

# AWI Quarterly

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## SPOTLIGHT

### USDA Proposes Organic Animal Welfare Standards

Since the national organic regulations went into effect in 2001, AWI has called on the US Department of Agriculture and the National Organic Standards Board to establish animal welfare requirements for producers that are certified organic via the National Organic Program. In April, the USDA finally acted, announcing a proposed rule that would make the program better for animals and more consistent with consumer expectations.

Such a rule is badly needed. Since no substantive standards currently exist for the raising of animals organically, the level of animal care provided by organic producers varies greatly. Some producers raise animals on pasture with high welfare, while others raise animals in a manner similar to

conventional, intensive agriculture. Some animals raised organically, for example, never even see the outdoors.

The proposed changes to the organic regulations would establish substantive on-farm transport and slaughter standards for organic production. For the first time, the regulations would have specific indoor and outdoor space and enrichment requirements for birds. They would also prohibit certain physical alterations, such as de-beaking of birds and tail docking of cattle. Producers would be required to provide group housing for pigs in most circumstances and for dairy calves after they are weaned.

A few large egg producers—who do not meet the new standards—are trying to derail the rule. To date, these efforts have been unsuccessful because of overwhelming support from animal welfare organizations, organic farmers, consumers, and retailers for higher animal welfare standards.

The proposal is not perfect. Several improvements would better ensure a consistent higher welfare standard among organic producers. For instance, the rule should mandate pain relief for those physical alterations that are still permitted, minimum outdoor space requirements for pigs, and natural light conditions for chickens raised for meat. Nevertheless, as written, the proposal represents a clear breakthrough—the first comprehensive federal animal welfare standards for the raising of farm animals in the United States. 🐾

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#### ANIMALS IN LABORATORIES

- 25 Santa Cruz Biotech Stalls as Reputation Falls

#### COMPANION ANIMALS

- 12 AWI Addresses Animal Abuse and Behavioral Health in Children  
12 Staten Island Unveils New Animal Cruelty Prosecution Unit

#### FARM ANIMALS

- 2 USDA Proposes Organic Animal Welfare Standards  
4 APHIS Takes AWI's Advice on Improving Animal Export Conditions  
4 Slowing Growth to Improve Animal Welfare  
4 AWI Releases Report on Poultry Slaughter  
5 Olive Garden Urged to Step to the Plate for People, Animals, and the Planet  
6 A Brighter Future for Egg-Laying Hens

#### MARINE LIFE

- 7 Groups Call for ESA Listing of Critically Endangered Dolphin  
7 AWI Petition Approved: Russian Beluga Whales to Receive US Protection  
8 More Retailers Reject Seafood Sources Linked to Whaling  
9 AWI Responds to Norway's Whaling Defiance  
10 SeaWorld Ends Orca Breeding Program

#### WILDLIFE

- 13 Flying Free Once More: Nest Guarding in the Reintroduced California Condor  
14 "Mythical" Species Returns to the Desert  
18 Kenya Burns Ivory to Quench Poaching  
20 US Government Sanctions Lifetime in Captivity for Wild Swaziland Elephants  
23 Bobcat Hunting Nixed in New Hampshire  
28 USFWS Eases Off Effort to Curtail Citizen Participation in Species Protection

#### GOVERNMENT & LEGAL AFFAIRS

- 24 House Committee Advances USDA Spending Bill  
24 Dormant Horse Slaughter Plant Demolished

#### REMEMBRANCE

- 22 Robert Schuyler Anderson

#### REVIEWS

- 26 *Heart of a Lion: A Lone Cat's Walk Across America*  
27 *Red Wolf Revival*  
27 *Friday Night Fighters: A Forensic Veterinarian Mystery*



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#### ABOUT THE COVER

Most egg-laying hens in this country spend their lives stuffed inside cramped battery cages within massive, dimly lit sheds, wing to wing with other birds. There is light on the horizon, however: As described on page 6, major corporate customers are responding to activists' calls and demanding that suppliers go "cage-free"—allowing the birds to move about, albeit mostly still within the confines of a shed. "Pastured raised" chickens have it far better: at Grazin' Angus Acres in Ghent, New York (depicted on the cover), they can feel the sun, spread their wings, forage, dust-bathe, and generally live like real chickens.

Photo by Mike Suarez



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MYLES TAN

## APHIS TAKES AWI'S ADVICE ON IMPROVING ANIMAL EXPORT CONDITIONS

In 2011, after several reports of animals shipped from the United States dying during arduous journeys overseas, AWI petitioned the US Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) to improve its live animal export regulations. The petition requested that APHIS stop allowing exports of animals who are too young, weak, or sick to travel.

Four years later, APHIS proposed to overhaul its export regulations and add fitness to travel requirements—incorporating AWI's proposal. AWI coordinated comments to APHIS from several animal protection groups on the proposed regulations. As a result, the final rule, which went into effect in February, now has several additional animal welfare safeguards. The new regulations require that ocean vessels 1) maintain a means of humanely euthanizing animals who become sick or injured during transport, 2) do not house hostile animals together,

3) have replacement parts for major life support systems in case of malfunction, and 4) submit a report to APHIS with the number of animals who become injured or sick during transport.

These new regulations will not end these grueling ocean voyages, but they will help reduce the suffering experienced by the tens of thousands of farm animals who are shipped overseas each year.

## SLOWING GROWTH TO IMPROVE ANIMAL WELFARE

Poultry engineered to quickly grow freakishly large is a big welfare problem in animal agriculture. So it was good news when Global Animal Partnership (GAP), a third-party animal welfare rating system for food, recently announced that it will require slower growth-rate genetics for all chickens raised under its program. GAP is also implementing growth limits for turkeys. In addition to slowing growth, GAP will be requiring that chickens certified by

its program receive more space and environmental enrichments, such as perches and natural light.

Growth limits for GAP turkeys have already gone into effect, and GAP will phase in slower-growing breeds of chickens over the next eight years. More than 600 chicken farms, raising 277 million chickens each year, currently participate in GAP. The first US animal welfare food certification program to establish limits for the growth of birds—Animal Welfare Approved—was founded and originally administered by AWI. AWI had urged GAP to likewise adopt this very important improvement.

## AWI RELEASES REPORT ON POULTRY SLAUGHTER

AWI's report, *The Welfare of Birds at Slaughter in the United States*, describes the results of the first-ever survey of federal government oversight of the manner in which birds raised for meat and eggs are treated at the time of slaughter. It is based on federal food inspection documents produced by the USDA between 2006 and 2014.

The research described in the report found that the USDA's response to the mistreatment of birds has been inadequate, demonstrated by the fact that nearly 40 percent of federal poultry plants were issued no records whatsoever documenting their compliance with industry bird handling guidelines over a nine-year period. The report also documents that intentional abuse of birds is common practice at some slaughter establishments, and the strategy of voluntary industry compliance has been ineffective in preventing cruelty.

The report is available at [www.awionline.org/birds-slaughter-report](http://www.awionline.org/birds-slaughter-report).



## Olive Garden Urged to Step to the Plate for People, Animals, and the Planet

The food industry impacts almost every sector of society. When food is produced irresponsibly, it can negatively impact workers, animals, and the environment. Animals are intensively confined by the billions, natural resources are polluted and expunged to feed the animals and ourselves, and workers throughout the food supply chain are exploited for paltry wages. According to the United Nation's Food and Agriculture Organization, the needs of the growing population will not be met unless we markedly reduce the negative impacts of intensive production systems, and food production is aligned with both food and livelihood security.

Comprehensive solutions to negligent production practices are vital to ensuring our future. This is why AWI has joined a coalition of animal welfare, environmental, health, and worker advocacy organizations from across the country to urge companies with significant market power to make improvements to their standards that are connected to the overall health of society.

The coalition is addressing big problems, but aims to do so by providing practical improvements that companies can readily make. The campaign is based on five "Good Food" principles that were first adopted by the Los Angeles Food Policy Council and the Los Angeles Unified School District. The five principles state that companies must start improving

- **Animal welfare**, by requiring third-party certification for farm animal husbandry and handling that mandates standards that are above minimum industry standards;
- **Environmental sustainability**, by reducing or eliminating synthetic pesticides and fertilizers, reducing meat and dairy purchases, and adding more meat- and dairy-free entrée options;
- **Local economies**, by prioritizing small and mid-sized agricultural and food-process operations within the local area or region;
- **Worker conditions**, by providing safe and healthy workplaces and fair wages throughout the entire supply chain, from production to consumption; and
- **Health and nutrition**, by including seasonal fruits and vegetables, using whole grains, and reducing salt, added sugar, and red and processed meat.

The first targets of the Good Food Now campaign are Olive Garden and its parent company, Darden Restaurants. As one of the largest full-service restaurant companies in the world, with over 1,500 locations and over 320 million meals served annually, Darden has the power and potential to help make a substantial shift to more responsible food industry practices. The Good Food Now campaign is asking that Darden shift 20 percent of its supplies by 2020 to sources that meet the Good Food principles.

Currently, Darden touts responsible practices in all five Good Food areas. For instance, the company says that its suppliers treat animals humanely. Yet, Darden's actions do not match its rhetoric. After pressure from the coalition, Darden announced that it will phase out battery cages and gestation crates from its supply chain. This is a step in the right direction. However, there are many factors that are important to animal welfare that Darden has not addressed.

It is time for Olive Garden and Darden to do their part in improving our food system. Please join AWI in asking these companies to commit to better practices, by signing our petition at [www.good-food-now.org/](http://www.good-food-now.org/). 🐾

*This graphic was among those broadcast via social media in support of the Good Food Now campaign, which calls on Olive Garden and Darden to improve company policies relating to workers, the environment, and animal welfare.*

HEY, Olive Garden  
ITALIAN KITCHEN

Want to make your customers (and us) happier? Buy from farmers who treat their animals better.

**Good Food is Healthy, Green, & Fair**

Take action at [good-food-now.com](http://good-food-now.com) #goodfoodnow

# A Brighter Future for Egg-Laying Hens

Laying hens belong on pasture where they can spend their day exploring and scratching in the grasses for insects, dust-bathing in the earth, stretching their wings, socializing with other hens, and basking in the sun. Although the vast majority of laying hens are still confined in row after row of cramped, barren “battery” cages stacked one on top of the other, an industry transformation is underway.

AWI and other advocates have pressed for significant welfare improvements, and the egg industry has resisted. As momentum built against keeping the hens in battery cages, the industry responded by offering colony cages that it referred to as “enriched,” which offered a bit more room. One of the third-party certification programs, American Humane Certified (AHC), actually wrote colony cage standards, and two states made colony cages the baseline production system for eggs sold in their states. In 2012, national legislation was introduced to make colony cages the uniform standard for egg production. However, when this legislation failed, the colony cage trend lost its momentum and the movement to keep hens in an environment that did not involve cages began to blossom.

Much of the focus is on cage-free operations, where the birds typically live indoors in massive sheds with perches and nest boxes. Dozens of large companies, including Walmart, McDonalds, and Costco, have now committed to sourcing eggs from cage-free systems. In fact, 14 of the 15 largest grocery chains in the United States have made cage-free commitments. The United Egg Producers estimates that even without further commitments, half of the egg industry will switch to cage-free systems to meet current demand.

As cage-free production becomes the industry norm, the high-welfare market is increasing its embrace of pasture-based operations where the hens are outdoors. In fact, large pastoral egg companies—most notably, Vital Farms, Happy Egg Co., and Handsome Brooke Farm—have increased in number and size over the last several years; eggs from these companies can be found in grocery stores across the country, including large chain stores like Target, Wegmans, Fred Myer, and Safeway.

Another indicator that pastoral operations are gaining ground is an increase in third-party certification programs for pasture-based farms. Animal Welfare Approved, which AWI founded in 2006, created the first comprehensive pasture-based certification standards, and now others are following suit. Certified Humane and AHC, two of the largest animal welfare third-party certification programs, created pasture standards for egg-laying hens, and Global Animal Partnership will do so later this year. (Vital Farms, Happy Egg Co., and Handsome Brooke Farm are all third-party certified.)

The future for egg-laying hens raised organically is also promising. The USDA has proposed changing its egg-laying hen standards for the National Organic Program (see page 2); a former emphasis on cage-free production is poised to give way to more rigorous standards that provide the birds with meaningful outdoor access on pasture, with enrichments and more room when indoors, as well.

Today, consumers can support the shift toward higher welfare by seeking out eggs not just from cage-free facilities, but from the growing number of pasture-based, third-party certified operations. 🐾

MIKE SUAREZ





## GROUPS CALL FOR ESA LISTING OF CRITICALLY ENDANGERED DOLPHIN

AWI joined forces in April with Wild Earth Guardians and the Center for Biological Diversity in filing a petition with the National Marine Fisheries Service to list the Taiwanese humpback dolphin (*Sousa chinensis taiwanensis*), under the US Endangered Species Act. Fewer than 75 of these dolphins—who are born gray but turn pink or white with age—are thought to remain, all within waters off the densely populated western coast of Taiwan. Like other small populations of dolphins, this one is extremely vulnerable, and faces myriad human-based threats, including pollution, illegal fishing, and boat traffic.

Known locally as “Matsu’s fish,” the Taiwanese humpback dolphin is a biologically and culturally important subspecies of Indo-Pacific humpback dolphin. A previous petition to list this subspecies under the ESA failed because NMFS concluded that it was not genetically distinct from the Chinese white dolphin that swims in deeper waters closer to China’s coastline. New taxonomy studies, however, have concluded that the

Taiwanese humpback dolphin is, in fact, a distinct subspecies with unique characteristics—leading to greater optimism that the petition will be granted this time around.

Aside from the awareness that an ESA listing would bring, such a designation would enable the United States to provide resources to Taiwan to mitigate the threats the dolphins face and start a recovery process.

## AWI PETITION APPROVED: RUSSIAN BELUGA WHALES TO RECEIVE US PROTECTION

In early April, the US National Marine Fisheries Service proposed designating the Sakhalin Bay-Amur River population of beluga whales in Russia as “depleted” under the Marine Mammal Protection Act (MMPA). This proposal is in response to a 2014 petition filed by AWI and its allies—Cetacean Society International, Earth Island Institute, and Whale and Dolphin Conservation—after Georgia Aquarium attempted to import 18 of the whales for display in the United States.

NMFS initially denied Georgia Aquarium’s import permit application, but was sued by the facility. After AWI intervened in the suit on behalf of NMFS, the court upheld the agency’s decision (see *AWI Quarterly*, fall 2015). Despite this major victory, however, the possibility remained that other facilities, or even Georgia Aquarium itself, could apply again for import permits. A depleted designation, however, would eliminate this possibility, even for belugas from this stock already in captivity.

For many years, Russia has allowed captures from this population for the purpose of public display within Russia and in overseas facilities, including within China. Since 1992, in fact, the region has been the only regular source of wild-caught belugas for public display worldwide.

At present, fewer than 4,000 individuals are thought to remain in the Sakhalin Bay-Amur River stock—less than 30 percent of the stock’s estimated pre-exploitation population level. The MMPA authorizes NMFS to designate as “depleted” marine mammal species or stocks that are below their optimum sustainable population (OSP). Historically, NMFS has considered a species to have fallen below its OSP if it falls below 60 percent of its estimated historic population level.

Once the depleted designation is finalized, the rule will also help US agencies promote stronger protections for this population of belugas.



TODD HAYDN

*Beluga whales from Russia’s Sakhalin Bay-Amur River region may soon be designated as “depleted” under the Marine Mammal Protection Act—preventing imports from the population to US aquariums.*

## More Retailers Reject Seafood Sources Linked to Whaling

Despite its own large fishing industry, the United States is one of the world's top seafood importing countries, and imports of Icelandic seafood products have been on the rise. By 2014, nearly 32 percent of haddock and 8 percent of cod produced by Iceland was being exported to the United States. Unfortunately, some of the companies sending that seafood have corporate ties to Icelandic whalers.

For the past few years, AWI and fellow members of the “Don't Buy from Icelandic Whalers” coalition have brought our message to more than 20,000 participants attending Seafood Expo North America (SENA), held in Boston each March. Leading up to this year's Expo, we wrote to retailers, asking them not to buy seafood from companies linked to Icelandic whaling. HB Grandi is the primary such company; its chairman, Kristjan

Loftsson, is managing director of and a key shareholder in the Hvalur hf whaling company.

In response to our letters we received the good news that supermarket chain Wegmans—a significant presence in the Northeast and Mid-Atlantic regions—had agreed to join High Liner, Trader Joe's, and Ahold USA (the parent company of Giant, Stop & Shop, and Martin's supermarkets) in publicly stating its opposition to commercial whaling and assuring us that they do not source products from companies tied to commercial whaling.

Iceland Seafood International (ISI), a global company headquartered in Reykjavik, also issued a statement prior to SENA, acknowledging that the utilization of whales is considered unacceptable by many, and that it does not deal with companies that participate in commercial whaling. This is a major breakthrough for the campaign; in the past, ISI acknowledged buying from HB Grandi.

Problematically, many retailers—buying from suppliers in good faith—will not know they are putting money into the

pockets of the whaling industry, and that an eco-label is no guarantee that a company is “whaling-free.” Similarly, consumers tend to believe that a sustainable label equates with a good marine conservation record. But that is not necessarily the case: Eco-label programs from both Iceland Responsible Fisheries (IRF) and Marine Stewardship Council (MSC) have certified HB Grandi despite its whaling ties.

At SENA 2016 we met with representatives of both eco-label programs and pressed our concern that their logos are inadvertently helping to keep the Icelandic whaling industry alive. We also met with US Ambassador to Iceland Robert C. Barber and discussed the embassy's efforts to promote responsible whale watching in Iceland as an economic alternative to whaling. Immediately following the Expo, Ambassador Barber issued a statement to the Icelandic media that the United States continues to support the International Whaling Commission ban on commercial whaling, and called on Iceland to “oppose commercial whaling and trade in whale products.”

Loftsson's Hvalur company has killed more than 700 endangered fin whales since it resumed commercial whaling in 2006. It has announced that this year, however, it is unlikely to go whaling (although minke whaling in Iceland is expected to continue). We accept Hvalur's announcement with guarded optimism—Iceland has ceased whaling before, only to resume a few years later. Yet, we are cautiously hopeful that fin whales will be safe from Icelandic harpoons throughout 2016. 🐾



*Don't Buy from Icelandic Whalers campaign representatives descended on Boston for Seafood Expo North America. AWI's Amey Owen, at right, holds up a campaign T-shirt, which asks “Do You Know Who Bought Your Seafood?”*

AWI



## AWI Responds to Norway's Whaling Defiance

Norway has seen a continuous drop in demand for whale meat for several years, yet it continues to set quotas and kill whales in defiance of the commercial whaling moratorium established by the International Whaling Commission (IWC). In fact, over the past decade, Norway has killed more whales than either Japan or Iceland; over the past two years, it has killed more whales than Iceland and Japan combined.

Norway, though, hasn't received the same negative attention that those two countries receive. Perhaps this is because, unlike the others, Norway's whalers don't kill endangered species and don't hunt whales in a designated whale sanctuary; nevertheless, over 5,500 minke whales have perished from Norwegian harpoons since 2006.

Norway is able to get around the IWC's prohibition on commercial whaling because of an objection it filed to the ban. Further, its self-allocated quota—which has been set at 880 minke whales for 2016—has not been approved by the IWC, and was formulated using methods that the IWC Scientific Committee has deemed “insufficient” for conservation.

It seems that intransigence is the main reason that Norway continues whaling. The meat isn't being purchased for human consumption—at least not in Norway. Repeated attempts to make whale meat fashionable—and not viewed as the “depression era” necessity it once was—have failed. Rather than acknowledge that whaling has seen its day, the whalers and their supporters continue to find ways to profit from their cruel craft.

Exports of whale products from Norway are on the rise—shipped to Japan, the Faroe Islands, and Iceland, all of which have their own whaling industries. Norway, Japan, and Iceland are all parties to the Convention of International Trade in Endangered Species of Wild Fauna and Flora (CITES), which prohibits international trade in whale products. The three countries circumvent this, however, because they lodged reservations against the prohibitions. The Faroe Islands is not a party to CITES, even though it is a self-ruling nation within the Kingdom of Denmark, which is a party.



NETWORK FOR ANIMAL FREEDOM

*A fox cub at a fur farm in Norway. In recent years, whales caught by Norwegian whalers have been used to feed animals on such farms—using one cruel, unnecessary industry to support another.*

Despite Norwegians' lack of enthusiasm for whale meat, not all whale products are exported. AWI and the Environmental Investigation Agency were tipped off earlier this year that whale meat equating to more than 75 minke whales was sold to an animal feed manufacturer in Norway for use in fur farms. We substantiated this by obtaining a copy of a document from the feed manufacturer, Rogaland Pelsdyrfôrlag, which showed that 113.7 metric tons of whale meat had been used as food for fur-bearing animals in 2014. Following release of our information in Norwegian media, the director of Rogaland Pelsdyrfôrlag confirmed that whale products had been used in 2015 as well.

This persistent and flagrant disregard for the whaling moratorium and trade ban by Norway cannot go unchallenged.

AWI has partnered with the German group ProWildlife and Switzerland-based OceanCare to publish *Frozen in Time: How Modern Norway Clings to Its Whaling Past*. The 23-page report documents how Norway quietly became the biggest whaling nation: its step-by-step loosening of national whaling regulations, its defiance of whaling and trade bans, its escalation of trade in whale products, and the failure of international diplomats to act on all these developments. We will distribute the report widely, including at upcoming IWC and CITES meetings. To obtain a free copy, visit [www.awionline.org/norway-whaling-report](http://www.awionline.org/norway-whaling-report) or call/write us. 🐾





HARVEY BARRISON

# SEAWORLD ENDS ORCA BREEDING

**ON** March 17, 2016, SeaWorld made a paradigm-shifting announcement. The company will end its captive breeding program for orcas. This policy will extend to all its parks, existing and planned, domestic and abroad. The orcas currently held by SeaWorld will be the last orcas held by SeaWorld.<sup>1</sup>

AWI has been working for decades to end the display of these magnificent ocean-roaming cetaceans. All cetaceans suffer when confined in dolphinariums, but orcas, in particular—given their sheer size—suffer grievously. Their ground-down and broken teeth, collapsed dorsal fins, and truncated lives are testament to this.

<sup>1</sup>SeaWorld has 28 orcas. One of them is pregnant, having been bred before the policy went into place.

SeaWorld’s announcement represents a massive step forward on what has hopefully become a much shorter road to ending the global business of displaying performing orcas. The influence of this decision on the nine facilities other than SeaWorld currently holding orcas can only be guessed at for now, but is likely to be substantial. SeaWorld owns half of the entire world’s “collection” of captive orcas—the other 28 are held in facilities in Argentina, Canada, China, France, Japan, Russia, and Spain.

SeaWorld didn’t start the commercial exploitation of orcas, but it built a brand with them. The first SeaWorld park opened in 1964 in San Diego, California, and one year later added orcas—including the iconic Shamu—to its roster of animal attractions. Shamu was a real whale, but she only lived for six years at SeaWorld San Diego. Her name survived



# PROGRAM

her and for years camouflaged the many deaths at what eventually became four parks (a park in Ohio closed in 2001).

For four and a half decades, the supremacy of SeaWorld's business model—wowing the crowds with the amazing acrobatics of the whales and the mesmerizing bond with their trainers, demonstrated by water dances they performed together four times daily in Shamu Stadium—was uncontested. SeaWorld captured orcas from the wild off Washington state and later Iceland, and eventually began successfully breeding them in 1985, when Kalina, the first “Baby Shamu,” was born.

What the crowd didn't know was that more than 35 orcas have died at SeaWorld over the years, most long before reaching middle age, with none ever growing old. Kalina herself, after being taken as a toddler and moved from park to park for years before finally being returned to her mother, died when she was only 25 years old. (Free-ranging orca females live to 50, on average, and can reach 80 or 90 years of age.) SeaWorld improved its orca care, but only to a point—over time, orcas did better but were never able to survive well or thrive in captivity. Despite the work of organizations like AWI, SeaWorld managed to maintain the façade of “killer whale as sea panda” with policymakers and the public for years.

Then, on February 24, 2010, Tilikum—a massive male orca—killed his long-time trainer, Dawn Brancheau.

Tilikum was involved in the deaths of two other people in his decades-long career in show biz. Together with two female orcas, he drowned part-time trainer Keltie Byrne, a 20-year-old competitive swimmer, on February 20, 1991, in front of a horrified group of people who had just watched the show at Sealand in Victoria, British Columbia. Soon after this incident, SeaWorld bought Tilikum for his reproductive potential, as well as the two females (who have long since died). Sealand then closed down.

In the early morning of July 7, 1999, 27-year-old Daniel Dukes was found dead, draped over Tilikum's back. Dukes was covered in pre- and post-mortem scrapes and bruises, suggesting that Tilikum had done the same to Dukes as he had to Byrne—dragged him around the tank, playing with

him like a toy and preventing his escape, until he drowned. Dukes had no signs of blunt trauma or hypothermia; all the forensic evidence suggested he had deliberately entered Tilikum's enclosure after the park had closed for the night and had been drowned by Tilikum's overzealous play behavior.

But 19 years after the death of Keltie Byrne, a third death proved one too many for the world. Tilikum, again in front of horrified visitors, dragged Brancheau into his tank and mauled her to death. This was different from the previous incidents. This time, Tilikum inflicted significant blunt trauma. This was aggression or frustration, taken out on the comparatively fragile body of a human being.

Afterwards, the public learned that only nine weeks earlier, another SeaWorld whale—a young male unrelated to Tilikum named Keto—had also violently killed his trainer in Spain, where he was on loan with three other SeaWorld whales. Astonishingly, this death had not been reported outside of Spain, but the death of Brancheau, so soon after, shook the news loose.

From that point forward, the days of maintaining orcas in captivity became numbered. In April 2010, the US Congress held an oversight hearing to discuss issues surrounding captive orcas. In August 2010, the federal Occupational Safety and Health Administration cited SeaWorld in the death of Brancheau; court proceedings based on SeaWorld's challenge of that citation began the next year (and ended November 2013 with the citation upheld).

In July 2012, David Kirby published *Death at SeaWorld*, a detailed account of the suffering faced by captive orcas. Then, in July 2013, the documentary *Blackfish* was released. The film focused on Tilikum's grim history and the experiences of several former orca trainers. It had a profound impact on the public's perception of performing orcas. Almost overnight these animals went from being seen as happy and carefree to abused and neurotic.

Attendance at marine theme parks, especially SeaWorld, declined. State and federal bills banning orca display were introduced. Celebrities spoke out against holding orcas in captivity, corporate partners and sponsors decamped. The “Blackfish effect” was a tangible phenomenon, causing an eventual 50 percent drop in SeaWorld's stock price. In the end, SeaWorld was faced with two options—evolve or die.

Fortunately for the many animals under SeaWorld's care, the company chose the former. AWI looks forward to its continued progress toward a more humane future. 🐬

## AWI ADDRESSES ANIMAL ABUSE AND BEHAVIORAL HEALTH IN CHILDREN

In the last 20 years, law enforcement, policymakers, health care professionals, and the general public have become more aware of the significant link between animal abuse and child abuse. As with domestic violence, animal abuse often occurs in the same households as child abuse. But there is another troubling connection: Animal abuse is one of the first signs of antisocial behavior in a child. Recurrent animal abuse by a child throughout childhood is a strong predictor of later serious delinquent and criminal behavior. Recognizing this relationship can lead to greater protection for animals, children, and society in general.

On March 15, AWI's Dr. Mary Lou Randour took that message to the 29<sup>th</sup> Annual Research and Policy Conference on Child, Adolescent, and Young Adult Behavioral Health, held in Tampa. As the conference's only speaker to address the connection between child abuse and animal abuse, Mary Lou offered guidance for early identification and intervention in animal abuse cases—more effective strategies that can save more animal lives than punishment after the fact.

Among the many behavioral health care professionals attending the presentation was a representative of the Child Welfare Information Gateway (CWIG), an online resource provided by the US Department of Health and Human Services that connects child welfare and related professionals. As a result of this encounter, the CWIG website ([www.childwelfare.gov](http://www.childwelfare.gov)) now has a link to the AWI webpage that offers resources relevant to animal abuse and child abuse. This will help build greater understanding of animal abuse among child welfare professionals.



STEFANO MORTELLARO

## STATEN ISLAND UNVEILS NEW ANIMAL CRUELTY PROSECUTION UNIT

Participants in the first animal cruelty prosecution training conference hosted by AWI and the Association of Prosecuting Attorneys in 2009 came looking for guidance—and like-minded souls. They included individuals who had volunteered to take on their offices' animal cruelty cases—generally not very sought-after assignments at the time. In fact, one senior district attorney was dismissively referred to as “the puppy prosecutor” by some judges.

Times have most definitely changed. Increased awareness of the connection between animal cruelty and other forms of violence has fostered an appreciation of the seriousness of animal cruelty crimes in and of themselves, and such cases are being pursued more aggressively. The Virginia and New York attorneys general have established animal cruelty units within their offices; equally important, this is becoming more widespread among local prosecutors' offices.

The first local units were created over 10 years ago by forward-looking district attorneys in the City of Los Angeles; the County of Los Angeles; DeKalb County, Georgia; and Wayne County, Michigan. There are now more than 30 such offices nationwide. In 2013, Oregon became the first state to have a full-time animal cruelty prosecutor available to assist all 36 district attorneys in the state with animal abuse cases.

The newest member of this growing community is the Animal Cruelty Prosecution Unit under Staten Island District Attorney Michael McMahon. He surely spoke for all such units when he observed that “designating one unit to handle animal abuse cases is a critically important step in showing the public that our office understands the seriousness of these crimes and that we are committed to being a voice for the voiceless.”



## Flying Free Once More: Nest Guarding in the Reintroduced California Condor

article by and photos courtesy of Estelle Sandhaus, PhD

The critically endangered California condor remains a highly publicized symbol of wildlife conservation. From a global population of just 27 captive adults in 1987, *ex situ* breeding produced a sufficient number of individuals to commence reintroduction of young birds into the skies of southern California in 1992.

One key challenge to the recovery of condors was abysmally low wild population growth following the onset of breeding in the reintroduced Southern California population. This was due to low nestling survival rates. From 2001–2006, average nest success (excluding one intensively managed nest) did not exceed 6 percent annually—far lower than the 41–47 percent reported in the remnant population by Snyder and Snyder (1989) and insufficient for a viable population.

The data from this period provided preliminary insight into the factors related to nest failure (e.g., egg failure, West Nile virus, and anthropogenic trash ingestion by chicks). Yet, the lack of more systematic data collection at nests precluded a sufficient understanding of the mechanisms and timing of nest failure and what could be done to prevent it. In 2007, therefore, the Santa Barbara Zoo, in partnership with the US Fish and Wildlife Service and other California Condor Recovery Program partners, initiated a formalized nest guarding program (NGP).

The first goal of the NGP is to maintain a continued observational presence at nests, combined with a systematic schedule of routine nest entries. This allows detection of problems that are addressed through intervention, and precise identification of the causes of individual nest failures if they do occur. Interventions include a West Nile Virus vaccination program, swapping of infertile eggs with fertile eggs from the captive breeding program, and temporary removal of nestlings for surgery to remove trash from the gastrointestinal tract. The second goal



of the NGP is to use systematic data collection to answer specific research questions about nest failure so that effective long-term management solutions are implemented. Questions include whether certain condor pairs bring more trash to nests than do others, and whether trash load at the nest varies across the season. (As curious, scavenging birds, condors are attracted to microtrash such as broken glass, bottle caps, and can tabs, which may be mistaken for nutrient-rich bone fragments and can be deadly if ingested.)

With generous assistance from AWI's Christine Stevens Wildlife Award, the NGP has been successful thus far in increasing nest success, reaching a high of 64.2 percent during the 2007–2015 period. Importantly, newer condor pairs have demonstrated less of a propensity to bring trash to the nest. This is due, perhaps, to organized trash cleanups and/or the fact that food subsidies have declined and the free-flying condors are spending more times foraging in wild areas away from humans and their trash. We have also more closely determined the timing of trash delivery, identifying 60–90 days of age to be a critical stage in terms of potential trash ingestion and impaction. We have documented breeding and nesting events, including nestling predation by a black bear and eight consecutive years of nesting by a single condor pair, heretofore undescribed in the literature.

Recently, we entered an exciting phase of the NGP: The first wild-fledged chicks are attaining reproductive maturity, and we will soon be able to compare their behavior with that of their captive-bred parents. While condors remain critically endangered and are still threatened by anthropogenic factors (e.g., lead and trash ingestion, habitat loss) the species appears to be on the road to recovery. 🐾

Snyder, N. and H.A. Snyder. 1989. Biology and conservation of the California condor. *Current Ornithology*, 6:175–267.



*“Mythical”  
Species  
Returns to the Desert*

*by Bill Clark*



**IT** all happened so suddenly. I had just opened a fresh bale of alfalfa hay and was inspecting it carefully before putting it out for the unicorns.

Alfalfa hay has excellent nutrition; rich in protein, calcium, and many vitamins. And since nutrition is closely linked to good health and reproductive success, it was very important to ensure that the unicorns had the best hay available. Alfalfa hay also has a marvelous aroma, which briefly distracted my attention.

My back was turned for just a moment. The first warning was a sort of explosive snort—the kind of indignant and belligerent sound that unicorns make when they want to express displeasure. The second warning was the sound of four pounding hooves galloping across the hard gravel desert floor. A glimpse over my shoulder verified that Cinderella was charging and had her horns aimed straight at my vital organs. I leapt toward an acacia tree and scrambled up among its thorns as Cinderella's very impressive horns passed within a whisker's breath of my own personal anatomy!

I muttered a few words of invective—but soon realized that I should have been celebrating. Cinderella was behaving precisely the way unicorns are supposed to behave. Her latent natural behavior was finally expressing itself. Unicorns are supposed to be impetuous and volatile and inveterately wild. The only thing predictable about a unicorn is its unpredictability.

Of course, not many people call them unicorns anymore, although that's the name found in the King James Version and some other Christian translations of the Bible, as well as in the Jewish Masoretic translation. The biblical prophets knew them by their original Hebrew name: "*re'em*." Modern scientists refer to them as *Oryx leucoryx* and categorize them as members of the subfamily Hippotraginae or "horse-like antelopes." (*Leucoryx*, by the way, means "white oryx.") These days, many people commonly refer to them as Arabian oryx, although Avraham Yoffe, my boss at the time, told me to call them "*re'em tenachi*," the biblical oryx.

I prefer to sidestep Middle Eastern politics, and call them unicorns. It's more poetic, and it best captures their unbridled wild magnificence.

I was working at that time as the newly-appointed manager of Hai-Bar Yotvata, a 14-square-mile expanse of natural habitat deep in Israel's Negev Desert. Our primary mission was to breed and reintroduce native Israeli wild animals that had been locally exterminated during recent centuries—part of our mandate to help restore the biological diversity of the Land of Israel.

Quite naturally, the animals in our project were the same species that had been seen and discussed by the Hebrew prophets—people such as Job, Jeremiah, and Isaiah.

Interestingly, the authors of the Bible were rather accurate observers of wildlife—the Book of Job's author in particular. In Job, chapter 39, verses 9–11, the protagonist says

*Will the unicorn be willing to serve thee, or abide by thy crib? Canst thou bind the unicorn with his band in the furrow? Or will he harrow the valleys after thee? Wilt thou trust him, because his strength is great? Or wilt thou leave thy labor unto him?*

Certainly, I should have been more attentive to Job's implied warning before turning my back to Cinderella! Although this was but a single incident, it underscores the prophet's point about wildness. Some species, including the unicorns, simply will not be domesticated. They will not become beasts of burden. They will not tolerate a harness and drag a plow or harrow across a farmer's field. The unicorns are wild animals, and must be respected as such.

And that's a large part of what the Hai-Bar program is all about—helping relatively tame zoo-bred animals to regain that spark of independent wildness, to be able to live, and thrive, by their wits in one of the earth's most hostile habitats.

Cinderella was born in the Los Angeles Zoo. When we first received her, she was docile and dependent. The Hai-Bar project's mission was to reacquaint her with her ancestral habitats. The project's mission was generational. We knew that Cinderella had too many taming influences in her infancy and youth, and she could never acquire all the skills needed for life in the wild. But maybe her offspring—the ones born at Hai-Bar and exposed to the searing heat and desiccating air from the first day—could.

For untold millennia, Cinderella's ancestors ranged freely across more than a million square miles of Middle East desert habitat, from Israel on the Mediterranean all the way to Oman on the Arabian Sea. They were well adapted for the harshness of the desert and could go for months, even years, without drinking any water. The unicorn's luminous white hair is actually hollow and serves as an excellent insulator—better than double-paned glass! Inside unicorn navel cavities, a structure known as the carotid rete contains specialized blood vessels that serve as radiators, discharging heat every time the animal exhales. With these, and many other anatomical and physiological adaptations, unicorns can safely experience core body temperatures up to 110°F. They thrive in extreme heat and dryness that would kill most other animals.



The unicorn legend may have arisen during the time of the Crusades, when European knights saw these spectacular animals from a distance. They truly are “horse-like” antelopes. Sometimes they lift their heads high and canter, just like a horse. And when they mean business, they’ll burst into a full gallop that reaches graceful strides comparable to any thoroughbred. Except for some facial and leg markings, these animals are pure white, and on days of particularly strong sunshine that white can glisten. Seen from a profile, their two straight horns often appear as one. Just like their mythical namesakes, these unicorns are the epitome of precisely adapted wild freedom.

The one adaptation the unicorns never acquired, however, was to become bullet-proof. Indeed, the unicorn’s own behavior is partly the cause of its near extinction. The great tragedy started just one century ago, during the First World War, when the famous T.E. Lawrence (Lawrence of Arabia) delivered 60,000 British Enfield rifles to arm the Bedouin revolt against the Ottoman Turks. After the war, none of those firearms were returned to British armories. Rather, their exceptional accuracy and rapid firing made them excellent hunting rifles. And the unicorns were hunted relentlessly.

When unicorns are hunted, they will normally try to flee. But if the pursuit is persistent, they often stop, turn, and face their antagonist. The unicorn’s horns are very straight and have sharp tips. They can thrust like javelins. They’re daunting enough to discourage packs of desert wolves that have shared their habitat for millennia. But confronting a hunter armed with a high-powered rifle is disastrous.

Trophy hunting became especially popular in the years following the Second World War. There are reports of very large hunting parties—sometimes traveling with as many as 300 vehicles—searching the Middle Eastern deserts for quarry. Gradually, each surviving population of unicorns was exterminated. The end came in 1972, when the last unicorn was shot dead by trophy hunters in Oman, near the border with Saudi Arabia. The last free-living unicorn was killed to satisfy human vanity.

Fortunately for the species, there were a few unicorns held in zoos (which are sometimes an expression of another type of human vanity). The challenge became finding a way to acquire zoo animals, restore their wildness, and then free them into very well-protected habitat.

Avraham Yoffe was the mastermind of the great endeavor. Born in a Galilean farming community, Avraham studied to become a farmer himself—a farmer with a special sentiment for nature and wildlife conservation. But violence in the Middle East diverted his efforts to a career of more compelling urgency. He became a soldier—indeed, a very noteworthy soldier. But even as a soldier, he embraced nature. “Yoffe Stories” abound to this day: There was the day that he detoured an entire brigade seven kilometers so they would not trample across a field of wild flowers. Another time, Avraham called a cease fire during a heated tank battle with the Egyptian army. Why? Because peering through his binoculars, he had seen a rare bird—a cream-colored courser (*Cursorius cursor*)—caught in the crossfire. With the shooting on one side halted, the courser took the hint and escaped. Only then did Avraham continue the battle.

After retirement, Avraham decided to devote most of his time to protecting nature and restoring wildlife. So he arranged to be appointed as the first director general of the Israel Nature Reserves Authority, which was charged with responsibility for all wildlife conservation and all nature reserves everywhere in Israel. With characteristic ambition, he threw his soul into the work. Within a few years, Israel had more than 300 legally protected nature reserves covering more than 20 percent of the country’s land area. And the Hai-Bar project was his special pet.





Unicorns were not the only species to be locally exterminated. The availability of high-powered rifles also meant the extirpation of fallow deers, roe deers, wild asses, ostriches, and others.

To manage the reintroductions of these wild animals, Avraham set up two Hai-Bar reserves: one on Mount Carmel for the temperate woodland species, and the second at Yotvata, deep in the Negev, for desert species.

A shoestrapping project got underway, and it thrived mostly on willpower. Our first unicorns arrived from California and were released into a paddock not much larger than the one where they were born. Incrementally, the fencing was pulled back—a half-acre paddock became a full acre and within a few months it was expanded to three acres and then to 10. Within a few years, the unicorns were roaming within 3,000 acres of fenced natural habitat.

Simultaneously, natural nutrition was added to their feed. Wild grasses, acacia seed pods, and selected herbs helped to wean the animals toward the natural diet that would sustain them after their release. We manipulated the water and deprived them of access from time to time. Some evenings we'd prowl in the darkness near unicorns with big German shepherds on leashes. Sometimes the dogs would be lurking near the watering sites. The unicorns had to learn to be wary, because once they were released to freedom, the unicorns would be encountering some of Israel's healthy population of gray wolves.

Day-by-day and year-by-year, the unicorns made conspicuous progress. Their population increased nicely, and the locally born calves flourished in the hot desert sun. An atavistic influence was at work, and the unicorns recaptured their ancestral wildness while they readapted to their ancestral habitat. Herd integrity and social dominance structures became more conspicuous. They became more able to deal with local parasites without veterinary interventions. Slowly they were weaned off of their favored alfalfa hay. They grew strong and wild, dining on desert grasses and acacia seed pods. They became more vigilant at twilight.

And then they were set free.

The reintroduction of the unicorns occurred incrementally over many years. A dozen were released at a site in the northern Arava Valley, about 50 miles south of the Dead Sea. Subsequently, other groups were released at different sites in the Negev, each selected because of particular characteristics such as quality of vegetation or availability of water. (Although the unicorns can live indefinitely without water, they certainly do like to drink when it's available!)

The project was a success. Today, there are at least 130 unicorns scattered in small herds around the Negev Desert. I've seen them threading single-file through the narrow chasm of *Nahal Lavan*, the parched "White Canyon." I've seen them charging at full gallop across the barren hardpan north of *Mishor Hiyyon* in the central Negev. They have penetrated to the most remote reaches of this desert, and they are again thriving there. 🐾





*Left: Massive stacks of elephant tusks await the torch*

*Below: Captain Ibrahim Ogle, a KWS assistant director, gives security instructions to a KWS ranger in preparation for the ivory burn*



*Far right: President Uhuru Kenyatta*  
*Near right: Smoke billows as Kenya consigns the contraband to the flames*



*Above: KWS Director General Kitili Mbathi*  
*Right: Ivory turns to ash as a bin filled with rhino horn burns in the foreground*





# KENYA BURNS IVORY TO QUENCH POACHING

article and photos by Bill Clark

Rangers reported that a pride of lions came prowling after nightfall, stalking among the brightly burning pyres at the ivory incineration site. Very unusual. Lions normally avoid fire—and this was a spectacularly large fire: 105 tons of ivory, and another 1.35 tons of rhinoceros horn, merging into a conflagration that could easily be seen even from the Ngong Hills.

What would motivate the lions to approach this site where the tusks of some 10,000 elephants were being consumed in a hellish inferno? I would risk accusations of anthropomorphism if I suggested they came to pay their respects to the memories of so many who had been slain to satisfy human vanity. No, there must have been some other feline motivation that human science has yet to identify.

Many of the people witnessing this solemn event, on April 30 in Kenya's Nairobi National Park, were indeed there to pay their respects, to mourn, to listen to fervent speeches and embrace those voices of resolution, determined to change the world's treatment of elephants. "We will burn

our ivory," intoned Dr. Richard Leakey, chairman of Kenya Wildlife Service's board of trustees. "Never again shall we trade in ivory."

Some of us shared more unkindly motivations. For a while, mine was sheer anger. I was angry at a human society that could permit such an enormous tragedy to happen. I was angry at the corruption and the ineptitude and the small-mindedness and the indifference. I stared at the 12 funeral pyres for a long while; I felt the heat, and the pulsing breeze generated by the hot fires. The smell, especially of burning rhinoceros horn—formed of keratin, the same as human hair—was pungent. The ground, after days of seasonal "long rains" was muddy. The fire crackled and popped and sent enormous columns of flame and smoke skyward in a gesture that could be seen as an appeal to heaven.

The Kenyan ceremony was a dramatic opening salvo in a five-month campaign aimed at creating a total and permanent end to the ivory and rhinoceros horn trafficking business. The matter will be taken up in late

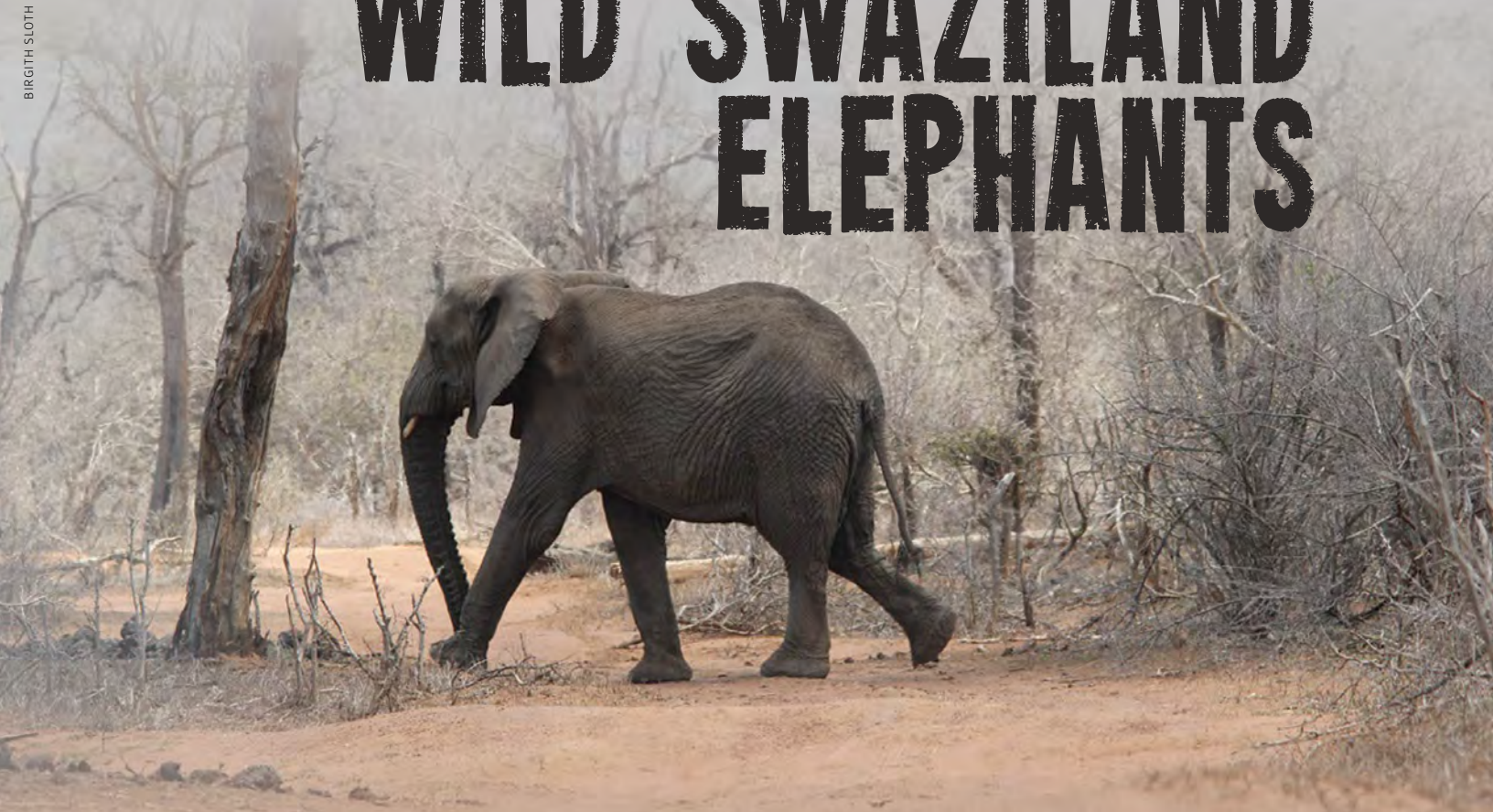
September, when the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Conference of the Parties takes place in Johannesburg, South Africa. There, Kenya and its sympathetic allies will ask the 182 CITES member nations to close all of the loopholes that have permitted a catastrophic tragedy to unfold over the past decade.

There is a proposal to return all elephant populations to Appendix I and impose a total and permanent ban on international trade in ivory. There is another proposal demanding that all domestic markets be shut down as well. True, CITES is concerned primarily with international trade, but it is the existence of legal domestic markets in individual countries that provides the financial incentive to poach elephants and smuggle their ivory. Another proposal calls for the destruction of national stockpiles of ivory and rhinoceros horn—after all, why keep such stockpiles if there is no intent to sell them at some later date? And there are other proposals to assure that the trade shut-down is total and permanent.

Prior to lighting the torch, President Uhuru Kenyatta reminded participants that lions and flamingos and cheetahs and even elephants still roam free in Kenya, and that they are a blessing to the country. "But blessings, however, come with duties. It falls upon us to protect them. ... No one has any business in trading in ivory, for this trade means death." He said the ivory being incinerated was estimated to have a value of \$150 million to criminals. "But for us, ivory is worthless, unless it is on our elephants." 🐾

# US GOVERNMENT SANCTIONS LIFETIME IN CAPTIVITY FOR WILD SWAZILAND ELEPHANTS

BIRGITH SLOTH



**ON** March 11, 2016, just after midnight, a National Airlines 747 landed at Fort Worth's Alliance Airport with 17 African elephants from Swaziland. These elephants are victims of a controversial international scheme involving three US zoos—the Dallas Zoo, Omaha's Henry Doorly Zoo, and Wichita's Sedgwick County Zoo; the Swaziland government; Big Game Parks (BGP), a nonprofit trust in Swaziland; and the US government.

Swaziland is a small land-locked monarchy situated between South Africa and Mozambique. Only 39 elephants lived in Swaziland prior to this export—all within Hlane Royal National Park and Mkhaya Game Reserve. These areas are

managed by BGP, which reportedly has a monarch-approved monopoly over wildlife management in the country. Instead of allowing its elephants to roam freely, BGP confines them behind fences to only approximately 6 and 19 percent of the park and reserve, respectively.

In October 2014, the Dallas Zoo requested permission from the US Fish and Wildlife Service to import the Swaziland elephants. In its application, the zoo claimed that the proposed elephant import would help achieve elephant population objectives in Swaziland, improve the genetics of captive African elephants, and promote Swaziland's rhinoceros conservation goals. In an agreement with BGP, the zoos committed \$450,000



in funding over five years to support wildlife protection—particularly rhino conservation—in Swaziland.

No meaningful effort was made by BGP or the zoos to find an alternative to removing the elephants from the wild (e.g., removing fences, expanding the size of fenced areas for elephants, translocating the elephants to other habitat, expanding the use of chemical or surgical fertility control treatments). It should be noted that the African Elephants Specialist Group of the International Union for Conservation of Nature—which includes the world’s premier elephant experts—“does not endorse the removal of African elephants from the wild for any captive use,” as it does not benefit elephant conservation in the wild.

Approximately one year after the application was submitted, the USFWS sought public input on the proposed import, triggering a cascade of opposition. Only then did the zoos and BGP claim that Swaziland’s seven-year drought necessitated the reduction of its elephant population due to habitat deterioration or that, if the elephants were not exported, they could be culled. In January 2016, despite a host of legal issues and the ever-growing scientific evidence of the physical and psychological deprivation, injuries, and reduced life expectancy of elephants in captivity, the USFWS issued the permit.

Not only did BGP and the US zoos violate the terms of the permit application by capturing the elephants prior to receiving all required permits, but Swaziland’s Game Act, as amended, doesn’t permit the capture and export of live elephants. Furthermore, Swaziland is operating contrary to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), as BGP acts as both the country’s management and scientific authorities, whereas CITES calls for these entities to be independent. Despite a lawsuit challenging the issuance of the permit and adequacy of the associated environmental impact assessment, BGP and the zoos expedited their plan to transport the elephants to the United States after the death of one of the captive elephants in Swaziland.

As Swaziland’s elephants are listed on Appendix I of CITES, their export for primarily commercial purposes is prohibited. Unfortunately, neither CITES nor the USFWS consider export of live animals to zoos, regardless of how much money is exchanged or the potential revenue generated as a result of the trade, to be for primarily commercial purposes.

Swaziland is not the only African country exporting live elephants to foreign zoos. In July 2015, Zimbabwe exported 24 wild-caught elephants to China despite considerable international outrage. Previously, it had exported four elephant

calves to China in 2012, only one of whom is believed to remain alive. Zimbabwe says it intends to export additional wild-caught elephants based on the USFWS decision allowing the import of Swaziland’s elephants; thus, a precedent has been set that could relegate more wild elephants to captivity.

In response to these exports, several countries have co-sponsored a proposed resolution to be discussed at the upcoming CITES Conference of the Parties in September 2016. If passed, the resolution would limit future live trade in elephants to *in situ* conservation programs in the wild within the natural range of the elephant. AWI supports this proposal and will actively press all governments, including the United States, to vote in favor of this sensible and humane measure.

At the same meeting, a proposal submitted by Swaziland to legalize the sale of rhino horn from its white rhinos, including those found in Hlane Park and Mkhaya Game Reserve, will be discussed. If approved, the proposal would permit the one-off sale of 330 kilograms of stockpiled rhino horn removed from living rhinos or recovered from poached rhinos and an additional 20 kilograms per year to licensed retailers in the Far East. Swaziland claims that this sale could raise approximately \$12 million, which it purportedly would reinvest primarily into rhino conservation. Rhino horn, although made of ordinary keratin, is worth more than gold in the Far East, where it is purchased as a status symbol by the wealthy, exchanged as a gift at social gatherings or in business deals, or used as an alleged cure for cancer and hangovers (despite no evidence of any medicinal value).

This proposal is likely to be subject to considerable criticism by many CITES member countries, given the ongoing rhino poaching epidemic in southern and eastern African range states. Legalizing any trade in rhino horn will stimulate demand for the product and, in turn, escalate the crisis. It is unknown whether the USFWS or the three zoos were aware of this proposal when orchestrating the export of Swaziland’s elephants, also for cash that would supposedly benefit Swaziland’s dubious efforts at rhino conservation.

Ultimately, just as the public is rejecting keeping orcas in captivity, the confinement of wild elephants by zoos and circuses must end. Given the proven intelligence, sentience, and complex social dynamics of elephants, these animals deserve to live in the wild, not to be kept in captivity where their physical and mental needs cannot be satisfied. While the 17 Swaziland elephants confined in the three zoos will never again experience life in the wild, hopefully they will be the last victims of USFWS ineptitude and the zoo industry’s greed and misguided attitude that such captivity promotes conservation. 🐾



*Bob Anderson with his beloved Molly—referred to in Bob's obituary as "the world's most intelligent and loyal chocolate Lab."*

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## Robert Schuyler Anderson 1954–2016

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by Bill Clark

**I**t came as a terrible shock. A tremor ran through me and my insides felt empty and sad when I was told that Bob Anderson had died. Wildlife has lost one of its most competent and devoted defenders. Human society has lost one of its most decent and considerate persons. I have lost a friend whom I admired enormously.

Bob was a US federal prosecutor. He had specialized in wildlife cases for more than a quarter century, and he was exceptionally good at it. Over the years, he had brought hundreds of criminals to court—wildlife smugglers, trophy dealers, bird pushers, snake salesmen. He invariably won his cases and achieved a conviction. He won because he was the very best at what he did. He was the best because he cared, and he labored meticulously over his case preparations.

In the end, his heart gave out. I like to think this was because he gave so much of his heart in everything he did. Bob knew his heart was ailing. He had undergone open-heart surgery 11 times over the years—each time the surgeons trying to apply some new technology or procedure. He always emerged from the ordeal with a smile and an estimate about when he would be able to get back to work.

Knowing his heart was so vulnerable, Bob once explained to me that he had no alternative other than to live each day as if it were his last. And if this was his last day, he wanted it to be his best.

Bob Anderson was the prosecutor who put the infamous Keng Liang “Anson” Wong into federal prison for six years. Wong

was a Malaysian reptile dealer who specialized in trafficking the rare and the dangerous. Some of his clients were Americans, and Wong violated the US Endangered Species Act over and over again so that he could profit handsomely by selling them Komodo dragons and other rare exotics. But Wong was tracked, and he was caught, and despite Wong paying for some of the most expensive defense attorneys available, Bob Anderson was successful in achieving conviction on 40 felony violations of US law.

There were many other prosecutions—ones involving fancy cowboy boots made of sea turtle leather, bear gall bladder traffickers, trophy smugglers. When the indictment read “US vs. ...” the concept of “US” was not abstract to Bob Anderson. Rather, he appreciated that he was representing the interests of every US citizen.

Bob took no pleasure in achieving convictions and putting people into prison. But he frequently recalled that assured, competent prosecution is an important deterrent, and the certainty of such prosecution deters at least some potential criminals from exploiting wildlife illegally. “Law, without enforcement, is merely advice,” was one of his mottoes. Bob was also keen on helping developing countries improve their wildlife prosecutions, always seeking higher standards of professionalism and integrity. For his outstanding efforts at home and abroad, AWI awarded Bob its Clark R. Bavin Wildlife Law Enforcement Award in 2010.

Bob Anderson established an almost impossibly high standard of professionalism throughout his career. His is a reputation that the younger generation of federal prosecutors should seek to equal. 🐾



# Bobcat Hunting Nixed in New Hampshire

When the New Hampshire Fish and Game Department (NHFGD) proposed a bobcat hunting and trapping season to open in the spring, AWI and allies analyzed the proposal and pointed out its deficiencies. We also called attention to its potential to violate the Endangered Species Act, given that Canada lynx—listed as threatened under the ESA—could be injured or killed in traps, or shot by hunters mistaking them for bobcats. States cannot allow harm to threatened or endangered species without first obtaining a “take” permit from the US Fish and Wildlife Service.

On February 17, less than a week after the comment deadline, the NHFGD moved forward with implementing the bobcat season. The department evidently acted in complete disregard of federal law and the thousands of comments it had received from the public—most of them strongly urging it not to allow bobcat hunting and trapping in the state.

Fortunately, New Hampshire, like most states, has a legislative committee that must approve any rules passed by its fish and game department before they become official. New Hampshire’s committee, the Joint Legislative Committee on Administrative Rules (JLCAR), noted the concerns expressed by AWI regarding the potential ESA violations, as well as the procedural violations the NHFGD committed in fast-tracking the proposal without seriously considering public comments. At its April 1 hearing, the JLCAR therefore voted to oppose the proposal prior to sending it to House and Senate committees for further review. Fortunately, the NHFGD, seeing the writing on the wall, withdrew its proposal on April 13.

Although bobcats and other species in New Hampshire are spared for now, the battle is far from over. For years, New Hampshire has had liberal trapping seasons for many species other than bobcats—such as mink, fox, and coyote—and such seasons still threaten lynx. The state has not applied for a “take” permit from the USFWS with respect to these seasons, either.

Just as troubling, neighboring Vermont not only has liberal trapping regulations but has also specifically allowed hunting and trapping of *bobcats* for some time, also without first obtaining a take permit from the USFWS to cover accidental injury or death to lynx. Meanwhile, Maine allows bobcat trapping, and *has* received a take permit from the USFWS. Last August, AWI and allies filed a lawsuit against the USFWS for permitting, without requiring adequate mitigation, trappers in Maine to take Canada lynx. (See *AWI Quarterly*, fall 2015.)

As noted in that same *Quarterly* article, the USFWS is currently undergoing a status review for Canada lynx and this could lead to an uplisting from threatened to endangered—or a delisting, removing ESA protection altogether. While there is no evidence to indicate that lynx are recovered sufficiently to be delisted, AWI and members of the public must remain diligent in ensuring that the federal agency abides by best available science and decides to continue protecting lynx rather than bowing to political pressure to delist the species in the interest of expanded hunting and trapping. 🐾

MATT KNOTH





CARFULL

## HOUSE COMMITTEE ADVANCES USDA SPENDING BILL

**Shutting the door on horse slaughter and Class B dealers:** In its fiscal year 2017 spending bill for the US Department of Agriculture, the House Appropriations Committee included two AWI priorities. The bill bars the expenditure of funds for licensing or relicensing Class B dealers who sell dogs and cats for use in research, teaching, or testing. This is another step on the road to ending a system that is cruel, scientifically unnecessary, and difficult to regulate. Also, acting on an amendment offered by Reps. Sam Farr (D-CA) and Charlie Dent (R-PA), the committee voted to prohibit funding of inspections at horse slaughter plants, which effectively prevents any such plants from operating in the United States. The accompanying report also instructs the USDA to “keep the Committee informed on the progress of implementing changes to policies and procedures” that Congress demanded in response to reports of abuse at the federal Meat Animal Research Center, published by the *New York Times* in 2015. (See *AWI Quarterly*, spring 2015.) The report language reaffirms Congress’ expectation that “all animals be treated humanely and that the risk of premature death will be limited wherever possible. No type of abuse or mistreatment will be tolerated.”

### Getting sore about soring regulations:

It was not all good news in the bill, however. Although the Prevent All Soring Tactics (PAST) Act (HR 3268/S 1121) has overwhelming support in both chambers of Congress, House and Senate leaders have failed to act on it. Yet when the USDA drafted regulations to address long-standing problems in the Tennessee Walking Horse industry, the House Appropriations Committee—with no apparent shame at Congress’ failure to act—took them to task for it. In its report, the committee accuses the USDA of not working in “in good faith” to address its requests regarding working with stakeholders, providing transparency, and using objective measurements in its inspections, and reminds the department that any “substantive changes in the statute or its intent should be made by Congress”—even though Congress seems determined to do nothing.

**Taking aim at wolves:** Despite the availability of peer-reviewed research showing that the reckless slaughter of native predators causes broad ecological destruction, and despite the fact that the indiscriminate methods used by Wildlife Services have killed more than 50,000 nontarget animals since 2000, including family pets and endangered species, the committee

nonetheless endorsed the program’s cruel and environmentally damaging tactics. Report language expressed concerns over the (actually quite small) population of wolves in the Pacific Northwest and called on the USDA to assist states in their use of lethal control methods (e.g., aerial gunning operations) to “manage” predators for the benefit of a small group of ranchers.

## DORMANT HORSE SLAUGHTER PLANT DEMOLISHED

A powerful symbol of the horse slaughter industry—and of the hopes some have of resurrecting it—crumbled in April with the demolition of the former Dallas Crown plant in Kaufman, Texas. The plant converted in the 1970s from slaughtering cattle to horses when it came under foreign ownership and quickly became an example of everything that was objectionable about horse slaughter. Long a source of animal suffering, overpowering odors, environmental problems, community opposition, and tax evasion, the plant finally closed in 2007 after a legal challenge by AWI based on a Texas ban on the slaughter of horses for human consumption.



THE KAUFMAN HERALD, STEVE DICKERSON

*Den of misery dismantled: The Dallas Crown horse slaughter plant—inactive since 2007—was finally torn down in April.*





On August 20, 2015, Dr. Parker, former senior veterinarian at SCBT, testified about a location that housed roughly 800 animals bled for antibody production. She was told it needed to remain hidden from USDA inspectors to minimize the potential for additional citations. Dr. Parker further testified that SCBT CEO John Stephenson (pictured at left) made this decision.

## Santa Cruz Biotech Stalls as Reputation Falls

The US Department of Agriculture hearing against Santa Cruz Biotechnology, Inc. (SCBT), scheduled for early April, has been pushed back to August 15—the fourth time over the past two years that the hearing on SCBT’s alleged egregious violations of the Animal Welfare Act has been delayed. The latest postponement, requested by SCBT and opposed by the USDA, was granted by Administrative Law Judge Janice Bullard, who stated in her order “that the hearing should not be postponed *indefinitely* [emphasis added].” Judge Bullard’s statement suggests the facility may have attempted to avoid setting a new hearing date altogether; Perhaps SCBT is hoping that the older the charges become, the less impact they will have.

Despite this latest delay, word continues to spread throughout the research community of SCBT’s reprehensible record. Individual researchers have vowed not to use SCBT antibodies, and prestigious universities have recognized that a supplier’s animal welfare record must be a primary consideration.

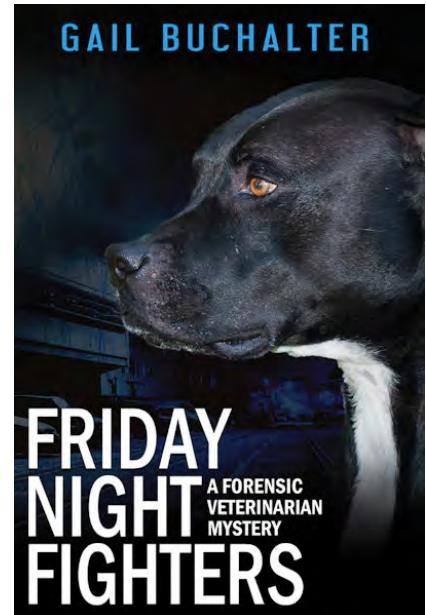
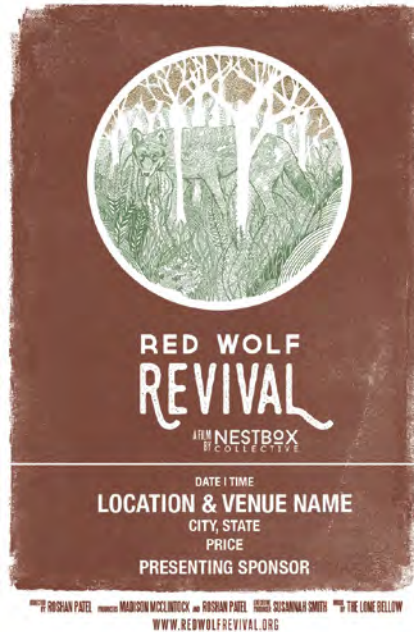
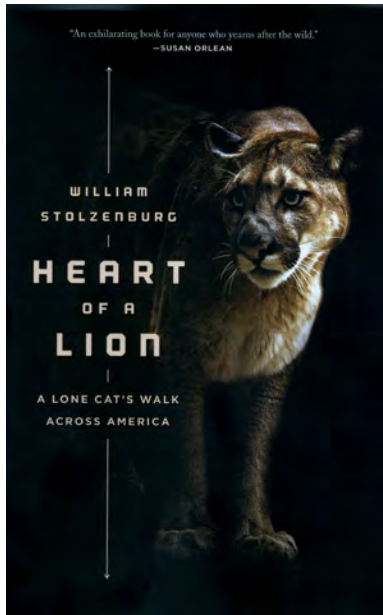
McGill University, the second-biggest user of antibodies in Canada according to the website CiteAb, recently issued a directive instructing its researchers that, with respect to using SCBT, “every effort must be made to redirect the order to an alternative source of supply, where possible.” The decision was based on SCBT’s alleged failure to meet Animal Welfare Act requirements and “other negative findings related to Santa Cruz Biotechnology’s practices,” which a university representative said included the disappearance of thousands of goats and rabbits (as reported in *Nature* on February 19).

McGill has now included an entire section on animal welfare as it creates a Supplier Code of Conduct, which, when implemented, will require all life science providers to supply proof of animal welfare compliance. Moreover, McGill is working to make other Canadian institutions aware of this situation.

The *Nature* article—which at one time ranked as the second-most-accessed item on the journal’s website—continues to reverberate in the media, as well. Recently, the German publication *Lab Times* published an in-depth article, “The Dark Side of Research Antibodies,” which quoted a German researcher who first heard about the SCBT case when regularly used antibodies suddenly became unavailable. The article also noted the “sadly ironic” fact that the goat who died right in front of USDA veterinary inspectors had a copper deficiency—one that could have been addressed by the copper supplement SCBT sells through its own Santa Cruz Animal Health pharmaceutical website.

Meanwhile, Northwestern University’s Committee on Animal Resources has written that “... amongst the immunological community, Santa Cruz antibodies have been dismissed as worthless” while noting that the Northwestern Institutional Animal Care and Use Committee has been “assisting [antibody users] in finding alternative sources with no such history of welfare violations.” Northwestern recently removed SCBT from its Preferred Vendor list because of the company’s failure to sufficiently “address concerns regarding their USDA animal care compliance” and named 10 other suppliers from which its researchers could purchase off-the-shelf antibodies. 🐾

**Update:** Victory! As this issue was going to print, AWI learned that the USDA and SCBT reached a settlement, whereby SCBT agreed to pay a monumental \$3.5 million fine and to forfeit its research registration by May 31, 2016. Further, its dealer license will be revoked, effective December 31, 2016. While this allows the company to sell antibodies through the remainder of the year, it can only sell such products derived from live animals on or before August 21, 2015. Regardless, AWI strongly encourages researchers to follow the lead of such institutions as McGill and Northwestern, and seek other sources from which to purchase antibodies.



## HEART OF A LION: A LONE CAT'S WALK ACROSS AMERICA

William Stolzenburg / Bloomsbury USA / 213 pages

*Heart of a Lion* chronicles the true life, against-all-odds odyssey of a mountain lion over 2,000 miles from the Black Hills of South Dakota to the tony town of Greenwich, Connecticut. Though we know the fateful end, when the lion crossed paths with an SUV in the dark of night, the story is gripping and reads as much like a suspense novel as a meticulous scientific retrospective.

The 139-pound male lion died on June 11, 2011, two centuries after the last mountain lions roamed Connecticut and, ironically, only three months after the US Fish and Wildlife Service declared that the eastern cougar was extinct. Sightings and DNA analysis not only confirmed his birthplace, but also his journey through the Great Plains, the Great Lakes boreal forest, the Adirondack Mountains, and the densely populated East Coast, where he ventured only 23 miles from Central Park. Throughout his journey—which was the longest of any big cat ever tracked—he was never known to threaten a human life.

What propelled a lone mountain lion to take innumerable risks and venture so far from home? Was he a “tourist of miraculous luck or a courageous explorer of incalculable resolve?” He was all that, and then some, Stolzenburg writes. “All, it turned out, was in blind pursuit of a mate. The lion had ultimately come so far looking for what some would call love.”

Throughout our history, mountain lions have been demonized and killed. Stolzenburg traces this history, from the westward settlers who considered them vermin, exterminating them with a fervor reserved for witch hunts, to the current policies of state wildlife commissions that ignore research and sanction their destruction through increased hunting quotas. A total of 94 lions were killed in the Black Hills in 2010, nearly half of the estimated population, leaving orphaned cubs who die of starvation and juveniles who wander into trouble by venturing into civilization and suburban backyards.

Moreover, the hunting of alpha predators such as lions has wreaked havoc on ecosystems. Stolzenburg surveys some of the greatest devastation, particularly in national parks such as Grand Canyon and Yellowstone, where deer and elk literally



altered the landscape through indiscriminate foraging. In the case of mountain lions, who are ambush specialists and hunters of the edges, fear among deer kept them moving and forced them to consume lightly. Twenty years after the release of wolves in Yellowstone, tree saplings that had been suppressed for 70 years are thriving, and scientists now advocate for the reintroduction of mountain lions in some national parks and forests as well.

Stolzenburg is a master wordsmith and his prose is both precise and lyrical. Though unsentimental to its core, *Heart of a Lion* is also a passionate wake-up call to reconsider our wildlife policies. It is an important book and a compulsive read. It is an urgent call to save these majestic creatures and our environment.

—Caroline Griffin, Esq.

## RED WOLF REVIVAL

2015 / Roshan Patel / 24 minutes / [www.redwolfrevival.org](http://www.redwolfrevival.org)

*Red Wolf Revival* made its debut in Washington, DC, on February 22 at the Carnegie Institution for Science, followed by a panel of speakers that included filmmaker Roshan Patel and representatives from AWI, Defenders of Wildlife, and the Wildlands Network.

This short film was awarded “Best Conservation Film” and “Best Short” at this year’s International Wildlife Film Festival. It documents the fight to bring red wolves back from the brink of extinction, including efforts to win the support of local landowners and curb the primary threat to the animal: coyote hunting in the five-county area where red wolves live.

The federal red wolf program—once one of the US Fish and Wildlife Service’s most successful reintroduction programs—is now quietly slipping away as the agency inexplicably turns its back on the animals. In *Red Wolf Revival*, Patel is attempting to share the wolf’s story before the species is gone forever. The film features biologists and wildlife officials who worked to bring red wolves back to the wild in the 1980s, as well as landowners, conservationists, legal experts, and others—each with a unique perspective on where the program’s been and where it’s heading.

In spite of the many challenges, a very committed group of advocates—AWI among them—continues to fight for this animal’s right to exist. *Red Wolf Revival* will hopefully increase public tolerance (and love) of keystone predators such as these wolves, especially among that segment of the public living closest to them.

Visit [www.redwolfrevival.org](http://www.redwolfrevival.org) to learn more about the film. For more information on red wolves, visit the AWI-sponsored website, [www.thetruthaboutredwolves.com](http://www.thetruthaboutredwolves.com).

## FRIDAY NIGHT FIGHTERS: A FORENSIC VETERINARIAN MYSTERY

Gale Buchalter / Rhoadesdale Press / 316 pages

*Friday Night Fighters* is not for the faint of heart. Readers of mysteries know going in there will be a murder or two, but they may find the abuse of animals more disturbing. There is a good bit of both in *Friday Night Fighters*, but all in the service of shining a spotlight on the dog fighting underworld. Author Gail Buchalter has clearly done her homework; she writes with authority—if sometimes a bit too much detail—about everything from the finer points of a necropsy to the work of local shelters to the brutal underbelly of dog fighting. On occasion, otherwise snappy prose gets bogged down by too much procedural description more appropriate for a professional webinar, or by over-iteration of a setting—such as the placement of chairs or the composition of the table legs. Readers may be tempted to skip ahead to get to the main attraction: a fairly taut tale about an animal-fighting ring on the Eastern Shore of Maryland and the disturbing mystery of why previously rescued dogs are winding up back in the pit. The first-person narration does dilute some of the suspense, but the dialogue is often sharp and serious; the characters are noble but not without flaws, and are drawn well enough to make the reader care about (or hate) them, as the situation warrants. In typical genre fashion, the main character, forensic veterinarian Allison Reeves, takes a beating—and makes a few mistakes—but doggedly pursues the case.

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### Bequests

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

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



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## USFWS EASES OFF EFFORT TO CURTAIL CITIZEN PARTICIPATION IN SPECIES PROTECTION

In the summer 2015 edition of the *AWI Quarterly*, we told you about an alarming proposal from the US Fish and Wildlife Service that would create serious roadblocks for private citizens wishing to petition the agency to protect imperiled species under the Endangered Species Act.

In the USFWS proposal, individuals or organizations petitioning to have a species listed for protection under the ESA would need to contact every state in the range of the species and attach any and all information that these states wish to have included with the petition. Further, the petitioner would be required to obtain the state's certification that all such information has been included before the petition could be filed with the relevant federal agency.

The problem? In far too many cases, the state is adamantly opposed to the ESA listing—and to modifying any land use activities in the state that may be contributing to the species' imminent demise. The burden on the petitioner to solicit and

attach information from recalcitrant states—coupled with the need to get them to certify their satisfaction before the petition can move forward—would provide such states with a golden opportunity to wrap the process in red tape.

AWI vigorously opposed this proposal, and called on its supporters to do the same. The fierce opposition apparently had the desired effect: In a revised proposal announced April 19, the USFWS backed off the more onerous elements of the original. Under the revision, petitioners would still have to notify the states, but it would then be up to the states themselves to submit pertinent information or hold their peace. No longer would petitioners have to gather information and wrest a certification from stonewalling states. (The USFWS also eased the burden in connection with a second element of the proposal concerning inclusion of multiple species.)

Thanks to all AWI supporters who wrote to the USFWS and helped bring about this welcome result. 🐾



KIMBERLY FRASER, USFWS