Animal Welfare Act. As *AWI Quarterly* readers know, Judge Richey ruled that the USDA issued such vague regulations that they violated the federal Administrative Procedures Act. He dubbed the regulations "arbitrary and capricious."

But the National Association for Biomedical Research (NABR) sought an appeal against the judge's wise decision, and when their motion to intervene to appeal the judge's decision was denied, they went to court again to reverse that decision, too. The Association of American Medical Colleges, the American Council on Education, the American Physiological Society, the Regents of the University of California, University of Alabama at Birmingham, University of Colorado, the Trustees of Columbia University in the City of New York, Duke University, Johns Hopkins University, Pennsylvania State University College of Medicine, Leland Stanford Junior University, the Association of American Universities, the American Association of Veterinary Medical Colleges, the American Society for Pharma-

cology and Experimental Therapeutics, the American Heart Association, the Endocrine Society, the Federation of American Societies for Experimental Biology, the National Association of State Universities and Land Grant Colleges and the Society for Neuroscience have filed *amicus* briefs in support of the government and NABR. Plainly, Sibal's assertion that "the biomedical research community and Federal agencies are working together to achieve the best care for laboratory animals" is flatly contradicted by NABR's aggressive attack on Judge Richey's humane ruling.

As for the notably unscientific generalization that scientists (*all* scientists?) are "sensitive and care deeply about animals," NABR's actions again belie Sibal's statement. NABR's long history of opposition to legislation requiring modest improvements in the treatment of experimental animals indicates that the opinions of those scientists who *do* care about animals have been drowned out by those who don't.

Dr. Sibal also writes in the Federation of American Societies for Experimental Biology (FASEB) newsletter (May 1993), "I want to urge the thousands of members of FASEB. . . to remain diligent in their efforts to assure the public that the biomedical research community and federal agencies are working together to achieve the best care for laboratory animals."

A caring scientist wrote us to "question the propriety of a government official [Dr. Sibal] authoring such a piece" in the FASEB newsletter.

Tourism for Discovery in Senegal

by Peter Knights

In our overcrowded world, there is ever increasing pressure for wildlife to "pay its way." Being shot, trapped, skinned, maimed, incarcerated or eaten are some "consumptive" ways wild animals are expected to earn their keep. So those of us who think that animals are getting a raw deal from this approach have to try and come up with alternatives. Tourism is fast becoming the world's largest industry with eco- or adventure tourism one of the fastest expanding sectors. Ecotourism or wildlife viewing is therefore the most important non-consumptive use of wildlife, generating millions of dollars annually. The returns from such "use" can be far greater in the long run than a consumptive use and the incentives to conserve and respect both the species and their habitat are clear.

Tourism is certainly not without risks to the species. Much has been written on how over-use or irresponsible behavior by tourists can disturb animals and damage fragile ecosystems. This can be avoided by simple and cheap management systems, like visitor number restrictions, if common sense prevails over short term greed.

If ecotourism is to conserve species in the long term, it needs the support of local people. It is just and proper that they should benefit from it significantly. I was therefore delighted to have the opportunity to visit a twenty year old project in Senegal, West Africa that addressed many of these issues head on.

The project, known as "rurally-integrated tourism" or "Tourism for Discovery," was principally designed by its initiator, anthropologist Christian Saglio, to address sociological rather than environmental concerns, but a crossover can clearly be seen, and local environment and wildlife are already benefiting. Its concepts could and should be used to help model future ecotourism projects to ensure that the interests and rights of wildlife and the local people are protected.

Local transport consists of bush taxis or canoes and by using it, the visitor immediately gets a taste of African life. The environmental impact of tourism with this communal transport is negligible.

In 1993, full board was a real bargain at only \$17. As virtually all inputs are locally produced, costs are very low and most of the revenue is ploughed straight back into community development.

I visited two very different sites. The first, at Palmarin on the Atlantic coast, is only a few hours' drive from the capital, Dakar. The *campement* is well established and run with a professionalism to rival any private site. The village has heavily re-invested in the facilities. Its 30 huts are set on a golden beach among palm trees and electric light is provided by a series of solar panels, which also power a fridge to keep the beer chilled. In addition to visiting the village and talking with villagers, we took a boat trip to the nearby "Island of the

Birds" to see the colony of pelicans, herons and other water birds and were also lucky enough to visit when the traditional wrestling, "la lutte sénégalaise" was in full flow. All surrounding villagers attended resplendent in their traditional costumes. We were made very welcome and encouraged to photograph along with Senegalese as this colorful cross between sumo wrestling and tribal dancing took place to the beat of African drums. It wasn't specially staged for us and we were guests, rather than customers. Revenue from the *campement* has funded school extensions, water cisterns, fishing boats and work on a church and a mosque among other projects, and the villagers are clearly proud of their achievements.



Peter Knights

An idyllic setting far from the madding crowd.

I travelled 700 km across the dry dusty central area of Senegal to the remote village of Dindéfilo on the Guinean border. The journey through the Nikolo Koba National Park and across the Gambia river is well worth it. The main attraction is a magnificent 50 meter waterfall and the beautiful valley it feeds. Even at the height of the dry season when most of the surrounding area is parched, the waterfall provides a cooling shower and you can swim in the pool below. The small valley is home to a great variety of wildlife. A troop of vervet monkeys, tiny pygmy kingfishers, electric green turacos, hornbills and whistling ducks are often seen on the way to the waterfall. There are also palm rats, squirrels, antelopes and pythons. In order to preserve the valley the villagers have instituted a ban on cutting wood in the valley. As well as visiting the waterfall and meeting the people of the village, trips can be made up into the hills to see a view of the valley and the source of the waterfall. There are also caves, which it may be possible to explore in the future.

The camp is quite new and consists of just six huts surrounding a center open-plan dining area. The villagers are currently battling for the right to control access to the waterfall, which will ensure a reasonable income for the village. In return they will preserve it as a haven for wildlife.

Tourism for Discovery is a small drop in the lake of tourism, but similar projects are underway around the world in countries like Belize and Indonesia. Development has seldom been an equitable process—the developed countries always taking more than they give—but if the lessons of Tourism for Discovery can be learned, ecotourism could help start to redress the imbalance by helping rural developing communities preserve their wildlife heritage and obtain economic benefit from its presence.

Peter Knights has worked for the Environmental Investigation Agency (EIA) to expose the abuses of the trade in wild birds for the last five years. He is currently seeking funds to help develop an ecotourism project on the principles of "Tourism for Discovery" linked closely to protection of wild animals, like African Grey parrots, and rainforest in Ghana, West Africa. For information on "Tourism for Discovery" call Senegal Tourist Board at 1-800-443-2527 or Peter Knights, EIA 202-483-6621.



Peter Knights

Bird watchers will delight in Palmarin's Island of the Birds and Dindéfilo's waterfall.

Endangered Species Trade in China and Taiwan

Both China and Taiwan are under scrutiny by the Convention on International Trade in Endangered Species (CITES) and the US Government for ongoing trade in rhino and tiger products.

In China over four tons of rhino horn has been gathered up and is reportedly sealed. Though this may sound impressive, the Chinese had some eight tons by their own estimate and are offering no explanation of what has happened to the rest. In addition, tons of patented medicines that contain tiny amounts of rhino horn and tiger bone have been assembled. No more will be manufactured, they claim, and existing stocks will not be sold commercially, but will be freely distributed from hospitals perpetuating the use of these substances.

Meanwhile Chinese newspapers report that the dealers who offered to sell EIA around one ton of illicit rhino horn are now in prison. They were arrested after EIA provided details of the location of the illegal stockpile to the Chinese.

Taiwan has put most of its "conservation" effort into public relations for foreigners. The Taiwanese Council of Agriculture (COA) produced a glossy fifty page brochure entitled "Rhinoceros and tiger conservation in Taiwan." Typically, this has only been produced in English! They also spent tens of thousands of dollars on full page ads in *The New York Times*, *The National Geographic* and *The Washington Times* proclaiming their resolve to wipe out endangered species trade. The COA also carefully manipulates Taiwanese press to declare that CITES delegations were totally delighted with the Taiwanese progress. Taiwanese officials have flown around the world to persuade governments and conservationists that they are sincere.

Little is being done in practical terms to stop the sale of rhino and tiger products. A half-hearted registration scheme supposed to freeze the use and sale of rhino horn initially logged 1.4 tons out of an estimated 5-10 tons. Recent similar attempts to register tiger bone ended with not one gram of bone registered!

A recent survey by EIA found 21 out of 40 pharmacists interviewed were willing to sell rhino horn or intended to continue consuming it. Tiger bone surveys have revealed even greater availability. Although offering to sell rhino horn is illegal in Taiwan, the authorities have not apprehended anyone. They claim to have over 300 police officers working on wildlife issues, yet have been unable to locate anyone offering to sell rhino horn or tiger bone.

New heavier penalties for wildlife violations have been proposed. However, these, if they are finally accepted, are months away and may not even be passed this year.

On the positive side they have created a special wildlife enforcement unit. Once again at present this is more show than substance, as the unit was created the day before the CITES delegation arrive and it still has no budget.

Unfortunately, CITES delegations that were chaperoned by the COA and Chinese authorities returned impressed by the show. However, EIA and other groups that have been conducting research on the ground will be feeding their information into the process and it is hoped that both CITES and Secretary of the Interior Bruce Babbitt, will see through the facade. Conservationists are calling for sanctions on wildlife goods to be imposed in March. These would then be lifted when measures that CITES proposed last September have been fully implemented.

Wild Bird Conservation Act Regulations

Since the Wild Bird Conservation Act went into effect last October, a series of significant events affecting the regulations implementing the law have occurred.

- Petitions proposing the suspension of wild bird imports from Indonesia and Senegal were published in the November 5, 1993 *Federal Register*. The Senegal petition was written by Greta Nilsson, AWI Wildlife Consultant, and Peter Knights of the Environmental Investigation Agency submitted the petition on Indonesia. In summarizing the petitions, US Fish and Wildlife Service noted that "Senegal is the world's largest exporting nation of wild-caught birds. It exported over 4 million birds from 1985 to 1989."

- On November 16, the final regulations governing the Act were published. The regulations were well drafted with a single, serious exception: birds listed on Appendix III of the Convention on International Trade in Endangered Species were not included in those banned from importation. The law establishes this ban unless the Secretary publishes formal findings approving their import. The regulation, however, makes no mention of Appendix III species.

- Ray Bolze, Margaret Fitzsimmons and Alice Crook of the distinguished Howrey and Simon law firm challenged the Secretary of the Interior for this failure of the regulations in a lawsuit undertaken *pro bono* on behalf of the Humane Society of the United States and Defenders of Wildlife. A hearing was held March 7, 1994 before US District Court Judge Louis Oberdorfer, who requested additional briefs from the parties to be submitted by March 21.

Air Afrique and Bird Importers Charged for Inhumane Transport

Air Afrique has been charged for carrying 12 shipments of wild birds from Africa to the United States in violation of the Lacey Act. The birds were reported to be shipped "under inhumane or unhealthful conditions" violating regulations governing humane transport. The airline may pay a civil penalty of \$24,000 or may contest the case. The importers of the shipments, MPB Bird Co. of Los Angeles, Gators of Miami, Malabar Aviaries of New York, and Zoological Bird Imports of Chicago face similar fines for the shipments. This is the first time that the humane transport regulations have been enforced with penalties levied for wild bird shipments.

Federal Judge Protects Argali Sheep

The argali sheep has been the center of extreme contention for several years. The large, curved horns of argali rams, with their convoluted, shell-like surface, are coveted by wealthy trophy hunters who pursue them in their Asiatic fastnesses.

On August 12, 1993, Fish and Wildlife Service regulations to protect the argali were upheld by the US District Court in Midland, Texas. Safari Club International and supporting plaintiffs tried unsuccessfully to overturn the regulations, as did Putting People First (PPF). PPF is an organization notorious for its whitewashing of the cruel steel jaw leghold trap.

Lab Animal Says No

by Christine Stevens

At the request of *Lab Animal*, a monthly journal which carries extensive advertising for animals, cages and laboratory equipment, I wrote an article entitled, as requested by *Lab Animal*, "Integrity and Animal Welfare." The Animal Welfare Institute has sought to improve the treatment of animals used in experiments and tests by a variety of means including the provision of educational materials to laboratories without charge. It was suggested that I describe what AWI could do to assist scientists.

Although I expected some editing of the article, as had occurred when I wrote a commentary for *Nature*, the international scientific journal, ten years ago, I was surprised to find my article rejected *in toto*, on January 28, 1993. The two reviewers to whom the article had been submitted had voiced fierce objections. One stated:

It is with great disparity [sic] that I read the article entitled "Integrity and Animal Welfare".

First off the author states that AWI and SAPL are the only organizations that "can help restore integrity to the massive enterprise of biomedical research". I beg to differ. It is my firm belief that organizations such as NABR, AAALAC, and AALAS are working steadfastly to improve animal welfare and biomedical research.

There are many inflammatory remarks stated regarding several highly regarded organizations and I suggest the author take a course of constructive criticism rather than advocate the use of slanderous comments.

If the author can focus on what the biomedical research community can do to improve matters—a re-write of the article may have some appeal.

The other wrote:

This paper raises many issues for thought and discussion. However, the author(s) have included too many of their view points [sic] for it to be an unbiased contribution to the literature. The AWI have made many contributions to animal welfare but they sometimes overemphasize what appears to be a bias to the use of animals in biomedical research. The author(s) tend to overemphasize the latter which—I believe—is unfair to the AWI. I am reasonably familiar with the Swedish laws and regulations and believe them to be designed to stop animal research, not promote animal welfare. I wonder if the author(s) is really familiar with the full content of the Swedish legislation?

I would like to see this paper in a more objective, and unbiased, [sic] format. However, if the author(s) is unable to do so, then it should be rejected.

Because I believe it would be wrong to suppress the facts about the intense opposition AWI has met over the years from the biomedical establishment, embodied in the National Association for Biomedical Research and its predecessor the National Society for Medical Research, a decision was reached to publish the article in the *AWI Quarterly*.

Integrity and Animal Welfare

In recent years, there has been a sharp increase in attempts to ride roughshod over any criticism of the treatment of experimental animals, whether justified or unjustified, whether leveled by opponents of animal use or by those who seek improvements in their well-being. As a result, the credibility and reputation for integrity of scientific institutions has taken a plunge. Biomedical and behavioral scientists who conduct animal experiments would be well advised to restrain some of the most ardent spokesmen/women for unconstrained experimentation, especially those who falsely accuse people and

organizations who work to prevent needless pain, of being "terrorists" and "animal extremists."

A recently published book entitled *Animal Scam*, by Kathleen Marquardt of a group called Putting People First, is rich in statements open to ridicule because of their own brand of extremism. Ms. Marquardt is fond of the phrase "animal extremism" and lists what she calls "Animal Welfare Organizations That Are Fighting Animal Extremism."

She writes, "Animal rights groups, of course, want to ban all animal research as well as testing," and it is under the heading of "Animal Rights" groups that the Animal Welfare Institute and the Society for Animal Protective Legislation are listed. They are not listed under "Animal Welfare" groups. In this category we find instead trophy hunting, trapping and intensive meat and egg producers' organizations, with a few far-right groups included. The American Medical Association (AMA) and the Pharmaceutical Manufacturers Association (PMA) also appear on this list.

The juxtaposition of medical groups with promoters of rodeos, furriers and other unabashedly commercial concerns has resulted in a severe loss of dignity. How can the medical profession expect to receive public respect when mixed in with a hodgepodge of animal exploiters? Forming coalitions with vested interests largely dependent on mistreatment of animals brings to mind an old cartoon captioned "Doctor, your halo is slipping."

The Animal Welfare Institute (AWI), founded in 1951, and the Society for Animal Protective Legislation (SAPL), founded in 1955, can help restore integrity to the massive enterprise that biomedical research and its allied industries now represent. Both organizations have well-established track records. Indeed, our efforts over the years have restrained some of its most gross abuses of power. We have worked persistently to prevent the vast amount of totally unnecessary suffering that animals are forced to endure because of callous indifference to their feelings—and even denial by some that they have any feelings at all! AWI was founded to "reduce the sum total of pain and fear inflicted on animals by man."

My father, Dr. Robert Gesell, who headed the Department of Physiology at the University of Michigan Medical School, was a member of AWI's Scientific Advisory Committee and played an important role in establishing the Institute's aims. In his research, he conducted painless experiments on dogs in the study of respiration, placing them under full anesthesia from which they passed directly to death. He insisted that they be housed in comfortable, roomy pens with direct access to long outside runs, and these were built on the roof of the physiology building in accordance with his direction.

These practical expressions of the compatibility of animal comfort with humanely conducted animal experimentation have informed the principles and practice of AWI and its companion organization, the Society for Animal Protective Legislation, throughout their existence.

SAPL led the campaign to pass the first federal law against theft and mistreatment of animals, the Laboratory Animal Welfare Act of 1966, and its strengthening and broadening amendments in 1970, 1976 and 1985.

AWI has kept the scientific community informed through its periodical, the *AWI Quarterly* (formerly the *Information Report*) and has provided, free on request, to scientists, administrators and architects, its 108-page, illustrated *Comfortable Quarters for Laboratory Animals*. We led the way in researching, publishing and

distributing our manual *Basic Care of Experimental Animals* when there was no other publication to instruct animal caretakers in the United States. We also produced translations in Spanish and in Japanese to reach those who knew no English and were receiving no training in the care of the animals put in their charge.

In Japan, we followed up by presentation of AWI's Albert Schweitzer Medal to a self-sacrificing and highly intelligent employee of the University of Tokyo in charge of experimental dogs subjected to drastic surgery. Then Ambassador from the United States to Japan, Mike Mansfield, made the presentation to Yoko Muto.

Ten years ago, I wrote a commentary which was published in the international journal, *Nature*, urging the biomedical community to take its critics seriously and demand the necessary reforms to stop unnecessary suffering by laboratory animals, but hostility to animal welfare seems only to have grown.

While the United States is trapped in an intellectual backwater, some other countries are making meaningful progress. A report issued by the Centre for Research Ethics in Sweden shows an entirely different progression. The thoroughly researched, 115-page *Research Ethics in Practice, The Animal Ethics Committees in Sweden 1979-1989* demonstrates the value of their Animal Ethics Committees (AECs). To quote from the Abstract:

The discussion in the AECs has led to a *rise in perception* of animal experimentation as a moral problem. Within the laboratories, this has entailed *enforced self-policing* and an improvement of experimental procedures and care of animals. Outside the laboratories it has *generated a discourse* regarding animal experimentation as a morally significant issue. At the same time, animal experimentation has been consolidated as an enterprise that is here to stay. The abolitionist protests have abated, and a *convergence of opinions* has come about. The discussion of animal experimentation has been depoliticized and turned into a more technical discussion concentrating on scientific and animal-welfare details. The AECs have led to *no pernicious consequences* for science and research.

The report notes: "It was the first nonsocialist government after the war that, in 1978, presented the bill suggesting the establishing of ethics committees to review animal experiments. The minister of agriculture in that government, Anders Dahlgren of the Centre party, was personally interested and engaged in the issue of the treatment of animals."

The report's careful examination of AEC actions and discussions emphasizes the Committees' pragmatic work in proposing improvements in the experiments. The author, Birgitta Forsman, writes:

In my view, this outcome refutes the *domino theory* that is embraced by absolutist defenders of animal experimentation in the international controversy. 'If you give your enemy an inch, he will take a mile. If you admit that *anything* wrong is done in the context of animal experimentation, the whole system will break down', the argument runs. Judging from the results of my investigation, I consider the domino theory to be totally wrong.

Important to those who administer research facilities is the demonstration of the practical value of listening to criticism and seeking accommodation, as carried out in Sweden. Forsman states, "The relative ease with which information can be legally obtained may also have been a contributing factor in the very low number of break-ins into laboratories and animal facilities that Sweden has experienced compared to other countries with great engagement in the issue."

The Improved Standards for Laboratory Animals amendments to the federal Animal Welfare Act and the requirements of the National Institutes of Health in disbursing grants (policy of the

Office of Protection from Research Risks (OPRR)) include mandatory Institutional Animal Care and Use Committees (IACUCs). However, the actual composition of these committees leaves much to be desired. They have failed to effect the benefits, either to animals or to research, which have resulted from the deliberations of the Swedish Animal Ethics Committees.

An excellent analysis of the problems has recently been made by IACUC member William S. Strauss. "The law describes an untenable niche for the non-affiliated member (NAM)," he writes. "Consistently outnumbered, invariably outvoted, often distanced philosophically, and mandated to represent a 'community' too nebulous to identify, the NAM can easily view the situation as hopeless, the position as useless."

Mr. Strauss, an attorney, notes that while the NAM may be effective even under current law, such effectiveness is largely dependent upon the willingness of the IACUC in question to critically review—rather than rubberstamp—the protocols coming before it. Further, because many, if not most, NAM's fill their positions in name more than in practice, Mr. Strauss suggests that all concerned, including **and especially** the institutions, would benefit by having NAM's chosen from amongst lists of candidates submitted by specified animal rights/welfare organizations. **THUS THE INSTITUTION DEMONSTRABLY COMPLIES WITH THE SPIRIT AS WELL AS THE LETTER OF THE LAW.**

The situation in Sweden is much more open, which, as noted earlier, has probably been a major factor in the rarity of break-ins in that country. Sweden has not found it necessary to pass legislation such as the Farm Animal and Research Facilities Protection Act of 1992, under which a finding was made that "there have been an increasing number of illegal acts committed against farm animal, research, and educational facilities." What the Swedish Parliament did do was to revise its legislation about Animal Ethics Committees, making them more broadly representative of the public.

The "Us and Them" mentality of the National Association for Biomedical Research (NABR) and its hard-nosed adherents is the very antithesis of the openness and genuine effort to reduce animal suffering which is so clearly called for and which has demonstrably succeeded in Sweden.

NABR, an offspring of the giant international animal supplier, Charles River, now a part of Bausch and Lomb, fought the Improved Standards for Laboratory Animals amendments to the Animal Welfare Act and, though unsuccessful with the Congress, the organization has caused years of delay in promulgation of regulations under the law. Its unrelenting attempts to reverse the Congressional mandate for exercise for laboratory dogs and a physical environment adequate to promote the psychological well-being of non-human primates resulted in the withdrawal of reasonable proposed rules on these provisions of law by the US Department of Agriculture (USDA) and the substitution of vague requirements for "plans" by licensed animal dealers and registered research facilities.

The Society for Animal Protective Legislation joined the Animal Legal Defense Fund (ALDF) in suing the Department of Agriculture, Department of Health and Human Services, and Office of Management and Budget. US District Court Judge Charles Richey found for the plaintiffs and declared:

The Administrative record shows that the agency and the commentators on the proposed guidelines agreed that social deprivation is psychologically debilitating to non-human primates . . . In March 1989, the agency found that non-human primates 'need greater space than that required under current regulations, so they can engage in species-typical activity that is necessary for their psychological well-

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being.' The agency also specifically disagreed with some of the space requirements used in the National Institutes of Health (NIH) Guide, which governs non-human primate care in research facilities funded by the Department of Health and Human Services. However, in the final regulations the agency changed course and concluded that the existing space requirements used by the NIH were adequate.

Commenting on the further delay demanded by the defendants, he wrote:

The Court simply does not agree and notes that, while this is typical of much Executive Branch inaction in matters of grave national concern, the Article III Courts were not created by our founding fathers to rubber stamp such failures to act over indefinite periods while bloated bureaucrats contend with each other and the special interest groups who transfer their efforts from the Legislative Branch to the Executive Branch, after a bill has passed. In fact, former Judge J. Skelly Wright of our Court of Appeals once said, in essence, that the regulators in Washington are regulated by the regulated. This may well be the case here. If this is so here, then something needs to be done to change the process.

NABR strongly urged the government to appeal the judge's sound decision, and when USDA did not acquiesce quickly enough for their liking, NABR filed an appeal brief on its own behalf. Judge Richey ruled against the association's participation, but the Appeals Court reversed this ruling. Now NABR has brought the Association of American Medical Colleges, the American Council on Education, and the American Physiological Society into the appeal process as *amici curiae* [see page 13 for a complete list].

The result is that nearly a decade has passed since Congress called for simple decency in the care and housing of our closest relatives, the primates, and our best friends, the dogs. And still, because of the continued antagonism inspired by the biomedical lobby, the United States is no closer to resolving this sore issue.

Instead, the flames of controversy and confrontation continue to be deliberately fanned, and few researchers are willing to express themselves as frankly as Dr. Moor-Jankowski, Director since 1965 of the Laboratory for Experimental Medicine and Surgery in Primates (LEMSIP) of New York University School of Medicine. In a letter to *The San Francisco Chronicle*, November 2, 1993, he wrote:

I am an animal researcher, but neither I nor my colleagues nor our facilities have ever been exposed to arson, bombs, rock throwing, or harassment, so vividly described by Janet Wells . . . Medical research in this country does not need to fear 'terrorists,' real or imaginary, and to retreat behind bulletproof glass and costly security devices. Adherence to the state and federal regulations of parsimonious use and humane handling of research animals, opening up of our laboratories and a persuasive dialogue with animal advocates will provide the same protection for others as it did for us . . . Why spend 'multi-million dollars in . . . security' claimed by the National Institutes of Health, when LEMSIP security consists solely of an overnight watchman? . . . Facts not hearsay are what the public needs to know.

But facts are not easy for the public to come by. The suppression of its own report on the status of laboratory animal care and management by the Department of Health, Education and Welfare (DHEW) because AWI had done a thorough job of documenting abuses by its grantees, provides a glaring example of guilty cover-up.

AWI representatives have visited the animal quarters of scientific institutions throughout the country over a period of 40 years. From the first, it has been our practice to request permission to inspect the animals and to make our suggestions and criticisms to the institution, both orally during and in writing after our visit. We summarized our observations and provided specific details to the government on request. For example, in 1966 the Division of

Operations Analysis, Office of the Comptroller, of the Department of Health, Education and Welfare published a 210-page report entitled "The Care and Management of Laboratory Animals Used in Programs of the Department of Health, Education and Welfare." AWI documented, under ten categories, conditions found by its representatives in institutions receiving funds under DHEW's auspices:

1. Cages too small for animals to stand or lie in normal position.
2. Failure to administer pain-relieving drugs after surgery.
3. Failure to destroy suffering, moribund animals.
4. Failure to supervise animals after surgery.
5. Failure to provide a comfortable resting place for animals.
6. Repeated use of the same animal for painful procedures.
7. Failure to provide water.
8. Failure to identify animals.
9. Immobilization of unanesthetized animals.
10. Filth.

The names of the institutions cited and the amounts of money received were listed.

The Society for Animal Protective Legislation also made a formal submission, as did three other national humane organizations. SAPL drew attention to failure of the National Institutes of Health (NIH) to require its own standards for animal care to be followed by grantees. "If the animal facilities housing the dogs used in Dr. Hollander's research are inadequate, the institution is in the best position to investigate and remedy the situation," wrote HEW's Deputy Assistant Secretary for Legislative Services in response to a letter from a United States Senator asking for NIH action to prevent mistreatment and neglect of dogs under NIH-funded experimentation.

Dog dealers, too, went their way unhindered, though NIH told the public in a leaflet designed to quell any potential uneasiness, "Before a new contract to supply such animals is concluded with a dealer, his facilities are inspected and must come up to NIH standards." But NIH purchased dogs from an outfit called Zoologicals Worldwide just ten days before it went out of business due to publicity on the gross cruelty, disease and death of hundreds of animals in its unheated barn with frozen water pipes, dead dogs mingled with the living, and open trenches full of dead animals outside. The NIH spokesman told *The Washington Post* that "personnel found nothing unusual about the condition of the animals supplied."

Unfortunately, "The Care and Management of Laboratory Animals Used in Programs of the Department of Health, Education and Welfare" report was never permitted to be distributed. After it was published, the powers that be in the NIH establishment saw to it that the hundreds of copies were hidden away in a storehouse, from which, to our knowledge, only a single copy emerged, and only when it was demanded by a concerned Senator.

The suppression of this report is consistent with the deeply rooted defensive position of the establishment which has never changed.

In 1985, AWI published *Beyond the Laboratory Door* (266 pages, illustrated), which documents massive noncompliance with the Animal Welfare Act and, at the same time, increased government funding for noncomplying institutions. The use of harsh, invasive procedures in experiments on animals was documented in AWI's *Physical and Mental Suffering of Experimental Animals, A Review of the Scientific Literature 1975-1978*. A second survey from 1978 to 1984 appeared in the 1985 book as Part Three.

Part One consists of an analysis of reports of inspections by US Department of Agriculture (USDA) veterinary inspectors obtained

under the Freedom of Information Act. A total of 214 research facilities were reviewed. They were classified in four categories, as follows:

Category I consists of 58 institutions in which USDA veterinary inspectors found serious deficiencies and chronic deficiencies.

Category II consists of 116 institutions in which USDA veterinary inspectors found one or more deficiencies, in some cases serious or chronic.

Category III consists of 37 institutions in which no deficiencies were found by USDA veterinary inspectors.

Category IV consists of 3 institutions for which inspection reports were exempt from disclosure because records were being held for law enforcement purposes.

Many of the noncomplying institutions had been accredited by the American Association for Accreditation of Laboratory Animal Care (AAALAC), indicating that its inspections, spaced at three-year intervals, are not an adequate guarantee that even the minimum standards required by law have been regularly met.

Most registered research facilities filing their annual reports to USDA, automatically write zero in the space designated for listing the numbers of animals used in painful research or testing unrelieved by anesthetic, analgesic or tranquilizing drugs. If each animal had actually been observed and given needed veterinary care, the zeros would have vanished, and a very different outcome recorded. USDA inspection reports included: "A sick kitten was observed which was not under the care of a veterinarian. Blood from rectum and paresis of rear limb. No pain or distress report on file . . ." Another large institution did pay a fine for ignoring the chains they had placed on young kittens that became embedded in the animals' necks as they grew. Daily inspection of the animals is essential, as *Beyond the Laboratory Door* makes clear.

In its conclusion to Part I, it states:

The majority of Americans want to see scientists recognize the claims of the animals they use to decent treatment. They want to hear scientists agree that every single animal used for scientific purposes deserves and *must have* effective relief from pain, comfortable quarters suitable to the behavioral needs of the species, and maintenance at all times of decent standards for feeding, watering and other basic needs. They want to hear scientists acknowledge that changes must be made throughout industry and academia.

The Preface, written by Samuel M. Peacock, Jr., M.D., concludes:

When experiments are conceived and designed, it is the scientist's ethical obligation to question if the results will improve the quality of life or answer a significantly important question. In short, is this project and the publication really worth the eyes of twenty monkeys or the hearts of ten dogs or the brains of twelve cats? If the answer is yes, then these animals should be treated as royalty in their brief stay in our laboratories. To them, the scientist, the administrator, all of us have this moral obligation.

Beyond the Laboratory Door, like *Comfortable Quarters for Laboratory Animals*, is available free on request to scientists or their institutions. All of our other books are available to them at cost price. The fourth edition of *Animals and Their Legal Rights* (441 pages, 1990) gives a detailed account of the enactment of federal legislation on laboratory animals. A listing of publications and videos available from AWI gives further information on our educational programs. AWI undertakes research and writing of books when the commercial press fails to come up with the needed publications. These include: *Factory Farming: The Experiment That Failed*; *Facts About Furs*; *The Bird Business: A Study of the Commercial Cage*

Bird Trade; *Flight to Extinction: The Wild-Caught Bird Trade*; and *Whales vs. Whalers*.

AWI Policy on the Use of Vertebrate Animals in Experimentation and Testing is published on the last two pages of *Comfortable Quarters for Laboratory Animals*. The abstract reads as follows:

Animals should be used for experimentation only 1) when there is no known feasible alternative; 2) after review of a carefully designed experiment based on knowledge of existing literature on the subject; 3) using the smallest possible number of animals 4) of the most suitable species, 5) maintained in an optimum environment, 6) under the care of trained, sympathetic personnel, and 7) preventing pain, fear, and anxiety by judicious experimental design and generous use of anesthetic, analgesic and tranquilizing drugs. 8) Endangered species should not be used; 9) threatened species should only be used for experiments conforming with requirements for human experimentation.

The three R's, Replacement, Reduction and Refinement of experiments on animals, were first proposed in a 1959 book by W.M.S. Russell and R.L. Burch, produced under a grant by the Universities Federation for Animal Welfare (UFAW) toward which AWI contributed. For years (actually decades), the reaction to the idea of alternatives ("Replacement") was violent among hard-line advocates who held the view that the more animal experiments, the better. But the three R's have not gone away. They are frequently cited, though not acted upon as often as they should be. AWI kept *The Principles of Humane Experimental Technique* in print, after the commercial printing was exhausted, by purchasing the printed signature sheets, binding and distributing the books in paperback. In 1992, UFAW reissued the book. An annex should be produced, both to demonstrate the instances in which progress has been made and to point to areas where specific work on finding ways to replace, reduce numbers of animals or to refine (by reducing pain and stress) their use where replacements have not yet been found.

Alternatives to Pain in Experiments on Animals, by Dallas Pratt, M.D., is another book outstanding for its scholarship in pinpointing specific practices for which alternative methods can be substituted. A sequel should be researched and written.

Publication of Myron Mehlman's useful book, *Benchmarks: Alternative Methods in Toxicology*, was supported by industry, government and animal welfare organizations. Unfortunately, the planned series has not materialized.

Industry has made more serious efforts to develop alternatives than has academia or NIH. An outstanding recent example is Corrositex developed by In Vitro International whose vice president, Dr. Virginia Gordon, states, "The science behind today's *in vitro* methods offers far greater objectivity, reproducibility, quantification and cost effectiveness than *in vivo* tests alone."

The replacement of an agonizingly painful test on rabbits represents a triumph of humane research. The US Department of Transportation has adopted use of Corrositex, to test corrosive substances, and other agencies are being urged to follow suit.

The Animal Welfare Institute welcomes scientific advances in animal-sparing techniques and scientific contributions to our work and publications. AWI was designed to work with scientists concerned with animal well-being in the belief that scientific intellect, whenever combined with ethical and moral understanding of the debt human beings owe to the other species, can lead to a tolerable existence for most laboratory animals. There is no good reason why they should be denied simple comforts just because they are destined for an early death. It should be just the opposite. Making their lives pleasurable is the only way we can repay them for their sacrifice.

Corporate Greed Targets Helpless Dairy Cows

The Food and Drug Administration (FDA) has given its stamp of approval to POSILAC, recombinant bovine somatotropin (rBST), for commercial use. The giant Monsanto Company has spent an amazing \$300 million to create and promote this dangerous growth hormone. Cows immobilized in their stanchions must submit biweekly to injections of POSILAC which force them to give unnaturally high amounts of milk. POSILAC's official FDA warning label reveals its threat to the cows' welfare:

- ... Use of POSILAC has also been associated with increases in cystic ovaries and disorders of the uterus during the treatment period. Cows injected with POSILAC may have small decreases in gestation length and birth weight of calves and they may have increased twinning rates. . .

- Cows injected with POSILAC are at an increased risk for clinical mastitis (visibly abnormal milk). In addition, the risk of subclinical mastitis (milk not visibly abnormal) is increased . . .

- Use of POSILAC may result in an increase in digestive disorders such as indigestion, bloat, and diarrhea . . .

- Studies indicated that cows injected with POSILAC had increased numbers of enlarged hocks and lesions (e.g. lacerations, enlargements, calluses) of the knee (carpal region) and second lactation or older cows had more disorders of the foot region.

Mastitis is a cruelly painful disease affecting the udders of dairy cows. Farmers try to treat it with antibiotics. Increased use of antibiotics for food-producing animals is a major cause of resistance to antibiotics when treating human bacterial infections. In addition, Dr. Samuel Epstein, Chairman of the Cancer Prevention Coalition, warns that higher levels of "Insulin-like Growth Factor-1" in the milk from treated cows may lead to human breast cancer.

The FDA's bias in approving use of POSILAC is accentuated by its refusal to require labeling of dairy products containing milk from POSILAC-injected cows. The Animal Welfare Institute strongly urged FDA to require such labeling. Compassionate consumers have the right to know that a dangerous product was used on the cows which provided their milk, similar to the right to know that tuna is "dolphin safe" or that cosmetics are "cruelty-free."

FDA contends that such labels would give "misleading implications" and that "No significant difference has been shown between milk derived from rBST-treated and non-rBST-treated cows."

This ignores the clear distinction between products from a healthy animal and products from a sick and suffering one.

This distinction is made clear by dairy farmer John Kurtz who used rBST on his herd. According to Kurtz: "What actually occurred, by the time we finished the second lactation, is that we had none of the cows that received rBST stay in the herd. 100% of those cows failed to conceive during the second lactation, we had 19% death loss, and we had 14.8% 'down cow' loss."

After being analyzed at the University of Minnesota, it was discovered that "these cows had taken so much calcium out of their skeleton, even their shoulder blades had a ripple effect like a ripple potato chip where they had pulled the calcium out of the skeleton to produce milk."

Monsanto, reacting to negative publicity and lack of support among many producers, is beginning to sue companies who refuse rBST-tainted products. Swiss Valley Farms of Davenport, Iowa, now faces legal challenge from Monsanto for advertising that their milk is farm-certified rBST-free.

The 12 member nations of the European Union have rejected the use of rBST, but they could be forced to accept products from rBST treated cows if the United States challenges the European ban under the General Agreement on Tariffs and Trade (GATT). Thus, this unjustifiable and unnecessary suffering may be inflicted on cows on both sides of the Atlantic.

Widespread public protest is called for to stop the spread of this insidious corporate cruelty. Already an "unexpectedly strong public resistance to a new drug that makes cows produce more milk" was reported on the front page of the Business section of *The Washington Post* (March 15, 1994). **Please make your voice heard.** The suffering which cows are forced to undergo simply to increase milk production cannot be tolerated.

ACTION: Urge your supermarket, grocer or convenience store to **require certification** that the milk, cheese and other dairy products they carry come **only** from cows that have not been subjected to injections of rBST. Encourage your friends to do the same. For more information and a list of companies whose products are rBST-free, contact: The Pure Food Campaign; 1130 - 17th Street, NW, Suite 300; Washington, DC 20036; 1-800-253-0681.



Animal Welfare Institute
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Cover:

This beautiful portrait of a tiger was painted by Kyenan Kum. Ms. Kum was born and raised in South Korea, then emigrated to the United States. Her work, expressing the ties between animal and plant life, the earth, and the human spirit, has been shown throughout California.



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President Clinton Is the First President to Invoke Pelly Amendment Sanctions

In September, Taiwan and China were certified under the Pelly Amendment to the Fishermen's Protective Act for continued trade in rhinoceros and tiger parts and products, contrary to the Convention on International Trade in Endangered Species. On April 11, President Clinton became the first President of the United States to exert the powerful Pelly sanctions by announcing an import ban on wildlife and parts and products of wildlife from Taiwan because of its failure to stop the illegal trade in these endangered species.

According to *The Journal of Commerce*:

Major categories of wildlife and wildlife parts and products imported from Taiwan include:

- Reptile leather shoes, handbags, etc.
- Jewelry made from coral, mussel shells and bone.
- Edible frogs' legs.
- Live goldfish and tropical fish for the aquarium trade.
- Bird feathers, down and specimens.

The total declared value of wildlife imports from Taiwan was approximately \$22 million in 1992, the most recent year for which this information is available.

President Clinton decided to forgo sanctioning China at this time, citing its public education campaign and progress towards elimination of the rhino and tiger trade. If circumstances change, the President can modify his decision and embargo Chinese products and/or reduce, eliminate, or extend the sanctions against Taiwan.

While other Presidents have often threatened to invoke the Pelly Amendment, and in a number of cases this has led to conformance with international treaties for the conservation of wildlife, President Clinton's decision to apply sanctions is greatly to his credit. Trade measures are sorely needed in order to prevent the inexorable decline of tigers and rhinos fueled by the traditional Chinese medicine pharmacies and the dealers and poachers who supply them with contraband. From the wilds of Russia to the forests of India and the plains of Africa, poachers are decimating these near-extinct species. The President's decisive action deserves high praise.

ACTION: Please thank the President. Write to The White House; Washington, DC 20500; or phone 202-456-1111.

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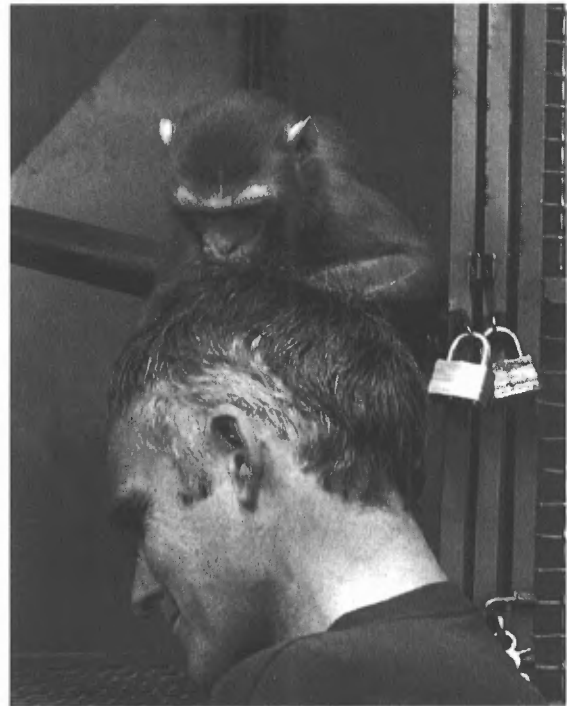
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Dr. Viktor Reinhardt, here being groomed by Circle, has been appointed Laboratory Animal Consultant for AWI (see page 16).



Courtesy of Arc Trust

A ban on the cruel practice of horse tripping is proposed in California (see page 11).

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Investigation Uncovers Japanese Whale Meat Smuggling Operation

by Steven Galster and Rebecca Chen

How have rich Tokyo businessmen enjoyed an uninterrupted diet of whale meat despite a global moratorium on commercial whaling? A very big clue—literally—is locked inside a freezer warehouse near the seaport of Vladivostok, Russia—where AWI-commissioned investigators unlocked an old mystery.

Last December, Russian Ministry of Environment officials seized “old, frozen” whale meat as it was being prepared for export to Japan. The consignment was labeled “frozen sei whale meat” and purported to originate from 1976 Soviet stockpiles (making it pre-moratorium meat). Investigators working with AWI, however, looked into this suspicious incident, reviewed shipping documents, banking records, found one key witness who was willing to tell the real story, and discovered that the mysterious old whale meat was part of a major smuggling operation orchestrated and run by Japanese companies for years.

The evidence gathered by The Investigative Network indicates that the Vladivostok consignment was huge—232 metric tons—and was not from old, Soviet stockpiles but from Taiwan, the pirate whalers’ old lair. Further evidence indicates that certain Japanese and Taiwanese companies have been smuggling whale meat from Taiwan to Japan since at least 1988, capitalizing on a legal loophole in Taiwan and a domestic legal trade in Japan (from “scientific” whaling) to launder their multi-million dollar consignments.

“Mr. Chen,” the man who exported the meat from Taiwan to Russia last year, confided to The Investigative Network that Japanese businessmen visited Taiwan on several occasions in 1992 and 1993, passed money to his account, and instructed him to transfer the money to a particular official with Ming Tai Frozen Seafood Corporation. Ming Tai once operated whaling vessels which took thousands of Brydes whales during the 1970s and early 1980s, which Taiyo Fishery Company of Japan illegally imported. During that period, much of the meat was exported from Taiwan to South Korea

where trading companies repackaged the contraband for export to Japan. Although the Ming Tai-South Korea-Taiyo smuggling route was exposed in 1980, reports of whale meat being smuggled into Japan continued, albeit with no hard evidence about the exporters or importers.

But shipping records obtained by The Investigative Network and Earth Day Taiwan show that Ming Tai and other middlemen exported whale meat from Taiwan to Japan from 1988 until recently. Japan was just starting to feel the effects of the moratorium in early 1988 (the commercial ban was fully “implemented” in late 1986),

ALERT: NORWAY GOES WHALING

On June 7, the Norwegian government announced its plans to slaughter 301 minke whales, 189 for strictly commercial purposes. As of June 29, the whalers had killed 50 minkes. The 1994 quota is an increase over the 296 whales slated for death, and 226 killed, last year.

In 1993, President Clinton did not impose trade sanctions as he is empowered to do under US law, deciding to rely instead on “good faith efforts to persuade Norway to follow agreed conservation measures.” Norway’s continued disregard for the IWC’s moratorium on commercial whaling invites the application of sanctions this year.

and about this time Taiwan quietly passed a law that allowed Ming Tai—and Ming Tai only—to export “old frozen whale meat.” The consignees, such as in the Vladivostok case, were always somewhere in Singapore or South Korea, but even Taiwanese authorities now admit that the ultimate destination was probably Japan.

“Mr. Chen” told the Investigative Network that the Japanese businessmen who passed him the money to buy the whale meat were from Taiyo. He showed investigators his banking records indicating that the man to whom he transferred the Japanese money was none other than the whaling operations manager during Ming Tai’s old whaling days. Ming Tai officials claim that this manager was released years ago; Taiyo refused to comment.

The IWC has never had a way to enforce the ban on commercial whaling. The massive cheating of whaling countries should make it clear that without airtight inspection and observation programs, commercial whaling will continue to be a license to kill any whales at any time. Until the Commission finds a way to stop pirate whaling and the trade in pirate whale meat, the IWC’s claims of “rational utilization” of whales will continue to be a cruel hoax.

On a promising note, as a result of the AWI/Investigative Network report, the IWC agreed on its last day of meetings in Puerto

Vallarta to pass a new resolution, IWC/46/61, which calls on IWC member countries to investigate recent reports of whale meat smuggling and to begin issuing their own reports on an annual basis. The resolution was initiated by the US government and was co-sponsored by New Zealand, Brazil, Argentina, Monaco, India, and Australia and passed by a simple majority. Taiwan has responded by agreeing to launch an official investigation and to cooperate with the IWC. Will Japan follow suit?

Steven Galster and Rebecca Chen are investigators with The Investigative Network.



Whale meat on sale in a Japanese market.

Whales: Two Steps Forward and One Step Back at IWC

At last year's meeting of the International Whaling Commission (IWC) in Kyoto, Japan, the United States took a leadership role in resisting the heavily financed efforts of Japan and Norway to gain IWC approval for a resumption of commercial whaling. Michael Tillman*, appointed head of the US delegation by the Clinton Administration in 1993, reversed the weak US position under President Bush. However, as preparations for the 1994 meeting in Puerto Vallarta commenced, disturbing rumors of a turnaround in US whale policy began to surface.

White House Collaborates with Norway

These fears were confirmed when a confidential White House document detailing a conversation between Vice President Gore and Norwegian Prime Minister Brundtland was leaked to AWI. In the "memorandum of conversation" dated October 5, 1993, Vice President Gore promises to support the passage of the Revised Management Scheme (RMS), the system under which a resumption of commercial whaling would be finalized. The memo states:

page 2: Vice President: We are willing to join you in working in good faith within the IWC to complete all aspects of the Revised Management Scheme in 1994....

page 3: Vice President: Can we work on and achieve a RMS in 1994?... We will enter this process with you in good faith, and will not pull a 'fast one' at the end.

page 4: Vice President: This strengthens my argument for the need of a scheme that will allow resumption...

Norwegian and Japanese Duplicity Revealed

Norway has often asserted that its estimate of 87,600 minke whales in the Northeast Atlantic mandates a resumption of whaling on this stock. At the 1994 meeting of the Scientific Committee, Dr. Justin Cooke issued the results of his reanalysis of the Norwegian figure and determined that the scientists had severely underestimated their sightings of duplicate whales. Dr. Cooke's recalculation produced a population size of 53,000.

In addition to the AWI/Investigative Network investigation which uncovered extensive illegal trade in whale meat (see previous page), further proof of Japanese smuggling was revealed by two scientists working with the conservation group Earthtrust. By using mitochondrial DNA analysis, meat from endangered humpback and fin whales as well as North Atlantic minke whale meat was found to be on sale in Japanese supermarkets and shops. No plausible legal source for this meat exists.

The Revised Management Scheme

Despite the mounting evidence of threats still faced by whales, the US proposed a resolution on the RMS. It was considerably weakened under pressure from the animal protective groups that opposed the acceptance of the Revised Management Procedure (RMP), the quota-producing formula within the RMS. Strong reservations were lodged by the Irish, Mexican, and Indian delegations regarding the deficiencies of the RMP. The US commissioner, Dr. James Baker, qualified US support for the RMS when he introduced the language. Concerns were also voiced about insufficiently addressed problems of pirate whaling, illegal trade in whale meat, under-reporting of historic catches, environmental threats, and humane killing.

* AWI recognized Dr. Tillman's outstanding work by awarding him the 1994 Schweitzer Medal (see page 7).

BLOOD AND GORE

WHY IS VICE PRESIDENT GORE HELPING NORWAY AND JAPAN OVERTURN THE GLOBAL BAN ON WHALING?

The seas are once again stained with the blood of the whales. As Norway and Japan openly violate the international ban on all commercial whaling, a result of their actions are now threatening to seal our whaling efforts as well. A sea of whale-killing is on the horizon. President Clinton is empowered, under the Pelly Amendment, to stop exempt nations from Norway to resume its own nation's whaling.

Why is the "Environmental Vice President" Selling Out the Whales?

It is clear that the Vice President is prepared to support the passage of the Revised Management Scheme (RMS) in 1994. This is a direct violation of the US commitment to the IWC to maintain the global ban on whaling. The Vice President's actions are a direct result of the pressure exerted by Norway and Japan to resume whaling. The Vice President's actions are a direct result of the pressure exerted by Norway and Japan to resume whaling.

Gore's Secret Deal With Norway

The Vice President's actions are a direct result of the pressure exerted by Norway and Japan to resume whaling. The Vice President's actions are a direct result of the pressure exerted by Norway and Japan to resume whaling.

Sayonara Gray Whales?

The Vice President's actions are a direct result of the pressure exerted by Norway and Japan to resume whaling. The Vice President's actions are a direct result of the pressure exerted by Norway and Japan to resume whaling.

Please Help Save the Whales

The Vice President's actions are a direct result of the pressure exerted by Norway and Japan to resume whaling. The Vice President's actions are a direct result of the pressure exerted by Norway and Japan to resume whaling.

Whaling Scandals Exposed

The Vice President's actions are a direct result of the pressure exerted by Norway and Japan to resume whaling. The Vice President's actions are a direct result of the pressure exerted by Norway and Japan to resume whaling.

This Appeal is Supported by the Following Organizations:

- Earth Island Institute
- National Wildlife Institute
- Sea Shepherd Conservation Society
- Whale and Dolphin Conservation Society

AWI ran a series of full-page ads across the US and internationally before the 46th meeting of the International Whaling Commission.

This resolution does not lift the moratorium on commercial whaling. It specifically states that the Revised Management Procedure may not be implemented before all aspects of the RMS are completed and, therefore, cannot be used to justify any whaling occurring this year. However, the US delegation pushed for a special IWC meeting (to be held in Norway) to facilitate agreement on an inspection and observation program which could speed a return to commercial whale hunting.

The Good News

Southern Ocean Whale Sanctuary: To defuse public criticism of the Administration's stance on the RMP, the US delegates were ordered to move heaven and earth to pass the Antarctic Sanctuary. Previously, the US had done little to generate support from other IWC member states. At the start of the meeting, the sanctuary's most ardent supporters privately acknowledged its chance of passage was slim. But as criticism of Vice President Gore intensified, the US delegation exerted enormous pressure on wavering governments.

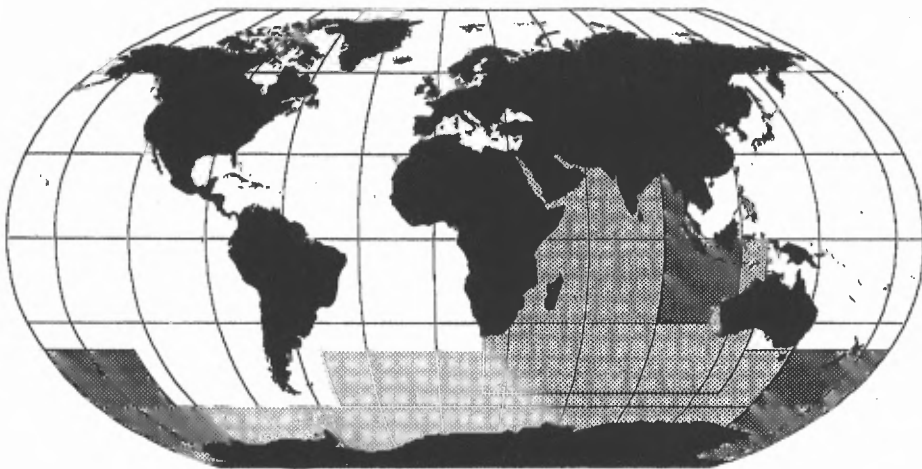
By a vote of 23 to 1 (Japan) with 6 abstentions, a revised version of the Antarctic Sanctuary was passed. Norway did not participate in the vote. The boundaries are 40 degrees south except for dipping to 60 degrees around South America to alleviate concerns of national sovereignty and in the Indian Ocean where it is flush to the pre-existing Indian Ocean Sanctuary. The Southern Ocean Sanctu-

continued on page 6

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continued from page 5

ary will be in existence for 10 years, after which it must be reauthorized at 10 year intervals.



The boundaries of the new Antarctic Sanctuary and pre-existing Indian Ocean Sanctuary.

The sanctuary outlaws the commercial hunting of all species of whales. However, on June 29, Kyodo News International reported that Japan will take a "reservation" to the sanctuary decision. This would allow Japanese whaling in the Antarctic if the moratorium on commercial whaling were to be lifted. Also, scientific kill quotas may still be set by individual countries. Japan has taken several hundred minke whales a year in the area and, in the future, could set their "scientific" quotas as high as they want.

Unreliability of Past Whaling Data: Revelations of massive under-reporting of historic whale catches by the former Soviet Union (*AWI Quarterly*, Vol.43, No.1) prompted the IWC to adopt a resolution praising the Russian Federation for its candid declarations and inviting all governments to examine their own data and report any inaccuracies.

Research on the Environment and Whale Stocks: This resolution endorses the Scientific Committee's recommendation for a meeting this year on the effects of pollution on whale stocks and a second meeting regarding global warming and ozone depletion convened before the 1996 meeting. The IWC agreed that the information from the workshops can be incorporated into any future management plans for cetaceans.

Small Cetaceans: A resolution proposed by Brazil, the UK, and 12 other countries establishes a mechanism to address problems confronting the conservation of small whales, dolphins, and porpoises. These 66 species do not have the international protection afforded to the great whales and are still being killed by the hundreds of thousands each year.

Vaquita: A resolution was passed praising the Mexican government for their efforts to protect the vaquita, the world's most endangered marine cetacean. The vaquita is near extinction with only a few hundred animals left in Mexico's Gulf of California. Until 1994, Mexico had been a leading opponent of the IWC taking responsibility for small cetaceans, but Mexico accepted this vaquita resolution.

Whalewatching: Despite reservations lodged by Japan and Norway who don't recognize the IWC's authority to promote non-lethal utilization of whales, a resolution was passed endorsing the development of a regulatory framework for whalewatching. This firmly establishes the IWC in the non-lethal use of whales and provides an important economic alternative to whale hunting that

ultimately may spell the end of commercial whale hunting.

Use of the Electric Lance as a Secondary Method of Killing Whales: Research by Dr. David Blackmore of New Zealand determined that the electric lance, often used on living, harpooned whales, is completely ineffective and only serves to torture a dying whale. The IWC calls upon member countries to develop "more satisfactory" methods of reducing times to death.

Aboriginal Whaling: The IWC called upon the Scientific Committee to investigate management regimes to govern subsistence whaling to minimize the risk to whale populations. Aboriginal quotas were also set for the US (51 bowhead landings per year), Russia (140 gray whales per year), Greenland (19 fin whales and 165 minke whale strikes per year), and St. Vincent and the Grenadines (2 humpbacks per year).

Japanese and Norwegian Scientific Whaling: Japan was urged to reconsider its scientific whaling quota in the North Pacific and to acknowledge concerns with its Antarctic kills. However, Japanese whalers sailed

for the North Pacific at the end of June. Norway's scientific whaling was censured by a vote of 18 to 3 with 6 abstentions.

Japanese Interim Relief Allocation: Japan's request for an "emergency" allocation of 50 minke whales to sustain its whaling industry was defeated by a vote of 14 to 9 with 7 abstentions.

Ireland in 1995

The passage in Puerto Vallarta of the pro-RMP resolution and agreement to the intersessional meeting on inspection and observation is a major concession to the whaling industries of Norway and Japan. But the whale conservation lobby still managed to help pass a virtually unparalleled number of anti-commercial-whale-hunting resolutions.

With the US abdicating its traditional role of safeguarding whales, the Irish Commissioner, Dr. Michael Canny, clearly emerged as the strongest and steadiest voice of reason against the encroachment of pro-whaling factions. It is indeed fortuitous that next year's meeting of the IWC will be held in Dublin, Ireland. Whale conservationists will be well-armed but have an enormous amount of work to do to ensure that the moratorium on commercial whaling remains intact.

Bequests to AWI

To all of you who would like to help assure the Animal Welfare Institute's future through a provision in your will, this general form of bequest is suggested:

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

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

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"If the will is strong enough, the means will present itself."

Michael Tillman, 1994 Schweitzer Medalist

On May 3, 1994, Jason Robards presented the Animal Welfare Institute's Schweitzer Medal to Dr. Michael Tillman for his inspiring work to protect whales within the International Whaling Commission.

Remarks of Jason Robards: It is a great pleasure for me to be here and to present the thirty-first Albert Schweitzer Medal of the Animal Welfare Institute to Dr. Michael Tillman. And I should tell you, in case you don't know, that inscribed on the medal are some very important words. On one side, the medal is inscribed with—it's a bronze medal—a relief picture of Albert Schweitzer, and it says, "We need a boundless ethics which will include the animals also." On the other side are three words that express Dr. Schweitzer's philosophy. He had been thinking for a long time about the words that would embody his feelings and thoughts. One day he was out on the river, in a small boat, and he came across a herd of hippopotami. He began to feel a little nervous, I would imagine, and they were coming all around him. And he said, "Ahh"—it came to him in a flash. "Reverence for Life." These are the words inscribed on the medal.

Michael Tillman is the Director of the Southwest Fisheries Science Center. This award recognizes his outstanding leadership of the United States' delegation to the 1993 meeting of the International Whaling Commission in Kyoto, Japan. Dr. Tillman has a profound understanding of the forces at work in the IWC. A gifted and seasoned government scientist, he was an invaluable guide to a series of US Commissioners before he led the delegation himself. He

has a very firm grasp of the vagaries of the IWC and its Scientific Committee and a wide familiarity with such solid scientific knowledge as has been gained over the years about cetaceans.

He also is alert to the large areas where ignorance continues to prevail, and he has not been afraid to speak his mind. He has the courage to stand up to the pressure from Norway and Japan, who have spent millions of dollars to influence the US government and the governments of other IWC nations. He defeated an attempt to end the moratorium on commercial whaling and prevented the adoption of the Revised Management Procedure. According to *The London Observer* of April 24, 1994, the Revised Management Procedure was backed by the world's two leading conservation groups—Greenpeace and World Wildlife Fund for Nature—and, sad to say, our own government.

May our country follow in your footsteps, Dr. Tillman, in Mexico this month. We hope that you and all of us can continue to stand fast against the intense lobbying pressure of the whaling nations. I, personally, am very pleased to honor you, and thank you with all my heart. And here is the medal and a substantial award inside, which, I might say, is more than I received for my last performance on Broadway.

Remarks of Dr. Michael Tillman: It's wonderful for a scientist to have a captive audience. If you've attended any scientific proceeding, you will know that usually scientists give you a slide show, and as we do so, the lights come down and so the person, the scientist giving the presentation can't see what's happening. But if you're in the audience, you'll look around and you'll see people sneaking out, going out the side doors as if they're getting bored or something. But I've got you trapped. You can't go out. I see you.

Anyway, I want to thank Mr. Robards and Christine for your very kind remarks. I thank you all for your very warm and generous reception here this evening. I am totally overwhelmed and greatly pleased to be the recipient of this prestigious award. I understand that it is given in recognition of the work that I've done in the Whaling Commission over the past 20 years, but especially it comes because of the work that I did in 1993. I led the US delegation to the Whaling Commission meeting in Kyoto, Japan. In a very different climate then, we were working very hard to maintain the moratorium and to

prevent passage of this entity, this new scheme called the "Revised Management Scheme" or the RMP. I'm not going to go into explaining all the ramifications of whale policy over the past year, but I can confirm the remarks that Christine made earlier and that Mr. Robards made earlier about the challenges facing the United States government and other governments at the upcoming Whaling Commission meeting.

Now 1993 was a major milestone in my particular career. It marked the twentieth anniversary of my involvement with whales and whaling. Over the years, I've had a lot of help. I've always said it was a team effort, with active assistance from colleagues both inside and outside of government. And this evening, I'd like to acknowledge a special few of those and dedicate that medal to them.

Now one of the earliest of these people that assisted me was Dr. Doug Chapman. That's a strange name to many of you, but you old-timers who have been with me at the Whaling Commission over all these years will remember Doug as that long-serving member of the US delegation who also was the Chairman of the Scientific Committee and was very well respected. He was involved in this issue for longer than I can remember. Not many people know that Doug was also one of my major professors at the University of Washington where I got my Ph.D. Well, he provided me with my statistical background, my underpinning that I carried with me when I went to work on the Scientific Committee. But he did more than teach me about statistics. He showed me that it wasn't enough just to do the science, but you also had to get involved in applying that science, taking those results, putting them into action in terms of the policy

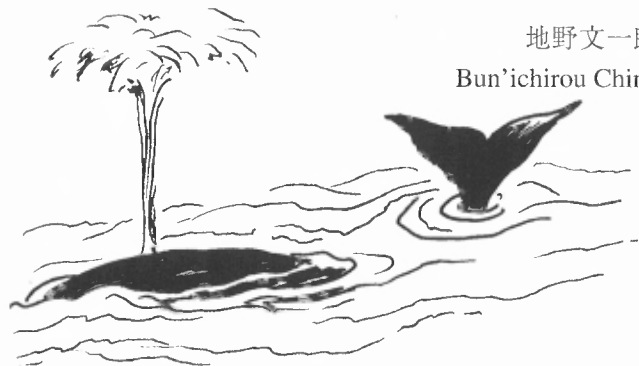


Jason Robards, Christine Stevens and Michael Tillman at the reception following the ceremony.

地球を鯨と共に

地野文一郎

Bun'ichirou Chino



Together with Whales on the Earth, by Bun'ichirou Chino, was first published in Japan by *The Plaza*. It is now available from the Animal Welfare Institute as a Japanese/English pamphlet. The English translation and the Japanese original appear on facing pages. It tells of the complete change in one Japanese person's view of whales, brought about by the sincere sorrow expressed by a young American graduate of Oberlin College over the fact that many Japanese continue to eat whale meat.

'Chino-san, it may be OK at your age, but I'd like to appeal to Japanese young people that they shouldn't eat whales.'

'No! You're mistaken, Jocelyn-san. The younger, the more Japanese want to eat whale meat. Whale is one of the cheapest meats. In the Kansai Districts of Western Japan, all the meat poor students can eat are whales.' Exaggeratingly showing the delicious taste to her, I

took a slice of the whale meat into my mouth. I felt it considerably unpleasant and irritating that an American young girl neglected an aspect of Japan's unique culture, just following a world trend without caring about or understanding the unique traditions of each human race. Jocelyn's blue eyes became deeply sunk, and changed dark into desperation. Dramatizing the delicious taste further, I ate each slice of whale one after one just in front of her blue eyes which was chasing it sorrowfully, but she said nothing any more, leaving a weak smile on the edges of her lips.

I enjoyed the feeling of victory over a foreigner who had tried to neglect Japanese habits maintained as cultural heritage. However, since that time, I have become unable to eat whale meat. Whenever, I saw the dark red flesh at fish shops, I felt a taste that had been familiar from my childhood, wanting to eat eagerly, but simultaneously, I could not help remembering Jocelyn's blue eyes full of human sadness and sunk into desperation. As the image of her face interrupted my strong desire to eat whale meat which made me gag, I could not buy it at fish shops. Much to my vexation, I have given up eating whale meat in spite of my being Japanese.

The author takes us on a journey of conscience, with subheads ranging from "We Want to Eat Whales" through "Cultural Heritage of the Earth," summing up her transformation:

A great chorus of 'We want to eat whales' must be thought shameful in this age. On the earth, many people are wishing to become friends with whales. As a king of creatures on the land, mankind may have something to learn to live with other lives from a king of creatures in the sea, the whale. Is it not smart that kings of both the land and the sea are friendly? Let us live together with whales on the earth!

To receive a copy of *Together with Whales on the Earth*, send \$1.00 with your request to AWI.

Tillman, Schweitzer Medalist (continued from page 7)

that you wanted to implement. That was a very useful lesson for me to learn as a young scientist, and I think that very kind and wise gentleman for that and for being such a role model as I went along my career.

I have worked with many other scientists over the past few years. But there has been no interaction that was so profitable as the one that I have had with Dr. Bob Brownell. Again, he may be a stranger to many of you, but some of you who have been involved in this issue for a long time will know of Bob as being that source of that particular arcane fact you need to find to solve the puzzle regarding your particular conservation issue. Or he might be the guy that brings to your attention that particular conservation issue that just needs to have your attention right now so he can resolve it.

His most amazing exploit recently has been his assistance in exposing Soviet under-reporting of whale catches. Both Christine and Mr. Robards have alluded to that. I've also talked to a number of you in the audience about that. And to me, that exposure is the single most important factor of the decade affecting whale conservation, for it demonstrates that even during an era when we had hopes of being able to control this industry, that greed overcame all, and it is not possible. So I thank Bob for his untiring dedication to providing scientific findings like this, which have had such a dramatic impact on planning and developing whaling policy.

The final two individuals are going to remain nameless, but my 1993 would not have happened without them. During 1992, as Christine pointed out, whaling policy was going in a pretty awkward direction for many of us, and I was utterly discouraged by that direction and was thinking of dropping out. I was going to pursue something more profitable with my time, put my career in another direction. However, I had a fortuitous encounter with these two

people at a State Department Christmas party. I explained to them my concerns, and they heard me out. They encouraged me, and even inspired me, to stay involved. So I stayed engaged, and Kyoto in 1993 became history. They have continued to inspire me and encourage me during these troubled times, so I thank them for that.

Now to finish off my remarks, I'm going to switch gears. I was recently reading one of those articles in the local newspaper in San Diego about the derivation of the English language or American language. It was an article about the derivation of various sayings. One of these really struck me. I'll read it to you. It said, "If the will is strong enough, the means will present itself." Of course, this is the origin of that old saw, "If there is a will, there is a way." But to me, the original is a more powerful statement. "If the will is strong enough, the means will present itself."

Certainly the colleagues I have had over the past few years, including those I just mentioned, have helped me formulate the means for whale conservation. But the will to pursue a particular course of action emerges from somewhere else. For me it comes from a strategic sense of the kind of world I'd like to live in, and the one I'd like to leave behind. In my view, those who passed the whaling moratorium in 1982 had a pretty good view of the world and had the will to pursue it—that particular goal—for over ten years, some of them longer. So what I'm wondering here tonight, as we approach this next meeting, is this: Do we still have the will to pursue it, or have we become too old, too burnt out, too complacent, or too jaded?

So I'll leave you with that thought and step down from my soap box, and conclude by thanking the Animal Welfare Institute for awarding me this medal. I am truly grateful for it, and I thank you for your kind attention to my remarks this evening. Now let's get back to enjoying the remainder of this very splendid evening. Thank you very much.

GATT: Strike Two Against Dolphins

International Bureaucrats Declare US Tuna Embargo Inconsistent with Free Trade

In 1991, the Director-General of the General Agreement on Tariffs and Trade (GATT) appointed a panel to mediate a trade dispute between Mexico and the United States concerning the US embargo under the Marine Mammal Protection Act (MMPA) of Mexican tuna products caught by setting deadly purse seine nets on dolphins.

The GATT Panel found the MMPA, the world's strongest law protecting marine mammals, to be inconsistent with the GATT. With overwhelming support from animal protection and environmental groups, however, the US blocked adoption of the Panel ruling and, thus far, Congress has refused to amend the MMPA to allow the large scale slaughter of dolphins.

This year the US lost another dispute concerning the MMPA and the GATT, and a new Panel has told the US to "take all the necessary steps to bring its legislation into conformity with its obligations under the GATT."

The recently completed Uruguay Round of GATT, if approved by Congress, will create a monstrous World Trade Organization (WTO) which would no longer allow a nation to block adoption of a GATT Panel ruling. Should another challenge occur to a US law and the GATT Panel again rule against us, we would be forced to change our law, pay enormous fines, or face retaliatory trade sanctions by other GATT nations.

The second GATT challenge to the MMPA was brought by the European Economic Community (EEC) and the Netherlands, supported by other nations with a vested financial interest in animal exploitation. They challenged the language of the MMPA which allows the US to embargo yellowfin tuna and yellowfin tuna products from any country that originally imported the tuna from a nation still killing exorbitant numbers of marine mammals while fishing in the eastern tropical Pacific. This provision of the Act helps the US provide "dolphin safe" tuna products to caring consumers.

The GATT Panel examined whether the United States could distinguish between two "like products," such as commercial tuna, according to the methods by which the tuna is caught, not on the inherent quality of the tuna itself. Two cans of tuna may look, smell and taste identical although one was caught by harming dolphins and the other is "dolphin safe." In the eyes of the GATT regime all tuna is identical no matter how many dolphins cruelly die while catching tuna for commercial sale.

The MMPA's embargo provisions were also challenged as an attempt to force other nations to adopt environmental policies similar to those of the US. The GATT considers this an extraterritorial measure, one where a nation attempts to apply its domestic laws beyond its actual sphere of influence.

The US noted language in the GATT which provides an exception to general GATT rules when a domestic law is "necessary to protect human, animal or plant life or health;" and relates "to the conservation of exhaustible natural resources...".

The Panel decided that for a domestic measure to meet the definition of "necessary" there can be no other means to achieve the goal. If the MMPA tuna embargo were the only way to protect dolphins it could be considered "necessary" according to GATT language. Although all nations agreed that dolphins were in need of conservation, the co-complainants contended that an embargo on tuna was not "necessary" for dolphin conservation. The Panel ruled that since there are other international methods to conserve dolphins the US tuna embargo was not "necessary."

Americans have fought for years to gain protection for dolphins and other species that constantly face exploitation. The powerful GATT bureaucracy threatens not only the MMPA, but numerous other US animal protective laws. A comprehensive list of American laws subject to foreign challenge under GATT and the similar North American Free Trade Agreement appears in *AWI Quarterly*, Vol.42, No.2.

Our sovereignty is threatened intolerably by these trade agreements. The animals who have benefited for decades from strong US laws will be abandoned to a cruel fate, if the Uruguay Round of GATT is approved.



National Marine Fisheries Service

Dolphins trapped within a purse seine.

Marine Mammal Protection Act Weakened

On April 30, 1994, President Clinton signed into law a bill to reauthorize the Marine Mammal Protection Act (MMPA) for five years. On the positive side, the reauthorized MMPA sets a schedule to sharply reduce the incidental take of marine mammals in commercial fisheries. This language was the result of a year of debate between animal protective organizations, the fishing community, and both houses of Congress. Language was also added to the MMPA increasing habitat protection for marine mammals.

Unfortunately, Congress sacrificed the protection of captive marine mammals and polar bears by including two disastrous amendments late in the reauthorization process. The marine circus industry, led by Anheuser-Busch (owner of the Sea World chain) and Las Vegas casino owner Steve Wynn, funded a massive lobbying campaign to wipe off the books humane treatment requirements for captive whales, dolphins, seals, and other marine mammals. The revised law removes enforcement authority over captive marine mammals from the National Marine Fisheries Service (NMFS). Some of the NMFS duties have been transferred to the underfunded and understaffed Animal and Plant Health Inspection Service of the Department of Agriculture but the majority simply have been eliminated.

The new language also opens the US to the importation of polar bear trophies from the Canadian sport hunt. The Safari Club International, a powerful big-game hunting lobby, orchestrated the Congressional Sportsmen's Caucus to ram through the polar bear exemption.

Spring Bear Slaughter on Kamchatka

The following article was translated from Russian and provided under the condition that the author remain anonymous.

There is an unwritten code about being an honest hunter.

There is an ethic that condemns the slaughter of animals for the mere sake of killing; moreover it must abhor such mass slaughters. And those that occur in spring. And from a helicopter. Here is the extirpation of a community of bears, first venturing out of their dens in spring, more vulnerable than a rabbit in the March forest.

This is not a hunt, it is a firing squad.

Culture has become degraded on Kamchatka. Open poaching was always prevented by public censure; now people almost flaunt such activity. The people have degraded and the hunt inspectors and nature protection authorities have followed in their footsteps.

Along salmon spawning grounds, where bears fish in the fall, there is a new tradition. Decomposing bear corpses lie whole along the banks; only their gall bladders are missing. Three or four years ago, such a sight would be unbelievable. Now no one is surprised. There is money in the air.

Business in bears is booming on Kamchatka. The peninsula is a virtual haven for wildlife and is one of the bear capitals of the world. Or so it used to be thirty or forty years ago. A. Ostroumov, who used to study bear populations in Kamchatka estimated the bear population in Kamchatka at the end of the fifties and beginning of the sixties at 15,000-20,000 individuals, one reason why many people took to shooting them and in large quantities. They were shot not necessarily for food or for their skins as much as for souvenirs and for boasting. Many hunters regularly killed 10-12 bears a year.

A government agency, the Regional Hunting Department, tried to introduce regulation, symbolically. They issued licenses, for a time for free and then for a less than minimal fee. In stark contrast with other areas, on Kamchatka, spring hunts were legal. The opinion was that there were too many bears on Kamchatka. No one knew how many. Hunting departments did not pursue such research, since the effectiveness of their work was only measured at that time in how many skins and furs were brought in, and bear skins always commanded a decent price.

Prices for food products, not to mention other items, soared to fantastic levels during Perestroika, while real income sharply declined. So someone on Kamchatka figured out that skinning bears could stabilize his standard of living, since comparatively little effort was required, no time investment was needed, and accounts could be settled in dollars.

Businessmen and tourists began arriving after the region's closed status was revoked. The race to transform bears into currency was on, with participants from every walk of life and governmental agency. Some organized hard currency hunts for rich tourists; some simply sold skins. Work was carried out legally and not so legally.

682 bears were killed by license in 1990, 541 in spring. In 1991, 782 were killed, 411 in spring, 388 bears were killed in the spring of 1992. These are official figures. There are also unofficial figures.

Research conducted by Vitaly Nikolaenko, a scientific worker at the Kronotsky Nature Reserve, tells a different story. Nikolaenko traveled to 14 northern villages by helicopter, from Esso to Markovo (in neighboring Chukotka), where he met with hunters and poachers. In 1991, not less than 2000 bears were killed.

Nikolaenko asserts that in the past three years more than 5000 bears have

been killed on the peninsula, a number that is approximately half the estimated population according to a 1990 census.

Poachers in the taiga of Kamchatka are free because of severe political instability; governmental agencies aren't able to protect or focus attention on the plight of bears. A hunt inspector, with his meager salary and incredible difficulty in obtaining gas and other necessities, cannot possibly adequately patrol the 1000 square kilometers for which he is responsible. Moreover, he could be shot if he tries to protect bears. Luckily this has not yet happened, but severe threats have been made. There is money in the air.

Some skins go to Western Europe, mainly through middlemen in the Baltics. Others go out by boat to Korea and Japan. Businessmen and tourists are ready to pay fantastic prices for gall bladder, from which a medicine is made that the Japanese believe increases male potency. The demand for gall bladder soars. In regional newspapers and on makeshift signs on the streets of Petropavlovsk, the capital of Kamchatka, it is common to see announcements of "bear gall bladder for sale." This does not arouse much excitement anymore. One gall bladder can be transformed into an apartment or car.

If poaching at this level continues on the peninsula for another two or three years, the genetic viability of the Kamchatka bears will be lost. According to Nikolaenko, "We will lose a national treasure." The bear is the national symbol of Russia, one which the whole world recognizes, and it is unbelievable that the animal could become rare even on Kamchatka. There is something very, very wrong when people set out to devastate the symbol of their homeland. For the sake of a transient enrichment. And the government does nothing. Money is in the air.



An amateur photographer caught these German "tourists" on film following their aerial "hunt" for bears.

Horses Fall Victim to *Charros*

The film and television industry as well as the Professional Rodeo Cowboys Association have long banned intentional horse-tripping but it is still being practiced in Mexican-style rodeos or *charreadas*.

Throughout six states, the "brave" *charros* chase terrified horses at a full gallop around a ring in order to lasso the front or rear legs and bring them crashing to ground. The falls often cause severe injuries, from rope burns to broken limbs to broken necks. Horses used in *charro* rodeos are bought at auctions by "killer" buyers who rent them at \$65 per day for a weekend of torment and misery. Some have been known to jump over walls in an effort to escape only to be brought back for more abuse. During the 1992 season, 75-100 horses were leased from one Riverside feedlot to two different *charro* rodeos, but only two survived until season's end. Once rendered unsound, the horses are carted off to the slaughterhouse.

The Ark Trust is leading the campaign to make the practice of horse tripping illegal. A bill that would do so has passed the California State Assembly and the Senate Judiciary Committee and is due to be heard on the Senate floor by July 8. For more information, contact:

The Ark Trust, Inc.
P.O. Box 8191
Universal City, CA 91608
(818) 786-9990.

Congress Can Protect Dairy Cows

At a press conference on June 21, 1994, Congressman Bernard Sanders (Ind., VT), with the support of numerous animal protection, family farm, and consumer groups, announced the introduction of federal legislation, H.R. 4618, entitled the "Bovine Growth Hormone Milk Act."

The Congressman recognized that injections of recombinant bovine growth hormone (rBGH) make cows sick, citing that "the POSILAC (synthetic rBGH) label lists a variety (20) of adverse side effects." He continued:

It also warns that using synthetic rBGH may result in the use of more antibiotics, increasing the risk of antibiotics ending up in consumers' milk. The FDA calls this a 'manageable risk.' The question is, why are we taking any risk at all for a drug that no one, other than the Monsanto Company, needs or wants.

Congressman Sanders concluded, "There is no need for this inhumane treatment of cows."

Sanders' legislation requires the Secretary of Agriculture to label milk or a milk product intended for human consumption with the warning "This milk (product) was produced by cows injected with synthetic BGH" if it comes from injected cows. Such a label will enable American consumers to select dairy products that involve the least stress and suffering to the cows from which they come.

National Trappers Association Fights Regulation Against Steel Jaw Leghold Traps

On May 18th, the National Trappers Association (NTA) hosted a Capitol Hill lunch with a down-home menu for the Congressional Sportsmen's Caucus. The Caucus, an influential body not ordinarily concerned with trapping, comprises 40% of the US Congress. Representative Don Young, the only trapper in Congress, introduced speakers on the trappers' chosen subject, "Scientific Wildlife Management in Jeopardy." Featured were Dan MacLauchlan of the International Association of Fish and Wildlife Agencies, a powerful organization representing fish and game departments in all the states, and Steve Greene of the National Trappers Association.

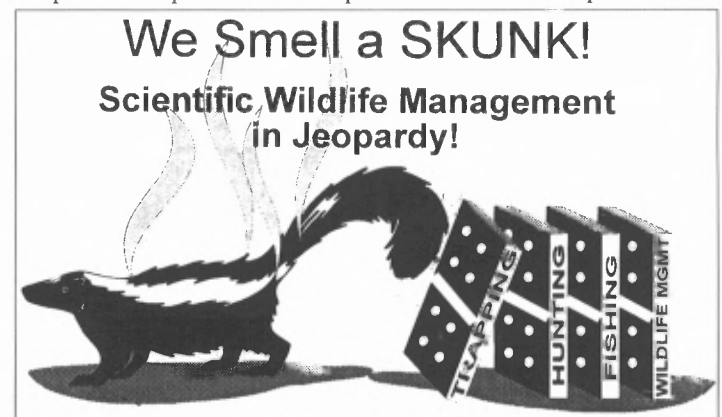
The luncheon attracted nearly 100 Hill staffers who were urged to phone US Trade Representative Mickey Kantor requesting an extension of the European Union's January 1, 1995, deadline for reducing trapping cruelty. The European Union (EU) has now agreed to postpone the deadline for one year.

More than 70% of fur exported by the United States is consumed in European countries. The fur industry and trappers are trying to repeal the EU's anti-cruelty Regulation. NTA's Steve Greene baldly stated at the luncheon, "Our ultimate goal is to rescind the Regulation."

Animal protection organizations worked for years in support of the humane Regulation adopted by the European Union in 1991. It prohibits use of steel traps within the EU beginning in 1995. A second provision of the Regulation prohibits fur from 13 species of furbearers from being imported into the EU unless the exporting nation bans use of steel jaw traps or adopts "internationally agreed humane trapping standards" which do not exist at the present time. Both provisions are effective January 1, 1995 but a one-year extension is provided "if sufficient progress is being made in developing humane methods of trapping" in the country of export.

Trappers in the US continue to rely heavily on steel jaw leghold traps, and their goal for trap standards is to maintain the status quo.

As an NTA Director stated in *The Trapper and Predator Caller* magazine, "We can either stay involved in the 'trap standards process' and get some or most of what we want or drop out and get most of what we don't want..." Tom Krause of the NTA, who missed the luncheon, claims to support trap standards development to achieve "betterment" when "treating animals to a trapping experience." Yet the NTA doesn't want the EU Regulation mandating adoption of trap standards or a prohibition on steel traps.



The "domino effect" as expressed by the trapping fraternity's leaflet.

NTA's strategy in entertaining the Sportsmen's Caucus was demonstrated by an anonymous four-page leaflet entitled "We Smell a Skunk" which was placed on every chair. The leaflet alleges that a steel trap ban will trigger opposition to hunting, then to fishing, then to wildlife management. Trapping, according to Steve Greene, is "the soft underbelly of wildlife use." He told the luncheon guests "I'm a trapper, just a country boy, and I'm not in my natural habitat. I'm more comfortable waist-deep in a beaver pond." And he insisted that trappers are the "true animal welfarists!"

Searching for the West Indian Whistling-Duck

by David O. Hill

Ducks are among the best known, most studied, most easily observed, and most popular of birds, and except possibly for parrots, the most widely held in captivity. Hunting them, of course, is a huge industry. Ducks adorn everything from stamps and calendars to placemats and mailboxes, and are favorite subjects of painters and wood carvers. The mallard must surely rank with the robin and blue jay as America's best known birds. Not surprisingly, more money is invested in waterfowl propagation, by both government and private groups, than is spent on any other wildlife.

With all that popularity and attention, how was it then that North America's rarest duck was slipping away without anyone seeming to notice? I asked myself that question as I sat quietly beside a small pond in the Cayman Islands back in 1989, on the night I was to see my first West Indian whistling-ducks.

Perhaps it was its occurrence just outside US borders, which let it escape the protective provisions of the Endangered Species Act? Perhaps it had to do with the duck's nocturnal habits—you know, out of sight, out of mind? What about its lacking bright colors; was this a factor? Or was it because its range covered hundreds of islands scattered over thousands of square miles of ocean, and across a dozen political boundaries? These could be daunting problems for the would-be conservationist. And what about logistics? How could one hope to accurately survey the Bahamas, for instance, with its 700 plus islands?

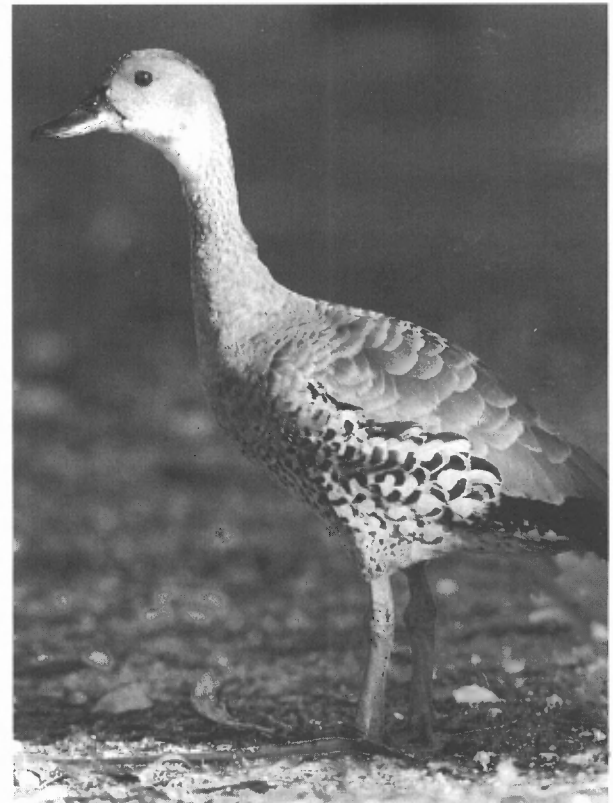
Whatever the reasons, populations of this once abundant species had reached alarming levels, persecution continued unabated despite an array of protective laws, and nobody was doing anything about it.

For 27 years I had been traveling to the West Indies to study birds; in the early years as a budding scientist, and later as a conservationist, and always on the lookout for this species. I had slogged through countless swamps and mangrove forests, enduring deplorable mosquitoes at dawn and dusk, in hopes of sighting this bird. But always in vain. I began to wonder if the bird did actually exist. After years of such futility, species like this one and the elusive Stygian owl of Hispaniola begin to take on a sort of mythical character. Rainbow chasing; something like that.

And then suddenly, as if by magic, I found myself face-to-face with three whistling-ducks, erect and nervous, staring back into my light not thirty yards in front of me. It was almost surreal, with a full moon doing its part. Could I believe my eyes?

I had come to the Cayman Islands to investigate the possibility of RARE Center extending its highly successful Antillean parrot conservation programs to include the two endemic subspecies of Cuban parrot (*Amazona leucocephala*) which occur there. While on Grand Cayman I had inquired as to the origin of a remarkably fine photograph of the whistling-duck, the only one I had ever seen published, apparently taken in the Caymans. I was informed by the photographer, whom I had managed to track down, that if I were to visit a certain pond on nearby Little Cayman Island, after dark, with a proper flashlight, I stood a good chance of seeing one. I flew there later that same day.

The ducks appeared much more delicate than I had imagined, and very alert with their long necks held straight up. Their white chins and throats showed up well in the light, and the rich dark brown



David Hill

This endangered West Indian Whistling-Duck was photographed on Hog Cay, The Bahamas.

of the crown and hindneck contrasted sharply with the paler face. They didn't look at all like the other three species of whistling-ducks I had seen, except in shape. I thought they were very handsome, albeit subtle in coloration with their warm earth-tones. My heart pounded as I tried to soak it all in. Seconds later they vanished into the night, their pale upper wings picking up the last rays of light as they whirred off. I craved a longer look, but had to remain satisfied with this brief, thrilling encounter. Four more years would pass before I would again see West Indian whistling-ducks in the wild.

As I sat there trying to comprehend what I had just seen, my thoughts ran to accounts I had read of the decline and eventual disappearance of the fabulous pink-headed duck of India. As was the case with our own heath hen in New England, naturalists of that period stood by helplessly as if watching a candle flicker and then go out. Was this to be the fate of this elegant duck of the Caribbean? I promised myself that very night that I would get involved in an effort to make certain that the flicker I had just seen would not go out.

That vow has led to a project which is now in full flower. RARE Center is distributing 12,000 color posters, in both English and Spanish versions, to bring the message of the bird's plight to the people of the West Indies. Next summer a multi-year research project is to begin, captive breeding and reintroduction programs are being evaluated, and governments are being encouraged to beef up their enforcement of hunting bans.

All the elements of a comprehensive endangered species recovery strategy are starting to fall into place. It will take years of effort and a good deal of money to extricate this beleaguered duck from harm's way, but for the first time in modern history, its survival prospects are better: the flame burns a bit more brightly.

David O. Hill founded RARE Center for Tropical Conservation (formerly known as Rare Animal Relief Effort, Inc.) 20 years ago. He has served on AWP's Board of Directors for 17 years.

“OPERATION RENEGADE”

US Fish and Wildlife Service Undercover Investigation

The Special Operations unit of the US Interior Department's Fish and Wildlife Service (FWS) conducted a three-year “sting” resulting in indictments of six men and a woman who allegedly smuggled hundreds of cockatoo eggs worth over \$1 million from Australia into the United States. Rose-breasted cockatoos, red-tailed black cockatoos, Major Mitchell cockatoos, and slender-billed cockatoos hatched from the eggs were sold to collectors. Australia strictly prohibits commercial exportation of all native birds and their eggs.

“Operation Renegade” is a continuing investigation into the international nature of profiteers involved in illicit trade of exotic birds. To date, it has resulted in criminal convictions against 17 individuals. The conviction of Richard Furzer, a major dealer, was reported in *AWI Quarterly* Vol.42, No.3.

Another of the biggest smugglers of African grey parrots, Elias K. Mantas, a/k/a Louie Mantas, was charged with conspiring to transport seven shipments in violation of the Lacey Act and the smuggling statute. Mantas allegedly smuggled the African greys from Zaire, a country which strictly bans their export. He conspired with two different African suppliers, and FWS Special Operations obtained copies of the telex traffic, revelations from which are reprinted below.

In November 1988, Mantas telexed: “THE BIRDS ARRIVED LAST NITE ON LH [Lufthansa]. THEY WERE STUCK IN FRANKFURT. THE BIRDS CAME IN REAL GOOD. (4 DEAD) OUR FAUNA PEOPLE ARE QUESTIONING THE PAPERS FROM U. AT THIS POINT WE DON'T KNOW IF THEY WILL ACCEPT THEM. PLS HV SUSAN FROM ABDIJAN CALL ME SO I CAN EXPLAIN IT TO HER.”

In May 1989, Mantas' African supplier telexed: “I'VE JUST ARRIVED FROM ZAIRE AND BURUNDI TO SEE MY TEAM OVER THERE AND SOLVE ALL PROBLEMS. NOW EVERYTHING IS OK... I'LL BE ABLE TO SEND BIRDS NOW I THINK THE NEXT SHIPMENT OF 1,000 ZAIRE GREY WILL ABOUT ONE MONTH...”

African grey parrots are listed by the Convention on International Trade in Endangered Species (CITES), and dealers need papers to make their birds seem to be legal. In August, Mantas telexed: “WHEN U SEND THE ZAIRE GREY, PLS SEND ALL ORIGINAL CITES FROM IVORY COAST WITH THE SHIPMENT. ALONG WITH THE RE EXPORT CITES FROM GUINEA.” Later that month, Mantas telexed: “LET'S ONLY SEND 220 ZAIRE GREY TO SEE HOW THEY ACCEPT THE CITES HERE.”

In a September telex, Mantas told a supplier: “OUR WILDLIFE AUTHORITIES SAW THE LETTER AND THEY THINK SOMETHING IS GOING ON THAT IS NOT CORRECT... AND THEY ARE CONCERNED THAT THE BIRDS HAVE COME FROM ZAIRE AND PAPERS FROM I. COAST AND SHIPPED FROM GUINEA. THE REASON FOR THEIR CONCERN IS THAT RECENTLY IN MIAMI OVER 1100 AFRICAN GREY PARROTS WERE CONFISCATED BECAUSE OF THE SAME PROBLEM (AS YOU REMEMBER I WAS TELLING YOU ABOUT IT 2 MONTHS AGO). I DON'T UNDERSTAND WHY YOUR BROTHER SENT THAT LETTER WITH THE SHIPMENT AND MADE REFERENCE TO 'ZAIRE PARROTS.' NOW IT SEEMS WE MAY HAVE PROBLEMS.”

Mantas' next telex in October stated: “FOR THE NEXT SHIPMENT WE WOULD NEED 600-700 ZAIRE GREY... IF YOU

SHIP FROM GUINEA MAKE SURE YOU SEND A ORIGINAL CITES FROM I. COAST AS LAST TIME. BUT PLEASE NO LETTERS THIS TIME.”

Each count of violations of Title 18, United States Code, is documented for consideration by the judge.

Judge Rules in Favor of Wild Bird Protection

On March 29, 1994, Judge Louis Oberdorfer ruled that the Department of the Interior had violated the language of the Wild Bird Conservation Act of 1992 by omitting species of birds listed on Appendix III of the Convention on International Trade in Endangered Species (CITES) from the regulations protecting wild birds from commercial capture and sale. The Convention provides that a country can list species it wishes to protect.

The judge wrote:

The statute states simply that its moratorium applies to ‘any’ species of bird listed in ‘any’ appendix to the Convention . . . Moreover, Congress considered and rejected an amendment to the Act that would have defined its reach as defendants would define it here . . . In the course of Congressional hearings on the Act, several parties testified in favor of limiting the scope of the Act’s moratorium as to Appendix III species by country of origin, reflecting their understanding that the Act as written extended the moratorium to all Appendix III species regardless of their country of origin. Congress was aware of the differences between Appendix III to the Convention and the other appendices, but it explicitly chose not to draw any distinction among the appendices in stating the reach of the statute. Thus, the statute presents the agency with no ambiguity to interpret.

. . . Because the Act has a context and a legal effect that differ from those of the Convention, the manner in which Appendix III was generated is not dispositive of Congress’ intent in drafting the Act.

The date of the decision was the effective date that the Interior Department was ordered to rescind their regulations and declare an import ban on species listed on Appendix III. What does this mean to birds imported for the cage bird trade?

The majority of the 152 species listed on Appendix III by various countries are banned from trade throughout their ranges. At least 24 species of finches and doves, however, listed by the West African country of Ghana, are traded in very large numbers by neighboring Senegal, to which they are also native. In 1990, for example, Senegal exported 1,258,350 birds of these species—including lavender waxbills, orange-cheek waxbills, bronze mannikins, red bishops, yellow-fronted canaries, cutthroat finches, Namaqua doves, laughing doves and two species of wood-doves among other species.

The United States is a major importer of these birds, importing 102,350 finches from Senegal in the 12-month period ending in September 1992. A large percentage of these were Appendix III species. Over 10,000 of these birds died in transit or quarantine.

Another Appendix III species, the ring-necked or rose-ringed parakeet, is traded in large numbers. The hill myna, one of the pet trade’s most popular birds for its ability to mimic sounds, was listed recently on Appendix III. Since January 1988, 8,254 Hill Mynas have been imported into the US, with a mortality of 755 birds. Now, the import of these species will be banned.

The Marine Mammal Commission Compendium of Selected Treaties, International Agreements, and Other Relevant Documents on Marine Resources, Wildlife and the Environment

Compiled by Richard L. Wallace, Marine Mammal Commission, Washington, DC, 3,547 pages in three volumes, 1994, \$68.00.

This valuable compilation will be widely used by organizations dedicated to the marine environment and its inhabitants. Never before have those who seek protection for whales, dolphins, seals, walrus, sea otters, and polar bears been given easy access to all the instruments that relate to these mammals and indeed to all life in the seas.

Major headlines under which the multilateral documents appear include Antarctica, Environment and Natural Resources, Fisheries, Marine Mammals, Marine Pollution, and Marine Science and Exploration. These are followed by bilateral documents involving the United States in each of the above categories.

The three volumes provide an interesting historical record reflecting attitudes to the mammals of the sea and to the world in general that now seem part of a distant past. The 1931 Convention for the Regulation of Whaling, for example, listed almost as many Kings and Queens as it did Presidents who entered into the agreement. His Majesty the King of Denmark and Iceland appointed the "Permanent Delegate accredited to the League of Nations" as his "plenipotentiary," and Canada, Australia, New Zealand, South Africa, India, and Northern Ireland were all still part of the British Empire. Each was represented by its High Commissioner or a similar dignitary. But two nations destined to become major commercial whalers, Japan and Russia, were not among the initiators of the Convention. The League of Nations was the depository.

In 1946, the member countries met in Washington, DC and the United States became the depository of a revised Convention including the all-powerful "schedule" which specified that the infamous "blue whale units shall be calculated on the basis that one blue whale equals: (1) two fin whales or (2) two and a half humpback whales or (3) six sei whales."

By 1954, the annual meeting of the International Whaling Commission was held in Tokyo and the schedule was amended to read, "It is forbidden to kill or attempt to kill blue whales in the North Atlantic Ocean for a period of 5 years." A similarly forbidden area was designated in the North Pacific, but on November 5th "an objection was delivered by hand at the offices of the Commission by the Government of Iceland" on the blue whales in the Atlantic and on the following day, Japan objected to the protection of blue whales in the Pacific. The US State Department, according to its January 6th letter, then felt "constrained to lodge objection to the contemplated prohibition against killing blue whales in the North Pacific Ocean. This decision is taken in the belief that unless this prohibition were to apply to Japan the objectives thereof would be negated, and therefore no useful purpose would be served by the United States binding itself to the restriction." So with those weasel words the commercial extinction of the blue whale proceeded to its inevitable conclusion. At the Moscow meeting in 1955 the prohibition was simply rescinded.

The International Whaling Commission, despite the disastrous losses of the very populations of animals it was founded to conserve, still offers hope since the cessation of commercial whaling it adopted in 1982. However great its repeated failure to accomplish the "regulation" it was founded to ensure, it still brings nations together to witness the depletion of the once massive numbers of the different species.

Other treaties and conventions recorded in the pages of this compendium exemplify similar failures, for example the Inter-Ameri-

can Tropical Tuna Commission which has presided over the deaths of hundreds of thousands of dolphins in the purse seine fishery.

The Food and Agriculture Organization of the United Nations (whose amendments to its constitution form the text available in the compendium) originally played a leading role in promoting the monstrous driftnets that have decimated ocean life by killing dolphins, whales, seabirds, and many kinds of fish other than the target species. New treaties such as the Convention for the Prohibition of Fishing with Long Drift-Nets in the South Pacific Ocean have entered into force to try to undo the mistakes of the past.

Now that the Marine Mammal Commission has so conveniently compiled these agreements, the reader cannot help but wish for a knowledgeable commentary on how they have worked out in practice.

This is a valuable reference book. It is to be hoped that it will give rise to a critique of the results to guide governments and non-governmental organizations in future actions.

Animals Used in Laboratories Lose Champion



The late Dallas Pratt.

Dallas Pratt, a physician who personified compassion for animals used in experiments, died at the age of 79 in his home in New York.

Dr. Pratt's gentle, patrician manner belied his intense devotion to animals and his courageous determination to protect them. For example, on an unannounced inspection of a New York laboratory he personally took possession of a suffering moribund dog when he was unable to obtain pain relief for it from the institution's authorities. He founded the humane education group Argus Archives and wrote two important books: *Painful Experiments on Animals* and *Alternatives to Pain in Experiments on Animals*, hundreds of copies of which have been distributed by AWI.

His widespread interests included the founding of and continuing participation in the famous American Museum in Bath, England. Here at AWI, we have known and worked with Dallas Pratt for many years and will always remember his efforts on behalf of animals and the achievements of his Argus Archives programs in research, publishing, and films on animal protection.

In 1981, Dr. Pratt received the Albert Schweitzer Medal for his outstanding contributions to animal welfare. His acceptance of the Medal concludes with the following question:

Can we ever extricate ourselves from the moral dilemma of not wanting to cause distress to animals, and yet often being forced by the necessities of our lives into benefiting from their sacrifice? I think we are powerless to reject the knowledge which the past relentlessly thrusts upon us, including those discoveries which have come by a long, dark and ghastly route. But perhaps it is possible to atone, at least in part, for that murky past, if with will and imagination we mould the future, and put to work the technology which can replace the myriad of suffering rats, mice, guinea pigs, monkeys, cats—and little brown dogs.

Just imagine...

Runaway Population Growth Imperils Attempts to Protect Wildlife

The organization, Zero Population Growth (ZPG), has published several *Fact Sheets* about the serious threats to other species caused by the current explosive growth of our own species. Significant quotations from ZPG's articles which relate to the natural world appear below:

When Henry David Thoreau wrote 'In wildness is the preservation of the world,' people laughed at the notion. Today, zoologists embrace Thoreau's idea, scrambling to help preserve what little wildness is left.

As pressures from an expanding human population continue to fragment land, smaller and smaller natural reserves are scattered across the globe. Wild lands are giving way to clear cutting of forests, unsustainable farming practices, urban sprawl and road construction...

Our polluting ways continue to threaten wildlife across the nation. The Chesapeake Bay, for instance, is the nation's most productive estuary, and ranks behind only the Atlantic and Pacific Oceans in harvests for US fishermen. But the number of people living close to the Bay grew from 3.7 million in 1940 to 12.5 million in 1985 and is expected to swell by an additional 2 million by the year 2000. The press of population has turned the Chesapeake into a catch basin that collects the refuse of 5,000 pollution sources, including factories, farms, and sewage treatment plants. Runoff from lawns, roads, parking lots, and farmland carries pesticides, petroleum, and other toxins into the Bay. The wastes produced by the soaring

population have reduced the Chesapeake's seafood catch to a shadow of 19th-century levels.

In the early 19th century, the human species entered the industrial age with a population of one billion, and biodiversity—the total of genes, species and ecosystems on Earth—was possibly at an all time high. Nature seemed infinitely vast, self-sustaining, and freely available to exploit for our economic and social development.

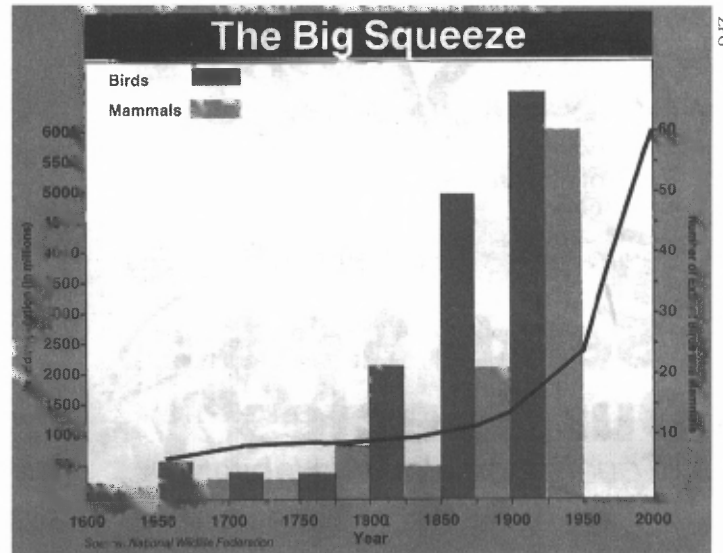
But today, as human numbers grow faster than ever before, we are beginning to realize that Nature and its resources have their limits, that we are exceeding those limits, and thereby seriously depleting the biodiversity upon which our very survival depends.

Biologists now warn that, unless quick action is taken to

halt population growth and save wildlife habitat and disappearing species, our future generations will inherit a biologically impoverished world, one that could greatly limit their options.

If trends continue, our grandchildren may live on a planet inhabited by less than half the species of plants and animals populating ours. 'The loss of genetic and species diversity,' E. O. Wilson once wrote, '...is the folly our descendants are least likely to forgive us.'

Courtesy of Zero Population Growth, 1400 - 16th Street, N. W., Suite 320, Washington, DC 20036.



Numbers of extinctions of birds and mammals as a correlate of human population growth.

Over-Fishing to Blame for Unprecedented Fish Declines

Norway and South America have flooded the market for pen-raised salmon. By driving down the price of fish, fishermen on the open seas have been led to catch larger numbers of fish in order to make up for the lowered price they are able to get. Both East Coast and West Coast fish are becoming scarce, but the Fisheries Councils have been reluctant to stop fishing to save the stocks. For example, the government has closed a large part of the Georges Bank where cod, haddock, and flounder have greatly decreased in number in the last two years. The Regional Council has now restricted the number of fishing days, but only after they were sued in federal court. On the West Coast, the Regional Council considered a ban on salmon fishing but failed to implement it. This year, the smallest number of salmon of different species are returning to their home rivers to spawn.

Senator Warren Magnuson was an outstanding leader in protecting animals, from dogs to whales. The Magnuson Act of 1976 extended US jurisdiction from 3 to 200 miles, preventing foreign fishermen from dragging their trawls over the ocean bottom killing every species they encountered.

Had the American fishing industry been satisfied to end this counter-environmental competition, the crisis that is now upon them

would not have happened. Unfortunately, they emulated the Russians and Japanese, increasing both size and number of boats as well as employing anti-ecological fishing methods so that their catches are even lower than when the foreign fishermen were present. Over-fishing has wiped out many seemingly boundless populations of fish.

Marine mammals suffer not only from removal of the fish on which they depend for food but also from direct physical harm caused by entanglement in fishing nets. In Maine, the harbor porpoise populations are decreasing dangerously as a result of gill nets. On the West Coast, sea lions are threatened by an angry fishing industry that pins the guilt unreasonably on these animals who have coexisted with salmon for millennia until the salmon were decimated by dams, overfishing, pollution, and the clear-cutting of forests that surround the rivers they must swim up to spawn.

Growth of the world's human population (see above) has placed tremendous pressure on fish, and fishing efficiency has also increased, encouraged by the United States government. According to *The New York Times* (March 7, 1994), "...worldwide, 13 of the 17 principal fishing zones are depleted or in steep decline."

Reinhardt Assumes Post at AWI

Viktor Reinhardt has joined the staff of the Animal Welfare Institute as Laboratory Animal Consultant. Dr. Reinhardt is a veterinarian with a doctorate in ethology and began his studies in reproductive physiology and ethology in cattle in 1971. He prepared his doctoral dissertation under the guidance of Konrad Lorenz, the famous author, scientist, and Nobel laureate. The Nobel Committee called Lorenz "the acknowledged founder of the science of ethology."

Reinhardt has worked as a clinical veterinarian and ethologist at the Wisconsin Regional Primate Center for the past 10 years. Shocked by the conventional single-housing and the rough handling techniques that were being used for macaques at the Center when he arrived, he set to work developing and implementing simple but effective improvements to give the animals opportunities for active expression of their social disposition and to avoid undue distress during common handling procedures. He is a prolific author whose work on social behavior of primates and environmental enrichment has been published widely in the scientific literature.

Reinhardt said, "Biomedical scientists cannot be persuaded to become more humane towards laboratory animals, but they adopt more humane housing, handling, and experimental techniques if such techniques improve the scientific research data."

Reinhardt's interests include reading, listening to classical music, and camping in the woods with his family. He grew up in Mittenwald, a small violin-making village in The Alps where he developed a strong reverence for the beauty of nature and animals.

The photographs on this page show a four year old macaque named Circle grooming Dr. Reinhardt who states "rhesus monkeys love amicable interaction with humans. They usually have no chance to overcome their fear of people, which is reinforced daily by rough handling in many institutions."



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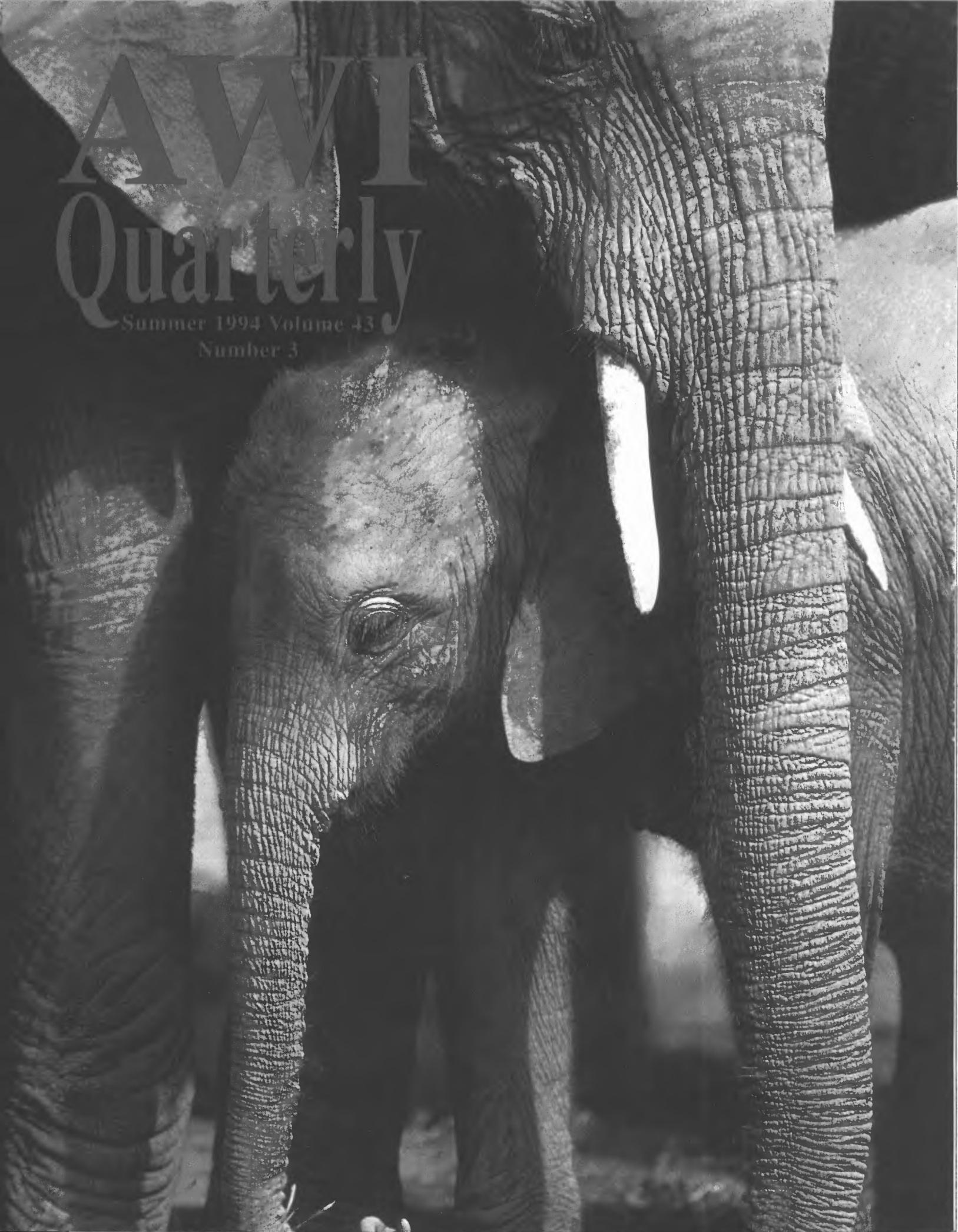
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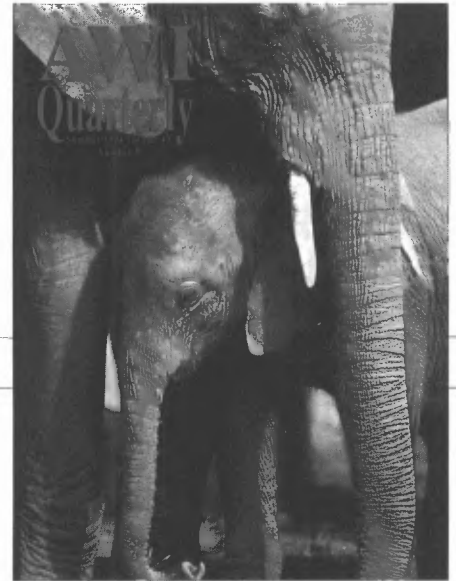
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Cover: Martyn Colbeck is a world renowned, free-lance wildlife photographer. In the spring of 1987, he filmed all of the behavioral sequences used in "The Rhino War" shown by the BBC and in a National Geographic special. This film received two Emmy nominations. In 1990, he and elephant authority Cynthia Moss followed a single family of elephants over a period of two years, resulting in a film shown on national television and a book, *Echo of the Elephants* (see *AWI Quarterly*, Vol.42, No.1). In 1993, Colbeck received the "BBC Wildlife Photographer of the Year" award. His cover photo shows two elephant sisters. Young female elephants love to take care of a new baby in the family. They stand over the calves, get them if they wander off, and rush to their aid at the slightest cry.



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Norway Seeks to Overturn Whale Meat Trading Ban

by Craig Van Note

The Norwegian government, already violating the international ban on commercial whaling, is now attempting to overturn the global ban on trading whale products.

Norway has petitioned the Convention on International Trade in Endangered Species (CITES) to downlist minke whales in the northeast Atlantic from Appendix I to Appendix II. This would allow Norway to export thousands of tons of whale meat to Japan, where the price is more than 10 times what the meat sells for in Norway. The 124-nation treaty organization will consider the Norwegian demands at the biennial CITES meeting in Fort Lauderdale, Florida in November.

Norwegian Prime Minister Gro Brundtland, who portrays herself as the "Green Queen" of world leaders, has tarnished her well-crafted image by openly defying the 8-year-old ban on commercial whaling. The International Whaling Commission has repeatedly condemned Norway's whaling piracy; earlier this year the IWC refused to adopt a Norwegian proposal to rescind the ban. Why is Norway at odds with the rest of the world? Observers say domestic politics are driving the deviant whaling policy. The fishing communities of the far north, which are in a depression because of the collapse of fish stocks, have a disproportionate vote in Norway's parliament. The government, desperate to appease the fishermen and seeking to shift blame from disastrous fishery management policies, has attacked the whaling ban and promised a return to large-scale whaling. Ignored is the fact that Norway's coastal whaling accounts for less than 1% of the fishery economy.

Brundtland cynically declared Norway's defiance of the whaling ban in order to help her reelection two years ago. Now she faces a new whaling crisis; the European Union, which Norway has petitioned to join, has flatly rejected Brundtland's demand for an exemption for whaling. The EU requires that its members comply with international environmental treaties, including both the IWC whaling ban and the CITES ban on trading in whale products. Indeed, Spain and Portugal willingly halted their commercial whaling when they joined the European Community in 1986.

The European Union bases much of its wildlife protection regulations upon CITES listings. As long as the minke whale is on Appendix I, the EU also protects the species. Norway, therefore, must get a CITES downlist in order to have any chance of selling whale meat within the EU—or exporting it to the lucrative market in Japan.

Norway portrays its whaling as "coastal" and "small-boat," attempting to create an illusion of artisanal fishing in the foggy fjords. But the fact is that the whaling is conducted by large fishing vessels travelling far out to sea for days or weeks—and usually in international waters—to hunt down the whales, which are winched on board for butchering. Most of the whale meat is sold in Norway's commercial meat markets. In recent years, much has apparently been smuggled to Japan in violation of Norwegian and Japanese laws, as well as CITES. A year ago, 3.5 tons of minke whale meat labelled "frozen shrimp" was discovered at Oslo airport en route to South Korea, which is a popular entrepot for contraband destined for Japan. The smuggler was an employee of the head of the Norwegian Whaling Association.

Craig Van Note is Executive Vice President of the Monitor Consortium.



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Geza Telecki

The endangered chimpanzee is one species that could reenter international commercial trade if a proposed weakening of the criteria for listing under the Convention on International Trade in Endangered Species is adopted. See page 9.



People for the Ethical Treatment of Animals

Carolina Biological Supply Company, where this cat was photographed, was assessed a civil penalty of \$2,500 for violating the Animal Welfare Act. See page 14.

Russian Ranger Brigades Patrol Nature Reserves to Save the Siberian Tiger

by Steven R. Galster

Tracked easily through the deep snow of the Russian Far East, the Amur or Siberian tiger was hit hard by commercial poachers again this winter, pushing the earth's largest cat a big step closer to extinction in the wild. Russian authorities estimate they may have lost 20-25 percent of their tigers between November and March alone, leaving the current number as low as 150-200. Most experts agree that if this trend continues, the Siberian tiger may, for all practical purposes, disappear from the wild within five years. Some Russian authorities, pointing to their country's economic situation and tenuous wildlife enforcement structure, give this great predator only three years at best, unless political pressure on tiger bone consuming countries continues and support for anti-poaching efforts are stepped up immediately.

Some Russian authorities and wildlife groups have heeded that warning and are teaming up in the Russian Far East to try to stem the tide of commercial poaching, which is devastating not only the Siberian tiger but also bears, deer, seals, and other species whose body parts are being sought for a burgeoning trade in traditional Asian medicines.

Before perestroika and the subsequent opening of the Sino-Soviet border, tiger poachers were held at bay. Commercial trade channels between the Soviet Far East and other countries in demand of tiger bone, such as China, were restricted. Wildlife rangers received enough financial and material support to field a "zone defense" in areas encompassing the tiger's range. After a period of intense poaching in the early part of the century, the population of Amur tigers rose from 30 in 1947 to 370 in 1989.

But post-perestroika Russia, which brought political freedom for most Russian citizens, has spelled disaster for Russian tigers. Unregulated and often illegal trade with other countries, spiralling inflation, corruption, and government austerity measures such as severe budget reductions have contributed to a situation in which wildlife poachers can make enough money from their illegal hunting to buy Land Cruisers, vehicles that are very good in the snow and literally enable the poachers to run circles around government cars. The most lucrative of commercial wildlife products have been tiger skins and bones. A whole dead tiger can fetch more than \$30,000 on the black market in Taiwan or China. Until recently, little was being done to stop this illegal trade, which has driven tiger populations worldwide to their lowest levels ever.

On August ninth, President Clinton imposed limited economic sanctions against Taiwan for its illegal trade in tiger parts, and signalled China and South Korea that the US would continue monitoring their progress in enforcing the international tiger trade ban. This was a historic decision, since it is the first time the United States has imposed sanctions on another country under the Pelly Amendment. Several weeks after the announcement, a little known but significant announcement was made in the Russian city of Ussurisk.

Standing in front of a ceremonial burning of confiscated tiger



An Operation Amba ranger displays guns and snares seized from tiger poachers.

bones and skins in Ussurisk, located on the edge of the taiga in Primorsky Territory, Commander Vladimir Shetin and 16 rangers launched "Operation Amba," the Russian government's new anti-poaching program. The tiger is not mentioned directly but is referred to with reverence as "Amba," meaning "Great Sovereign." Outfitted with new uniforms, equipped with new vehicles, but still short on money for fuel and radios, Amba has begun operation. Consisting of 15 special rangers, a deputy, and a commander, it aims to reduce poaching of the tiger through a two-fold strategy: dispatching patrols quickly to poaching problem areas, and conducting investigations in cities and border areas where wildlife smugglers are known to operate. Amba officers were recruited not only from the park ranger system but also from the military. Reflecting the post-Cold War conversion of some military resources to conservation, there are Amba officers with backgrounds including naval intelligence and army special airborne forces.

Three five-man teams rove constantly through nature reserves and other areas of Primorsky and Khabarovsk Territories, where poaching activity is known to be a problem. Once they are equipped with radios, these brigades will be able to stay in constant touch with one another and their headquarters in Vladivostok, where their commander will be collecting and collating information on poaching and wildlife trading activity. Mikhail Bibikov, Chairman of the Primorsky Territory Ecology Committee, hopes to add a fourth or fifth team to Amba if he can raise the money.

Community outreach will also play an important part in Operation Amba's activities. Gathering information from villages that border poaching areas, as well as compensating farmers who have lost livestock to a tiger, are vital to Amba's success. Amba will also be the liaison with Russian non-governmental organizations that have tiger education and protection programs in progress.

Amba appears to be having a positive impact already, as are President Clinton's political measures. Last month, Russian undercover agents reported that poachers in Primorsky Krai are staying clear of tigers, "fearful that they may get caught by the new special police brigade." Also, Chinese traders in Ussurisk told the same agents that while they are still buying and smuggling bear gall and other items to China, they are afraid to take tiger bone "because of new penalties regarding possession of tiger parts in their country."

Amba is still fighting a steep, uphill battle that can only be won if international efforts continue at the political level—such as Pelly action—to stamp out the tiger trade, and if more resources are injected into Amba's efforts on the ground.

Steven R. Galster runs the Global Crimes Research Group and consults for the Endangered Species Project.

Adapted from the US Fish and Wildlife Service's Endangered Species Technical Bulletin, Vol. XIX, No. 3 (1994).

Stopping Illegal Wildlife Trade

Making CITES Work

by Peter Knights

The UN Treaty on wildlife trade, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), has gained a higher profile in recent years thanks to public and media interest over the banning of the international ivory trade and increased public awareness of endangered species issues in general. One of the treaty's major successes has been the recruitment of new members. One hundred and twenty four countries have ratified the treaty with only a few major trading countries remaining outside the fold.

Results in other areas depress even the most cheery of optimists. Pro-wildlife trade elements point to CITES' limited successes and conclude the answer is to liberalize wildlife trade and call it "sustainable use." The debate over listing criteria (see page 9) has distracted attention from the issue that will ensure the ultimate success or failure of the treaty—wildlife law enforcement.

In the past, CITES policy has been one of "creeping competence"—getting countries to join CITES and then gradually trying to persuade them to abide by the Convention, even tolerating persistent major violations to keep them "in the club." Time is running out for this approach. We will start losing species, including tigers, rhinos, leopards, and bears, early in the next century if we do not start to enforce the treaty. What must be done to realize the goals of the Convention?

Legislation Recently countries have been asked to review their domestic laws to see if they adequately implement the treaty. Even if legislation has been passed, it is all too often ineffective. For example, penalties for wildlife violations are usually pitifully low. This enables smugglers to consider fines as an operating expense rather than a deterrent. Following months of painstaking investigation, enforcement agencies often see wealthy wildlife dealers walk away with paltry fines after being convicted for serious violations.

In the past, CITES has shied away from making recommendations as to what countries should do within their own borders, but with free trade agreements, like NAFTA and the European Union, many state borders have become meaningless. Clearly, effective enforcement must include the option of domestic sales bans, as well as trade bans. For example, in Asia there are literally tons of ivory on sale that may or may not have been imported legally before the worldwide ivory ban. The legality of sale provides a perfect cover to market continuing illegal imports.

Enforcement Although wildlife dealers net millions of dollars annually, most developing countries devote scarcely enough resources to issue permits under CITES, let alone carry out proper scientific monitoring. Enforcement of wildlife law may not even enter the equation. In wealthy countries, enforcement is normally left up to Customs or Police. These agencies have higher priorities such as drugs, arms and violent crime; wildlife is at the bottom of the list.

Wildlife law enforcement is a highly complex task. The degree of specialization and prioritization—which general enforcement agencies lack—and the need for investigative ability—which most wildlife agencies do not have—necessitates the formation of new agencies dealing specifically with the task at hand. Where such agencies have been set up—South Africa's Endangered Species Protection Unit, the Dutch Algemene Inspectie Dienst, and the US Fish and Wildlife Service's Division of Law Enforcement—the results have been impressive. The number of seizures and prosecutions has sharply

risen and major smuggling rings have been broken wide open. Their work also reveals that wildlife smuggling is part of organized crime, not just a casual affair conducted by a few individuals. Consequently, organized and resourced policing is needed to prevent it.

International Cooperation While the smugglers can whisk their booty around the world using "flags of convenience" and corrupt officials to launder their ill-gotten gains, law enforcement officers often have to wait months to get replies to the simplest of requests for information from abroad. Although the CITES Secretariat's one enforcement officer valiantly tries to act as liaison, bureaucracy and poor communication often confound the process.

The "Lusaka Agreement" is a regional enforcement treaty between six African countries that is due to be finalized in October. The agreement is designed to increase enforcement cooperation and would form a Task Force specializing in investigations that will be able to pursue poachers across borders. It is hoped that this can be a model for regional cooperation in other parts of the world.

Public Awareness The general public needs to be kept informed. Wildlife dealers must know the requirements of CITES and domestic legislation and that violations will no longer be tolerated. They also must be dissuaded from speculating in species extinction. Rapid declines in species like elephants, rhinos, and some parrots are attributable not to direct consumer demand but to stockpiling in speculation of the future decline of the species. Citizens of exporting countries must cooperate in the protection of wildlife, and importing countries desperately need to start trying to manage their excessive demand for wildlife products.

These requisite elements all demand a political will that has been lacking to date. If CITES does not come to terms with its shortcomings, the last twenty years of effort will have been wasted. We will bid farewell to many of the world's most beautiful creatures, knowing that the concept of international wildlife trade "management" has been a farce.

Peter Knights is a senior investigator for the Environmental Investigation Agency.

More Ports of Entry and Less Government Inspection Open the Way for Wildlife Crime

Despite the fact that adequate funding for inspection of incoming wildlife shipments remains unavailable, the US Fish and Wildlife Service continues to designate additional ports of entry for the importation and exportation of wildlife. Portland, OR and Baltimore, MD were added in 1990 and 1992. The twelfth port, Boston, MA, was designated on July 28, 1994.

Meantime, there were no inspections of primate shipments coming into Miami's busy port. A major dealer, the head of Worldwide Primates, was asked in court under oath how many shipments of primates he imported in 1992 and 1993. He told the court there were "Approximately 60" shipments and stated, under further questioning, "When I was present, Your Honor, there were no inspectors there."

The Fish and Wildlife Service reports that of the 68,859 wildlife shipments imported into the US in 1991, only 20% were physically inspected. The estimated value of the 28% of those that did not "clear" inspection is over \$760 million. Smugglers and poachers are given a wide opportunity to make huge illegal profits in the absence of any official presence.



African Elephants—The Success of the CITES Appendix I Ban

Ever since the CITES Parties agreed to an international ban on the ivory trade, insidious attempts by corrupt vested interests have sought to overturn it. Dave Currey's introduction to the Environmental Investigation Agency's (EIA) just-published report, states:

The Appendix I listing of the African elephant by the Convention on International Trade in Endangered Species (CITES) has dramatically reduced poaching, ivory prices, and markets. Although there is still some elephant poaching despite the ban, there can be no doubt that it is a tiny percentage of the 70,000 elephants slaughtered each year in the decade prior to the Appendix I listing in 1989.

This has been one of the great successes of recent conservation history. It is hoped that the achievement it represents will not be thrown away or undermined at the cost of the lives of thousands more elephants and at the expense of African nations and our global heritage.

The report, entitled *Living Proof, African Elephants, The Success of the CITES Appendix I Ban* (17 pages, profusely illustrated), features direct quotations from African authorities from Uganda, Tanzania, Niger, Nigeria, Gabon, Cameroon, Zambia, Angola, Botswana, the Central African Republic, and provides information from many additional countries.

"It is clear that the ban on trade in ivory has caused the decline in poaching," wrote Jean Hubert Eyi Mbeng, Director of Wildlife and Hunting, Gabon, June 1994, in response to EIA's request for information. Further comments from other spokesmen follow.

"The Appendix I listing... has considerably reduced the profits to be made from large scale illegal dealing. There is no more interest in commercial hunting." (Djoh a Ndiang, Deputy Director of Wildlife, Cameroon, July 1994.)

"Appendix I... has eased the work of enforcement as little effort needs to be given to distinguish between legally and illegally obtained ivory." (Norbert Mumba, Chief Investigations Officer, Anti-corruption Commission, Zambia, August 1994.)

"Appendix I has saved elephants from a disaster." (Dereck Joubert, Wildlife Films, Botswana, May 1994.)

"The annual value of the illegal international wildlife trade (is estimated) at US\$5 billion, second only in value to the illegal drugs trade. This gives an idea of the scale of economic robbery of Africa for the past 30 years, underlining the importance of the Lusaka

Agreement." (Lt. Gen. C. S. Tembo, Minister of Tourism, Zambia, May 1994.)

The report begins with a summary history of attempts to regulate the ivory trade before Appendix I. It states:

CITES made attempts to control the ivory trade, culminating in the Ivory Control System, devised in 1985 and first implemented in 1986. This system required import and export permits to be issued for ivory, the marking of pieces of ivory over 1 kg, or 20 cm in length, with unique numbers and records kept of ivory movements. Quotas were issued country by country, although some were higher than the

entire elephant population of the country they applied to. The loopholes in the system were so huge that unscrupulous international ivory dealers exploited its weaknesses to the full.

Despite the new attempts at controls, the CITES Secretariat allowed two crucial amnesties on stockpiles of illegally acquired ivory in Singapore and Burundi, neither country having any elephants. The stockpiles, totalling over 350 tonnes, were marked and registered, provided with CITES permits and doubled in value overnight. Some of the permits were then used illegally as a cover for newly acquired poached ivory. This extraordinary decision by CITES allowed the owners of the poached ivory to control the supply and the price of ivory, as well as making them multi-millionaires overnight. It is believed that some of the profits from this amnesty were used by these traders to finance their ivory factories in Dubai and Ajman in further successful attempts to circumvent the controls.

One of the failures of the international community was, and remains, its refusal to accept that the international ivory

trade is controlled by criminals and gangsters. Triad and Mafia members are deeply involved in the business, and many of them still own large stockpiles of ivory worth millions of dollars. It is no doubt their aim to persuade the international community to downlist the African elephant and renew trade in ivory so they can realize high prices for their currently deflated spoils from the ivory wars.

The illegal ivory trade and consumer market do still continue, but on a vastly reduced scale, with greater risks and lower profits. However their existence poses a continuing threat to elephants and elephant range states. Taiwan and Japan are now the main consumers of ivory, and African, European and Asian countries are still used for transit.



Maryna Colbeck

"Mr. Nick" is an adult bull who lives in Amboseli National Park in Kenya. He is one of several hundred elephants studied and known as individuals by Cynthia Moss.

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Dave Curry

In Japan, "hankos," the name seals that are used to stamp business documents, are made of ivory, wood, or stone. Although there is no need to use ivory for this purpose, it has been heavily promoted. "A number of seizures of smuggled ivory have revealed cut blocks clearly destined for the hanko market."

The Appendix I listing eased the burden of enforcement on anti-poaching units, police and customs officers as the existing system of permits, ivory marking or quotas gave way to the trade ban. The new message was clear: all international trade in elephant products is illegal.

It is vital to recognize the importance of this clear message in reducing the demand for elephant products and in the fight against smuggling and poaching. No other conservation disaster has been reversed so quickly. No other international trade dominated by smugglers and criminals has been dealt such a swift and decisive blow.

However, the unrelenting opposition to the listing from South Africa, Zimbabwe, Namibia, Malawi, and Botswana has cast a dark cloud over the overwhelmingly positive results. Repeated threats and on-going bids to sell ivory have diluted the public message, giving support and succour to the international ivory syndicates responsible for the massacres and lawlessness of the preceding two decades.

Now, the proposal by South Africa to downlist its elephants to Appendix II further threatens the strong public message that has won a reprieve for all of Africa's elephants.

Although the South African proposal does not seek to sell ivory, to many, including the ivory barons and traders, it signals the inevitability of renewed ivory trading within a few years. If this signal is endorsed by CITES, the successes of the Appendix I listing will be dramatically undermined. If traders believe that world ivory prices will return to previous highs, then ivory at its current low prices will become a bargain for speculators. South Africa's proposal could herald a renewal of uncontrolled poaching and loss of human life.

Ecotourism offers an economic incentive to preserve each country's living elephants. "It has been estimated that in Kenya a live elephant attracts \$US1 million of tourist revenue in its lifetime. This is in stark contrast to the relatively small amounts of money brought in by trade in parts of elephants."

Tourism brings economic benefits to a wide spectrum of a country's citizens, but even on the simplest, most direct level, charges for foreign tourists to view African animals in National Parks can and should provide substantial revenue.

In Zimbabwe, where the government has been calling out for foreign aid and the right to sell ivory, a simple increase in National Park fees for foreign tourists, in line with other African countries, would instantly raise more income than the sale of ivory over many years.

In South Africa, where park fees are also very low, the government is pushing for an Appendix II listing, which will undermine the public message, give hope to ivory syndicates and could renew poaching across the continent.

To allow the ruthless ivory trade a second chance to destroy elephants must not be countenanced. The 124 nations that have joined together under the CITES banner must firmly reject any weakening of the protection provided by the Appendix I listing, which bans the international trade in ivory and any other part or product of African or Asian elephants.

Copies of *Living Proof, African Elephants, The Success of the Appendix I Ban*, are available from the Environmental Investigation Agency, 1611 Connecticut Ave., Suite 3b, Washington, DC 20009, 202-483-6621.

Goffin's Cockatoo—Again in Jeopardy

by Greta Nilsson

The fate of a beautiful white cockatoo, native to the tropical Indonesian Islands of Tanimbar, is again in the hands of the Parties to the Convention on International Trade in Endangered Species (CITES). At the 1992 Conference, this beleaguered species was finally given reprieve from the cage bird trade that was threatening to cause its extinction in the wild when it was upgraded to Appendix I. Research by the Animal Welfare Institute on its status and heavy exploitation had led to the proposal presented by the United States delegation.

At least 70% of Goffin's Cockatoos captured were imported for sale in US pet stores. Between 1980 and 1992, the US alone imported 55,012 of these delicate and highly social, affectionate birds. World trade in the species from 1983 to 1989 totalled a minimum of 73,500 according to CITES records. Untold thousands died in the cruel foot nooses used to capture the birds.

The traders in cockatoos—exporters, importers, and others who profit from this destructive commerce—fought the Appendix I listing of the Goffin's Cockatoo from day one. Now, the Indonesian government has proposed that the species be down-listed to Appendix II at the upcoming CITES meeting. This would effectively allow trade to resume under a quota system. To bolster their argument, a survey of the Goffin's Cockatoo was conducted, a survey that has come to the absurd conclusion that the species numbers almost a half million birds!

This survey has already come under attack from many prominent biologists who have questioned both the methods and findings. Dr. Teresa Telecky, an ornithologist who has studied the behavior and ecology of wild birds, commented, "The population survey is not well-documented, it has not been conducted over a period of time that would enable the authors to demonstrate population trends, it does not demonstrate 'recovery' since data were not collected during two points in time, and it does not address the effect that resumption of commercial trade will have on the species."

In fact, the survey may qualify for the *Guinness Book of World Records* for speed; the population of an entire species in a range covering over 5,000 square kilometers was surveyed in approximately two weeks. The two researchers merely walked over portions of the range and made calculations that were never explained, to arrive at their final numbers. In fact, only 40% of the area that was projected to be surveyed was actually covered.

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Animal Protection Threatened by World Trade Organization

Britain was once scathingly referred to as "a nation of tradesmen" when such a label was considered an insult. Today, however, we are facing the danger of a "world of tradesmen" motivated entirely by elimination of barriers or restrictions on commercial trade. Ever-expanding profit, even if it means giving up American independence and established authority of the Congress and the Administration, is being touted as a fair exchange.

The Uruguay Round of the General Agreement on Tariffs and Trade (GATT) has developed an autocratic entity, the World Trade Organization (WTO), with the power to force the United States to repeal any laws deemed restrictive of trade. The only way Americans could keep our laws intact when they involve trade restrictions or sanctions would be to pay heavy fines in perpetuity. According to Virginia Postrel writing in the *Journal of Commerce*, the GATT "does not force the US government to do or not do anything—neither GATT nor its proposed World Trade Organization has an army." It is hardly reassuring that the WTO won't compel the US to repeal animal protective laws at gun-point, since, as Postrel admits, it "lets an exporting country impose retaliatory sanctions...."

Laws protecting animals and the environment are already being targeted by the European Union, Japan, and Canada in expectation of the adoption of the new GATT by the US Congress (see *AWI Quarterly*, Vol.43, No.2)

The law protecting dolphins from painful death in tuna purse seines took more than twenty years to pass, but if the new GATT is approved, Americans will no longer be able to choose dolphin-safe tuna. Protecting dolphins, in the estimation of the unelected GATT bureaucrats, is a restraint of free trade!

In a perceptive analysis published by *The Wall Street Journal* on August 17, 1994, Ralph Nader, founder of Public Citizen, wrote "Under the existing GATT, the US can simply refuse to comply with tribunal recommendations. However, under the proposed governing framework, which becomes federal law if approved, the US could not disregard the ruling; it **must** obey or pay."

He stated further:

The tribunals would be a staggering rejection of our due process and democratic procedures. They would be staffed by three trade experts, who may pursue simultaneous business careers and who would not have to adhere to conflict of interest rules. The tribunals would operate in closed-door secrecy, banning the press and prohibiting citizen groups from either participating or merely attending. Also, there would be no required disclosure of the contending governments' briefs and other evidence, no public transcript and no independent appeal.

Advocates of the WTO are offering some strange distortions of the principles on which the United States was founded. Webster's dictionary defines democracy as "government by the people," but taking an eccentric view of the US Constitution, the above-mentioned Ms. Postrel defines democracy as "the power of unbridled majorities"!

The United States has enjoyed more than two centuries of freedom. Are we ready to give it up to a tyrannous WTO in hopes of economic gain? Are we willing to bow to the lowest common denominator in uncivilized exploitation of animals and the environment for the questionable pursuit, not of happiness, but of mere cash?

Goffin's continued from page 7

Virtually nothing is known of the species' biology and ecology. During this study, no observations were made of nesting in the wild, behavior, movements, or other crucial components of a population survey.

Dr. Telecky also noted that extrapolations based on actual observations of Goffin's Cockatoo in this survey yield an estimate of 18,358 birds in suitable habitat on Yamdena Island. The Indonesian downlisting proposal suggests an annual capture of 6,750 birds per year from Yamdena Island, where the majority of Goffin's Cockatoos are found. If the population is indeed 18,358, and it is quite likely far less, the export quota would allow 37% of the species' population to be captured each year!

To downlist a species from the Appendices of CITES, strict criteria outlined in 1976 must be observed. Resolution 1.2 notes that "reduction of protection given to this taxon by transfer from Appendix I to Appendix II is a serious matter that should be approached with caution." Caution is needed to prevent errors that can result in the permanent loss of the species. The resolution recommends, "If it errs, it should be therefore toward protection of the resource." Strict standards regulate the quality of biological data required to downlist a species—evidence of a well-documented population survey, population trends, recovery sufficient to justify deletion, and an analysis of the potential for commercial trade in the species. The Goffin's Cockatoo survey fulfilled none of these criteria.

In point of fact, there is no proof that the Goffin's cockatoo can sustain any losses from captures for the cage bird trade. Dr. Charles Munn's research in Peru revealed that large macaws have such a low reproductive rate, only 10-15 chicks produced per 100 pairs of macaws annually, that no birds can be removed from the population without resulting in losses. The International Union for the Conservation of Nature recently published its "1994 IUCN Red List of Threatened Animals," classifying Goffin's Cockatoo as endangered.

This haphazard basis for removing protection from a species should be rejected by the Parties, not just to maintain a needed international ban on trade in Goffin's Cockatoo, but as a symbol of the effectiveness and scientific responsibility of CITES. Should this species lose its protection based on insufficient and biased information, it could well result in the reopening of trade in other endangered species.

Bequests to AWI

To all of you who would like to help assure the Animal Welfare Institute's future through a provision in your will, this general form of bequest is suggested:

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

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

Animal Welfare Institute
Post Office Box 3650
Washington, DC 20007

Proposed CITES Listing Criteria Will Threaten Species

The vitally important treaty on which the nations of the world have depended to prevent extinction of animals and plants is now in serious danger of being destroyed. The 124 member nations of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) are scheduled to meet November 7-18 in Fort Lauderdale, Florida.

At their last meeting (Kyoto, Japan, 1992) it was agreed that criteria for protective listing of animals and plants should be examined. The stated goal was to develop simple, scientifically objective criteria. But the criteria proposed by the International Union for the Conservation of Nature (IUCN) are complex, arbitrary, and inconsistent with the text and spirit of CITES.

The IUCN sought a far weaker and more ineffective treaty back in 1973 when 92 nations spent three weeks drawing up the text of CITES, which is known throughout the world as "The Washington Convention" because the meeting took place in the big US State Department auditorium where exploiters and protectors fought out the final provisions.

CITES' current listings are based on available information on a species' population size and geographic range, the condition of the habitat, trade levels, and other information indicating that a species is threatened with extinction and may be affected by trade or may become threatened with extinction unless trade is restricted. Although not perfect, these guidelines are flexible enough to allow the Parties to control trade before a species is doomed.

The criteria proposed by the IUCN, however, require a species to be critically endangered before it can be listed on Appendix I, which prohibits international commercial trade. For example, to be eligible for Appendix I, the proposed criteria would require that a species has fewer than 5,000 breeding individuals and exhibits another characteristic, such as a 20 percent decline in 10 years or three generations (whichever is longest) in the number of individuals or quality of habitat, or habitat fragmentation that has reduced each subpopulation to fewer than 500 breeding individuals. Alternatively,

a species restricted to an area of 10,000 square kilometers could be eligible for Appendix I if it has subpopulations of fewer than 500 individuals or demonstrates declines in habitat and breeding populations or subpopulations. For either of these listing options, a species **also** must be likely to enter trade.

Such detailed information is rarely available, and the cost of attempting to obtain the information would be prohibitive. The burden of proof to get species protected, therefore, would lie with conservationists and, to a great extent, with poor countries, rather than with the profiteers who should be responsible for providing scientific proof, if they can, that their trade will not harm the species. Gorillas, humpback whales, chimpanzees, elephants, and other highly endangered and commercially valuable species very likely would be traded internationally once again.

By linking a species' trade and biological status, the proposed criteria violate the CITES treaty itself, which does **not** require **both** trade and biological data in order to list a species on Appendix I. Moreover, the numerical criteria are extremely arbitrary. In fact, based on discussions between the CITES Secretariat and the IUCN, which developed the criteria, the numbers were doubled without any scientific justification. Even with these increased figures, the numbers are too low to provide many species the international protection they need. Consequently, the criteria proposed by IUCN would eliminate CITES' ability to protect species **before** they become critically endangered.

The US Fish and Wildlife Service agrees that the criteria are unacceptable, and it has prepared alternative language that removes all numerical requirements. The Service's criteria recognize important ecological and genetic factors, rather than focusing on biological extinction. By eliminating the distinction between populations and ecosystems, the Service has taken a practical, scientific and precautionary approach that the IUCN failed to take.

Adapted from an article by Chris Wold, which originally appeared as an opinion piece in the *Wildlife Law News Quarterly* (Summer 1994).

The Northern Hemisphere's Penguin: Dead and Gone

"How collectors killed the great auk" (*New Scientist*, May, 28 1994), by Tim Birkhead, Professor of Animal and Plant Sciences at the University of Sheffield, embodies a series of tragic events which brought about the extinction of this splendid bird. Excerpts from Professor Birkhead's revealing article follow:

The great auk has the dubious privilege of being the only species whose extinction is known precisely. On 2 June 1844, three men clambered onto the rocky skerry of Eldey, a few kilometers off the southwest tip of Iceland. The next day 'Jon with outstretched arms drove one into a corner, where he soon had it fast. Sigurd and Ketil pursued the second, and the former seized it... The birds were strangled and cast into the boat...' wrote Alfred Newton, first professor of zoology at Cambridge and a great auk enthusiast...

The final pair of birds on Eldey were killed for their skins, which the three Icelanders sold to a dealer...

It was not for want of warning that the penguins went extinct. Captain George Cartwright, who was among the first colonists in Labrador, had the foresight to see where all this was going.

In July 1785, he watched boats coming ashore in Newfoundland laden with great carcasses from Funk Island and wrote: 'If a stop is not soon put to that practice, the whole breed will be diminished to almost nothing, particularly the penguins: for this is now the only island they have left to breed upon.' His words went unheeded, as

greed fuelled greed, precisely as it continues to do now with rhinos, tigers and whales. By 1800, Funk Island's great auks were no more...



An extinct great auk

In the 14 years leading up to the final extermination, no fewer than 60 great auks were taken for their skins from the colonies off southwest Iceland. From this time onwards, the prices people were prepared to pay for great auk eggs and skins increased exponentially, and to some extent followed the same pattern as the current trade in ivory. The scarcer the commodity, the greater the gain, and the greater the risks the men on the ground were prepared to take...

The great auk's extinction exemplifies the danger to exploitable creatures that the nations meeting this November in Florida need to bear in mind as a dire warning of what can happen to a seemingly inexhaustible population.



Washington Post photo by James M. Thresher

Director of the US Fish and Wildlife Service Mollie Beattie releases Hope, a rehabilitated bald eagle. Most populations of the species have recovered to the point that they have been removed from the endangered species list and placed on the relatively less critical threatened list.

Endangered Species: The Truth

by Jessica Mathews

Last November, ABC's newsmagazine "20/20" aired a high-voltage story claiming that the Endangered Species Act was the cause of homes burning in a California wildfire through its rules protecting an endangered kangaroo rat. One homeowner claimed to have saved his home by leaping on his tractor and bravely violating the law's prohibition against removing the brush around his land. Others, whose homes had burnt, furiously laid the blame on the Endangered Species Act.

The report sparked a flood of newspaper stories. Devastated homeowners blamed "those public-minded asses and environmentalists." To a public already sensitized to horror stories of billion-dollar projects being halted by some obscure newt, it seemed wholly believable: another case of blundering, uncaring federal bureaucrats, driven by fanatic environmentalists, putting the welfare of fish and birds above people.

Great story. But it turns out not to be true. The General Accounting Office reported to Congress last week that brush removal would not have saved the 29 homes. The Riverside fire had 100 to 150-foot-high walls of flame and 80 mile-per-hour winds. It consumed 12,000 acres in six hours. In the view of one fire expert,

in those tornado-like conditions it could not have been stopped by the "entire U.S. Army."

The fire easily leaped roads, highways, bare fields and the San Diego Canal. Clearing even 1,000 feet around homes could do little against winds able to carry burning embers a mile or more. Away from the TV cameras, the man who claimed to have saved his home acknowledged that the wind had shifted as the fire approached his property.

I doubt the GAO story will reach a fraction of those who heard the earlier claims. More likely, the Endangered Species Act's culpability in the California fire will add to the rich lore that has made it the most caricatured law on the books. To its critics it is the ultimate example of environmental zealotry, a mighty legal steamroller that costs billions, provokes endless controversy, stops growth in its tracks and robs Americans of their property rights.

In reality, the act is weak in concept and in practice. The Fish and Wildlife Service gets \$40 million per year to administer it—the cost of one mile of urban interstate. Of an average of 10,000 annual consultations evaluating the impact of development projects on endangered species, 25 are found to cause a problem, and most of these can be easily fixed by rerouting the road or building the mall a mile away. Only one-tenth of one percent of projects are halted.

Most of the law's abuses stem from its weaknesses, not its

strength. Chronic underfunding and the consequent huge backlog mean that agencies, businesses and private citizens wait too long for answers. Species do too: 34 of them have gone extinct while sitting on lists awaiting protection.

An acute lack of information about what species we have, where they are and what their genetic endowments are makes it difficult if not impossible to set rational priorities on what to protect, or to avoid the surprise discovery of a threatened species halfway through an expensive development project.

Worst of all, the focus on individual species—instead of ecosystems—and on last-minute rescues, means that the least is saved at the highest cost. The ESA is emergency room medicine where preventative care is needed. When a population is down to its last few hundred individuals, there is little room for tradeoffs. Without the authority to act while a species is still in relatively good shape, the law loses most of its potential efficiency.

Without question, the Endangered Species Act could be made more effective and less irritating by being strengthened. It should be broadened to protect habitats and ecosystems, undergirded with information on the health, range and genetic properties of the species found in this country, enabled to take preventive action before species are threatened, and adequately funded. But don't look for any of that to happen soon.

If the act were taken up today, Congress would wreck it. Though polls uniformly show strong public support, congressional critics are ascendant, marching under the bogus banner of protecting property rights. Feelings are so strong that last year's effort simply to improve adequate information by creating a National Biological Survey went down to flaming defeat.

The so-called "takings" movement, led in the case of the Endangered Species Act by Rep. Billy Tauzin (D-La.), pretends to be about protecting the "little guy," but is the opposite. It would cripple government's ability to provide amenities individuals value that the market does not provide, including the environment (and public health, civil rights, worker safety, local planning, historic preservation, anti-discrimination etc.). Rep. Tauzin's campaign contributions—more than double the House average, 74 percent of them from PACs and 95 percent of those from business—suggests just who expects to benefit.

Tauzin's "reforms" of the act are thinly disguised anti-environmentalism. Ironically, he and his more than 100 cosponsors (many of whom I'll wager are unaware of the implications of the takings movement) mean that much of what they legitimately object to in the Endangered Species Act won't be corrected for the indefinite future.

Jessica Mathews is a senior fellow at the Council on Foreign Relations. (c) The Washington Post

Following are excerpts from a paper by C.S. Baker (University of Auckland) and S.R. Palumbi (University of Hawaii), which reveals the illegal kill of fin, North Atlantic minke, and humpback whales. Please see the September 9, 1994 issue of Science for the complete text of this ground-breaking report.

Which Whales Are Hunted? A Molecular Genetic Approach to Monitoring Whaling

In recognition of the global overexploitation of whale populations, the International Whaling Commission (IWC) voted in 1982 to impose an indefinite moratorium on commercial hunting. Although the moratorium has been in effect since 1986, whaling never actually ceased. Some IWC members have continued to hunt whales under scientific permit and for aboriginal or subsistence use. As a result, a commercial market for whale products has been sustained. Are the whale products available today exclusively from species hunted or traded in accordance with international treaties? A recent spot check of Japanese retail markets shows that they are not and suggests that the existence of legal whaling serves as a cover for the sale of illegal whale products...

... [L]ittle attention has been given to the problem of illegal hunting of the many depleted stocks of whales. This omission is a particular concern given the magnitude of illegal whaling that can go unnoticed by the international community... There is little doubt that this illegal hunting has contributed to the variable recovery among stocks of right and humpback whales and the absence of recovery among blue whales throughout the Southern Hemisphere.

The IWC's acceptance of the Revised Management Procedure at this year's meeting is generally viewed as a step toward the return to commercial whaling. If so, there is an urgent need to consider new and effective methods to verify catch records of exploited species and to interdict illegal trade of protected species. We tested the potential of molecular genetic methods for identifying the species and probable geographic source of whale products using samples purchased in retail markets throughout the main island of Japan from February to April 1993...

The humpback whale sequence [of mitochondrial DNA] (sample #19b) was identical to sequences we have obtained from other

humpback whales sampled near the Mexican, Hawaiian, and Japanese (Ogasawara Islands) wintering grounds, suggesting a North Pacific origin. One fin whale sequence (sample WS4) was identical to fin whales sampled near Iceland and in the western Mediterranean, suggesting that the origin of this sample was the North Atlantic. The other three fin whales, however, differed by 1.6 to 2.9% from the type sequences, possibly suggesting an origin outside of the North Atlantic. Among the nine minke whale sequences, eight were similar to type samples from Australia and the Antarctic, whereas sample #18 was most similar to a North Atlantic minke whale. Because minke whales from different oceans are known to be genetically distinct, it is likely that the sources of these products were the Southern Hemisphere and North Atlantic, respectively...

This review of recent whaling activity indicates that products available currently on the Japanese retail market may include species that have been imported illegally and others that have been hunted or processed illegally. An alternative interpretation is that fin whale, sold as unfrozen lean meat, has been in storage for at least 4 years, North Atlantic minke whale, sold as 'sashimi,' has been in storage (outside of the country of origin) for at least 7 years, and humpback whale meat has been in storage for 27 years.

These results demonstrate the inadequacy of the current system for verifying catch reports and trade records of commercial and scientific whaling. Systematic molecular genetic testing of commercial products (even those that have been smoked, marinated, or otherwise processed) should be integrated into requirements for future whaling under conditions for monitoring and observation by the IWC...

Arguments about sustainable whaling are based on the tacit assumption that only abundant species will be killed and that depleted or endangered species will continue to enjoy protection. Without an adequate system for monitoring and verifying catches, however, history has shown that no species of whale can be considered safe.

Japan and Russia Object to Whale Sanctuary

In May, the International Whaling Commission (IWC) established a sanctuary banning the killing of whales in the waters around the Antarctic continent (*AWI Quarterly*, Vol.43, No.2). Twenty-three countries voted for the resolution and only one, Japan, against it.

However, the anachronistic Schedule to the IWC allows countries to take a "reservation" to any IWC decision. A country so objecting is not bound by the ruling. On August 12, 1994, Japan officially objected to the Antarctic whale sanctuary. The current global whaling moratorium still prevents Japan from whaling commercially in the Antarctic. If the moratorium is lifted and the Revised Management Scheme implemented (see *AWI Quarterly*, Vol.43, No.1 and Vol.42, No.1), 2000 minke whales could be killed annually in the Antarctic.

The Japanese action extended the deadline for reservations, and on September 5, under pressure from the Japanese government, Russia also objected to the sanctuary. However, this objection may be withdrawn since the message to the IWC Secretariat states that it "does not reflect the position of the Russian Federation on the substance of this issue... At present the Russian Federation does not conduct commercial whaling and has no plans to start it."

The final deadline for objections to the sanctuary is December 6, 1994.

Marine Circus Closed Dolphins Sent to Honduras

Ocean World, a Fort Lauderdale, Florida, marine theme park, closed to the public on August 31, 1994.

According to the Associated Press, in 1992 the US Department of Agriculture (USDA) shut the park for two weeks, charging Ocean World with maintaining dolphins in undersized pools with over-chlorinated water that made their skin peel off. Ocean World admitted no wrongdoing but paid \$20,000 in fines. The AP story further reported that while the park was closed, handlers dropped a dolphin while transferring it to a pool, breaking its tail. The dolphin later died of pneumonia.

On September 15, twelve dolphins from Ocean World were transferred to a marine park in Honduras. The USDA's Animal and Plant Health Inspection Service authorized the export of the Ocean World dolphins despite the protests of animal protection groups. Florida Governor Lawton Chiles had demanded that the dolphins, captured off the Florida coast, remain in the state.

Anti-Horse Tripping Bill Enacted

On August 26, California Governor Pete Wilson signed a bill making horse tripping for entertainment illegal. This practice has been common in the infamous *charro* rodeos (see *AWI Quarterly*, Vol.43, No.2). The new law will go into effect on January 1; similar initiatives are being launched in Arizona, Colorado, Illinois, New Mexico, and Texas where *charro* rodeos are prevalent.



Cathleen Doyle, courtesy of Trust

A victim of the charro rodeos

New Type of Antifreeze Reduces Risk of Animal Poisoning

Ethylene glycol (EG) is a toxic substance that when taken internally can cause permanent kidney damage or death. This powerful toxin is the primary ingredient in a common product that most people have in their homes and in their cars—conventional antifreeze/coolant. Nearly every car and truck engine is cooled using a mixture of antifreeze and water. Almost all of that antifreeze is formulated with EG.

Animals are attracted to conventional antifreeze probably because it has a sweet taste. Two ounces of conventional antifreeze can kill a dog, one teaspoon can be lethal to a cat, and as little as two tablespoons can be harmful to a small child.

It is estimated that thousands of needless pet deaths are caused each year by the ingestion of EG-based automotive antifreeze. Additionally, the literature reports frequent incidents of the antifreeze poisoning and subsequent death of wildlife. The best known incident was the death of a rare California condor in the fall of 1992. The condor died of EG poisoning, apparently after drinking antifreeze that spilled or leaked in a recreational area.

Fortunately, there are alternatives. Several brands of propylene glycol (PG) based antifreeze/coolants are now on the market. PG-based antifreeze provides engine protection comparable to that provided by EG-based antifreeze, but PG is much less toxic and therefore safer to use. To help prevent accidental poisoning of children, pets, and wild creatures, look for the following brands of antifreeze: Sta-Clean, Uni-Gard Freeze-Proof, SAFE, Eco-3, and Sierra. All of these are based on propylene glycol.

New Michigan Anti-Cruelty Law Passed

On May 15, 1994, Michigan Governor John Engler signed Senate Bill 605 into law, thereby creating one of the toughest anti-cruelty laws in the United States. The bill was drafted and initiated by the Michigan Humane Society (MHS) and its lobbyist, Eileen Liska.

Only six states have felony anti-cruelty laws. Michigan was one of the first when, in 1931, it became a felony if a person maliciously and willfully killed, maimed, mutilated, injured, or poisoned an animal who belonged to someone else. Because of SB 605, prosecutors will now focus on the nature of the crime, not the issue of ownership.

According to the MHS, the passage of SB 605 is a historic milestone in the animal advocacy movement's ongoing struggle to establish rights for animals because it repealed a 63-year-old law based on the concept that torturing or killing an animal could only be a felony if the animal was someone else's property. A weaker substitute bill was defeated by 73 to 19 in the House.

"With votes for passage of SB 605 being unanimous in the Senate and 91 to 4 in the House, Michigan state legislators sent out an unequivocal message that animals now have *intrinsic worth—a right in themselves to be fully and strongly protected from harm,*" emphasized Eileen Liska, who spent over two years lobbying to get SB 605 passed.

The number and the serial nature of the penalties the bill provides also makes it unique. "The convicted can be required to receive mental health treatment; relinquish their animal ownership privilege for any time determined by the court including permanently; reimburse public or private animal shelters for all expenses of caring, housing and medically treating the animal victims; pay the court for the cost of their own prosecution; perform up to 1,000 hours of community service; pay a fine of up to \$5,000; and/or spend up to four years in jail," notes Gary Tiscornia, MHS Executive Director.

Mobile Spay/Neuter Clinic on a Roll

To combat Houston's animal overpopulation crisis, the Houston Animal Rights Team (HART) has established the Spay/Neuter Assistance Program (SNAP), the first mobile spay/neuter clinic in the US. The mobile clinic is able to perform a minimum of fifteen spay/neuters each day, provided free of charge to individuals who qualify for public assistance. Surgeries are performed by a licensed veterinarian. All clients receive information about the benefits of spaying and neutering so they can become community educators.

According to Sean Hawkins, Executive Director of HART, over 100,000 unwanted dogs and cats end up in pounds and shelters each year in Houston. The sad fact is that only about one in every ten of these animals will find a new home. In the six months that the new clinic has been in operation, over 570 animals have been spayed or neutered. To support SNAP contact HART at P.O. Box 440304, Houston, TX 77244.



SNAP

Houston's landmark mobile spay/neuter clinic

WHERE DO THE CATS FOR SCHOOL DISSECTIONS COME FROM?

The Case of Carolina Biological Supply Company and Al Wise, the dealer who supplied the cats

A major supplier of cat cadavers and other animal "specimens" to schools and colleges was fined \$2,500 for failing to maintain complete records on acquisition and identification of the cats.

According to the Burlington (NC) *Times-News*, May 17, 1994, the government also charged that Carolina Biological Supply Company's (CBSC) "enclosures for rabbits were unclean and unkempt, rabbit food was unprotected from spoilage, contamination and vermin infestation; hamster enclosures were not maintained nor in good repair; and rabbits kept outdoors were unprotected from 90-degree temperatures."



People for the Ethical Treatment of Animals

A cat destined for laboratory dissection

CBSC damage control came into play the very next day with a *Times-News* headline saying the company was "cleared of violations." The record keeping violations were down-played as "trivial." Another North Carolina paper, *The Daily News*, wrote, "the company quoted an Administrative Law Judge as ruling that there had been no violations." Record keeping violations weren't even mentioned.

But actions speak louder than words. An ABC documentary film shown October 22, 1991, included footage of a principal supplier of live cats to CBSC, Al Wise, riding a large tractor and chasing an ABC News producer. As the television crew tried to get away, a second camera documented Wise ramming an ABC News van (see *AWI Quarterly*, Vol.39, No.1).

According to the US Department of Agriculture AWA Docket No. 91-75, CBSC kept information on the date of purchase, source of the animals, and the number of animals received, but

...Carolina Biological did not identify individual animals, nor did it verify the accuracy of the sellers' forms, which it could have done by observing the identity of the dead cats and also by checking the collars around their necks after the cats were euthanized. This failure took on particular importance in this case because the supplier, Mr. Wise, had been charged (unknown to Carolina Biological) in a Complaint filed December 29, 1992, with obtaining cats illegally, falsifying his documents and using false names on his records. On July 7, 1993, Mr. Wise resolved the charges by consenting to an order banning him from operating as a dealer for ten years (AWA Docket No. 93-18).

Two of Al Wise's relatives still remain in the animal dealer business in North Carolina.

According to a press release from the National Association for Biomedical Research, which did its best to whitewash CBSC, the company, founded in 1927, "serves more than 75,000 customers worldwide and has more than 25,000 products."

Fisher Educational Materials Division and the Mexicali Connection

Mexicali police, alerted January 30, 1994 to suspicious-looking individuals moving plastic bags from a pick-up to a truck, discovered the bodies of 2,000 preserved cats in the bags. Investigators from the World Society for the Protection of Animals (WSPA) went undercover to learn how the cats were obtained. They were informed that a collecting truck with loud speaker attached drove about announcing a US\$1 payment for any unwanted cat and generally obtained 30 or 40 by this means every day. The cats were bagged and drowned ten at a time. The informant said children brought in many cats, a large percentage of them probably owned. He estimated he had killed about 1,000 cats himself.

According to WSPA, one of the companies identified during this investigation was Fisher EMD (Educational Materials Division). Boxes clearly labeled with the Fisher catalogue number were videotaped by the WSPA team. WSPA further reports Fisher EMD as stating, "We're going to our suppliers... and have them verify how these cats are killed."

The Mexican Director of Quarantine Control has informed state representatives that issuing of sanitary guides or certificates for the transport of cats is not authorized because there are no cat slaughtering plants. Clearly, more vigorous action is needed to eliminate capture and sale of Mexican cats to US biological supply houses.

One woman told the WSPA undercover team that one of the cat catchers put a noose over her cat's neck while the cat was lying in her front yard. By running outside and screaming at the man, she succeeded in rescuing her cat. Nevertheless, he boldly offered US \$1 if she would sell her pet to him.

The potential for illicit trade remains high.

Fraud Costs Random Source Dealer \$8,000

Although payment of damages cannot bring back Sosha, the much-loved dog of Don Johnson, the former laboratory animal dealer who obtained Sosha by deception and fraud has been fined \$8,000.

According to Mitchell Fox of the Progressive Animal Welfare Society (PAWS) in Washington State: "Posing as devoted dog lovers seeking a companion, Don and Judee Peters... acquired Johnson's dog, Sosha, in 1986. About one week later they sold Sosha to the University of Washington." Documents obtained by PAWS revealed that Sosha was killed in a lung injury experiment two weeks after arriving at the university.

In 1989, PAWS attorney John Costo filed a lawsuit against Don and Judee Peters on behalf of Johnson, alleging fraud, outrage, and breach of contract. When the Peters failed to dispute these claims, a Snohomish County Commissioner awarded Johnson damages in the amount of \$10,000. The damages remained uncollected until July, 1994, when Johnson agreed to an \$8,000 cash settlement from the Peters family following another lawsuit that accused Don and Judee Peters of hiding assets in order to declare bankruptcy and avoid paying creditors.

This action closes the nation's first civil court case against a laboratory animal dealer. According to Fox: "PAWS believes that ethical and legal corners continue to be cut when it comes to using former pets for animal experimentation."

Shocking Violations of Federal Law by Laboratory Dog Dealers

In a crack-down on flagrant violators of the Animal Welfare Act, the US Department of Agriculture (USDA) has taken action against several large-scale animal dealers. In direct contradiction of the intent of the Act, dogs were going to laboratories without documentation to prove that they were not stolen pets.

Julian and Anita Toney

Random source dog dealers, Julian and Anita Toney of Lamoni, Iowa, were charged by USDA with more than 1600 violations of the Animal Welfare Act's record keeping requirements. This staggering number of forged, incomplete, and/or inaccurate records of acquisition and sale of animals is unrivalled.

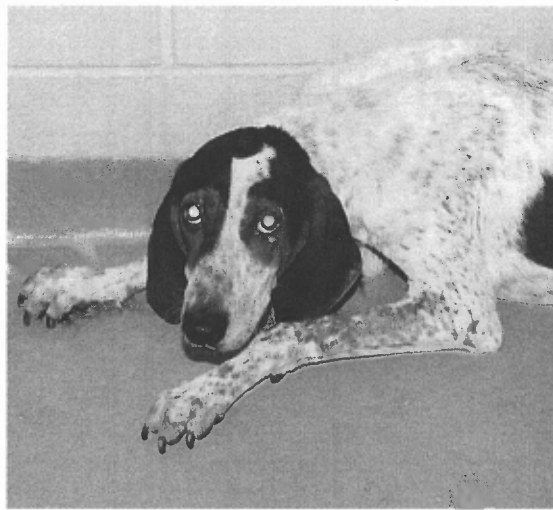
The Toneys received over \$100,000 a year for selling dogs and cats to the University of Iowa and the University of Minnesota. They even understated their profit to USDA in order to pay a reduced license fee. Representatives from both Universities were subpoenaed to testify at the Administrative Hearing held in June regarding the charges against the Toneys. The hearing record, recently obtained by AWI, is packed with revelations about the animal dealing business. Julian Toney described how the research facilities like to use him, and his business flourished. As he put it, "I always delivered on time. I always tried to have the sizes dogs they ordered... if you had the right breeds and the right sexes, then they was real happy with you... If they needed two litter-mate females to do a heart transplant because doctors were coming in from all over they country, they would call and say, Julian, we've had another dealer cancel out. Do you happen to have two of these females? Can you have them over here tomorrow morning, or it is going to cost us literally thousands of dollars to do away with this class for the day and schedule it for another day until you can get here. And I would always go with any kind of special order that come."

Where did the Toneys get the dogs and cats they sold? We may never know all of their sources, but they included other licensed dealers, and many unlicensed dealers, known as "bunchers." Some of the bunchers acquired animals from pounds that provided dogs free of charge under the guise of relieving the pound from the expense of euthanizing animals.

One example is the city of Brookfield, Missouri, which has employed Wayne Junior Stufflebean for the past 14 years to "pick up dogs for them..." At the hearing, Mr. Stufflebean testified that the dogs were held for 48 hours. When questioned about the dogs he gave away he stated, "we didn't keep track of the dogs, you know... I would ask them what they were going to do with them. And they said that they was going to—people down there in another town wanted them. And so I was just giving them three, four, five dogs."

In Minnesota, people who have lost pets have contacted the University of Minnesota in a desperate search for their beloved companions. In fact, most dogs used by the University appear to have come from Iowa and Missouri. Thus, the elaborate dealer network makes it virtually impossible to find a missing animal. The dealers profit; the research facilities use the animals, then incinerate them.

While we anxiously await the outcome of the hearing on USDA's charges against the Toneys, they continue buying and



Courtesy of the Indianapolis Humane Society

One of the dogs confiscated from Jack Stowers kennels

selling dogs. A ruling is not expected until next year.

Jack Stowers

USDA inspectors attempted to conduct compliance inspections more than 20 times, but were unable to get onto the premises to do their job. When Stowers admitted inspectors, they found many problems. Because of the squalid conditions and poor health of the dogs, the USDA, assisted by the local District Attorney, obtained an injunction, which reads in part:

The Secretary has reason to believe that Jack Stowers is placing the health of dogs in serious danger in violation of the Act and the regulations and standards promulgated thereunder.

Prior to the confiscation of 29 dogs from Stowers' premises by the Animal and Plant Health Inspection Service on June 29, 1994, Stowers had threatened to, *inter alia*, shoot the dogs.

The 29 dogs were confiscated by APHIS pursuant to 9 C.F.R. § 2.129, because the health of the animals was in serious danger and because they were in need of immediate veterinary care.

Stowers has stated to APHIS officials that he intends to continue to deal in dogs, regardless of whether his license is revoked.

For these reasons, the issuance of an order enjoining Stowers from operating in violation of the Act and the regulations and standards promulgated thereunder is appropriate.

Many of the dogs had to be euthanized, but fortunately, others were placed in caring homes by a local humane society. Stowers is believed to have supplied dogs to other Class "B" dealers including South Jersey Biomedical and Mike Kredovski of Biomedical Associates, both currently under investigation. Stowers continues to operate while the case is pending before an administrative law judge.

Jerry Vance

Vance's housing facilities did not provide adequate shelter, were ramshackle, and failed to allow rapid elimination of excess water and wastes according to USDA. Vance was also charged with record keeping violations and failing to identify animals.

Vance had been a regular customer at local "trade days." He was televised on Connie Chung's "Eye to Eye" program at the Rutledge trade day in Missouri carelessly loading dogs into his large truck. This led to a loud public outcry.

Jerry Vance has been permanently prohibited from animal dealing. He was also required to pay a civil penalty of \$25,000, though \$20,000 of the fine will be suspended if he doesn't violate the Animal Welfare Act for 20 years.

Jeffery Hodges

Animals at Hodges' facilities, were in need of veterinary care and housed in cramped, dirty cages, without sufficient shelter. Food and water bowls were filthy. USDA inspectors also noted overcrowding during transport, record keeping violations, and that animals were not held for the required period of time before being sold.

In a Consent Decision, Hodges agreed to a Cease and Desist Order and to a license suspension for one year continuing thereafter until he is able to demonstrate full compliance with the Animal Welfare Act. He was also assessed a civil penalty of \$10,000, which was suspended as long as he doesn't violate the Act for one year.

AWI Exhibition Barred from AALAS Meeting

AWI submitted a request to maintain a booth at the annual meeting of the American Association for Laboratory Animal Science (AALAS) to be held in Pittsburgh, PA from Oct. 16-20. As in previous years, the AWI exhibit would have provided information on humane treatment of laboratory animals and alternatives to the use of animals. Correspondence between AALAS and AWI is reprinted below and on page 17.

August 10, 1994

Mr. Michael R. Sondag, Executive Director
American Association for Laboratory Animal Science
70 Timber Creek Drive
Cordova, TN 38018

RE: Non-commercial Booth Space

Dear Mr. Sondag:

I was shocked to receive your letter of July 7, 1994, rejecting the request of the Animal Welfare Institute to exhibit at the upcoming annual meeting of the American Association for Laboratory Animal Science (AALAS). The exchange of relevant information on all aspects of laboratory animal care and experimentation is of paramount importance. The Animal Welfare Institute believes in constructive dialogue between the biomedical and the animal welfare communities. It is our conviction that the presentation of the Animal Welfare Institute at the AALAS meeting would have fostered this dialogue. I was extremely disturbed by the reasons provided for the denial of AWI's participation.

AALAS Objects to the Lack of AWI Endorsement of the Current NIH Guide for the Care and Use of Laboratory Animals.

The first conflict you cite is the lack of AWI endorsement of the current *NIH Guide for the Care and Use of Laboratory Animals*. AWI agrees with the *Guide* that the research community has "a scientific and an ethical responsibility for the humane care of animals, and all who care for or use animals in research, testing, and education must assume responsibility for their general welfare." AWI does not endorse all recommendations set forth by the 10 year old *Guide*, but we are far from being alone in this opinion. Members of the Committee appointed to revise the *Guide* have received no less than 216 written comments from organizations and individuals as of March 29. A copy of the Animal Welfare Institute's submission is attached.

AALAS Believes that AWI's Contact with Other Exhibitors Will Be Confrontational.

The second objection given to an AWI exhibit is AALAS' belief that based on "the rhetoric" of AWI's publications, our "contact with other exhibitors will be confrontational." No examples are provided.

The Animal Welfare Institute has exhibited at many AALAS meetings, and we were never aware of any difficulty. In fact the only problem that ever arose was the vandalism of the AWI exhibit booth one evening when the exhibit area was closed to the public.

AALAS Says "Yes" to a Convicted Felon and "No" to AWI.

Especially discouraging is the willingness of AALAS to permit an exhibit by a convicted felon while refusing AWI. Matthew Block of Worldwide Primates is listed among AALAS commercial exhibitors for 1994. [A 1994 Membership Directory lists Worldwide Primates as

an exhibitor and Mathew Block as a member of AALAS.] Mr. Block pled guilty to felony conspiracy in the smuggling of endangered species, namely six infant orangutans, three of whom died. More recently, he paid a \$16,000 fine to USDA to settle charges that he violated the federal Animal Welfare Act.

The Animal Welfare Institute seeks Humane Treatment of Laboratory Animals.

The purpose of AWI is "to reduce the sum total of pain and fear inflicted on animals by humans." AWI seeks humane treatment of laboratory animals and the use of alternatives comprising the 3R's, replacement, reduction, and refinement in experimentation and testing. Does AALAS disapprove?

Our literature such as *Comfortable Quarters for Laboratory Animals*, *Beyond the Laboratory*

Door, text of the 1985 Improved Standards for Laboratory Animals amendments to the Animal Welfare Act and "A Bibliography for the Use of Non-affiliated Members of Institutional Animal Care and Use Committees" is made available to scientific institutions. Thousands of these documents have been distributed without charge to interested persons attending previous AALAS meetings.

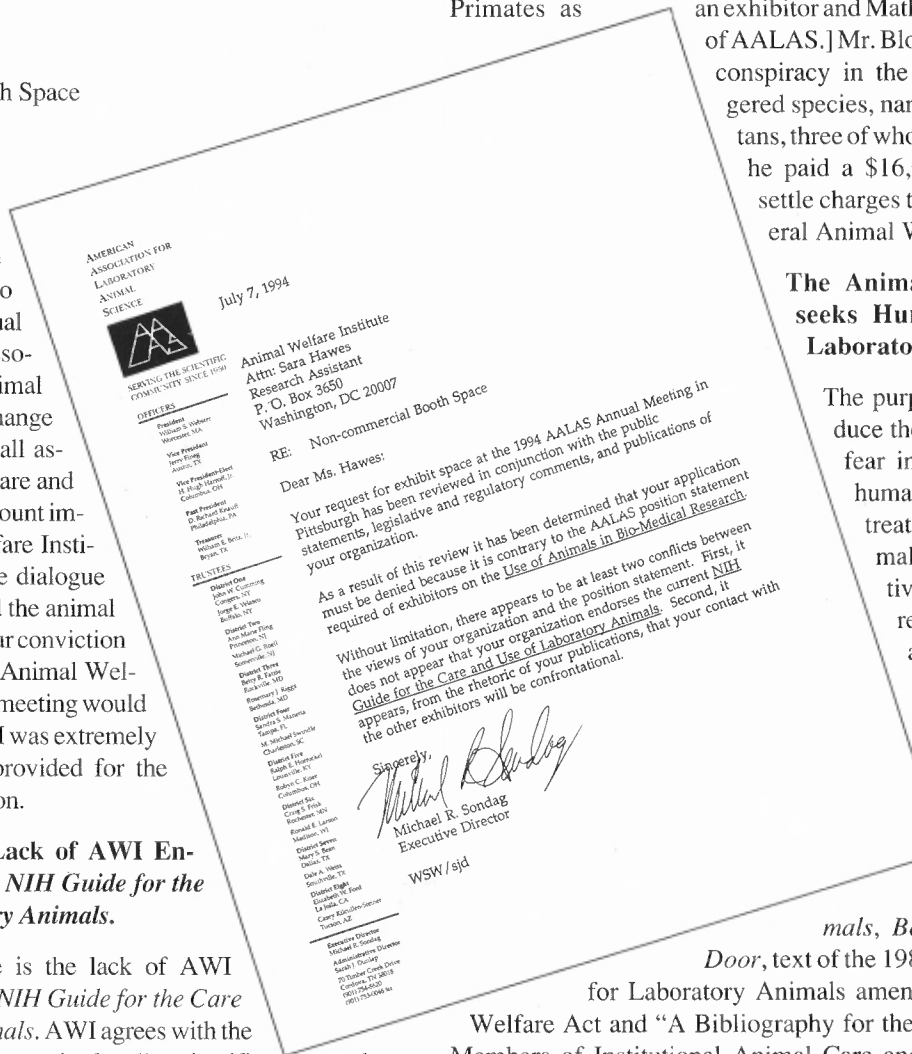
I hope that you will reconsider what is, to me, an incomprehensible decision and invite the Animal Welfare Institute to exhibit at the next annual meeting.

Sincerely,

Cathy A. Liss

Cathy A. Liss
Executive Director

continued on page 17



September 2, 1994

Dear Ms. Liss:

I am the attorney for AALAS.

Mr. Sondag has asked me to reply to your letter of August 10, 1994, wherein you request AALAS to reconsider your request for an exhibit booth at AALAS' annual meeting.

I have reviewed your letter and the material submitted therewith, and can find no basis for AALAS to change its original decision.

With respect to the NIH Guide, we recognize that an organization may endorse this document while simultaneously seeking to change some of its provisions. Nevertheless, there comes a point where the changes sought belie endorsement. Your letter of August 19 at best is a very qualified endorsement of the NIH Guide, and does not change our judgement that the AWI is not supportive of this document.

Moreover, the materials you provided indicate that the AWI's stance with respect to the revision of the NIH Guide appears extremely confrontational. My reading of the papers you provided leaves me with the impression that anyone who opposes AWI's views on the changes it seeks (or seeks to prevent) is motivated by greed and profit. In this vein, AWI's definition of a "disinterested" scientist appears to be a scientist that agrees with the position of AWI.

AALAS is a scientific, not a political, organization. AALAS has only limited time and resources to conduct its annual scientific meeting, and it does not wish these resources to be expended on highly charged emotional debates.

Therefore, AALAS is not changing its decision.

You make a good point that violations of the laws regulating the use of laboratory animals, especially those which seek to protect a particular species or to assure humane treatment, can not be condoned. However, the AALAS' office first, and only, knowledge that an exhibitor may have violated these laws was your letter. We intend to inquire into the details of this matter with the exhibitor in question and take action that is appropriate.

Respectfully,
Thomas H. Boerschinger

September 15, 1994

Dear Ms. Liss:

This will follow up on my letter to you of September 2, 1994.

A review of our contracts for exhibit hall space reveals that AALAS does not have now and has not had in the past any Matthew Block or Worldwide Primates, Inc. scheduled as an exhibitor for the 1994 meeting in Pittsburgh.

I trust this clarifies the question you raised.

Respectfully,
Thomas H. Boerschinger

September 29, 1994

Dear Mr. Boerschinger:

I am writing in response to your letter of September 15, 1994 regarding AALAS exhibit space for Worldwide Primates, run by convicted felon Matthew Block. Please note that both Matthew Block and Worldwide Primates are listed in the 1994 AALAS Membership Directory. Page 9 of the Directory, with the heading "Commercial Contributors" lists Worldwide Primates as an annual meeting exhibitor.

On the same page, above the list of companies which includes Worldwide Primates is the following AALAS statement: "We wish to thank the companies listed below, because of whom AALAS has been able to offer to its members a variety of publications that otherwise would not have been possible. We hope all AALAS members will make an extra effort to let the representatives of these companies know how much we appreciate their support when they call on our facilities."

In addition, a listing for Matthew Block, President of Worldwide Primates including an address and phone number appears on page 18 of the alphabetical section of the Directory.

I trust this clarifies my statement of August 10.

Sincerely,
Cathy A. Liss
Executive Director

Award to be Given for In Vitro Validation

The Multicenter Evaluation of In Vitro Cytotoxicity (MEIC) and American Fund for Alternatives to Animal Research (AFAAR) will be presenting an award to a researcher who, by November, 1994, has made the largest contribution of in vitro data missing for a non-animal test of toxicity within the MEIC program. MEIC is an international project initiated by the Scandinavian Society for Cell Toxicity (see *AWI Quarterly*, Vol.42, No.1) to validate replacements for animal toxicity tests. For more information, interested researchers should contact AFAAR, 175 West 12th St., Suite 16G, New York, NY 10011, 212-989-8073.

Laboratory Livestock

The following is an excerpt from a letter by James A. Serpell, Ph.D. regarding the establishment of acceptable standards for the care and use of farm animals for non-agricultural purposes.

I have been given to understand that the *Guide for the Care and Use of Agricultural Animals in Agricultural Research and Teaching* (1988) is currently being used as the basis for developing the new standards. In my view, this would be a grave misjudgment. From a purely scientific standpoint, this *Guide* is grossly out of date. It endorses intensive farming practices which are now known to cause severe welfare problems in livestock animals. In response to public pressure and scientific evidence, many of these practices are already subject to bans or restrictions within the European Community and, in general, the trend in public opinion in the US closely mirrors that of Europe. Furthermore, the use of animals for both teaching and research demands a far higher standard of care than would be considered acceptable within the commercial farming industry. A moral responsibility exists to teach students of all ages the humane treatment of nonhuman animals and this cannot be achieved if the institutional standards of animal care are, in themselves, inhumane. Likewise, it is well established that data derived from research on stressed and uncomfortable animals is of less value scientifically than the same data derived from animals that have been cared for humanely...

Dr. Serpell is the Associate Professor of Humane Ethics and Animal Welfare at the University of Pennsylvania's School of Veterinary Medicine.

University Renounces Use of Class "B" Dealers

The University of Minnesota recently announced its intention to discontinue use of random source/class "B" dealers to acquire dogs and cats for experimentation. The University has been under scrutiny by the animal welfare community for more than a decade because of its reliance on unscrupulous source dealers. The University used to acquire animals from Don Hippert who was known to have dealt in stolen animals. For the past 6 or 7 years, the University had been using Julian Toney, now charged with serious violations of the Animal Welfare Act (see page 15).

According to the University's Assistant Vice President for Health Sciences, William Jacott, "our Animal Care Committee has been working on these policy changes for the past several months, and it is the committee's hope that the University will soon be able to purchase animals from Class 'A' dealers [breeders] only."

The University's Animal Care and Use Committee also ruled that "dealers selling animals to the University will be required to submit photocopies of their latest USDA inspection reports. The University will not purchase dogs from any dealer with significant, reoccurring deficiencies on these inspection reports."

The University of Minnesota is to be congratulated for taking the lead in the responsible acquisition of animals.

Periodical Pleasures

by John Gleiber

In case anyone is inclined to sit back and think that everything is going well in government agencies dealing with animals and the environment, a few minutes with *PEERreview* will swiftly disabuse them. *PEERreview* is both heartening and fascinating because it is the official publication of Public Employees for Environmental Responsibility and disheartening because of the picture it presents, citing chapter and verse to back up the allegations. Basically, it shows that business as usual involving those who would exploit the resources that belong to all of us is alive and well in this as well as preceding administrations.

The lead article tells about wild horses, adopted out under the Bureau of Land Management's (BLM) own adoption program, ending up in slaughter houses, the BLM freeze brand prominent on their necks as they are led illegally to their doom.

Another article tells the depressing story of whistle-blower Ernie Nunn who was vindicated by an administrative law judge in spite of adverse testimony from his Forest Service Chief.

Write to Public Employees for Environmental Responsibility, 810 First St., NE Suite 680, Washington, DC 20002-3633 for further information. Even before doing that, you can write to Secretary of the Interior Bruce Babbitt who faces tremendous opposition from vested ranching, grazing, and mining interests. Let him know you expect strict enforcement of the Wild Horse Act, the Lacey Act, the Wild Bird Conservation Act, and the Endangered Species Act.

Secretary Bruce Babbitt
Department of the Interior
10th St. & Constitution Avenue, NW
Washington DC 20530

How to Wage a Guerrilla War for Reform

If you are working in an agency that is resistant to reform, do not give up! Outlined below are several PEER tactics you can use to fight for ethics in your agency without putting your career on the line:

- Working with PEER staff, design a fleet of Freedom of Information Act requests under PEER's name. Be the behind-the-scenes brain for a campaign to force your agency to disgorge records that tell the real story.
- Singly, or with like-minded colleagues, employees can write a critique of agency policies or specific actions. PEER will have your work professionally edited, peer-reviewed by outside experts, and published under the PEER banner—without using your name.
- Let PEER put you in touch with key congressional staff. Coupling your inside information with congressional subpoena power, your agency management can be targeted for oversight from the body that authorizes the budget.
- PEER works closely with a number of television news magazine shows. Using retired (or soon-to-be retired) employees as spokespeople, the full power of the media can be used to shake up the status quo in your agency.
- Using whistleblower protection provisions in environmental and other laws, employees can put pressure on management to drop spurious claims and think twice about continuing retaliation against ethical employees.

Reprinted from PEERreview.

Joey, The Story of a Baby Kangaroo

by Hope Ryden, (Tambourine Books, NY), 1994, \$15.00.

The affectionate relationship between the kangaroo mother and her "joey" is most sympathetically depicted in this magnificently illustrated children's book. The baby kangaroo's brother, who occupied his mother's pouch a year ago, is part of this loving family.



Hope Ryden

The joey gazes affectionately at his mother. At seven months of age, he only goes back into her pouch to sleep.

The text of this delightful book is skillfully compressed and the print is large. A child learning to read can easily grasp the phrases, and parents, who may have wondered how kangaroo mothers coped with babies rapidly outgrowing the pouch, can see touching illustrations of Hope Ryden's words: "Whenever he took a nap his legs and head stuck out. And if his mother wanted to hop to a new place she had to tuck him in. Carrying such a heavy joey slowed her down."

Kangaroos are in great need of sympathetic interpretation, since the US Fish and Wildlife Service has been considering removing three of the 52 kangaroo species from the threatened category under the US Endangered Species Act. The joey and his mother pictured in Hope Ryden's book belong to one of those species, the western grey kangaroo, *Macropus fuliginosus*.

Animal Advocate Clarence Long

During his long tenure as Congressman from Maryland, Clarence Long, who died recently, waged an unremitting fight to protect animals from the steel jaw leghold trap. He was an advocate for animal welfare before it had received the wide acceptance it now commands.

Two major hearings were held on bills he introduced to end the use of the steel trap. We can all remember his determination and dedication to his humane principles.

Tracking the Vanishing Frogs:

An Ecological Mystery

by Kathryn Phillips, (St. Martin's Press, NY), 1994, 244 pages, \$22.95.

Frogs, toads, and other amphibians have been disappearing from all parts of the world at an alarming rate. Kathryn Phillips details the reactions of the scientists who study them and well describes the deleterious effects of the scientific caution, which greatly delayed any action to prevent or even recognize the losses occurring.

She tells how herpetologist Dave Wake observed mountain yellow-legged frogs in Yosemite in 1959 when they were so numerous that it was difficult to walk without stepping on them. They were fewer in 1979 and had totally disappeared in the late 1980s.

But despite reports on the decline of amphibians throughout the United States and many other countries, little action resulted from the meetings that have brought herpetologists together, and at a 1990 meeting, we are told that one scientist complained: "My research is already threatened by the animal-rights movement. I'm a little bothered about a riot of publicity."

The author quotes a second scientist at the meeting: "I feel all of a sudden a sense of procrastination here. We know there is a problem right now. We should be moving on that problem. It's very urgent to get moving, not to keep having meetings, not to keep having congresses."

Now that amphibians are vanishing, there is at least a debate about how many specimens field scientists ought to collect. Phillips tells us that some "would, indeed take every amphibian they saw. If that meant taking 1,200 salamanders from one site in Oregon—as one prominent scientist did—then so be it."

Importation of frogs for food is a serious source of the decimation of bullfrog populations. The description of the arrival of dead and dying frogs from the Dominican Republic is graphically de-

Letters of a Traveler, 1834

George Sand

I remember that, when I was a child, towards autumn, the hunters brought to the house lovely, soft, bloodstained wood doves. They gave me those that were still living and I took care of them. I regarded them with the same ardour, the same love as a mother for her children, and I managed to heal a few. As they grew stronger, they became sad and refused to eat the beans that, during their convalescence, they ate avidly from my hand. As soon as they could spread their wings, they fluttered around the cage and threw themselves against the bars. They would have been dead of exhaustion and distress if I had not given them their freedom. Thus, I learned to overcome my childish selfishness and sacrifice the pleasure of possession for the pleasure of generosity. It was a day of keen emotions, of triumphant joy and insuperable regret, that day that I brought one of my wood doves to the window. I gave her a million kisses. I asked her to remember me and to return to eat the tender beans of my garden. Then I opened my hand just to close it again to recapture my friend. I kissed her again, my heart bursting and my eyes full of tears. At last, after many hesitations and many tries, I put her on the windowsill. She remained immobile for quite some time, surprised, almost frightened by her good fortune. Then she took off with a little cry of joy that went straight to my heart. I followed her a long time with my eyes; and when she had disappeared behind the trees of the garden, I began to cry bitterly, worrying my mother the whole day through with my air of dejection and suffering.

AWI is indebted to the Société Protectrice des Animaux de Lyon et du Sud-Est for publishing George Sand's remembrance of the wood doves. The translation is by AWI's Jenny Pike.



Michael Turco

A Golden Mantella

tailed. We are left to guess what airline failed to keep the crates upright. Half of the 2,000 frogs were upside-down throughout the lengthy trip. Cartons of exotic tree frogs imported for the pet industry are described as "barely alive." At least half of the 72 exotic creatures were dead or dying. The reader is told that more than four times as many amphibians passed through US ports in 1992 as in 1990, according to US Fish and Wildlife Service records. The commercial pet trade is an increasing drain on frog populations.

Tracking the Vanishing Frogs follows scientific efforts to determine the extent to which UV-B, the ultraviolet light that has greatly increased because of the ozone hole in Antarctica, has influenced the shocking decline of amphibian life. The book follows scientific work on climate change. Logging and cattle grazing are designated as "two of the most easy-to-identify habitat problems bothering forest amphibians around the world."

Phillips gives a whole chapter to the Arroyo toads and their defender, Sam Sweet. Sweet, a professor at the University of California in Santa Barbara, has followed the fate of the Arroyo toads since 1977. "The toads," writes Phillips, "have probably occupied this part of California for twelve thousand years, surviving ice ages, fires, and floods galore. Now their biggest test is to survive the Forest Service." Her account of the disastrous grading and road building incident that decimated the rare toads' population makes depressing reading since it seems to have been a huge mistake, unannounced and unapproved, contributing, along with off-road vehicles, mining, grazing and logging, to the depletion of the toads.

"In the Los Padres National Forest, and in many other forests around the country, a more accurate motto for the agency's millions of acres would be 'Land of Many Abuses,'" which the author attributes to old-school insensitivity to ecosystem management and wildlife preservation by the district rangers and their lieutenants.

Towards the end of the book, Phillips tells us the Fish and Wildlife Service announced in August 1993, that it intended to list the Arroyo toad as endangered and was seeking public comment. The comment period was extended in September, but a final decision still has not been made on the toad's status, nor has the Fish and Wildlife Service proposed regulations for setting standards on the importation and exportation of amphibians and reptiles.

The amphibians continue to vanish.

Acting Out a Change

The late Bill Travers, who played George Adamson in the film Born Free, reflects on how the making of the film 30 years ago changed his philosophy—forever.

I suddenly became aware of the beautiful, six-foot long lioness crouching like a gigantic marmalade cat along the side wall of the tent behind Ginny's* chair. Her amber eyes coolly focused on me. I knew, as relaxed as Mara seemed, she was wound up like a giant spring waiting for my glance—eye contact, which would mean to her a playful challenge. Instead, I helped myself to some salad. "George**, we are being watched," I said.

"You are, you mean," he replied.

"You ought to be flattered by so much attention. It was my turn yesterday," laughed Ginny, "and I'm bruised everywhere."

I felt a prickle of excitement. It happened regularly, it was 'lion play.' I could be bowled over, knocked off my camp stool at any movement. Great!

Every day possible we—Ginny, George and I—had lunch, a picnic, on the Kenyan plains with one of 'our' lions. To make 'Born Free,' which was essentially a love story, we had a number of lions, 24 in all, and we had to know seven of the larger or full-grown lions almost as closely as George and Joy had known Elsa. The trust and friendship had to be real. We weren't using 'doubles.'

By now the film unit would be girding themselves in cages; at 2:30 we'd be back on some location with Mara in the back of our Landrover and we'd try to create circumstances which would persuade her, we hoped, to walk with us, run, play with us, climb up and ride on our Landrover roof; act out a few seconds of the script Carl Foreman had given us, so we could tell some of Joy and George's amazing story of their life with Elsa on film.

Desmond Morris, the zoologist, wrote that the impact of the story was so great, it changed the attitude of the world towards wildlife... for ever.

The change for me, however, was all in those looks. Life was going to be different from now on.

That was in 1964, 30 years ago. Years of theatre, films and 'make believe reality' were just part of the perspective. I'd suddenly found a new colour in the rainbow.

* Virginia McKenna, ** George Adamson



Virginia McKenna and Bill Travers with Girl—one of the lionesses who appeared in Born Free.

From that unique experience our lives, Ginny's and mine, became richer, incomparably richer, with purpose, focus and, it seemed, an irresistible drive to rediscover some of thousands of years of lost human feelings. Will we ever know how much has been lost by isolating ourselves from the rest of the creatures with whom we share this world, this experience we call life? We have enslaved animals and, through it, succeeded in making ourselves slaves. At times I felt I understood what Rousseau (1712-1778) meant when he wrote: "Man was born free, and everywhere he is in chains."

Human conceit, arrogance and greed are the chains.

Now, as I work for wildlife, sadly and gladly, in happiness, sometimes in despair, on a voluntary basis for The Foundation, I am constantly reminded of the experience which changed the course of our lives, our attitudes, priorities, our thinking. If I love life, I love all life.

Is anyone really any poorer for having a love for wild animals and, if they are lucky enough to have that feeling, do they mind being called 'Bunny Huggers'? I don't, in fact it leads me to think of the other words Rousseau wrote all those years ago: "You only hunger for the sweet and gentle creatures which harm no one, which follow you, serve you, and are devoured by you as the reward of their service."

We softies, we 'Bunny Huggers' have been around a long time, it seems.

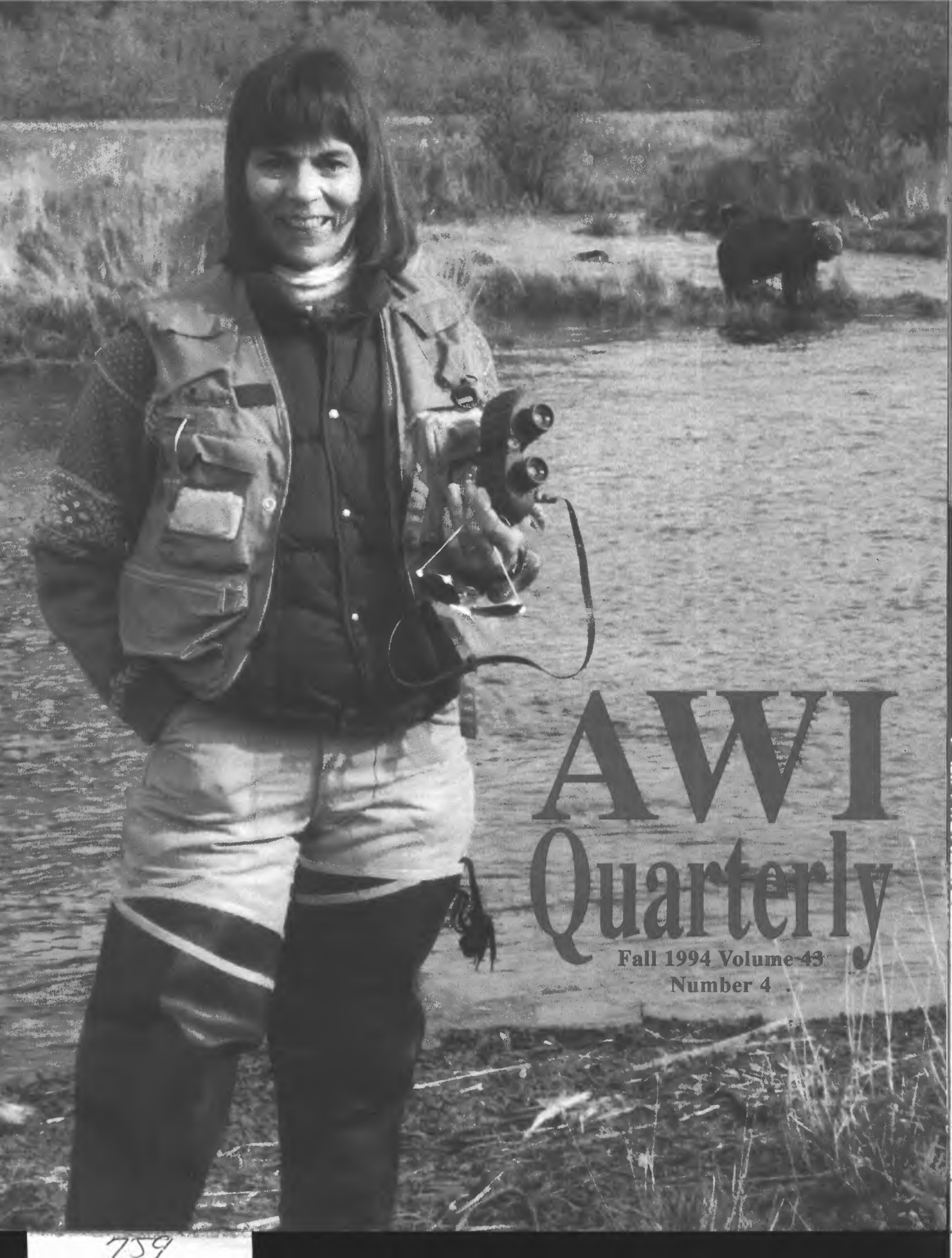
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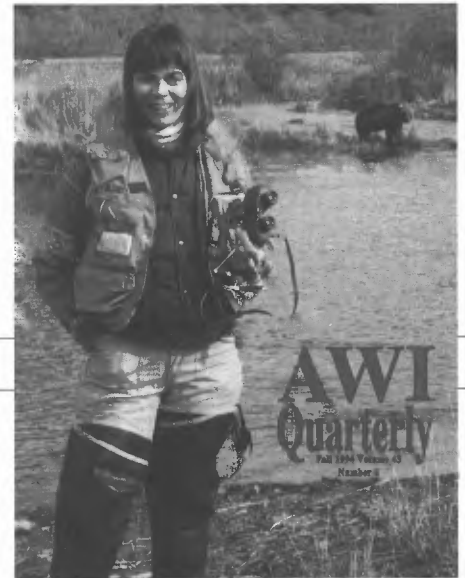


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Cover: Walter Stieglitz photographed US Fish and Wildlife Service Director Mollie Beattie when she visited Alaska. Note the American black bear foraging serenely on the stream's edge. Beattie, the first woman to head the Fish and Wildlife Service, led the US delegation at the Convention on International Trade in Endangered Species in Fort Lauderdale, Florida (see pages 4-8). Photo appears courtesy of the Fish and Wildlife Service.



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Operation Renegade Strikes Again

In a 15 charge indictment, Tony Silva, Gila Daoud (Silva's mother), and two other cohorts have been charged with conspiracy to violate the provisions of the Convention on International Trade in Endangered Species, the Endangered Species Act, the Lacey Act, and several foreign wildlife protective laws. The indictment covers a six and a half year period and the smuggling of many highly endangered psittacine (parrot) species, as well as one count of smuggling elephant ivory.

In one case, the defendants allegedly smuggled 186 hyacinth macaws, valued at over \$1.3 million. Wild hyacinth macaws are only found in Bolivia, Brazil, and Paraguay, and no more than 5,000 of the birds are thought to remain in the wild. Capture for the pet trade is a major factor in the collapse of wild populations. It is estimated that 90% of smuggled parrots die between their point of capture and final destination.



Environmental Investigation Agency

Sulphur crested cockatoos were a target of Silva's alleged smuggling activities.

Silva, a purported parrot conservationist, has written several books and hundreds of articles on the plight of wild parrots. For three years, Silva was Curator of Birds at Loro Parque (Parrot Park) in the Spanish Canary Islands. Meanwhile, his mother allegedly managed the family smuggling operation.

If found guilty, Silva could serve 45 years in jail and be fined \$2.5 million while his mother could be sentenced to 50 years and a fine of over \$52 million. To date, Operation Renegade has led to the conviction of 30 individuals on charges related to the smuggling of parrots.



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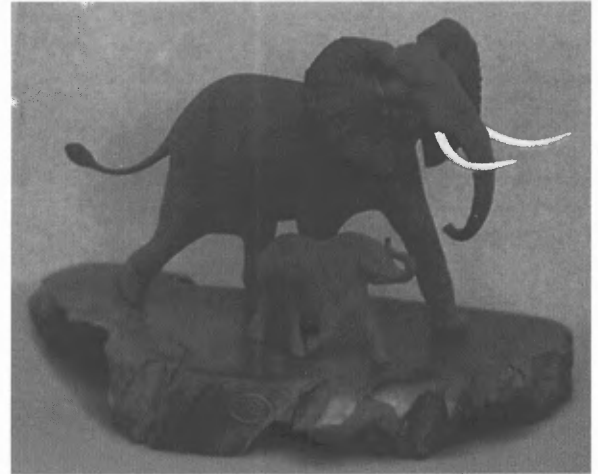
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John Perry's "Mother and Child"—Director Beattie presented each Clark Bavin Award recipient with a replica.



S. Labuder/Endangered Species Project

Skeleton of a tiger destined for "traditional Chinese medicine" trade

Elephants Win at CITES—South Africa Backs Down

by Pierre Pfeffer

For the third time, the African elephant took center stage at a Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The ban on international trade in elephant parts and products, adopted in 1987, went into force in January 1990. For a species whose calving interval is precisely four years, that means that only this year has there been an opportunity to begin to restore populations depleted by poaching for the commercial ivory trade.

South Africa proposed downlisting the African elephant to Appendix II. Allegedly intended to trade only in products "other than ivory," that is, meat, hair, and hides, the real purpose was resumption of ivory trade as early as the next Conference of the Parties in 1997, and not only in ivory from South Africa, but, as clearly specified in the South African proposal, in ivory "from known sources outside South Africa"! In more simple terms, South Africa was aiming to become, as it was before the ban, the turntable of the ivory trade, both legal and illegal.

While the great majority of African elephant range countries strongly opposed this proposal, it was surprisingly supported, at the beginning of the ninth Conference of the Parties, by the United



Environmental Investigation Agency

African elephants still listed on CITES Appendix I

States, Canada, Switzerland, the United Kingdom, the Netherlands, Belgium, Luxembourg, Italy, Spain, Portugal, Greece, and last, and not so surprisingly, Japan! Only France strongly opposed any resumption of the trade, listening to most of the range countries who, on September 14, 1994, in Bangui, Central African Republic, had adopted a resolution stressing that the transfer of the African elephant to Appendix I, four years ago, "was immediately translated into a spectacular fall in elephant poaching, parallel to the fall in ivory demand" and earnestly requesting "that at the ninth Conference of the Parties, CITES member states should oppose any proposition to downlist some populations of *Loxodonta africana* to Appendix II."

During the conference, the head of Togo's delegation, on behalf of all the West and Central African countries, proposed a resolution in the same terms, concluding with the wish that "the participants at this ninth Conference take the decision not to reexamine the status of this species before the 15th Conference of the Parties." Representatives of elephant range countries also had a meeting with US Secretary of the Interior Babbitt, who listened attentively to their arguments. Finally, bowing to the strong resolve of nearly all of these countries, the US and the European Union reversed their position, and after a short debate, South Africa had to withdraw the resolution.

Elephants won again, to the enthusiastic applause of the participants! They won, but we must be aware that southern African countries are eager to resume the ivory trade. In the last hours of the meeting, Switzerland obtained a favorable vote on its proposal that the CITES Standing Committee examine the problem of ivory stockpiles and potential downlisting and submit its conclusions directly to the next Conference of the Parties. This treacherous maneuver would limit debate on this crucial issue. Now that Japan heads the Standing Committee with the UK as vice-chair and Zimbabwe as host country, the decision is likely to be strongly biased against maintaining protection of elephants.

Dr. Pfeffer, a member of the French delegation to CITES, is Research Director of the National Museum of Natural History in Paris, France.

Busted!

Norwegian Whaler Defrocked

Norway's leading whaler, Steinar Bastesen, was confronted and stripped of his illegal sealskin vest on November 14, 1994 by an enforcement officer from the US Fish and Wildlife Service. The bust took place in the dining area of the CITES Convention Center.

The bombastic Bastesen, who has led his industry's open defiance of the international ban on whaling (he once bragged: "I'm going to eat whale meat until I puke") insulted CoP9 Parties, and the United States as host country, when he entered the United States and the meeting hall sporting a gray vest made of harp seal fur, a product banned in the United States since the passage of the Marine Mammal Protection Act in 1972.

Bastesen's stunt was particularly ill-timed for Norway, which was making its desperate push for downlisting the North Atlantic minke whale. A central argument against Norway is its past disregard for laws and treaty obligations controlling or prohibiting such trade.

This criminal act by Bastesen (his company was at the center of a huge whale-meat smuggling scandal last year) confirms that Norway's whalers cannot be trusted to follow even the simplest of trade restrictions. Bastesen, an experienced international trader in marine products, cannot be ignorant of the United States laws governing the importation of marine mammal skins, hides, fur, meat, and oil.

Reprinted in part from *Eco*, CITES '94.

Japan Crowns Itself King of CITES

by Allan Thornton

Japan was elected Chair of the newly expanded Standing Committee (governing body) of the Convention on International Trade in Endangered Species (CITES) at the ninth Conference of the Parties (CoP). This major development is a critical part of Japan's master plan to weaken the protective measures afforded to endangered species by the world's largest and most important wildlife conservation convention. Japan has developed a multifaceted strategy to dismantle or rewrite the convention, by working closely with zealously pro-trade delegates from Zimbabwe, Namibia, Switzerland, and Canada.

In the past two years, the CITES Standing Committee has pursued a serious effort to improve enforcement of the convention by pressing Taiwan, China, and South Korea to crack down on their domestic trade in rhino horn and tiger parts. For the first time in history, the Standing Committee invited conservation groups to give information on the illegal trade in rhino and tiger parts in these countries. As a direct result, the United States placed trade sanctions on Taiwan last spring for failing to meet the minimum standards set by CITES.

No sooner had Japan been elected Chair, than it let slip that it would not allow presentations from conservationists to the Standing Committee. Even worse, Japan colluded with Canada and Zimbabwe to push through a study to "review the effectiveness of CITES." This Canadian initiative, developed and led by David Brackett, head of the Canadian Wildlife Service, was inspired by Zimbabwe's Rowan Martin, who would rewrite CITES to allow trade in even the most rare and endangered species. The strategy behind the initiative is to hire "independent consultants" who are pro-commercial trade and will make recommendations to allow trade in endangered species. Japan has offered to put up substantial funding to carry out this "independent review." A further plank of Japan's initiative rests on Zimbabwe's hosting of the next meeting. Japan has reportedly offered to underwrite all the costs of this meeting.



The US sanctioned Taiwan for tiger bone trade but poaching continues.

DRK/Photo



Black bears are poached worldwide for their gall bladders.

Japan had prepared its plans methodically to capture control of CITES. At the Asian regional meeting hosted by Israel last spring, numerous delegates from smaller Asian countries privately complained that their countries had received blatant economic threats from Japan, linking trade and aid deals with their votes at CITES.

Why does Japan want to rewrite and dismantle CITES? Japan remains one of the largest consumers of endangered species in the

world. Prior to the ban on international trade in elephant products, Japan was the world's largest consumer of ivory. It remains the only significant ivory consuming country today, also importing vast numbers of other endangered species.

Japan consumes large amounts of tiger products, which still can be sold legally throughout the country. In 1992, China reported that it exported 4.4 million capsules of tiger derivatives to Japan. In 1993, the Japanese import quota was set at 21.6 million capsules.

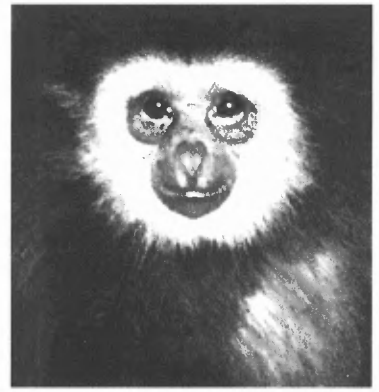
Since 1980, when Japan refused to abide by the international ban on turtle shell trade, Japanese imports of sea turtle products resulted in the deaths of an estimated 400,000 hawksbill, 215,000 olive ridley, and 130,000 green sea turtles. Japan finally banned the trade on July 29, 1994, only after the United States threatened trade sanctions.

In 1990, 97% of Japan's imports of wildlife shipments from Columbia and Paraguay violated these countries' export bans.

Illegal trade in all kinds of endangered species flourishes in Japan; bear gall bladder is smuggled from India; chimpanzees from Ghana and Sierra Leone; illegal musk imported from Hong Kong and rhino horn from China; gibbons are smuggled from Thailand and illegal spectacled caiman skins from Paraguay, Bolivia, and Indonesia. Black palm cockatoos are smuggled from Singapore and endangered cacti from the United States. Illegally killed whale meat can be found on sale throughout Japan. The list goes on and on.

As if all this is not bad enough, Japan's already inadequate wildlife law was weakened further last year to redefine what CITES calls "readily recognizable parts and derivatives." In Japan, this language now only applies to nearly whole or unprocessed parts of endangered species. Therefore, horns, bones, turtleshell, skins, ivory, whale meat, and other products that are semi-processed will not qualify as "readily recognizable," making Japan a smugglers' paradise for illegal endangered species trade.

Allan Thornton is President of the Environmental Investigation Agency.



Endangered gibbons are smuggled to Japan from Thailand.

Sustainable Use:

There Ain't No Such Animal

One of the most insidious threats ever faced by the world's wildlife is the burgeoning movement to remove traditional protection from wild animals, and substitute in its place "sustainable use": the supposedly controlled killing and trading of wildlife for profit.

Advocates of the "sustainable use" scheme are trying to shift the orientation of CITES from an emphasis on protection of wildlife to promotion of the commercial use of threatened and endangered species. But serving as a source of revenue for ruthless traders is a burden that these beasts cannot bear.

Indeed, an examination of the species and populations of animals that have been subjected to consumptive "sustainable" use shows that almost without exception, they have been depleted or destroyed. "Sustainable use" has been used as a cover to justify the overexploitation, and ultimately the devastation, of elephants, parrots, whales, seals, ocean fish stocks, tropical timber and many other life forms.

Reprinted in part from *Eco, CITES '94*.

Interpol Enters the Wildlife Crimes Arena

by Steven Galster

Despite strong opposition from the pro-hunting and pro-trade lobby, the 9th Conference of the Parties of CITES finally passed a resolution on law enforcement during its recent meeting in Ft. Lauderdale, Florida. Noting that "the available resources for enforcement are negligible when compared to the profits gained from [wildlife] trafficking." Resolution 9.16 declares that it is essential that CITES immediately take the following steps:

- Add new enforcement personnel to the CITES Secretariat;
- Pursue closer relations with the International Police (Interpol) and other international bodies like the World Customs Organization;
- Coordinate enforcement training seminars with CITES member countries.

The sponsors of this resolution were hoping to also form a specialized "Law Enforcement Working Group" to advise the

Secretariat on enforcement matters, but the anti-enforcement lobby successfully used scare tactics with the delegates by telling them that such a working group would infringe upon national sovereignty, even though it was made clear by the sponsors that this would not be the case. Eugene LaPointe, the former CITES General Secretary, who was dethroned 4 years ago when he was suspected of corruption, led the anti-enforcement lobby effort.

Nonetheless, the resolution was enough to give Interpol the green light to enter the arena of wildlife crimes. With liaison officers in nearly every country, Interpol, which is utilized to monitor the international trade in guns and drugs and other activities relating to international organized crime, has just formed a special department devoted to wildlife crimes. Armed with the CITES mandate, Interpol will begin a special training course for some liaison officers in how to investigate wildlife criminals starting in February out of its headquarter base in Lyons, France.

Wildlife Trade Provides New Haven for Organized Crime

Time magazine reported on "Animal Genocide, Mob Style" (November 14, 1994). "A new report says organized crime is muscling in on the illegal wildlife trade," writes Michael D. Lemonick. Following are excerpts from his article.

In four years of undercover work, Steven Galster has been all over the world, from the black markets of Zimbabwe to the back alleys of Moscow. Most of the time, he has felt reasonably safe—but not always. "I had a funny feeling about it. I was wired up and wearing a hidden camera, but I decided to take off the recorder and hide it in my gym bag. They frisked me, but it was O.K." It might have easily gone otherwise: the people he hung out with were frequently armed and very dangerous, as hoods involved in weapons smuggling, money laundering and prostitution usually are.

Galster, however, wasn't especially interested in any of those unsavory activities. As a co-director of the San Francisco-based Endangered Species Project, he goes after the illicit trade in wildlife. And there is no shortage of work. Unsanctioned traffic in animals and animal parts—birds of prey, tiger skins, tiger bones and bear gallbladders out of Russia; rhino horns and elephant ivory from Africa; whale meat into Japan; rare birds and snakes from South America—has more than doubled in value since 1989, generating an estimated \$6 billion in annual revenues. According to Interpol, the international police agency, wildlife trafficking is now the second largest form of black-market commerce, behind drug smuggling and ahead of arms dealing.

Plenty of laws and international agreements forbid such trade, but enforcement ranges from spotty to nonexistent....

[N]ot only have small-time wildlife smugglers become increasingly organized and professional, but more ominously—traditional organized-crime operations have finally awakened to the huge profit potential of wildlife smuggling....

It is in Russia, where Galster had his close call, that professional criminals have penetrated the most deeply into the endangered-species business. Mafia groups have moved into Moscow's so-called Bird Market, where an enormous variety of exotic animals and endangered-species products changes hands. "There are birds from all over the world," says Galster, "as well as chimpanzees and lemurs." Customers can also place orders for wild ginseng, walrus

ivory, tiger furs, sea otters and beluga whales. Some dealers even have price lists printed in English.



Endangered Species Project

Rarest of the rare—Amur Leopard—Russian Far East.

Supplying this bizarre bazaar, and the export market as well, is a nationwide network of loosely affiliated professional gangs, supplied by ruthless poachers. Using snowmobiles, helicopters, horses and dogs, the poachers have killed half the musk deer population in just three years and pushed the Siberian tiger to the brink of extinction. As few as 150 of the tigers are left.

These are not laid-back crooks. The Russian Environment Ministry's anti-poaching unit set up a sting in Khabarovsk to trap a known Mafia member involved in this network, but according to Galster the operation went bad. "When the agent went home and opened the kitchen door, his apartment blew up," he says. "His wife and child were killed, and he's still in the hospital." All told, says Deputy Environment Minister Amirkhan Amirkhanov, 24 members of the unit have been killed on duty since 1992. Both the antipoaching patrols and the customs department are severely understaffed, and Russia has just two investigators charged with making sure that exotic-animal imports and exports conform to CITES rules.

Reprinted by permission of *Time*.

CITES 1994: A Storm of Controversy

History has shown that the creation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) was an extraordinary event, matched only by the extraordinary accomplishments which followed.

Secretary of the Interior, Bruce Babbitt

In the midst of Tropical Storm Gordon, delegates from 119 nations and 221 non-governmental observers completed CITES' ninth Conference of the Parties (CoP), held November 7-18 in Fort Lauderdale, Florida.

At the ground-breaking conference in Washington, DC, 21 years ago, where the text of the treaty was drafted and signed by 93 nations, then Secretary of the Interior Rogers C. B. Morton noted, "It is ironic that men can move so rapidly in doing harm to the environment and so slowly in protecting it." This is even more true today as many of the world's wildlife populations are depleted by profiteers far faster than they can be rebuilt by nature.

SPECIES PROPOSALS

The fate of over 100 species was considered at this CoP.



CITES member nations voted to weaken protection for the highly endangered African white rhino.

Rhinoceros: South Africa, losing its attempt to downlist its elephant population (see page 4), sought commercial benefit from its white rhinoceros population. CITES Parties accepted a "compromise" proposal which will allow sale of live specimens in addition to hunting trophies which is already permitted. Although amended to require transport to "appropriate and acceptable destinations," the question of the rhinos' exploitation for the traditional Chinese medicine market looms large.

Tigers: Because of greatly increased poaching, delegates sought to coordinate range state conservation of tigers and enforce the prohibition of trade in tiger parts.

The resolution's key phrases state "wild populations of tigers are threatened by the combined effects of poaching and of habitat loss caused by disturbances, fragmentation and destruction... the protection and conservation of the tiger and its habitat require the adoption of bold and unprecedented actions... [recommending that range states] work with traditional medicine communities and industries to develop strategies for **eliminating** [emphasis added] the use and consumption of tiger parts and derivatives."

Minke Whales: Although the International Whaling Commission (IWC) thus far has resisted pressure by Norway to allow

commercial kills of minke whales, Norway proposed downlisting the Northeast Atlantic and North central stocks to Appendix II, allowing sale of minke products. Japan and Canada supported the downlisting, but the majority of Parties deferred to the IWC, and, despite Norway's diversionary tactics, the final proposal was soundly defeated with only 16 votes in favor and 48 against. CITES protection for the minke remains.

NEW LISTING CRITERIA

As AWI reported in the last *Quarterly*, (Vol.43, No.3), the method for listing wildlife species in CITES proposed by the International Union for the Conservation of Nature (IUCN) would have undermined CITES' ability to protect many species.

IUCN abandoned the long-standing "precautionary principle" that gives species the benefit of the doubt and instead proposed a rigid population threshold—5,000 mature individuals—to decide whether or not a species required protection.

Dr. Jane Goodall, world scientific authority and champion of chimpanzee conservation, said of the IUCN criteria:

The serious drawback of the new criteria is their need for precise 'scientific' and biological information regarding the status of wild populations. Data of this sort are almost never easily available... Species such as the chimpanzee would be very eagerly exploited commercially if they were placed on Appendix II.

Butterflies, birds, whales, elephants, and plants would all have been judged by the same criteria had IUCN succeeded! US Fish and Wildlife Service Director Mollie Beattie astutely noted that "conservation biology cannot be... one-size-fits-all," and a working group was established that created the compromise proposal adopted by the Parties. The new Fort Lauderdale criteria maintain the precautionary principle to all species' benefit.

ENFORCEMENT

Appropriate criteria, fundamental to species' protection, are rendered meaningless without an actively enforced Convention.

The lucrative illegal trade in wildlife and wildlife products may be second only to the illegal drug trade in scope and profitability; in fact, the two are often dangerously intermingled. Secretary Babbitt grimly acknowledged that "...the black market today makes a mockery of governmental efforts at enforcement... *CITES* will fail if we fail to enforce it."

Unfortunately, CITES has only one actual law enforcement officer. No enforcement committee or working group exists to monitor individual countries' wildlife trade.

Hopes for a well-funded law enforcement network were dashed, but the final enforcement resolution provides a springboard for action by Interpol and other bodies (see page 6).

THE FUTURE

The power of CITES to protect those species victimized by the greed of illegal international commercial trade grows increasingly uncertain as powerful pro-trading forces seek to dismantle the guardianship of the Convention. Those concerned with biodiversity on our planet must continue an unyielding and outspoken defense of endangered wildlife to maintain the integrity of CITES as a mechanism for wildlife protection, rather than a cover for irresponsible trade.

Clifford J. Wood of the Environmental Investigation Agency contributed to this article.

Clark R. Bavin Award for Outstanding Achievement in Combatting Crimes Against Wildlife • 1994

On the second evening of the CITES meeting, the conservation and animal welfare organizations comprising the Species Survival Network joined the Body Shop to sponsor a reception for delegates from the member nations. A ceremony honoring recipients of the Clark R. Bavin Law Enforcement Awards was featured. The awards have been given for years by the Monitor Consortium of animal protection groups and have now been named for the late Chief of Law Enforcement for the Fish and Wildlife Service who pioneered the Division's highly effective "stings." The awards are made to individuals in recognition of their outstanding work in combatting wildlife crime. For the first time they were presented for both domestic and international endeavors.

US AWARDEES

Special Agent Richard A. Moulton's investigative efforts in "Operation Wiseguy" revealed that US citizens, working in conjunction with members of the South African Defense Force (SADF) were engaged in the smuggling of rhino horns and parts of other endangered species, as well as weapons, from Angola to Zimbabwe. He worked tirelessly, tracing the supply line from Connecticut to a SADF war zone.



US Fish and Wildlife Service

Some of the endangered species parts confiscated thanks to Richard Moulton and James Genco's work.

Assistant US Attorney James G. Genco's tenacious investigation helped bring Marius Meiring, the SADF rhino horn and weapons supplier from Africa, to the US for trial. This was the first wildlife extradition case in US history. Genco commended the work of wildlife protection groups: "I wholeheartedly support your efforts and know that government agencies could not begin to address the problems alone."

Special Agent Robert Standish served as the lead agent in "Operation Whiteout", the Alaska sting which exposed a major walrus ivory smuggling ring. He also has worked on important cases involving American eagles and reptiles.



US Fish and Wildlife Service

Some of the illegal walrus ivory and other items seized because of Robert Standish's dedication.

Special Agent Rick Leach has been the lead agent in numerous undercover cases. He recently led the investigation into the highly profitable illegal trade in exotic, wild-caught parrots known as "Operation Renegade", which has resulted in numerous indictments (see page 2).



Courtesy of the Body Shop

Ken Goddard

Ken Goddard has served as the Director of the Clark Bavin National Fish and Wildlife Forensics Laboratory since its inception in 1988. He has made it the world leader in offering the most advanced scientific and technological methods to solve crimes against wildlife.

INTERNATIONAL AWARDEES

Katalin Rodics of the CITES Management Authority in Budapest, courageously drove right across Hungary to intercept a Soviet Circus truck carrying illegally acquired wild chimpanzees. In an act of singular dedication, Dr. Rodics caught up with the truck at the Soviet border, confiscated the chimpanzees and, some weeks later, accompanied them back to Uganda.

Pierre Pfeffer, whose account of the great African elephant debate appears on page 4, is a spirited leader in advocating strong



Terry Adams/National Park Service

Pierre Pfeffer

protection for elephants. He credited "the strong resolution of the crushing majority of African countries against slightest change in the present status of the elephant" for that magnificent creature's survival. Pfeffer is the author of *Vie et Mort d'un Géant: l'éléphant d'Afrique*.

Nick Carter conceived and organized, the prodigious Lusaka Agreement. This African wildlife enforcement cooperative body, the world's first, was established to combat poaching of endangered wildlife and smuggling of their profitable products.



Terry Adams/National Park Service

Nick Carter

Alexander Peal is the manager of Liberia's Parks System who turned an ill-functioning system into an effective department. The chaos of war could not deter his efforts to save Liberia's wildlife. In appreciation of the award, Dr. Peal wrote AWI: "I can assure you that this award will serve as an inspiration for me, my colleagues in Liberia, but most of all for Third World Conservationists... to inspire others to strive to make our world a paradise on Mother Earth."

Rebecca Chen, a Taiwanese national, helped uncover the devastating truth behind the rhino and tiger bone trade in Asia. Bravely leading investigators with hidden cameras to stockpiled wildlife products, Ms. Chen sounded a loud call to action for improved CITES enforcement.



Terry Adams/National Park Service

Rebecca Chen



The children, inflatable rhino, and petitions on hand during the reception emphasized the importance of continued protection for endangered species.

Jane Goodall spoke first. She said CITES was created "to answer the appeal for help in the wildlife of the world." Schoolchildren, costumed as various animals, then presented US Secretary of the Interior Bruce Babbitt with over 3 million signed petitions calling upon the governments of the world to continue strong protection of endangered species. Secretary Babbitt acknowledged the overwhelming popular support for species protection, noting "that the CITES mechanism alone can never carry the day without the force of public opinion."

Ten awards, magnificent elephant sculptures donated by their creator, John Perry, were presented by the Director of the US Fish and Wildlife Service, Mollie Beattie who stated "CITES must continue to build on its successes. The ban on the ivory trade must be continued if elephant populations are to have a chance to recover."

She urged stronger CITES enforcement to help combat ever-increasing wildlife crime: "As we look forward to the next twenty years of CITES, we must dedicate ourselves to working harder on cooperative enforcement efforts", such as the Lusaka Agreement, "which involves very positive cooperative enforcement efforts among African countries."

Recognizing the power of CITES to draw individuals "closer together by our common commitment to the conservation of the natural systems that sustain us all," Director Beattie presented the following individuals with their well deserved awards.

Terry Adams' photos appear courtesy of the US Fish and Wildlife Service. Some photographs are withheld to protect the agents.

Drought of the Century May Spell End for Koala

by Sue Arnold

Australia may soon be a country where the only koalas an overseas visitor sees are in zoos, as these unique creatures are rapidly disappearing from the wild. Their extinction is frighteningly close to reality. Habitat destruction, development, and the timber industry, aided and abetted by pro-development governments, are fulfilling the predictions of scientists with expertise regarding this unique arboreal marsupial. These scientists contributed affidavits to Australians for Animals' historic petition to the US Fish and Wildlife Service to list the koala under the provisions of the Endangered Species Act. Dr. Tony Norton of the Australian National University predicted that the koala would be extinct across the major part of its range by the end of the century.

In the face of a series of horrific natural disasters, the Australian environment is facing punishing odds. The driest continent on earth is experiencing the worst drought in its history. Wracked by bushfires, howling gale force winds, and a drought that is intensifying daily, koalas and other native wildlife are struggling to survive. While the authorities are quick to blame the El Niño effect, the devastating deforestation of neighboring Pacific islands and the escalating deforestation of Australia leave little doubt that the severity of this drought is man-made.

Koalas are dying of starvation. Relying solely on the leaves of certain species of eucalypts for their food and moisture, they have no chance of survival. Eucalypt trees are big users of underground water, taking up around 30 gallons a day. With no rain in some areas for over four years, feed trees are no longer capable of supporting koalas or other leaf-dependent wildlife. Areas which have been recognized as refuges in times of natural disasters are being logged out of existence.

In two of the three koala states, New South Wales (NSW) and Queensland, bushfires have caused massive destruction of habitat. Most of the fires have been deliberately lit. January 1994 saw almost half of the remaining koala colonies in NSW destroyed by fire as shocking bushfires broke out along the eastern seaboard. Koalas had little chance of survival as the fires "crowned," destroying the tree tops and incinerating the slow moving marsupials. Unfortunately, eucalypts are extremely volatile because of their high oil content. As the drought has continued to increase in severity, bushfires are becoming a daily fact of life.

On a field trip undertaken by Australians for Animals to central Queensland in August of this year, it was frightening to see the state of the tinder-dry country and to watch as the winds sweep away the remaining top soil, slowly creating a desert. Central Queensland is one of the last remaining heartlands for koalas in the country. There's been no rain here for four years and no likelihood of relief. This is the site of the poisoning of over 5 billion eucalypts that were

cleared to create permanent grazing land for up to 2 million cattle. Between a third and half of the trees across 100 million hectares of central Queensland have been destroyed.

In southeast Queensland, the last large aggregation of koalas left on the entire continent will almost certainly be wiped out as the Queensland Government moves to build an expressway known as the Eastern Tollway. Community-based koala groups have fought the Government tooth and nail to try and stop the tollway. Thousands of angry citizens have turned out at public protests. All to no avail. In October, the Government announced its intention to proceed with Option B—a route which will destroy koala habitat at a marginally slower rate than Option A—the Government's favored route.

Adding a further dimension to the fight to save Australia's koalas was the Federal government's recent announcement that it would grant an export woodchip quota of 500,000 tons to the giant multinational, Boral. This company already has a 90 percent monopoly over New South Wales forests. The latest export quota, valid for 12 months, will target virtually every native forest left in northeast



Australians for Animals

The worst drought in Australian history has taken a severe toll on koalas.

NSW—the last remaining viable habitat for reasonably sized koala populations left in the state. With no licence conditions capable of stopping the giant timber multinational and no citizen input able to prevent the clear-felling of these forests which contain the highest faunal diversity in the country, the situation in NSW is very serious indeed.

In the 1930s, koalas were nearly extirpated in Victoria, the third state home to these animals. According to historical records, they were "exceedingly numerous" around the time of European settlement. However, within 80 years the combined effects of land clearing, fire, hunting, and disease had reduced the koala population to a few remnant colonies, which are not in good shape. The majority of animals are infected with *chlamydia psittaci* which causes wet bottom, conjunctivitis, infertility, and death. Koalas fortuitously established themselves on the islands in Westernport Bay early in the 1900s. To ease population pressures on the islands, authorities began to translocate animals to the mainland in 1923. Some 10,000 animals have been moved, but what translocation records are available show that the majority of the animals die. They are particularly susceptible to *chlamydia* because the island populations are disease free. The Victorian Government carries out no testing of resident populations before translocating animals to the area.

The Victorian Wildlife Atlas, the Government's "record" of sightings of fauna, shows under 100 koala sightings a year across the entire state for the last 9 years. The forests constituting koala habitat in many areas are mainly clear-felled for the Japanese woodchip industry without the benefit of environmental impact assessments.

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Across the three koala states, the authorities continue to ignore drought, bushfires, and deforestation. Development which conflicts with koala habitat continues unimpeded. With virtually no access to legal standing in Victoria and Queensland, citizens are severely handicapped in action they can take to save koala habitat. In NSW, legal action is so expensive and financially risky to citizens that it is used only as a last resort. The Government has no qualms about using its taxpayers' money to fight any citizen who tries to disrupt its development program. It is quite common in NSW for the Government to destroy koala habitat on its own land in the name of development.

Overall the Australian situation is greatly exacerbated by the lack of any serious media coverage of the plight of koalas or the state of the environment. With the media now owned exclusively by multinational companies, there is no outlet for citizen concerns. A number of television programs which have been shown in the US and Europe continue to paint a rosy picture of Australia's koalas and kangaroos. Makers of these programs are facilitated by government officials and a large foundation which purports to act for koalas but is, in reality, a front for the giant timber industry, developers, and zoos.

Australians for Animals has used virtually all of its resources and its funds to try and bring the reality of the koalas' plight to the United States. As we are not yet into the summer, and the drought increases, we are fearful for the future. Bushfires continue to break out and the authorities predict a summer from hell.

This great continent is dying. Its massive river systems are drying up because of the lack of rain. The Barwon River has been dry for three months, and the Darling River has ceased to flow. Many coastal and rural townships will be without water within the next six weeks. Sydney has been on water rations for months. The Bureau of Meteorology predicts no rain until March or April of next year. Large tracts of native forest in drought affected areas are dying off because of a lack of water. Thousands and thousands of kangaroos, emus, and other native wildlife are starving to death along with cattle and sheep. Australian conservation groups are desper-



Australians for Animals

Kangaroos are dying by the thousands from starvation and thirst, yet commercial hunting quotas remain unchanged.

ate for international efforts to focus attention on the appalling situation here.

Sue Arnold is Coordinator of Australians for Animals, P.O. Box 673, Byron Bay, NSW 2481, Australia.

It's the Population, Stupid!

by Grenville B. Lloyd, Jr.

The fundamental issue of our times—the human population explosion—will determine more than any other human activity the future for all forms of life on earth. Our societal minds seem to be embedded in the past with a reluctance to address this catastrophe in the making. Without a doubt, we are living in a fool's paradise.

It took the entire history of human life until 1830 to reach a world population of one billion people. Now we are adding one billion people a decade to our current world population of 5.7 billion. In the next 24 hours the following events will occur on our finite planet:

- 252,055 more people will be added to earth.
- 74 species of animals and plants will go extinct.
- 115,068 acres of tropical forests will disappear.
- 68,493,150 tons of topsoil will be washed into the sea.
- 17,808 tons of garbage will be dumped at sea.
- 38,356 children will die because of environmental degradation.

In Africa, 500 years ago, the elephant population was some 10,000,000 sharing the continent with some 16,000,000 people. Today, there are at most 700,000 elephants and 700,000,000 people. Ten years ago there were 1,300,000 elephants, but by 1989, ivory poaching had halved their numbers. Criminal forces are once again trying to weaken the international ban on ivory trade.

Fewer than 5,000 tigers are believed to be alive in the wild today, a decline of 95 percent since the turn of the century. The US government estimates that only 10,000 wild rhinoceros survive, a fall of 90 percent in 20 years. One-fifth of the bird species worldwide have gone extinct, largely due to humans taking their habitats or

capturing and selling them in the international pet trade. As a consequence, there are only 9,040 species alive today, whereas there would have been about 11,000 species if they had been left alone. Seventy-five percent of the 9,040 remaining bird species are threatened with extinction.

Just 10 percent of the contiguous 48 United States remain "wild," an amount that is declining by 2 million acres per year—equivalent to the area of Yellowstone National Park. Yet we continue to ignore the wisdom contained in Thoreau's prophetic words, "In wildness is the preservation of the world."

The human demand for food is dramatically stressing the oceans. There are 19 major ocean fishing areas, thirteen of which are in decline because they are being fished beyond their sustainable limit. Globally, the marine fish harvest accounts for 16 percent of the animal-protein consumption by humans and is an especially important source of protein in the developing nations. The pressure is truly unbearable. That is why one ocean fishing area after another is declining and some are collapsing.

Humans cannot continue behaving as usual. It is a finite world that we share with all the rest of life on earth and we are already taking more than our fair share of its natural resources. We are the only species that can be the stewards of the world. Let's fully accept that responsibility, starting with controlling our own numbers. We should all constantly remember that "It's the population, stupid!" Then we just might restore and preserve the world in a condition that we would like to leave to future generations of all species.

For a copy of the complete report on which the above article is based, please contact Grenville Lloyd, Box 55, Southwest Harbor, Maine 04679.

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USDA's Ban on Face Branding: A Good Start!

The US Department of Agriculture's Animal and Plant Health Inspection Service (APHIS), under strong pressure from AWI and other groups, at long last has made significant progress toward reducing inhumane treatment of cattle imported into the US from Mexico.

Getting Off the Face

On August 24, 1994, the US Department of Agriculture (USDA) withdrew its misguided 1993 proposal "to require that spayed heifers and intact cattle imported into the United States from Mexico meet the same M-branding requirement" that has been routinely inflicted on Mexican steers. Until now, the USDA required that steers be painfully hot-iron branded with the letter "M" on the right jaw to signify the animals' Mexican origin. AWI objected to this attempt to expand a cruel procedure which causes extreme pain.

Less noticed in the heat of the Mexican steer campaign is a smaller number of domestic animals who continue to be face branded as part of USDA disease control programs. Animal protectionists are now urging the USDA to eliminate face branding across the board as a desirable alternative to firing up new campaigns.

Under the modified proposal hot-iron branding is no longer mandatory, and all brands must be placed on the right hip rather than the extremely sensitive face of the animal. The mark must be "distinct, permanent, and legible," but it can be applied by freeze branding, which the USDA will accept under the new proposal as a painless alternative to the hot-iron brand. In 1986, the *AWI Quarterly* reported on the work of Dr. Keith Farrell who invented and developed freeze branding, a method whereby liquid nitrogen rather than red hot iron is applied to the skin. Farrell described the feeling when he freeze branded himself as a "tingling sensation" without pain. It is widely used for identification of expensive horses but has been resisted by the cattle industry in the past.

However, it now appears that the National Cattlemen's Association (NCA) supports the modified branding proposal. *Live Animal Trade & Transport Magazine*, December 1994, quotes NCA comments to APHIS regarding the change in procedure: "If APHIS determines that moving the 'M' brand will provide an effective means of permanent identification, then we support this decision."

Accepting alternatives to hot iron branding is an extremely positive step. USDA should now follow up with a seminal breakthrough, prohibition of hot-iron branding of imported cattle. Without such a prohibition, individuals who currently use hot-iron brands are under no compulsion to change their inhumane procedures.

Ovariectomy Protocol: Anesthetics at Last

Great progress also has been made in modifying USDA spaying requirements for Mexican cattle. The Department's ovariectomy protocol required that "a complete ovariectomy will be surgically performed through a flank incision on each heifer." Remarkably, there was no mention of anesthesia!

Effective July 12, 1994, USDA remedied the protocol's glaring deficiency by requiring that either local or regional nerve block anesthesia be used for the surgery. Also changed was the unnecessary requirement that two painful brands be applied to these animals: the "M" signifying Mexican origin and a spade mark, like that found on a playing card, indicating completion of the spay surgery. Now, one brand, an "M" with a slash will be placed on the hip, reducing the double cruelty formerly inflicted. The NCA also agrees with this change in procedure.

If adopted, these modifications will make a major improvement in the treatment of Mexican cattle. USDA clearly is listening to public opinion.

Victims of Fashion

Miniature pigs, the fad pets of the 1980s, used to sell for \$15,000 to \$20,000. The trend came to an end, but an estimated three million of these intelligent and friendly creatures are still with us. They now go for as little as seven dollars apiece and are likely to be found on slaughterhouse lines or beaten and starved.

A disturbing case which typifies the situation involves Hope, an 18-month-old potbellied pig who was mauled by her shockingly

irresponsible owner's two hungry dogs. On October 1, 1994, Hope was discovered by Prince George's County, Maryland animal control officers. She was extremely underweight and had numerous tear and bite wounds and a gaping hole where her right ear had been. Fortunately, Hope has now found sanctuary at the Potbelly Pig Interest Group and Shelter (PIGS), home to 120 pigs, which was founded by Dale Riffle and Jim Brewer in 1992.

Maligned as sloppy and greedy, pigs, in fact, are highly sociable, easy to train, and rank fourth in intelligence behind humans, primates, and cetaceans, says Riffle. Despite his enthusiasm in extolling the virtues of pigs and his efforts on their behalf, he cautions that they aren't trouble-free housepets. PIGS' very existence testifies to that. Many owners were duped into believing that the animals were apartment pets that would mature at 35 pounds. Miniature pigs actually reach an average adult weight of 50 to 150 pounds and are only miniature when compared with a standard pig's 1,000 to 1,500 pounds. A pig needs access to a fenced yard, and like any exotic pet, isn't ideally suited to a household environment.

PIGS also operates a placement network for homeless pigs in other parts of the country and a spay/neuter program. As for Hope, Riffle says that, like many of their abuse cases, she has a lifelong home at PIGS. "The first part of her life was so unpleasant," he says. "We want to make sure the rest is trouble-free."

PIGS, A Sanctuary welcomes your visit and can be reached at P.O. Box 629, Charles Town, WV 25414, (304) 725-PIGS.



A pot-bellied piglet at the sanctuary.

US Hog Farmers Explore Humane Swedish Techniques

by Marlene Halverson

In September, a group of farmers from Minnesota and Iowa travelled to Sweden to visit their counterparts in that country. Unlike North American agribusinesses, Swedish farms use models of hog rearing that are based on the natural behavior of pigs. The American farmers and researchers who travelled with them made the trip with the intent of learning how to make their own farms more animal and environment-friendly.

Group housing of pregnant sows on deep straw beds has been "conventional" in Sweden since the mid-1980s. Since 1988, a new model to group house nursing sows with their piglets on deep straw is becoming popular. In both systems, modern management techniques are combined with traditional and new knowledge regarding the components of pig well-being. Together, attention to these factors helps farmers maintain individual sow productivity levels on a par with the intensive, industrialized farrowing operations commonly found in the US.

Sows move through the stages of the conception-through-weaning cycle in stable groups. Newly weaned and pregnant sows are kept on deep straw beds in large pens. Each pen has a row of individual feeding stalls, one stall for each sow. The sows are enclosed in their stalls for the 30 minutes or so that it takes for them all to finish eating. This, together with the abundant space and bedding, prevents the problems with bully sows that plague other group systems.

In the Swedish group nursing systems, sows give birth either in a separate farrowing room containing conventional Swedish farrowing pens, which are large enough for the sow to turn around and interact freely with her piglets, or in wooden cubicles set up temporarily in the group nursing room itself. After the piglets are 10 to 14 days old, or after they start to climb out of the cubicle, the



Swedish farmers Tomas and Magnus Carlevad and Gunilla Pettersson stand in one of their group nursing rooms.

temporary cubicles are removed and all sows and piglets in the group mingle.

The amount of space, both in the group pregnant sow housing and these nursing rooms, is important not only for the well-being of the pigs—smaller space results in more piglets stepped and lain on—but for the "ecology" of the system. The combination of the right amount of straw bedding, the right amount of manure and urine contributed by the sows, and the air tramped and rooted into the beds by the sows and piglets comprises a "recipe" that leads to stench-free buildings and bedding that begins to compost in the barn.

To work well, group housing and group nursing take a special interest on the part of the farmer in the well-being

of pigs, a solid knowledge of their natural behavior, and very good organizational and animal husbandry skills. The visiting American farmers were highly impressed with the cleanliness, animal-friendliness, and efficiency of the Swedish farms.

Can it be done here in the US? It is not the will that is lacking. Says Minnesota farmer Marv Freiborg who travelled with the group: I would love for us to pioneer this system in the US. After going to Sweden and seeing that it seems to work for them without antibiotics in the feed, and seeing that the farmers and pigs have a nice, clean environment to be in—and there's no smell, it's just amazing. Just the fact I don't have to produce all that stinking liquid manure makes me want to do it.

Dan Wilson, a hog farmer from Iowa, comments:

[After a year of operating a new, intensive confinement nursery, my brother] and I are convinced that we do not want anything to do with a system of raising hogs that does not use straw. We are also at the point in our lives where we are looking ahead at the future and trying to figure out how we will help our children get started in farming if this is what they want to do. We are also looking at all the new large confinement buildings that are going up all around us and thinking about all the problems they are going to create. We are now convinced that we would like to be part of the solution, not part of the problem, in keeping rural America alive and showing young farmers there is a better way to farm. Seeing the Swedish system I was so impressed by how little stress it puts on both the people and the animals. I was impressed by how easy it was to handle the hogs in this system and how contented they were.

To implement the Swedish model on their farms, new hog farmers will need to make a considerable up front investment. Those already in production will need to remodel or add on to older buildings. But in the long run, the Swedish model is a way for large numbers of family hog farmers to raise hogs humanely, ecologically, and profitably. Traditional agricultural lenders, including the US government, favor high-volume systems, but it is these mega-farms that function at a high cost to animal welfare, environmental quality, public health, and viability of rural communities.



The Carlevad nursery room has a special piglet creep area at the back to keep the sows away from the youngsters' special feed, a "silent" ventilation system, and sow feeding area.

Marlene Halverson, a Ph.D. candidate in agricultural economics at the University of Minnesota, initiated and organized the visit by US farmers to Sweden.

Pain, Distress, and Suffering in Steel-Jaw-Trapped Animals

Dr. David B. Morton, a recognized authority on assessment of pain and suffering in animals, is established in the literature through his frequently cited papers. His comments to the International Organization for Standardization Technical Committee 191 regarding Restraining Traps are solidly grounded in the day-to-day work of assessing levels of pain and suffering in accordance with the British Act on animal experimentation over a period of 29 years. Dr. Morton heads the Department of Biomedical Science and Ethics at the University of Birmingham in England.

Technical Committee 191 has drawn up lists of injuries caused by traps and graded them according to the severity of the injury, assigning a number to each. Responding to these injury lists, Dr. Morton recommended that "traps should be inspected at least 2 or 3 times a day if humane considerations are to be upheld."

Trappers attempt to argue that "stress induced analgesia" (SIA) keeps animals from suffering pain, but Dr. Morton states:

Stress induced analgesia may be relevant to argue that the short term pain will naturally be relieved but we have no idea how long it lasts and it is an experimental phenomenon. Horses and human athletes who continue to finish the race with a broken bone are in pain shortly after the race/match has finished. There is no evidence SIA persists for long periods that I know, nor that it applies in all mammals....

The area of the body that has evolved to protect an animal from injuring itself is the skin and this is where the pain detecting apparatus lies (the nociceptors and the start of the nerve connections). That is not to say that deeper injuries do not also cause pain. But any laceration of the skin, or activation of the pain receptors through pressure, heat or chemical stimulants released from damaged tissue, has the potential for causing an animal to experience pain.

The feet of an animal seem to me to be sensitive in this regard and footpad injuries in dogs (thorns) can cause an animal to be hopping lame i.e. in so much pain it cannot bear the weight of its body on the limb. In fact breakage of a digit may elicit signs of pain similar to that of a limb bone (e.g. fractured femur) and on palpation foot injuries may elicit more signs of pain than a fractured long bone.

... Observing wild animals that have been injured at some point and observing that they are capable of running away (through fear?) does not really provide a valid assessment of the level of pain it may be experiencing if the injuries are recent. Old injuries may well not be incapacitating (relative to an uninjured animal). Such anecdotal evidence should be treated with due circumspection.

Trappers often allege that an unwanted animal released from a steel jaw leghold trap is uninjured if it runs away, but relocation of coyotes in a Michigan State University study showed that the coyotes died later as a result of injuries to the trapped limbs. One had gnawed off a gangrenous paw. As Dr. Morton writes, "Puncture wounds are more dangerous in this regard than open cuts and the build-up of pus (e.g. under a claw or round a bone) can be very painful..."

Dr. Morton continues:

Pain tends to reflect physical injury, but the mental 'pain' such as frustration at being restrained from being able to move freely, the fear of being 'exposed to' and possibly seeing, hearing or smelling predators with no chance of hiding or escape, the inability to drink and find food, all must add to the suffering caused. The mental suffering of animals cannot be ignored given our increasing knowledge of animals' self-awareness and consciousness.

Dr. Morton also writes: "It should not be forgotten that other animals may also be affected by the death of a trapped animal, such as unweaned young or other dependents, and so their 'suffering' or deaths have also to be considered."

Election Day Victory for Animals

Election Day 1994 has come and gone, and whether you are the happiest family on the block or still in shock, the news from the sovereign State of Arizona is about a stunning victory that transcends all party lines. It is a perfect example of a well-crafted ballot referendum that just couldn't be defeated because it made sense.

Proposition 201 bans the use of steel traps on all public lands. It seems that no one could object to this, but, object they did a mere two years ago when a more loosely-worded measure went down to defeat. Now, it has passed with the overwhelming support of major newspapers and, of course, the people of Arizona. A simple, humane, and sensible wildlife issue has been placed upon the books. This is truly an inspiration for the rest of us to focus on facing up to the protection of wildlife. As Arizona goes, so goes the nation. We hope.

EU Extends rBST Moratorium

Hundreds of thousands of dairy cows will be spared the cruelty of recombinant bovine somatotropin (rBST) injections, at least until the year 2000, thanks to the European Parliament's wise extension of its moratorium on the use of the growth hormone and importation of dairy products from injected cows.

By taking this bold action, Europe risks a US challenge under the General Agreement on Tariffs and Trade (GATT), prompted by rBST's proponents and profiteers: the St. Louis based Monsanto Corporation, its commercial manufacturer; and the giant US dairies that will eliminate small farms if this Orwellian drug is widely used.

The GATT does not permit import bans of products unless such action is "necessary for the protection of human, animal or plant life" and such a measure is "based on scientific principles." The US Food and Drug Administration (FDA) declared rBST as safe for humans and animals when it approved the drug in November 1993.

However, Fredrich-Wilhelm Graefe zu Baringdorf, Vice-President of the European Parliament's Agricultural Committee, defends the European ban. He wrote FDA Commissioner, David Kessler, that he is "fairly confident in being able to demonstrate that the safety of European citizens who consume rBST products cannot be guaranteed," but he suggests that rather than ban all meat and dairy products from treated cows, "a less contentious approach would simply be to **label the meat and dairy products which are exported [to] the EU.**"

Consumers in the EU, Canada, and the United States have made it clear that, given an informed choice, they would not buy dairy products from treated animals. The US should ban rBST now to reverse the mistake it made with initial approval. At the very least, labeling must be required for dairy products from injected animals. Americans clearly find a moral distinction between products from healthy and sick animals. Citizens must be given the information necessary to make informed, compassionate purchases.

A Canadian television show, *Fifth Estate*, aired a special program on rBST November 29, 1994. The show revealed that Dr. Margaret Hayden of the Canadian Bureau of Veterinary Drugs wrote that four or five years ago "Monsanto representatives offered Health Canada quote, 'one to two million dollars with the condition that the company receive approval to market their drug in Canada without being required to submit data from any further studies or trials.'"

Former Division Chief in Canada's Bureau of Veterinary Drugs, Dr. Bill Drennan was at the meeting with Dr. Hayden. When asked by the show's host if he would interpret what happened as a bribe, he replied, "Certainly."

Number of Animals Used in Laboratories Increases

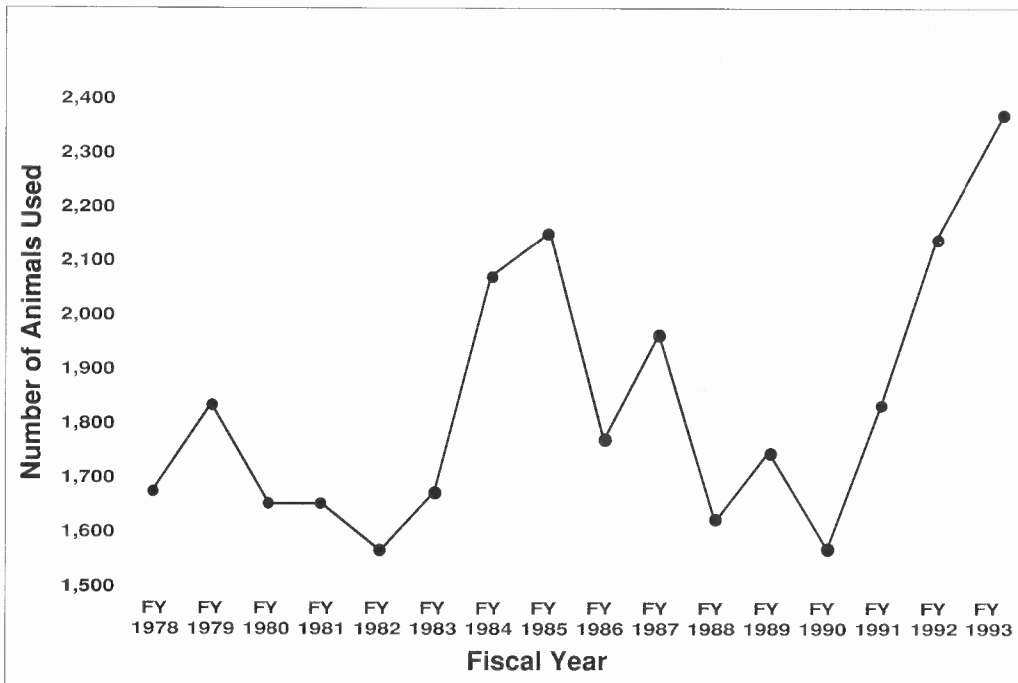
The September 1994 issue of *Live Animal Trade & Transport Magazine* reports that "the number of research animals used in the United States each year has declined due to more refined techniques and a decrease in the share of funds available for research." The

article bases its claim on the Foundation for Biomedical Research's 1992 "Figures on Animal Research."

In fact, the Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) records show an increase in the

numbers of animals used in laboratories. A graph depicting the use of animals over the last 16 years is produced here.

The *Live Animal Trade & Transport Magazine* article claims that the APHIS records are incomplete and the Foundation for Biomedical Research numbers should be taken as gospel. A breakdown of the APHIS figures shows that, since 1990, the use of primates, dogs, cats, guinea pigs, hamsters, and rabbits has remained at essentially the same level. The escalation in the total number of animals used in laboratories is attributable to a large increase in the use of farm animals and wild animals, which began to be recorded by APHIS in 1991. Federal law does not require the numbers of mice, rats, and birds used by laboratories to be reported to any government agency.



Animal use in laboratories regulated under the Animal Welfare Act from 1978 to 1993. APHIS started to keep records of the number of farm and wild animals used in laboratories in 1991.

New Laboratory Teaches Young Scientists *In Vitro* Alternatives

by Harvey Babich

In the fall of 1991, the Laboratory of *In Vitro* Toxicology was established at Stern College for Women (SCW), Yeshiva University. A primary focus of this modern, state-of-the-art tissue culture facility is to study chemicals that induce oxidative stress, using established cell lines as *in vitro* model systems rather than animals. Such research is in accord with national concerns to reduce the use of animals in biomedical research.

Undergraduate students are highly involved in the *in vitro* alternatives research program. The students are taught techniques of tissue culture and *in vitro* cytotoxicity testing and eventually function as meaningful members of the research team. Such hands-on involvement in a serious research program provides an important learning experience and impetus for encouraging women to pursue a career in science. It is imperative that a commitment to *in vitro* alternatives be supported at the undergraduate level, as it is here that the science-oriented students are given their initial exposure to biomedical laboratory techniques.

The SCW Laboratory of *In Vitro* Toxicology fills a unique niche in a college setting, both in terms of a scientific research facility and as an undergraduate teaching facility. The laboratory has only been operational for a few years, but already students have gone on to summer research fellowships and pursued entry into profes-

sional school. Because of the reduced availability of federal grants, the continuation and furtherance of the program is dependent on outside funding.

Dr. Babich heads the Laboratory of *In Vitro* Toxicology. Inquiries and contributions should be addressed to Dr. Harvey Babich, Stern College for Women, Department of Biology, 245 Lexington Ave., New York, NY 10016.

Bequests to AWI

To all of you who would like to help assure the Animal Welfare Institute's future through a provision in your will, this general form of bequest is suggested:

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

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

Animal Welfare Institute
Post Office Box 3650
Washington, DC 20007

The following editorial from the Maine Sunday Telegram is reprinted with permission.

Shooting of Harbor Seals in Maine a Federal Offense

They aren't to blame for the decline in fish stocks, anyway

The grisly discovery of decapitated seal pups on Great Spruce Head Island in the middle of Penobscot Bay should sound a warning to conservationists and law enforcement officials. Here and reportedly at other sites along the Maine coast, the federal Marine Mammal Protection Act is being blatantly violated. If that landmark law is to mean anything, the violations must stop and violators must be prosecuted.

The two decapitated pups appeared to have been newborn. An older pup had been shot to death. The three bodies were found on a single beach on the island on the Fourth of July.

Harbor seals, the species involved here (and the most common species of the Gulf of Maine), are fully protected under the 1972 act, which recently was reauthorized and extended.

Fishermen who have seen groundfish stocks decline—and with them their livelihood—may tend to lash out in frustration at the visible targets. The fish-eating seals are chief among these, though research shows their impact on fish stocks is minimal. The same research reveals human-related factors, such as overfishing, to be the primary cause of declines in native fish stocks.

Further evidence comes from the fact that even though Maine's harbor seals were decimated when bounties were placed on them in the first half of the century, fish stocks were unaffected.

When lobster men also complained of seal predation, wildlife biologists shot a number of harbor seals in order to examine their stomachs. No lobster remains were found in them. (A veterinarian with the project said one reason was that ingestion of hard-shelled lobsters, shells and all—as seals would eat them—probably would lead to constipation.)

As for pen-raised salmon, predation can be cut or eliminated through use of rigid exterior pens and special netting.

In no case is shooting seals the answer. It not only is a federal offense; it does nothing for fish or lobster stocks.

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Sea Lions Face Government Execution

When the Marine Mammal Protection Act was reauthorized this year, a key provision was amended allowing the intentional killing of California sea lions at the Ballard Locks in Seattle, Washington. Per the modified legislation, a task force was convened this fall to decide the fate of these animals that have been wrongly blamed for the declining runs of steelhead through the Lake Washington Ship Canal. On November 4, the task force recommended that the National Marine Fisheries Service (NMFS) approve the Washington Department of Fish and Wildlife (WDFW) application to kill up to 40 sea lions.

Salmon populations are crashing throughout the Northwest, regardless of their proximity to hungry sea lions. The deplorable condition of Lake Washington's steelhead run has resulted from habitat degradation, over-fishing, and a poorly constructed fish ladder, not sea lions. Salmon and their non-human predators have coexisted for thousands of years. Everyone agrees that "something" must be done to protect endangered salmon runs, but predator control is a biologically indefensible method of prey enhancement.

On January 5, 1995, NMFS announced that the kill could begin once WDFW has attempted all feasible and practical methods of non-lethal removal, including acoustic deterrents and the translocation of animals away from the steelhead migration.

Action: Washington State officials have indicated that the number of animals killed would be based on public reaction to the slaughter. Please express your opposition to this unnecessary cruelty by writing Robert Turner, Director, Washington Department of Fish and Wildlife, 600 Capitol Way N., Olympia, WA 98501-1091



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