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ABOUT THE COVER

According to the latest “Annual Report Animal Usage by Fiscal Year” published by the US Department of Agriculture (USDA), 891,161 animals were used in research in 2013 in the United States. This figure does not include mice, rats, birds, cold-blooded animals, and farm animals used in agricultural research—none of whom are considered “animals” under the Animal Welfare Act (AWA). The number of mice and rats used may be 20 times that number.

In the vast majority of cases, when the study ends, animals in research are euthanized. As discussed in the article on page 8 of this issue, an ethical obligation exists to employ methods that ensure such animals are spared from suffering.

Research protocols don't always call for euthanasia, however. What happens then? In the article on page 9, AWI discusses a nascent but growing recognition by research institutions and affiliated professional organizations that animals who can be adopted out should be.

More effort is needed to overcome obstacles and facilitate this process.

PHOTO BY TIRC83

Air Transporter Repeatedly Cited for Not Providing Basic Care to Monkeys

On December 8, 2014, Air Transport International (ATI) was cited by the USDA for violations of the Animal Welfare Act (AWA), after it transported 1,148 monkeys from China to Houston without providing food or water for more than 24 hours. This same company had been cited on July 28, 2014, for the same issue—in that case, not providing food and water for at least 32 hours to a shipment of over 1,700 monkeys.

Shipping monkeys from China to the United States has become big business. A monkey can be raised in China for about half the cost of one in the United States. While US breeders are subject to the regulations of the AWA and oversight by the USDA, breeders in China have no such oversight. Monkeys (primarily long-tailed macaques, which are not even native to China) are kept in huge open-air pens. When the babies are approximately 1 year old, they are shipped to research facilities all over the world.

Transportation of animals is very stressful, particularly when the transportation involves being taken from their mothers, loaded into small wooden crates (which are then stacked two or three high), and put into the dark belly of airplanes for over 24 hours. Provision of food and water is a basic necessity. Ignoring that requirement—twice—demonstrates that animal welfare is clearly not a priority for ATI. The company is not alone. Twice in recent years, a previous transporter of monkeys, China Southern Airlines, paid fines for AWA violations—in one instance, not providing food or water and thus contributing to the deaths of 17 monkeys.

The USDA needs to aggressively pursue action against ATI and penalize the company to the fullest extent of the law for their repeated violations of the AWA. Meanwhile, research institutions must take responsibility and require better treatment of animals by their suppliers. 🐾



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Above Left: OPR Coastal Primate Sanctuary resident Pearly Su—one of the profiled primates in *Monkeys Don't Wear Diapers*. (Polly Schultz)

Top Right: A vaquita swims in the Gulf of Mexico. Attempts to save this imperiled species are undermined by illegal fishing in the Gulf. (Tom Jefferson)

Bottom Right: Canada geese in flight over Brooklyn, NY. Helping ensure such animals can coexist with humans in urban settings is one of the goals of AWI's Christine Stevens Wildlife Award program. (Steven Severinghaus)



Victory—then Defeat—for California Foie Gras Ban

THE DAY AFTER California’s law banning the production and sale of foie gras took effect on July 1, 2012, producers and restaurateurs sued to overturn it. They sought—but were denied—an injunction against the law as the case was being adjudicated. The district court’s decision to deny the injunction was upheld by the Ninth Circuit Court of Appeals. The appeals panel disagreed with the plaintiffs’ argument that the ban “does nothing” to prevent animal cruelty in California, noting that the plaintiffs had “presented no evidence that [the law] is an ineffective means of advancing that goal” and “give us no reason to doubt that the State believed that the sales ban in California may ... prevent complicity in a practice that it deemed cruel to animals.” In October 2014, the US Supreme Court refused to take up the injunction appeal. The foie gras ban, therefore, remained in place, awaiting a decision on the underlying case.

Alas, the victory was short-lived. On January 7, 2015, Judge Stephen V. Wilson—the same district court judge who denied the injunction—overturned the ban on foie gras sales. (A ban on the production of foie gras still stands.) Judge Wilson ruled that the federal Poultry Products Inspection Act preempts the state law. In deciding that

banning the sale only of foie gras produced from the liver of force-fed birds imposes an “ingredient requirement” not found in federal law, Judge Wilson wrote that “California cannot regulate foie gras products’ ingredients by creatively phrasing its law in terms of the manner in which those ingredients were produced.”

On February 4, California Attorney General Kamala Harris filed an appeal—sending the case back to the Ninth Circuit. But until the appeal is heard, unfortunately, foie gras is back on the menu in California. 🐾



FARM SANCTUARY

Culinary cruelty: Ducks raised for foie gras typically experience very poor welfare, including being housed in dim, crowded and unsanitary conditions.

A Few Positive Notes at the Close of the 113th Congress

THANKS TO A FLURRY of activity at the end, the 113th Congress escaped the ignominy of being the least productive Congress in modern history. (It was the *second*-least productive, right behind the 112th.) Nonetheless, we made important gains on behalf of animals through provisions in the trillion-dollar spending bill passed right before Congress adjourned.

Three provisions benefit horses. Congress once again approved language to block the USDA from spending taxpayer dollars to inspect horse slaughter plants, thus effectively preventing these facilities from operating, as well as to continue a ban on killing healthy, unadopted wild horses and burros. The third provision encourages the Department of the Interior’s Bureau of Land Management (BLM) to consider new and more humane methods of wild horse population management, as set forth in the 2013 National Academy of Sciences study.

Rep. Jim McGovern (D-MA) proposed a competitive grants program for nonprofit organizations that train and

place service dogs, often rescued from local shelters, with military members and veterans who have certain physical and mental health issues, including post-traumatic stress. The proposal received \$1 million for a pilot program.

The spending bill did contain provisions AWI opposed. It eliminated the Environmental Protection Agency’s authority under the Toxic Substances Control Act, or any other laws, to regulate hazardous substances (including lead, a dangerous neurotoxin) released by ammunition and sport-fishing waste.

Undermining scientific practices established by the Endangered Species Act (ESA), the bill also blocks the use of federal funds to determine whether the Gunnison sage-grouse or greater sage-grouse—two species of bird native to the western United States—qualify for listing under the ESA. (However, the bill does allocate \$15 million to the BLM for sage-grouse conservation.)

A major animal welfare bill, the Prevent All Soring Tactics (PAST) Act, fell victim to obstructionists despite unprecedented support in both chambers. 🐾



VALERIE ABBOTT

Settlement Agreement Reached in North Carolina to Protect Red Wolves

IN THE SUMMER OF 2014, AWI and allies won an injunction banning all coyote hunting in the federally established recovery area for red wolves in eastern North Carolina. The injunction stems from a lawsuit against the North Carolina Wildlife Resources Commission (NCWRC), alleging that the NCWRC—in permitting the coyote hunting—was causing red wolves to be harmed and killed, in violation of the Endangered Species Act. Despite this, later that year, the US Fish and Wildlife Service (USFWS) announced that it would review the status and future of the Red Wolf Recovery Program in North Carolina, potentially terminating it and pulling the red wolves out of the state.

With the hope that red wolves will continue to have a permanent home in North Carolina and obtain additional reintroduction sites in their historical range, AWI and our co-plaintiffs in the suit entered into a settlement agreement with the NCWRC. This agreement outlines significant steps to protect endangered red wolves in North Carolina, including banning coyote hunting at night throughout the five-county Red Wolf Recovery Area and during the day on public lands, except in limited circumstances. It also requires permits to kill coyotes on private lands, mandates reporting of all kills, and prohibits coyote contest hunts throughout the recovery area. Overall, the settlement aims to continue to decrease threats posed by indiscriminate coyote hunting, while also addressing the concerns of local private landowners and state and federal agencies that are in charge of red wolf recovery. 🐾

AWI SUES CALIFORNIA COUNTY OVER WILDLIFE SERVICES CONTRACT

In November, AWI and allies filed a lawsuit against Mendocino County, California, alleging that the county failed to conduct the legally-required environmental review of its contract with the USDA's Wildlife Services program. The contract authorizes Wildlife Services to kill thousands of animals in the county every year, including coyotes, bobcats, mountain lions, bears, foxes, and others, without first assessing the ecological impact or considering nonlethal alternatives.

Through this program, federal “wildlife specialists” enter agreements with commercial agricultural producers directly and independently to determine the number of predators to be killed and the tools used. These tools include steel-jaw leghold traps, Conibear traps, wire snares, and poisons, each with the potential to cause horrible injuries and prolonged agony. Wildlife resource management—properly the duty of Mendocino County—is thus turned over to Wildlife Services and the individual specialists operating in the county, and conducted primarily to serve private commercial interests.

A closer examination of economic value would actually support discontinuing the county's relationship with Wildlife Services, however. While the Mendocino program kills a large number of predators each year, the damage to agriculture reported in the county remains largely constant. Conversely, nearly 15 years ago, nearby Marin County replaced its Wildlife Services contract with a nonlethal predator control program that brought a 62 percent decrease in predation at one-third the cost. 🐾



JACOB KIRKLAND

A bobcat crouches in a field in California. Bobcats are among the thousands of animals killed each year in Mendocino County, CA, by the USDA's Wildlife Services program.



DÉJÀ VU: Latest OIG Report Again Censures USDA's Enforcement of the AWA

IN December 2014, the USDA Office of Inspector General (OIG) issued its latest broadside against the inadequacy of the USDA's enforcement of the Animal Welfare Act (AWA). This sharply critical OIG report is the fourth to be issued in 20 years. This latest report, like its predecessors, cites specific examples of enforcement deficiencies, poor oversight, inadequate penalties, lack of deterrence, and many examples of animals suffering and dying.

One glaring problem involves what happens when businesses licensed or registered under the AWA (including research facilities that perform experiments on animals) are charged with violating the law. In such instances, they are given the opportunity to settle the case and pay a reduced penalty. Settling cases is a practical necessity for USDA enforcement staff facing significant backlogs, as it saves the time and costs associated with proceeding to hearings.

The *amount* of reduction, however, is subject to debate—and much consternation. As in the three previous audits, the OIG found monetary penalties to be woefully deficient. It noted how violators have tended "to consider the monetary stipulation as a normal cost of business, rather than a deterrent for violating the law," and that in 2012, the USDA "issued penalties to violators that were reduced an average of 86 percent from AWA's authorized maximum penalty per violation, even though these cases involved animal deaths and other egregious violations."

Such minimized penalties fly in the face of what Congress intended in 2008 when it almost tripled the maximum penalty to \$10,000 to "strengthen fines for violations of the Animal Welfare Act." Indeed, the report stated that these reduced fines "had the effect of offsetting Congress' increase of the maximum penalty." Effective penalties are needed if there is any hope of enforcing the law and deterring future violators.

The USDA will also reduce penalties further if it determines the violator acted in "good faith." One example provided was a laboratory technician who left a chinchilla in a cage that was run through a cage washer; the 180-degree water killed the animal. Because the research facility had no prior history, self-reported the violation, and took corrective action by adding more safeguards, the USDA granted the facility a "good faith" reduction. The report indicates, "OIG believes the facility should not have received a good faith reduction because the chinchilla suffered before its death as a result of the violation, and the facility was especially negligent in causing the death." It is crucial for research facilities to *prevent* injury, suffering and death of the animals who are in their care, and it is vitally important that facilities don't receive a free pass the first time they are cited for causing animal suffering.

This year marks the 30th anniversary of the landmark 1985 amendments to the AWA, which established

Institutional Animal Care and Use Committees (IACUCs)—oversight entities responsible for ensuring compliance with the AWA, as well as with the Public Health Service’s Policy on the Humane Care and Use of Laboratory Animals. Based on inspections conducted from FYs 2009–2011, the OIG found that IACUCs did not adequately approve, monitor, or report on experimental procedures on animals (similar to its 2005 report findings).

During these three years, 531 of 1,117 research facilities were cited for an astounding 1,379 IACUC-related violations regarding lack of oversight. The OIG suggested that the USDA provide IACUC-related training or best practice guidelines to the research facilities. The USDA has stated that the AWA relies on a research facility to “monitor its own house”—but clearly such facilities are unable or unwilling to do so. IACUCs were cited for violations related to protocol review, e.g., “(1) incomplete descriptions of the proposed use of the animals, (2) inadequate searches for alternatives to painful procedures, (3) no descriptions of euthanasia method to be used in the experiment, and (4) no descriptions of procedures designed to assure that pain to animals would be limited to that which is unavoidable.” IACUCs were also cited for frequent violations related to monitoring the care and use of animals, including failure to provide adequate veterinary care, conduct semi-annual inspections, address significant deviations made to protocols, and conduct continuing review of protocols.

Moreover, the audit found that the USDA’s veterinary medical officers (VMOs) were not adequately reviewing research protocols or annual reports. Why? Lack of time. Facilities misreported the number of animals used, reported animals in the wrong pain category, or were unable to confirm numbers. Yet none of the VMOs reviewed by the OIG cited the violating facilities for any of these serious errors.

The audit also found that, over 13 years, the USDA had conducted at least 500 inspections at 107 research facilities that had not used animals for more than two years. The OIG considered this wasteful and recommended that the department conduct limited inspections of these labs. However, since none had cancelled their research registrations, they could still experiment on regulated animals.

Despite the OIG’s continued condemnation of USDA enforcement efforts, the department plans to emphasize not enforcement, but “non-regulatory” solutions—e.g., education. If the USDA has such systemic issues with enforcement, how can it possibly hope that non-regulatory solutions will lead to better compliance? The USDA is also implementing

a new organizational structure that will simply add layers of bureaucracy to an already understaffed, underfunded department. More VMOs and animal care inspectors (ACIs) are needed, not bureaucrats. The National Agricultural Library’s Animal Welfare Information Center has the expertise to provide needed education, but more funding is required and the facilities must listen. Meanwhile, Animal Care should stick to its all-important duty of enforcement.

Animal and Plant Health Inspection Service Administrator Kevin Shea wrote last September that “enforcement delayed is enforcement denied.” But, as has been documented in audit reports since 1995, it is not simply a matter of delayed enforcement. Rather, the USDA has failed to enforce. It has also failed to adequately penalize, deter violators, and ensure adequate research oversight. AWI understands the difficulty in ensuring compliance with the AWA with just 57 VMOs and 68 inspectors (as of FY 2010) responsible for over 8,656 facilities. AWI urges the USDA to do the following: improve enforcement, substantially increase the number of VMOs and ACIs, reform its new organizational structure, and ensure that IACUCs comply with their vital regulatory responsibilities.

It’s been 20 years now since these problems first came to light. Judging by the repeating refrain of the four OIG reports, little corrective action has been taken. That must change. The animals deserve the minimal protections the AWA was meant to provide. 🐾



A USDA VMO conducts an inspection at a registered research facility. The most recent OIG audit found that the USDA—through lax enforcement and paltry fines—is failing to deter Animal Welfare Act violations.

For Animals in Research, Euthanasia Should Not Add Suffering

THE CONCLUSION of a study almost always means euthanasia (from the Greek for “easy death”) for animals in research. As with all phases of research, there are moral, regulatory, and scientific imperatives to use the least painful and stressful method possible. These imperatives have led to much debate, including a recent symposium sponsored by the American Veterinary Medical Association (AVMA) that focused on improving animal euthanasia methods, due to growing realization that one of the most commonly used methods is inhumane, causing both pain and distress.

Much of the discussion has focused on which methods should be used for rats and mice, given the vast numbers killed following experimentation. The most common method to euthanize them is suffocation with carbon dioxide (CO₂) gas, due to its low cost, relatively rapid action, and ease and long history of use. However, as evidence mounts from decades of studies that CO₂ is aversive and painful to rodents, its use is increasingly questioned. Studies have demonstrated CO₂-induced distress, likely caused by dyspnea (“air hunger”), including increased rearing, escape behaviors, and vocalizations. A 1958 study documented seizures. A 2009 study found that rats choose to escape chambers with CO₂, even when they contain a sweet food reward. At a concentration just one-third the level required to produce unconsciousness, CO₂ stimulates parts of the brain associated with fear behaviors. At higher concentrations, CO₂ turns to carbonic acid upon contact with mucous membranes, eliciting significant pain. Just the sound of the gas whistling into the euthanasia chamber produces substantial stress responses in the animals. Even when the animals look like they are not stressed, they may be displaying a fear response, such as lying still to avoid pain or as a natural behavior by a prey species to evade detection.

CO₂ euthanasia not only causes animal suffering, it can also result in skewed research data. One study examined the potential influence of CO₂ euthanasia in rodents by testing various drugs; the authors found plasma concentration differences to be so significant, they suggest that reevaluation of data generated from research using CO₂ may be warranted. Other studies have shown that pain during euthanasia can significantly affect brain chemistry, as well as blood and tissue composition.

Thus, more humane methods are needed when animals are to be killed. Specifically for CO₂ euthanasia,

studies suggest that using an anesthetic gas first (Wong, 2013) or in combination with CO₂ (Thomas, 2012) may significantly reduce the stress and pain associated with using CO₂ alone.

Institutions must examine all euthanasia methods carefully, as they have a regulatory obligation to use humane euthanasia techniques. The USDA mandates methods that produce death “without evidence of pain or distress.” The National Institutes of Health (NIH) ultimately defers to the AVMA *Guidelines on Euthanasia*, which state that CO₂ “is acceptable, with conditions, for euthanasia in those species where aversion or distress can be minimized,” but notes that there are many disadvantages to its use (AVMA, 2013). Yet, most US institutions are not changing their practices because the data are not unequivocal in favor of anesthesia. While some data may suggest that some anesthetic methods are aversive to rodents, the data are compelling that CO₂ is aversive and should not be used alone. Even if CO₂ is conditionally acceptable, watching animals gasp for breath as they suffocate is an emotionally draining experience.

This dithering by US institutions and oversight bodies is also at odds with the findings of the Canadian Council on Animal Care, which states that CO₂ alone should not be used when other methods are practical, and recommends anesthetizing animals prior to its use. A 2005 report commissioned by the European Union regarding the welfare of animals in research included a recommendation that CO₂ should never be used alone in any species unless the animal has first been rendered unconscious, and that it should be phased out “as soon as possible.” As Dr. Jim Gourdon, director of the Comparative Medicine and Animal Resources Centre at McGill University (quoted in *The Scientist*) put it: even if questions remain, “in doubt, ... let’s lean toward animal welfare.”

AWI’s *Policy on Research and Testing with Animals* addresses these scientific and regulatory issues, but also confronts the moral obligations of those who must euthanize animals by stating: “Euthanasia must be considered a major responsibility. Staff carrying out euthanasia must be well trained, efficient in performing the procedure, and empathetic to the animals. The primary concern must be the animals.” 🐾

Research Animal Adoption: A Growing Trend

What happens to animals in research, after they are no longer needed for a study? In some cases, the research protocol does not call for euthanasia of the animals. Thus, rather than needlessly killing them, institutions are slowly beginning to find ways to provide these animals a life and a home after research. However it is done, institutions should have an adoption process that provides the guidance needed to ensure that all animals who *can* be retired at the end of a research protocol *are* offered the opportunity to be adopted or placed in a sanctuary.

Many institutions support the concept of retiring and adopting out research animals, but the actual practice remains uncommon. Among the many reasons: concern about

public scrutiny, finding the right home or sanctuary, ensuring proper care of the animal, ensuring legal protections for the institution and the adopter, and maintaining financial support for sanctuaries.

AWI fully supports retiring research animals and commends those institutions that allow and facilitate this practice. As stated in our *Policy on Research and Testing with Animals*, "Animals should be permitted to retire after termination of their assignment(s) to research, testing, and education." Also, the policy recognizes the important financial obligation of the funding agencies and institutions to provide for the lifelong retirement of the animals, particularly in cases where animals go to a sanctuary.

At last fall's annual meeting of the American Association for Laboratory Animal Science (AALAS), an increased focus on retirement and adoption of

research animals was evident. A panel discussion was held on this issue, providing hope that more resources will be devoted to research animal retirement. (Sample animal adoption forms are also available on the AALAS website.) Even with the obstacles, retirement and adoption of research animals can be rewarding—for the caretakers and scientists who know the animals were not needlessly killed, and especially for the animals who are allowed to live on in the comfort and security of a home or sanctuary. 🐾

AWI's *entire* Policy on Research and Testing with Animals (*addressing euthanasia and adoption, among other issues*) can be found at www.awionline.org/content/awi-policy.



Pippin:

Pippin, now 11 years old, was adopted from a research laboratory by a member of the staff when he was 4 months old. The laboratory has a formal adoption program and has released cats, rats, mice, rabbits, and even a few pigs.

NC Encourages Coyote Imports Even as It Frets over Current Population

COYOTES are amazing opportunists. After humans nearly wiped out one of their only predators (wolves), coyotes spread into previously unoccupied areas of the country, like the Southeast. Many states are responding to growing populations by declaring open seasons at all times of the day and even organizing hunting contests to reward those who can kill the most coyotes. At the same time, coyotes are live-trapped and traded across state lines for sale into penning facilities—enclosures designed to confine coyotes and foxes. Packs of hunting dogs are released into such enclosures to attack and often kill the captive wild canids.

North Carolina exemplifies this conundrum: While frustrated about the growing number of coyotes in the state, the state also has more coyote and fox penning operations than all of the other states combined; an estimated 145–180, not including those operating without permits. Coyotes escaping from these penning facilities are evidently a large part of how coyotes got to eastern North Carolina so quickly, along with the illegal public release (translocation) of imported coyotes into the region for hunting.

There are serious disease and health-related issues associated with transporting coyotes across state lines.



CHRIS SMITH

Coyotes didn't show up in eastern North Carolina until the 1980s, a result of illegal translocations and releases of coyotes from outside of the state for the purpose of sport hunting with hounds.

While state law requires that anyone seeking to import a coyote into North Carolina first obtain a permit from the state veterinarian, enforcement is poor. Such transportation of wildlife has been implicated in the spread of rabies and other zoonoses dangerous to wildlife, domestic animals, and people.

In an effort to address this problem, AWI will be working on a bill in the North Carolina legislature to establish tighter controls over the transportation of coyotes into the state. 🐾

PREDATOR-KILLING DERBIES GO ON IN IDAHO, BANNED IN CALIFORNIA

A wolf- and coyote-killing contest took place during the first week of January in Idaho. The second annual “Predator Hunting Contest and Fur Rendezvous” was sponsored by a group named Idaho for Wildlife, whose primary objective is to advocate for hunters’ interests. According to event organizers, over 125 hunters competed for a \$1,000 cash prize for the most coyotes and gray wolves killed. From January 1–4, according to reports, 30 coyotes were killed. As was the case in the inaugural contest, no wolves were reported killed.

Initially, the hunt was to take place on both Bureau of Land Management (BLM) and US Forest Service (USFS) lands within the state. However, in response to a lawsuit brought

by a coalition of environmental groups, the BLM revoked the group’s permit to use BLM land and thus removed 3 million acres from the hunting contest—cutting the land area subject to the derby in half. The derby instead went forward on private and USFS lands.

In December, California’s Fish and Game Commission became the first state agency to ban such killing derbies. California Fish & Game Commission President Michael Sutton stated in a press release from Project Coyote (a non-profit group that AWI has partnered with on this issue), “Awarding prizes for wildlife killing contests is both unethical and inconsistent with our current understanding [of] natural systems. ... Such contests are an anachronism and have no place in modern wildlife management.” Project Coyote petitioned the commission earlier this year to stop the contests when a controversial coyote-killing contest in Modoc County threatened the survival of the one known gray wolf in California. 🐾

New Jersey Threatens to Bring Back Leghold Traps

NEW JERSEY has been free of steel-jaw leghold traps since 1985—one year after the state legislature banned the possession, use, manufacture, sale, importation, or transport of all leghold traps. AWI and other animal advocates had worked for years to educate residents on the dangers and suffering associated with these traps, including that the traps can break animals' bones and that some animals held in the vise-like grip chew off the trapped limbs to escape on three legs.

Unfortunately, 30 years later and at the request of the New Jersey Fur Harvesters, the New Jersey Division of Fish and Wildlife (DFW) is proposing to legalize three types of traps for use in the state, primarily to trap raccoons and opossums: the Egg Trap, Duff Trap, and Lil' Grizz Get'rz. All three arguably work similarly to leghold traps; in fact, the general design is sometimes described as an "enclosed leghold trap" with a "steel jaw." All three hide the trap inside an enclosure. The raccoons and opossums reach into them and are caught when they activate the triggers. The victims are held by their front feet (which are hyper-sensitive in raccoons). The powerful clamping force is strong enough to inflict trauma and restrict blood flow. In field studies, the Egg Trap had an unacceptable injury score, as several raccoons caught in the traps had swelling, fractures, subluxations, and amputated limbs (Hubert et al., 1996).

A so-called best management practices (BMP) trap-testing program, overseen by the Association of Fish and



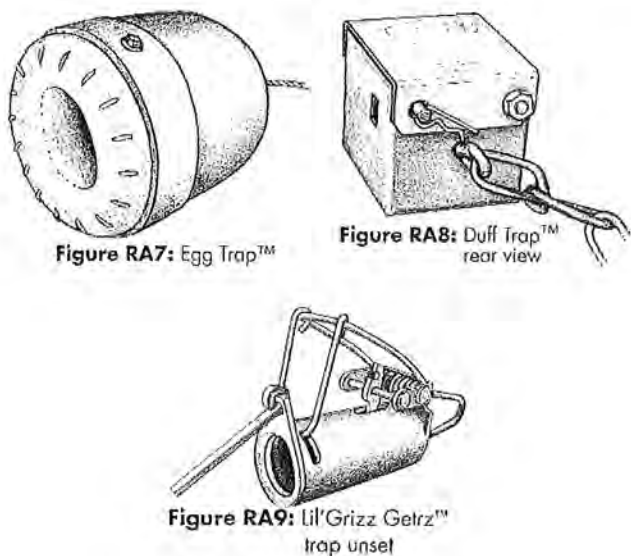
MIKE KEELING

Wildlife Agencies, exists to assess trap performance in meeting trap standards. However, despite the injuries the traps inflict, the program has focused on legitimizing leghold traps (as well as other controversial trapping devices, such as neck snares and kill traps) and ensuring that the United States can continue to trade freely in wild-caught furs with other countries. The DFW claims that all three of these traps meet the weak BMP criteria for taking raccoons. For opossums, only the Egg Trap has been BMP approved; the Duff Trap failed to meet BMP standards for this animal, and the Lil' Grizz Get'rz has never been tested on opossums.

Despite concerns associated with the efficacy of the BMP program, and the fact that neither the Duff Trap nor the Lil' Grizz Get'rz have even been certified under this program for use on opossums, opossums are included as targets for these two traps in the DFW proposal.

The New Jersey legislature was clearly concerned about animal welfare when it enacted this ban in 1984—with no exceptions made for variations of the design such as soft-catch traps. It is absurd to suggest that these traps are needed for raccoon and opossum—two species that can be easily caught in cage and box traps and with minimal injury.

The New Jersey legislature is to be commended for taking action against trapping cruelty more than 30 years ago; shame on the state DFW for plotting to circumvent this law and permit needless suffering. 🐾



For the past 30 years, leghold traps have been banned in New Jersey. Now, the New Jersey Division of Fish and Wildlife wants to legalize three such traps for use on raccoons and opossums.

AWI IS NOW ACCEPTING GRANT PROPOSALS FOR THE CHRISTINE STEVENS WILDLIFE AWARDS

\$10,000 grants available to study innovative strategies for humane, non-lethal wildlife management
Deadline for applications: May 1, 2015

AWI is now accepting applications for its 2015 Christine Stevens Wildlife Awards. This award program, named in honor of the organization's late founder and president for over 50 years, provides grants of up to \$10,000 to award recipients to help spur innovative and creative research on humane, non-lethal tools and techniques for wildlife conflict management and wildlife study.

Habitat destruction and degradation, urban and suburban sprawl, and ongoing challenges posed by invasive species make conflicts between wildlife and humans inevitable. Homeowners, property managers, and biologists need effective strategies to deal with conflicts. Wildlife researchers also need new tools to non-invasively study wildlife.

The Christine Stevens Wildlife Awards are intended to stimulate and support efforts to discover new techniques, test existing products, and devise new strategies to humanely remedy wildlife conflicts and study wildlife.

APPLICATION REQUIREMENTS

- Details of the application proposal can be found at www.awionline.org/csaward.
- In addition to the application proposal, submissions must include CV and budget. Applicants who are chosen to be funded will be required to supply a letter of support and Institutional Animal Care and Use Committee approval or similar document (if applicable) to obtain grant funds.
- To qualify for the award, applicants must be based in, and the project/study must be conducted in the United States, Canada, or Mexico.

ADDITIONAL INFORMATION

- Proposed projects must not last longer than one year. Award recipients must agree to submit a 500-word summary of their research project, including photographs (if applicable), by July 1, 2016. Summaries may be considered for publication in the *AWI Quarterly* magazine.

- Award notices are anticipated by June 1, 2015. Funds will be distributed after receipt of additional required documents.
- For examples of successful applications and to review *AWI Quarterly* articles written by past recipients, visit www.awionline.org/csaward. If you have questions about the Christine Stevens Wildlife Award, eligibility requirements, and/or the application, please contact csawards@awionline.org. 🐾

RECIPIENTS OF 2014 CHRISTINE STEVENS WILDLIFE AWARDS

AWI would like to congratulate the 2014 Christine Stevens Wildlife Award recipients:

- Dr. Rob Williams of Oceans Initiative—Compassionate conservation: assessing sustainability and welfare aspects of marine mammal deaths in British Columbia salmon farms
- Prof. Janet Mann of Georgetown University—Noninvasive hormone monitoring in captive and wild cetaceans: collection and analysis of blow as a novel stress test
- Dr. Duff Kennedy of the Santa Barbara Zoo—California condor nest-guarding program
- Suzanne Stone of Defenders of Wildlife—Assessing the efficacy of foxlights in reducing wolf-livestock conflict
- Dr. Ron Sutherland of the Wildlands Network—Ecological impacts of the red wolf in eastern North Carolina



NONINVASIVE METHOD FOR LOCATING WOLVERINE DENNING SITES AT A LANDSCAPE SCALE

Anthony P. Clevenger, PhD, Western Transportation Institute, Montana State University

Viable wolverine populations require the survival of reproductive females. Managing potentially disruptive human activity where breeding females live is of paramount importance for successful reproduction and ultimately viable populations.

Historically, it has proved challenging to identify where successful denning occurs without using invasive techniques, including live capture and equipping or implanting individuals at den sites with telemetry collars or radio tags. Denning habitat models and aerial surveys have been used in the United States; however, these techniques have proved unsuccessful and costly.

Noninvasive survey methods are growing in popularity among biologists, largely because they do not require the capture, handling or immobilization of animals. They can be applied at landscape scales, and thus are ideal for studying wide-ranging species like wolverines.

A new system was recently developed that integrates cameras with a “run-pole” to identify individual wolverines from chest markings. In our study we used the same system to determine if reproductive females could be identified through photographs, thereby providing critical information on the location of maternal areas.

We secured the approximately 4-foot-long pole horizontally to a large tree about 3 to 4 feet above the ground, with bait attached. A camera is positioned in front of the pole, so that when wolverines stand on their hind legs to access the bait, it provides a view of their chest markings and genitals.

With the help of a Christine Stevens Wildlife Award, we tested the feasibility of the pole, camera, and bait system for

identifying gender and reproductive condition of wolverines in Banff and Yoho National Parks in the Canadian Rockies. Between 2010 and 2013, we surveyed wolverines using noninvasive hair traps to assess population genetics and used the genetic data to install our camera system in areas where females were detected.

During spring 2014, we set up 10 systems in areas known to be occupied by female wolverines. The camera systems were left for at least 30 days before we returned to collect the camera and disassemble the site.

Of the 10 sites, wolverines visited half. At 4 of the 5 sites, wolverines used the run-pole and stood on their hind legs, providing full view of their chest and genitals. More than 1,200 frontal-view photographs of wolverines were obtained at the sites, allowing us to identify wolverine gender and reproductive condition at 3 of the 5 sites from four different animals. We also found that photographs from white-flash cameras were superior to infrared cameras, although reproductive condition could be determined with infrared in most cases as well.

Motorized recreation and access have dramatically increased in the last decade, all impacting wolverine habitat. Conservation of this enigmatic species requires management that is informed by surveys that identify where reproductive females live. Current methods to identify maternal areas have been intrusive and marginally effective. The methodology we tested is low-cost and has the potential to allow us to create a “reproductive map” for wolverine populations and identify critical areas that require heightened management for wolverine protection. 🐾



CAN THE VAQUITA BE SAVED?



TOM JEFFERSON

Numerous lists of species that are likely to go extinct within the next few years have been published. Front and center on all of them is the tiny, critically endangered porpoise known as the vaquita.

Identified only 50 years ago, the vaquita is endemic to Mexico's Upper Gulf of California. Reaching a maximum length of about four feet, the porpoise is gray, with dark stripes running from its flippers to the middle of its lower lip. Its eye is ringed with a broad black circle, giving it a charming, bespectacled "Harry Potter" sort of look. As recently as 20 years ago, there were still approximately 600 vaquita swimming in the Gulf—today there are less than 100. While climate change and habitat degradation have certainly played some role in the species' rapid decline, the main threat facing this shy, small animal is entanglement in fishing gear, especially gillnets.

The fate of the vaquita has been inextricably entwined with yet another endangered Mexican species, the totoaba, a grouper-like fish that can grow up to six feet in length and weigh over 200 pounds. Initially, the vaquita

was threatened by entanglement in gillnets being used to fish for totoaba. Totoaba was once sold as sea bass, and was subject to several periods of intense overfishing, finally resulting in a total fishing ban in 1975.

Although fishing for totoaba was prohibited, other fisheries continued to develop in the Upper Gulf, including a commercial fishery for shrimp. As a result, vaquita entanglements—as well as totoaba bycatch—continued to be a problem, and in 1993, Mexico's President Carlos Salinas declared the Upper Gulf of California to be a Biosphere Reserve. All resource exploitation was prohibited within a zone around the mouth of the Colorado River.

The biosphere plan also included a proposal to ban offshore shrimp trawling in a wider area, and restrict inshore fishers in small boats known as "pangas" to the use of gillnets with a mesh size of four inches or less in an effort to try to reduce entanglements of vaquita, totoaba and other bycatch species.

However, there was little enforcement of any of these regulations and vaquita entanglements

continued. The biosphere reserve also did not cover the entirety of the animal's habitat, and there were numerous instances of vaquita bycatch happening outside the reserve. So in 2005 the Mexican government took action again, establishing a Vaquita Refuge Area and the "Program for the Protection of the Vaquita." The Mexican government transferred more than US\$1 million to the states of Baja California and Sonora that border the Upper Gulf. The funds were to implement the vaquita protection program, including working with fishers to try alternative "vaquita-friendly gear," and finding ways to boost non-fishing sources of income.

According to vaquita scientists, however, the number of pangas fishing with gillnets had actually doubled within the refuge by 2007. Clearly, the lack of regulatory enforcement was a major problem and efforts to provide alternate sources of income to local fishers were also failing. As a result of this information, there were international calls (including from the International Whaling Commission) to heighten efforts to prevent the extinction of the vaquita, calling on

the world to support Mexican efforts by providing financial resources and expertise.

Unfortunately, a new threat to the vaquita's survival has developed, raising the stakes to an entirely different level.

By 2008, a black market trade in totoaba swim bladders triggered a precipitous increase in illegal fishing in the Upper Gulf. The totoaba bladders sell for US\$6,000–8,000 per kilogram in the United States and for as much as US\$10,000 per kilogram in China. High in collagen, they are prized in China for their alleged ability to rejuvenate skin, and are also considered an aphrodisiac.

Despite the fact that all commercial international trade in totoaba products is banned, smuggling has continued to escalate. In 2013, Mexican authorities seized more than US\$2.25 million worth of the bladders. Similar busts have taken place in the United States, with one of the largest being the dismantling of a totoaba bladder-drying factory in the border city of Calexico, east of San Diego. Hundreds of bladders valued at more than US\$3.6 million on the Chinese market were seized.

The vaquita is now quite literally entangled in a fight for its very existence with illegal wildlife traffickers, some of whom are tied to Mexico's infamous drug cartels.

In August 2014, an international panel of experts known as the *Comité Internacional para la Recuperación de la Vaquita* (CIRVA) estimated that, based on recent surveys, only 97 vaquita remain, and that fewer than 25 of these are breeding females. The current rate of population decline is 18.5 percent per year, and CIRVA has predicted that, unless all gillnets are banned throughout the entirety of its range, this porpoise is likely to go extinct by 2018.

As the *AWI Quarterly* headed to press, the Mexican government departments SEMARNAT (Environment) and SAGARPA (Fisheries and Agriculture) issued a proposal for a new regulation that would ban the use of gillnets and longlines throughout vaquita habitat, although fishing with other gear would still be allowed. The proposal also includes almost US\$37 million to cover both a massive compensation package for those involved in gillnet fishing in the Upper Gulf, and an increase in

enforcement efforts. The regulation hopefully will be passed in the early months of 2015.

Meanwhile, both legal and illegal fishing in the area continue to push the vaquita closer to extinction. According to reports from scientists working in the Upper Gulf, the 2014/15 fishing season has been the worst in years with respect to the illegal totoaba fishery. In December 2014, more than 90 pangas were photographed within the boundaries of the Vaquita Refuge Area.

If the vaquita is to survive, the Mexican government must dramatically change its approach and ensure that its fishing regulations are well enforced, and that fishers are provided with viable employment alternatives. US, Mexican and Chinese wildlife authorities must also cooperate fully to stop the illegal totoaba trade.

Einstein said that the definition of insanity is doing the same thing over and over and expecting different results. Allowing the world's most endangered marine mammal to go extinct, when it is so clearly known what is needed to save it, would be madness. 🐾



AWI'S

Dr. Naomi Rose and Kate O'Connell attended a meeting with US

government agencies in January to discuss efforts to save the vaquita. One problem: the ease with which totoaba swim bladders (like the one shown here) can be moved from Mexico to China by creative smugglers if law enforcement personnel don't know what to look for. An effort is underway by US agencies to train law enforcement personnel in China and Mexico in totoaba identification, but further action is needed, including by the federal Advisory Council on Wildlife Trafficking. Please contact its chairwoman, Judith McHale, urging her to make saving the vaquita a priority. By email: acwt@fws.gov or by mail: International Affairs, US Fish & Wildlife Service, 5275 Leesburg Pike, Falls Church, VA 22041.

SeaWorld Stock Sinks Further Following Third Quarter Report

ON NOVEMBER 12, SeaWorld Entertainment, Inc., issued its third quarter financial report. While the results were not as catastrophic as its second quarter report in August—when, after its revenue and attendance figures took a nosedive, its stock fell 33 percent in a single day—its performance for the peak summer season was still decidedly lackluster. Net income was down 28 percent and attendance was down by half a million people from the same quarter of the previous year. On the day of the report, SeaWorld stock tumbled 9 percent, closing the day at its lowest level yet. The company is now facing legal action from irate stockholders. Amidst the turmoil, SeaWorld announced that CEO and President Jim Atchison (who has long defended the orca shows) was stepping down.

While SeaWorld has at last acknowledged that negative publicity resulting from the revelatory documentary *Blackfish* has had an impact on its image, it is a classic case of too little, too late. SeaWorld management is still insisting that the *Blackfish* effect is temporary and will blow over, even as a growing number of corporate partners, such as Southwest Airlines and Virgin Atlantic, have cut long-standing ties with the beleaguered theme park. SeaWorld has become the butt of pop culture jokes, including in

an episode in the current season of the television sketch comedy *Portlandia*.

SeaWorld can double down on its outdated business model, spending millions it doesn't have on larger orca tanks, or it can heed the writing on the wall. It can retire its whales and dolphins to sea pen sanctuaries and build ever-more-cutting-edge rides and immersive experiences, taking people to the far reaches of the oceans via CGI and animatronics. That is the only future where everybody wins. 🐾



SeaWorld's fortunes were still flying high during this 2008 performance at its Orlando park. After the negative exposure from *Blackfish*, SeaWorld's stock is struggling to stay afloat.

SAN DIEGO SPEAKER SEEKS TO STIFLE CALIFORNIA ORCA CAPTIVITY BILL

Sometimes, politics play a greater role than the merits of the issue when deciding whether legislation gets a fair hearing. In the case of AB 2140, the Orca Welfare and Safety Act introduced in the California legislature in February 2014 by Assemblymember Richard Bloom, politics is most definitely a factor. The current speaker of the California Assembly is Toni Atkins, whose San Diego district includes SeaWorld. While she is speaker, the political climate for AB 2140 is far from ideal. Over the summer, she has been pushing back hard against allowing this bill to move forward during the coming legislative session.

It is therefore unlikely that AB 2140 will be reintroduced in 2015 (we will know for certain by the end of February). However, this is only a temporary setback.

Some progressive legislation can take years to pass—the Bobcat Protection Act of 2013 took a decade to push through the California Assembly. They aren't called "legislative battles" for nothing. Reintroducing AB 2140 when there is a friendlier—or at least not hostile—speaker (the office turns over every two years) is the best strategy at this point.

Assemblymember Bloom remains committed to the bill and in fact is asking Speaker Atkins for a hearing in 2015 to address the result of the interim study ordered by the Committee on Water, Parks, and Wildlife in April. So far, Speaker Atkins has not responded positively to this request, so AWI is asking citizens to send letters to the speaker, urging her to at least allow the legislature to undertake this important examination of the interim study results. 🐾

PROTECTING THE MARINE ENVIRONMENT OF THE WIDER CARIBBEAN

In early December, AWI's executive director, Susan Millward, attended meetings of the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (the "Cartagena Convention"). Susan and AWI have long been engaged in these biennial meetings of the Cartagena Convention, which was adopted in 1983 and entered into force in 1986 as a means to legally implement the *Action Plan for the United Nations' Caribbean Environment Programme*. The convention is the only regional legal framework for the protection of the area that encompasses those countries with a coast on the Caribbean Sea. There are currently 25 countries, including the United States, that have ratified the Cartagena Convention and have pledged to protect, develop and manage their common marine environment individually and jointly.

The December meetings marked more than 30 years since the treaty was first adopted, and fittingly were held in the same location—Cartagena de Indias, Columbia. They resulted in (1) adoption of a document—one that Susan helped to develop—outlining the process by which exemptions to the Specially Protected Areas and Wildlife (SPA) Protocol of the Convention are taken, and (2) the addition of several species to the SPA Annexes. A work plan for the coming biennial was also developed at the meeting. 🐾



AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE

Scientific slaughter: a Japanese vessel takes a minke whale in the Southern Ocean. In 2014, Japan's scientific whaling program was declared illegal by the International Court of Justice. Japan plans to repackage and restart the program.

Japan's Scientific Whaling Program—Same Plan, Different Name

IN NOVEMBER, Japan submitted its plans for a resumption of whaling in the Southern Ocean to the International Whaling Commission (IWC), despite the March 2014 ruling of the International Court of Justice (ICJ) that Japan's scientific whaling there is not in compliance with the IWC's treaty (see Spring 2014 *AWI Quarterly*). The plan, called a "New Scientific Whale Research Program in the Antarctic Ocean" or NEWREP-A, is an attempt to repackage its old programs into something that it hopes will be more palatable to the IWC Scientific Committee—and the world at large.

The NEWREP-A includes plans to slaughter 333 minke whales a year to determine what they eat, as part of an "investigation of the structure and dynamics of the Antarctic marine ecosystem through building ecosystem models." Japan and its allies have long argued that whales compete with other animals, including humans, for food and should be culled to enhance our food security. Ironically, Japan is now suggesting that minke whales are competing with other larger whales for food, presumably to eventually justify their routine killing to maintain "ecosystem balance."

Unfortunately, the IWC cannot prevent Japan's whaling and cannot ignore NEWREP-A. An IWC Scientific Committee Expert Workshop is planned for mid-February in Tokyo to review the new program. Unless the outcome of the review is a resounding condemnation of the scientific validity of the program, we fear the review will legitimize NEWREP-A, which would start in late 2015, and could ultimately render the historic ICJ decision worthless. 🐾



TARIK BROWNE

A green sea turtle swims off Barbados' western coast. The Cartagena Convention was adopted more than 30 years ago to safeguard such marine inhabitants of the Wider Caribbean Region.

AWI WORKING TO KEEP WHALE PRODUCTS OUT OF US PORTS

EACH YEAR, nearly 12 million cargo containers enter the United States via a network of 360 US seaports. Monitoring, tracking and inspecting such a huge number of shipments is a major challenge for those intent on stemming the rapid escalation in wildlife trade—illegal wildlife trade, in particular.

Trade in whale products, for one, has increased over the past decade. Since resuming commercial whaling in 2006, the Icelandic company Hvalur has shipped 5,540 metric tons of endangered fin whale meat worth more than US\$50 million to Japan, in defiance of a ban on commercial trade in whale products imposed by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

As part of AWI's efforts to stop Iceland's whaling and trade in whale products, our researchers track customs documents to identify those companies that purchase seafood from Icelandic companies linked to whaling (see Spring 2012 *AWI Quarterly*). This retail campaign has led to several companies making pledges not to source from Icelandic companies with such links.

In early 2014, media reports indicated that Canadian government officials had allowed a shipment of Icelandic whale meat to arrive at an eastern Canadian port in January. The cargo was subsequently transported cross country by rail and shipped to Japan. Following this revelation, the AWI team tested whether the tracking technology used in our retail campaign could be employed to determine whether any similar shipments might have occurred in the United States.

Sifting through documents, the team found that whale meat had indeed transited US ports on at least two occasions, in December 2013 and January 2014. According to documents obtained by AWI, which include US customs data and a bill of lading, two containers, holding 964 cartons of frozen whale meat, had been shipped from Iceland to Portland, Maine, on board the cargo vessel *Westerkade*, chartered by the Icelandic shipping company Eimskip.

The *Westerkade* arrived in the United States on December 25. From Portland, the vessel made its way to Halifax, Canada, where the containers were offloaded on



"...the shipping documents failed to accurately identify the species being shipped..."

December 29. By tracking the container numbers on the shipment, AWI concluded that these containers were part of the same shipment acknowledged by Canadian officials. The whale meat was transported by train to Vancouver, British Columbia, arriving on January 26.

Once in Vancouver, the containers of whale meat were loaded onto the cargo vessel *La Scala*, owned by the French corporation CMA-CGM. The *La Scala* departed Vancouver on January 31, arriving in Seattle, Washington, on the same day. The ship eventually sailed for Japan on February 2, arriving in Yokohama, Japan, 10 days later.

The bill of lading that AWI obtained for the shipment indicated that the meat was destined for the Misaka Trading Company. According to research done by the Environmental Investigation Agency (EIA), Misaka Trading was set up as an import business in Japan several years ago at the request of Hvalur CEO Kristján Loftsson. According to the EIA, Hvalur pays both the shipping and import costs for Misaka Trading.

In the fall of 2014, AWI wrote to the US Fish and Wildlife Service (USFWS), National Marine Fisheries Service, and the US Department of Customs and Border Protection and shared the evidence that indicated that whale meat had passed through US Customs in both Portland and Seattle. We also provided the agencies with a thorough legal analysis, outlining our position that these transits violate various federal laws.

The fin whale is designated as “endangered” under the US Endangered Species Act (ESA) and is also listed in Appendix I of CITES, signifying that trade in specimens of these species is permitted only in exceptional circumstances. According to the ESA, transports of fin whale meat via the United States are considered as imports, not as in-transit shipments. This regulation requires strict permitting—a measure the United States put in place to ensure greater protection for those CITES-listed species that are also covered under US laws.

Fin whales are also protected under the Marine Mammal Protection Act. This law generally prohibits the importation into the United States of any marine mammal or marine mammal product without requisite permits. The shipments also appear to violate the Lacey Act, which states that it is unlawful for an individual, association or corporation to import, transport or engage in foreign commerce in wildlife “taken, possessed, transported, or sold in violation of any law, treaty or regulation of the United States” or in violation of any foreign law.



An Eimskip vessel offloading containers in Portland, ME. AWI investigators discovered that in December 2013 and again in January 2014, Eimskip passed whale meat through this port, in violation of US law.

According to the bill of lading, incorrect commodity codes were used to identify the contents of the Hvalur shipment. The paperwork indicated that commodity code 020810 (frozen rabbit meat) was used, instead of code 020840 (frozen whale meat).

Further, the shipping documents failed to accurately identify the species being shipped, as the contents were described as “Frozen Edible Produce (Balaeno Ptera Physalus)” instead of the correct scientific usage, *Balaenoptera physalus*. The Lacey Act clearly states that it is unlawful to submit false records, or any false identification of any wildlife transported into or through the United States in interstate or foreign commerce.

The US government agencies responded swiftly to the AWI documents, contacting us within days. As a result of our research, an interagency group has been established to investigate the incidents. If it is concluded that federal laws were indeed violated, AWI is hopeful that the US authorities will prosecute the offenders to the fullest extent. This would include prohibiting Hvalur and the other companies involved from shipping products to or through the United States.

AWI has requested that the agencies pursue other actions to prevent future imports or transits of meat from endangered whales, and to improve the capacity of their personnel to identify and seize such shipments that fail to comply with US laws. USFWS officials have indicated that they are looking into possible computer software mechanisms to allow for such shipments to be identified and stopped in real time.

Given that there are only 330 USFWS inspectors and agents currently assigned to US ports—a number that has not changed in 30 years despite a dramatic rise in wildlife trafficking—AWI is hopeful that more will be done to prioritize wildlife trafficking enforcement. 🐾

SHOCKING CRUELTY AT USDA RESEARCH CENTER

A January 19 article in *The New York Times* shined an extremely harsh light on the practices at the USDA's Meat Animal Research Center (MARC) in Clay Center, Nebraska. The in-depth article described indefensible acts that have taken place at MARC over the past several decades, including: newborn lambs left alone to die of starvation, exposure, and predation; breeding experiments causing deformities in calves; and treatment being intentionally withheld from suffering animals against the recommendations of veterinarians—all to accomplish the stated objective of “increasing the efficiency of production while maintaining a lean, high quality product.”

AWI wrote to Secretary of Agriculture Tom Vilsack, stating our alarm and recommending that an immediate investigation be undertaken, with appropriate corrective action, including possible closure of the facility. AWI sent out an eAlert, asking citizens to write in, as well. Sec. Vilsack responded to the outcry by convening an independent panel to review the policies and practices within the agency and announcing that the USDA will create an updated Animal Welfare Strategy plan for farm animal research facilities.

Please add your voice! Send your letter to Sec. Vilsack via our website at www.awionline.org/MARC. 🐾



In years past, thousands of American horses have been sent to slaughter in Mexico to supply horse meat to Europe. A recent decision by the European Commission may shut down this trade.

Horse Meat from Mexico Banned in the EU

THE EUROPEAN COMMISSION, the executive body of the European Union (EU), has conditionally banned horse meat imported from Mexico due to food safety concerns. The ban took effect on January 15, 2015.

The Food and Veterinary Office of the European Commission audited Mexican authorities in 2012 and again in 2014 to determine if they took adequate measures to guarantee public health and safety when exporting horse meat to the EU. The audits uncovered several problems with the export process that could compromise the safety of the meat. 🐾

Perdue's Animal Care Standards Exposed

PERDUE FARMS engages thousands of “contract farmers” each year to raise company-owned birds. Contract farmers are obligated to abide by Perdue's animal-raising standards and any other specifications established by the company. The standards and specifications are notoriously neither bird- nor farmer-friendly.

North Carolina farmer Craig Watts has been under contract to raise chickens for Perdue for 22 years. Initially, he did well, but the inflexibility and economic conditions imposed by Purdue began to chafe, and the animal welfare implications began to trouble him.

So, much as Maryland chicken farmer Carole Morison did in the documentary *Food, Inc.* (see Summer 2010 AWI Quarterly), Watts decided to open his barn doors to a film crew to show the world what Perdue contract farming really means. It isn't pretty. Footage of the chickens shows their bellies red and raw from contact with urine-soaked

bedding, and supersized birds with broken legs and wings who are barely able to move.

Immediately after Watts exposed Perdue's raising standards, Perdue condemned him as an outlier, claiming that he was not following the company's guidelines. However, Watts was a top-rated producer in Perdue's own tournament system for each flock documented. According to Watts, Perdue never came onto his farm to check the welfare of the birds—that is, until he allowed others to see what happens under Perdue standards.

One of the most disconcerting aspects of this story is that the USDA gives its “Process Verified” seal of approval for birds raised to Perdue's standards, and even allows the claim “humanely raised” to be associated with these products. (For more on the shortcomings of the USDA Process Verified program, see AWI's *Humanewashed* report at www.awionline.org/humanewashed.) 🐾



AWI Uncovers Animal Suffering at Poultry Slaughterhouses

USING ENFORCEMENT documents supplied by the USDA, AWI has identified the US poultry slaughter plants with the worst records on animal welfare. The survey covered violations of industry animal care guidelines over a five-month period during the winter and spring of 2014.

Our list of the “10 worst” plants included companies that slaughter chickens in Georgia, Louisiana, Minnesota, Mississippi, Ohio, Oklahoma, Tennessee, and Texas. The company with the single worst record was Pilgrim’s, which had three slaughter plants in the bottom 10. AWI sent letters to the individual plants and to their respective corporate offices requesting that they improve animal handling practices.

One recommendation AWI made was that steps be taken to protect birds being transported during periods of extreme cold. This was based on incidents last winter in which large numbers of birds froze to death in their cages.

Examples of the reported incidents include:

- When snow cancelled slaughter at an Oklahoma plant, birds were left in the holding shed. More than 2,500 birds died before slaughter resumed the next day. Frozen birds had to be pried from their cages with a metal bar.
- During the morning shift at a Minnesota plant last December, a large number of birds were discovered to have died due to cold temperatures (-22 degrees F). Inspectors from the USDA Food Safety and Inspection Service noted that outside panels on the trucks were not in place during unloading of the birds.

- Over the course of one night at an Ohio slaughter plant, 20 live birds were observed frozen to their cages, and unusually high levels of dead birds were seen. Approximately 26 percent of birds presented for slaughter that day were dead.

In nearly all cases, slaughter plants know well in advance of approaching bad weather, and they have adequate opportunity to take precautions to avoid these situations. AWI told the companies involved in these incidents that each death represents severe suffering to a sentient creature that is entirely unnecessary and preventable.

In addition to weather-related incidents, other common problems cited in the enforcement records included live birds smothering to death after being tossed into piles of dead birds, and birds being burned then drowned in the scalding tank because they had not been properly stunned or cut.

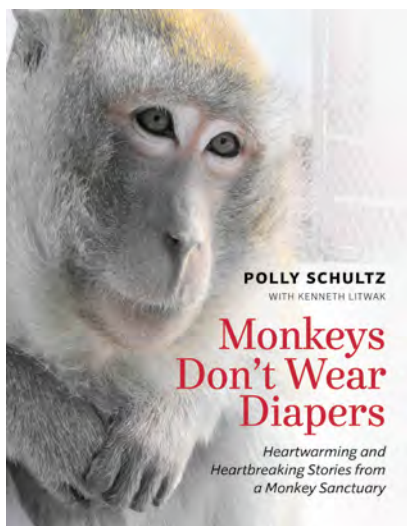
AWI requested that the USDA ensure that all poultry plants have plans to protect birds from suffering and dying from exposure to extreme temperatures. We also asked that the department increase its verification procedures for good commercial handling practices, and to closely monitor the number of birds that are dead-on-arrival to the slaughter plant during periods of adverse weather. The USDA is also being encouraged to refer serious or repeat cases to state authorities for prosecution under state animal cruelty statutes.

AWI received local media coverage, including television, radio and print stories, and several media outlets posted the actual plant enforcement records, which had been supplied by AWI. 🐾

MONKEYS DON'T WEAR DIAPERS: Heartwarming and Heartbreaking Stories from a Monkey Sanctuary

The legal and illegal trade in monkeys is staggering. An Internet search using the phrase, “baby monkey for sale,” reveals thousands of ads for virtually every known primate species. For just a few hundred dollars, almost anyone can purchase a monkey.

It is a terrible decision. These monkeys are almost always condemned to a horrible life; kept in completely unsuitable, often unimaginably grim conditions.



Polly Schultz, the founder and director of OPR Coastal Primate Sanctuary (OPR), has devoted her life to making sure some of the most tragic scenarios take a dramatic turn for the better. In her book, *Monkeys Don't Wear Diapers: Heartwarming and Heartbreaking Stories from a Monkey Sanctuary*, published by AWI and co-authored by AWI's laboratory animal advisor, Dr. Kenneth Litwak,

Schultz tells the stories of monkeys who have come to live at OPR. Some came from misinformed owners, who tried to give them a good home, but were overwhelmed by the needs of a monkey. Others were horribly mistreated by abusive owners, who faced criminal charges for their actions. Still others were retired from research institutions after they were no longer needed for experiments.

Each chapter gives the reader a brief glimpse into the life of one of the monkeys taken in by Schultz. She introduces Summer, who was forced to wear a diaper, often unchanged for days, for over 15 years; George, who was stolen from the wild, drugged, and smuggled into the United States under the blouse of one of his traffickers;

Ivan, who was literally scared of his own shadow (never having been out in the sun, he had never seen it); and many others who have had the good fortune to land at OPR.

Schultz's dedication to the needs of these monkeys is amazing—as is her patience, insight into primate psychology, and ability to see the humor in the toil and tribulations brought on by her chosen path. Every day, Schultz, her husband Skip, and the volunteers at OPR put in long hours taking care of their charges. Schultz has not taken a vacation in nearly 20 years.

Why does she do this? In her words, “I have learned a tremendous amount from monkeys over nearly 20 years of providing sanctuary for them. Each monkey is an individual who has specific needs, desires, and aspirations; not so different from people. They require a tremendous amount of work, love, patience, and attention, which I willingly give them. In return, they accept me into their world and I come out a much richer person.”

As Polly will be the first to tell you, monkeys are wild animals, who should never be kept as pets. Even their most basic needs are well beyond the capacity of most people to handle. None of the monkeys in *Monkeys Don't Wear Diapers* were purchased with the intent to abuse them; yet many of them suffered horribly. Even those with otherwise adequate housing lacked critical social contact. AWI hopes that readers will enjoy the stories and then go the next step. There is a continuing flow of monkeys who need help. Sanctuaries such as OPR need support. Further, legislators should be encouraged to adopt regulations to ban all sale and possession of monkeys for the pet trade. 🐾

Monkeys Don't Wear Diapers will be released in the late spring of 2015. AWI is now accepting pre-orders of the book. AWI members, libraries, and humane organizations are entitled to one complimentary copy upon request. Additional copies may be purchased for \$6. Please visit www.awionline.org/monkeys-dont-wear-diapers, email awi@awionline.org, or call 202-337-2332, to place your order and/or request your complimentary copy.

BEQUESTS

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

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

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

Last Chain on Billie

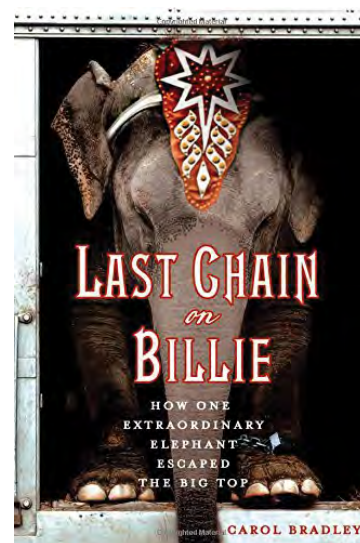
Carol Bradley
 St. Martin's Press
 ISBN: 978-1250025692
 336 pages; \$25.99

THE LONG HISTORY of brutal treatment of elephants in circuses is laid out in heart-wrenching detail in *Last Chain on Billie: How One Extraordinary Elephant Escaped the Big Top*. It is not a book for the faint of heart. More recent events are juxtaposed with the past, which began with the arrival in the United States of the first elephant—a baby, only 2 years old—hailed from India in 1796. The author, Carol Bradley, acquaints her readers with various elephants and the misery they endure, as well as with the people involved in the business of exploiting the elephants for commercial gain.

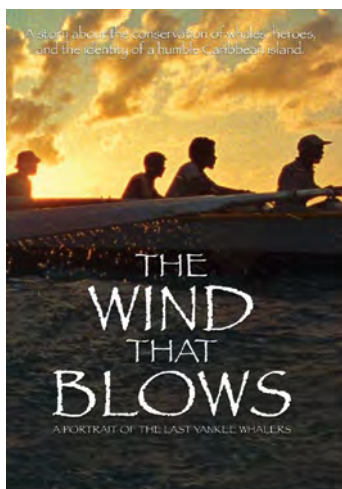
The book is named for Popsicle, later renamed Billie. In 1966, at the delicate age of 4, she was exhibited at a Massachusetts zoo where she was expected to perform

tricks to entertain visitors. Six years later her sad saga as a traveling circus elephant began. Bright, she learned and performed complicated tricks, but she began to rebel against her handlers' demands. Such "impertinence" is not tolerated and likely resulted in increased beatings in a rash effort to make her submissive; however, they only served to make her more distrustful of people. Ultimately, she is declared dangerous by the USDA and ordered taken off the circuit.

Finally, in 2006, Billie begins a new life at The Elephant Sanctuary in Tennessee. Billie bears the scars of her past along with a section of chain on her front left ankle. It takes five years of asylum before she is at long last comfortable offering up her foot and permitting its removal. 🐾



THE WIND THAT BLOWS



Tom Weston
 58 minutes; \$20.00

This thought-provoking documentary by Tom Weston takes viewers to the beautiful island of Bequia, one of several islands making up the country of Saint Vincent and the Grenadines (SVG) in the southeastern Caribbean. There has been humpback whaling on Bequia dating back to 1875, when it was

principally a commercial activity linked to the Yankee whalers of New England. In the 1970s, the focus of the operation changed from whale oil for export to meat and blubber for local consumption. Weston visited the island in the 1980s and became fascinated with the whalers, who at that time were still very much artisanal fishers, led by charismatic harpooner, Athneal Olliviere. In 1987, the International Whaling Commission (IWC), accepting

assurances that the Bequian whaling operation would not outlast Olliviere, granted SVG an Aboriginal Subsistence Whaling quota despite a ban on hunting north Atlantic humpback whales. Olliviere died in 2000 and with him died the traditional hunts—though not the whaling. Weston's film honors the whalers' pride as prominent members of their community and documents their daily life, including the endless waiting, usually in vain, for whales to pass by in hopes of a hunt. The film contains interviews with the whalers, including Olliviere, and poignantly depicts the hopelessness they feel as they try to cling to the past while also embracing the modern equipment that eases their life—from speedboats replacing rowboats, rifles replacing hand-held harpoons, and cellphones replacing the old ways of signaling from the hills when a whale was spotted. Weston's film thoughtfully captures this struggle and leaves the viewer wishing the community well as it transitions away from whaling. 🐾

AWI is supporting local efforts to encourage the few remaining whalers in SVG to transition to a much more sustainable whale-watching industry. For a comprehensive overview of whaling in SVG and the IWC's involvement, see AWI's report, *Humpback Whaling in Bequia, St Vincent and the Grenadines: The IWC's Failed Responsibility*.



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AWI Publishes Guidelines for Including Pets in Protection Orders

NEW STATE-SPECIFIC MANUALS compiled by attorneys working with AWI will help lawyers and advocates for domestic violence survivors to utilize protection orders on behalf of their clients' companion animals.

Domestic violence intake interviews typically do not involve questions about the presence of pets, so they are rarely included in petitions and final orders. However, laws in 29 states, the District of Columbia, and Puerto Rico directly address the inclusion of companion animals on protection orders, and even in those states without such laws, there are ways to have protection orders cover them.

Each manual first addresses why pets should be covered under protection orders in cases of domestic violence, noting that abusers harm companion animals just as they physically harm their partners and children. One survey found that 71 percent of domestic violence victims with

pets reported that their abusers had threatened, injured, or killed their pets. Victims often refuse to leave violent situations or relationships for fear of what will happen to their companion animals. When seeking help, they may not even bother to mention that they have a pet—under the false assumption that there are no resources available for them.

Each manual discusses the general legal landscape surrounding the inclusion of pets in civil protection orders, gives details about the laws in that specific jurisdiction(s), and provides links to forms and outside resources.

Currently, there are manuals for the District of Columbia/Maryland/Virginia, Colorado, and Wisconsin. Eventually, there will be manuals for the remaining states and Puerto Rico. The manuals are available online at www.awionline.org/DVmanuals. 🐾

