



# AWI Quarterly

FALL 2016 / VOLUME 65 / NUMBER 3

## SPOTLIGHT

### USDA Action Makes Horse Abusers Sore

In July, the US Department of Agriculture proposed a rule that, if finalized, would bring us closer to ending the egregiously inhumane practice of soring Tennessee Walking horses, racking horses, and other gaited breeds.

A segment of the walking horse industry has long been a cesspool in which unscrupulous individuals torment horses with caustic chemicals (used in conjunction with “action devices” such as chains or beaded rollers) and other painful procedures applied to their feet and legs simply to create the exaggerated gait known as the “Big Lick.” The Big Lick is nothing more than the animal’s reaction to intense pain. The Horse Protection Act, passed in 1970, was supposed to put an end to soring. However, a 2010 USDA inspector general’s

report confirmed that the current system of enforcing the law is broken and that significant reform—such as improving funding for inspections and dispensing with the system of industry self-policing—is required.

In response, hundreds of members of Congress have cosponsored legislation, the Prevent All Soring Tactics (PAST) Act, to enact such reforms. But as the bill remains held up in committees, a number of its cosponsors wrote to the USDA asking the department to issue a rule that would put some of these reforms in place. To its credit, the USDA heeded this request. The new rule would end the failed system of industry self-policing and replace it with USDA-trained, licensed, and supervised veterinarians and veterinary technicians to serve as inspectors. It would also ban the use of the painful devices and foreign substances associated with soring at horse shows, exhibitions, sales, and auctions. The PAST Act is still needed, however, since it would institute additional reforms.

Visit [www.awionline.org/soring](http://www.awionline.org/soring) to submit comments by the **September 26 deadline** in support of the new USDA rule. 🐾

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

CFC# 10474



# Animal Welfare Institute

[www.awionline.org](http://www.awionline.org)

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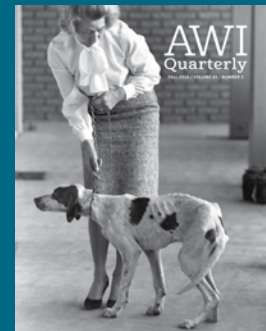
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## ABOUT THE COVER

This year marks the 50<sup>th</sup> anniversary of the passage of the Animal Welfare Act (AWA). AWI laboratory animal consultant Dorothy Dyce's account of the horrific conditions at the premises of a Maryland dog dealer who sold animals to laboratories resulted in a February 4, 1966, article in *Life* magazine that helped galvanize support for passage of the AWA. Dorothy is pictured here with a starving dog she purchased from a dealer and nursed back to health. Turn to page 6 for more on the history and impact of the AWA. Photograph by Stan Wayman.



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## RESEARCH CENTER PAINTS GLOWING (AND FALSE) PICTURE OF ITSELF

The abysmal animal welfare record of the New Iberia Research Center (NIRC) at the University of Louisiana at Lafayette is well documented: three stipulated penalty fines from 2007, 2010, and 2013 totaling \$58,633 and a pending complaint filed by the USDA on March 9, 2015. The alleged violations of the Animal Welfare Act include, among other things, the amputation of a monkey's tail because of frostbite, the death of three juvenile monkeys abandoned for days in an outdoor chute, and the death of a monkey who fractured two fingers that had gotten stuck in inadequate caging before suffering a cerebral hemorrhage believed to be a result of the traumatic incident.

Meanwhile, the NIRC maintained a website regarding its facility—to be viewed by potential collaborators and customers—that painted a much rosier picture, purposely concealing damning USDA inspection reports. For two years, the NIRC continued to update its website with positive information, while omitting negative information. The USDA took note of this in its pending complaint: “the [NIRC] website ... states

‘Below is a list of the most current USDA inspection reports...,’ but none of the inspection reports documenting the violations alleged herein is posted on that website.” More than a year after this complaint was filed, the NIRC was still hiding the very inspections cited in the USDA charges. This spring, it finally removed *all* inspection reports.

The NIRC's deliberate concealment of its poor animal welfare record highlights how important it is for those in the research community to inform themselves about the records and integrity of those they work with before making a decision to purchase or collaborate.

## SCIENTISTS MUST STEP UP AFTER USDA COMES DOWN ON SCBT

As the previous *AWI Quarterly* was going to press, we received the stunning news of a USDA settlement with Santa Cruz Biotechnology (SCBT) with respect to allegations of repeated and egregious violations of the Animal Welfare Act (AWA). The fallout from the monumental \$3.5 million fine—more than 12 times larger than any prior

fine levied by the USDA in the 50-year history of the AWA—and the license revocation of one of the world's largest suppliers of antibodies continue to cause what one anonymous online commenter called “shockwaves” throughout the research community.

As several articles have noted, mice—the most commonly used species for producing monoclonal antibodies—are not covered by this settlement. (Mice are among the animals excluded from protection under the AWA.) And because SCBT is a private company that currently receives no direct NIH funds, there is no regulatory protection for the untold numbers of mice used by SCBT. As one vocal proponent of animal research who conducts NIH-funded addiction experiments stated, “If they can treat goats and rabbits so horribly, one wonders what they feel comfortable doing to mice.”

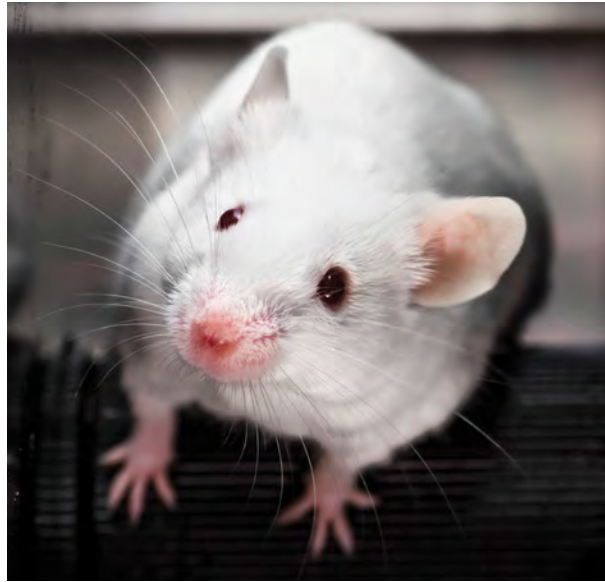
Multiple researchers have agreed with AWI that animal welfare should be a priority in purchasing decisions. The aforementioned experimenter took it a step further: “Frankly, Santa Cruz should go out of business, and the scientific community should hasten that by refusing to buy their products.”



SONJA

## Refinement Grants Available to Improve Laboratory Animal Welfare

AWI is offering up to five grants, of up to \$8,500 each, to develop and demonstrate new methods of refinement and/or environmental enrichment for animals in research. The deadline for applications is December 16, 2016. Further information and links to the online application are available at [www.awionline.org/refinementawards](http://www.awionline.org/refinementawards).



MARQUES PHOTOGRAPHY

## Poor Reporting of Analgesia in Laboratory Animals: A Systemic Problem

Proper use of pain relief (analgesics) in laboratory animals is a scientific and ethical imperative. Both the Animal Welfare Act and US Public Health Service policy require appropriate use of analgesics for painful procedures, with clear justification and approval required for withholding them. When results are published, clear and precise descriptions of the analgesic regimens allow other scientists to critically analyze the research outcomes (which can be affected by use or withholding of analgesics) and increase the reproducibility of the experiments. It also allows reviewers to be better assured that animal welfare was rigorously considered in the study design.


Multiple articles have reviewed how research procedures are described (Buck, 2007, *Nature*; Stokes et al., 2009, *Laboratory Animals*; Taylor, 2010, *Alternatives to Laboratory Animals*; Coulter et al., 2011, *BMC Veterinary Research*). In each case, these reviews have detailed missing descriptions of anesthesia and analgesia, and have called on scientists to improve their reporting. Guidelines for reporting animal research have been published by national and international research organizations (ARRIVE: 2010, CAMARADES: 2015, NAS: 2011) and adopted by major journals as standards for publication.

Yet, a recent article in *PLoS ONE* (Carbone and Austin, 2016, available at <http://bit.ly/zaGLl6o>) found published descriptions are still lacking. In a thorough review of 10 major surgical procedures, the authors examined 400 manuscripts, looking to see whether anesthesia or analgesia is mentioned at all, whether there is any mention of post-surgical analgesia,

and how completely the analgesics are described. They found that 62 contained no mention of any anesthetic or analgesic. Less than 25 percent included a description of post-surgical analgesia or named the specific analgesic used. Further, even after specific guidance regarding neurological studies (CAMARADES, 2015) was published, many manuscripts described use of anesthetics and analgesics that were not even recommended for use in those types of studies.

The dearth of analgesic descriptions in the published studies does not mean that analgesics were withheld, as the authors point out. However, it does mean that it is impossible for other scientists to determine the potential effects of using or withholding pain relief on the study outcomes. It also makes it difficult to reproduce the study or even determine the validity of the conclusions from the studies. Journals are complicit in this poor reporting. Even as they endorse guidelines, they are clearly not enforcing them.

Poor reporting of pain management is both an animal welfare and a scientific concern. The authors make a case that publication standards should be part of the federal regulations, as part of the research process. They suggest that researchers who must withhold analgesics should specifically state that they were withheld and provide justification for their decision in the published research. When over 75 percent of publications provide no description of analgesia, it perpetuates the notion that use of pain-relieving drugs is optional and has a deleterious effect on the study outcome. As concluded by the authors, when this happens, the animals suffer and the data suffer. 🐾



In the 1960s, Life photographer Stan Wayman captured vivid images depicting severe abuse of animals bound for research. AWI presented him with the Schweitzer Medal in 1969.

# *The Animal Welfare Act: Lifeline for Some Lab Animals Turns 50*

**T**he animals were kept on a former dairy farm in Gainesville, Virginia, where there was no heat, windows were broken, water pipes had frozen up, and dead dogs remained among the live ones. Some of the dogs died of distemper; others who contracted distemper were “destroyed.” Some were shot. The bodies of several hundred dogs, cats, and rabbits were found in massive trenches about 70 feet long behind the barn. The operation was uncovered by a neighbor who had lived next door. She described how

“just a little wind would make you sick” because of the stench of rotting bodies. It was 1963, and the company, Zoological Worldwide, Inc., had been in the business of selling animals to medical schools and research laboratories, including the National Institutes of Health (NIH), Bethesda Naval Hospital, and Johns Hopkins University. The NIH had inspected and approved this operation. It routinely bought animals, with the last purchase occurring less than 10 days before a front-page story publicly exposed the cruelty.

Such appalling conditions were not rare, but rather the norm. AWI reported on the situation at another large dealer's premises, this one supplying animals to New York laboratories, including a large medical school: "A narrow, dimly lit corridor separated two rows of pens. Each pen was jammed with dogs of all sizes. There must have been forty dogs in a pen big enough for only five or six. The dogs' coats were matted with filth, and the dogs were crawling all over each other trying to get out. ... The big dogs trampled the little ones, and some of the small ones were lying on their sides, motionless. There was no ventilation. The pens had not been cleaned and the air was suffocating. I saw one poodle with a deep, bloody gash in his side. There was no food or water in any of the pens."

AWI staff also visited laboratories during the 1950s and early 1960s. They saw dogs confined in cages three tiers high, with bigger dogs unable to hold their heads normally or stand without their backs rubbing against the cage tops, as well as various other animals in cages that were too small for them to stand or lie normally. Animals were not provided with water. Cages were filthy and when they were hosed, it was with the animals in them; those in poor condition who couldn't move out of the way were hosed, too. Some were sick and coughing, with runny noses and wounds. The quarters were infested with cockroaches and wild rodents. Animals were repeatedly used in painful procedures—often without anesthetics. Post-operative animals were put back in cages with no pain relief, oversight, or additional care. Moribund animals were left to suffer and die.

### THE UPHILL BATTLE FOR REFORM

The lack of a federal law to prevent such terrible conditions for animals in research motivated AWI to seek legislation. However, the research industry, led by the National Society for Medical Research (NSMR), was loath to admit there was a problem. (Opposing AWI's efforts, the NSMR actually compared the organization to Machiavelli, Hitler, and Stalin.) Researchers claimed that any changes would be costly to implement and have a negative impact on the research. The industry claimed it could keep its own house in order. (Frankly, it was willing to say and do whatever was necessary to prevent passage of legislation.)

Although a number of bills were introduced in the early 1960s, none moved forward. Then, the November 29, 1965, issue of *Sports Illustrated* ran a piece that brought the issue wide attention. The article detailed the story of a Dalmatian named Pepper who had disappeared from her yard in the Pennsylvania countryside. Dogs were being stolen to supply the demand for specimens at research facilities. Shortly after her disappearance, Pepper's owner—while in a hospital recovering from a heart attack—recognized his missing dog in a local newspaper's photograph of an animal dealer's

overcrowded truck. His wife and children went in search of their dog but were denied entrance to the dog dealer's premises. US Representative Joseph Resnick (D-NY) was contacted and was also denied entrance to the dog dealer's property. Tragically, by the time she was located, Pepper had been sold for research and killed following a surgical procedure at Montefiore Hospital in New York. Infuriated, Rep. Resnick introduced a bill requiring that dog and cat dealers, and the laboratories that purchase and experiment on the animals, be regulated and inspected by the US Department of Agriculture.

A second pivotal article on the procurement of dogs for sale to experimental laboratories was made possible after AWI's founding president, Christine Stevens, convinced Henry Luce, then owner of *Life* magazine, that it merited coverage. The piece, titled "Concentration Camp for Dogs," ran in the February 4, 1966, issue of *Life*. It documented the horrendous conditions at an animal dealer's premises in Maryland and included huge photographs that were graphic and disturbing. One showed a cowering dog who was nothing but skin and bones (the same dog shown on the cover of this issue). A massive public outcry followed. In fact, this story inspired a record number of letters to the magazine.

Congress was pressed into action and, at long last, legislation moved through both houses. The Laboratory Animal Welfare Act (later renamed the Animal Welfare Act) was signed into law on August 24, 1966, by President Lyndon Johnson. The new law set minimum standards of care and housing for dogs, cats, primates, rabbits, hamsters, and guinea pigs in the premises of animal dealers and laboratories. It required identification of dogs and cats to prevent theft, and required dealers to be licensed and laboratories to be registered.

### ADDING TO THE ANIMAL WELFARE ACT

Various amendments broadened and strengthened the law over the years—always with significant pushback by industry and monumental effort by the humane community, grassroots activists, and sympathetic members of Congress. But by the early 1980s, it was clear that additional measures were needed for animals in research. A huge battle ensued—one that was surely as daunting as the effort to get the original law passed. When the research industry called for more study instead of immediate action (a not uncommon delaying tactic), AWI representatives countered with two large binders filled with data supporting the urgent need for the legislation.

Seven bills were considered at a 1981 hearing in the House of Representatives. Just a few days earlier in Silver Spring, Maryland—not far from Capitol Hill—Dr. Edward Taub was the subject of the first police raid against an animal researcher in the United States and the first seizure of abused animals from a lab. He was charged with 17 counts of animal cruelty

and 6 of failing to provide needed veterinary care to monkeys subjected to deafferentation studies.

The photographs from the laboratory were horrific. The monkeys were confined in small, barren, filthy cages. Many had open wounds and more than a few were missing multiple fingers where they had self-mutilated. There was virtually no veterinary care. Initially, Taub was found guilty of 6 counts of animal cruelty, but his conviction was overturned on the grounds that Maryland's animal cruelty law did not apply to a federally funded laboratory.

In 1982, Senator Robert Dole (R-KS) introduced the Improved Standards for Laboratory Animals (ISLA) amendments to the Animal Welfare Act and chaired a hearing on the measure—where he stated, “Humane treatment of lab animals will yield better scientific results and a greater return on the money spent for research. I believe my bill represents a responsible and logical approach to addressing the public’s legitimate concerns.”

In 1984, Representative George Brown (D-CA), sponsored and chaired a hearing on a House companion version of Sen. Dole’s bill. “I have been one of the more active advocates and supporters of science in this House,” he stated in his testimony. “However, I feel that we cannot allow any field, whether it be defense, science, or any others, to be free from scrutiny or improvement. I feel strongly that while medical research is vital to the health of our society, we must accept the responsibility which comes with using live animals. We should ensure that needless suffering is eliminated.”

The hearing room was filled to overflowing and there was much media attention because of recent revelations and footage of horrendous mistreatment of baboons used in head injury experiments at the University of Pennsylvania School of Medicine—where a hydraulic device was used to slam animals’ heads at tremendous force to study head trauma. Footage from the lab revealed animals arousing from anesthesia during surgery, researchers smoking cigarettes and pipes while conducting surgery, and post-head-injury monkeys with helmets cemented to their heads, having them removed using a hammer and screwdriver. The students who worked in the lab made fun of the animals and seemed oblivious to their suffering.

By 1985, the NSMR had merged with the Association for Biomedical Research to become the National Association for Biomedical Research (NABR)—an organization adept at creating barriers to passage of new humane requirements for animals in research. First, NABR proposed a list of 16 changes; once these were addressed, a new list of 32 proposed changes appeared. Sen. Dole, now majority leader, with help from Senator John Melcher (D-MT, and the lone veterinarian serving in Congress) and Speaker of the House Tom Foley (D-

WA) prevailed in getting ISLA attached to the farm bill, which also shielded it from a veto by President Ronald Reagan.

ISLA was signed into law on December 23, 1985. Among the new requirements: Research facilities must have an institutional oversight committee, including a veterinarian and an unaffiliated member to represent the general community interest in the welfare of the animals. The committee must inspect the laboratories twice a year and report deficiencies. Dogs must be provided with exercise. Nonhuman primates must be provided a physical environment that promotes their psychological well-being. Pain and distress must be minimized in experiments and alternatives to such procedures must be considered. The law also establishes the Animal Welfare Information Center to provide data on alternatives to animals in research, help prevent unintended duplication of experiments, and supply information to train scientists and other personnel in humane practices.

Having failed at preventing passage of this law, the industry, led by NABR, deployed numerous obstacles during the regulatory process. In the end, they succeeded in weakening the final regulations for enforcement and delaying finalization of key sections until 1991.

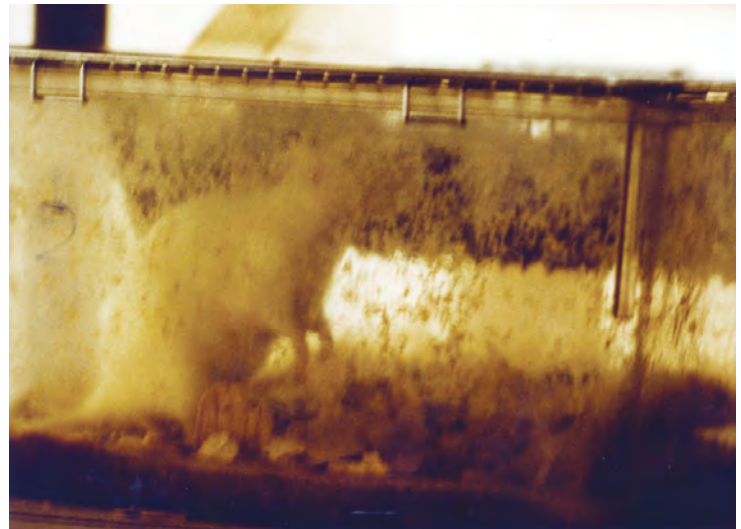
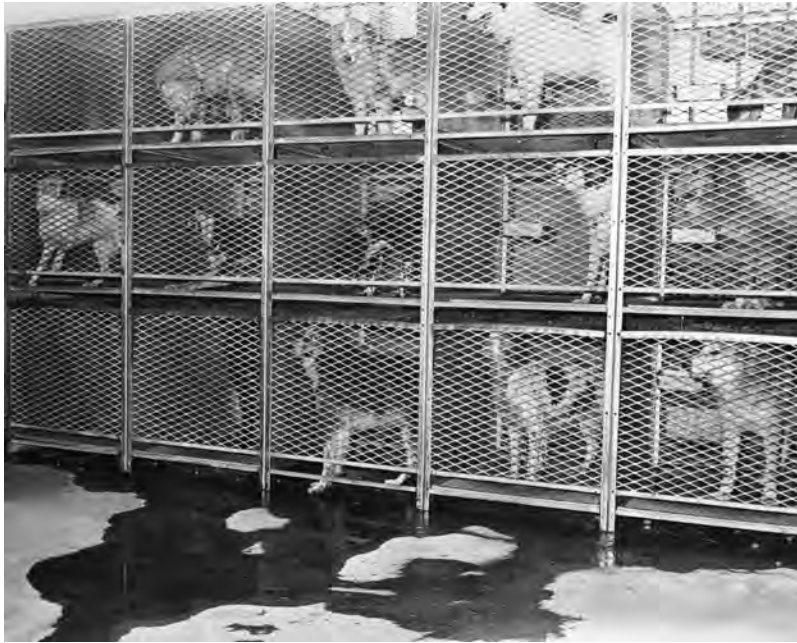
Before the ISLA regulations were finalized, another amendment to the Animal Welfare Act was introduced and adopted: the Pet Theft Act. While the 1966 law greatly reduced the incidence of such theft, dealers exploited loopholes and companion animals continued to be stolen and sold to labs. Passage of the Pet Theft Act in 1990 required pounds to hold dogs and cats for five days before releasing them to dealers, and the dealers were required to provide written certification regarding each animal’s background, affirming who had bred and raised the animal.

## THE FUTURE

Ultimately, a 2009 National Academy of Sciences report, *Scientific and Humane Issues in the Use of Random Source Dogs and Cats in Research*, coupled with the NIH’s phasing out of research on cats and dogs acquired from random source dealers, has nearly ended the industry’s reliance on such animals; however, passage of the Pet Safety and Protection Act is still needed to close the door completely on this trade.

The Animal Welfare Act is the chief federal law for the protection of animals in the United States, regulating the treatment of animals in research, on exhibition, in transport, and by dealers. Unquestionably, it has greatly reduced animal suffering. Nonetheless, much more work is needed. We appreciate the USDA inspectors on the frontline who are documenting violations of the law and those who follow through on their findings to secure justice for the animals.





However, there is room for improvement in enforcing the law and ensuring that the punishment for violators is commensurate with the crime and serves as a deterrent.

In addition, an amendment is needed to right the terrible wrong that occurred when Senator Jesse Helms (R-NC) led a successful effort to remove rats, mice, and birds (except birds in the pet trade) from coverage under the Animal Welfare Act. These animals constitute more than 90 percent of the animals in research; it is inexcusable to deny them the law's protections.

Finally, the minimum standards for housing are no longer appropriate and are in urgent need of updating based on current knowledge and published data (including that contained in the *Guide for the Care and Use of Laboratory Animals*). The law must continue to grow to keep pace with our growing understanding of animals' needs. 🐾

*Top left: Dogs at the University of Minnesota. A university leaflet advised animal techs to first remove any dead dogs and then hose the cages down—with the live dogs still in them. 1985 amendments to the Animal Welfare Act mandated exercise for dogs, prompting a shift toward dog runs over cramped cages.*

*Top right: A monkey with a deteriorating bandage on his arm at the Silver Spring, MD, laboratory of Dr. Edward Taub. Dr. Taub severed animals' nerves to study the effects of loss of sensory input. The upper arm wound is from self-mutilation. (photo by Alex Pacheco)*

*Bottom left: A still image taken from the undercover film, Unnecessary Fuss, that exposed the callous and inhumane treatment of baboons subjected to severe head trauma via a hydraulic device at the University of Pennsylvania's medical school.*

*Bottom right: A rat in a filthy cage. Although the Animal Welfare Act has been instrumental in improving conditions for many animals used in research, a 2002 amendment to the agricultural appropriations bill excludes "birds, rats of the genus Rattus, and mice of the genus Mus, bred for use in research, from coverage under the Act."*

For the full text of the Animal Welfare Act and its regulations, please see: [www.awionline.org/aphis-awa-reg](http://www.awionline.org/aphis-awa-reg)

## FLORIDA BEAR HUNT SUSPENDED

Florida's black bears get a one year reprieve from hunting after the Florida Fish and Wildlife Conservation Commission voted 4-3 to suspend hunts while it gathered more information about bear populations in the state. Last year's hunt, the first in 21 years, resulted in the death of some 300 bears in two days.

AWI testified at the commission's June hearing, imploring it to vote against a hunt because of concerns about the status of Florida's black bear population, which just a few years ago had been listed as threatened under the state endangered species law. In our testimony, we emphasized the cruelty of the hunt the previous year, when 21 percent of the bears killed were lactating mothers—potentially leaving nursing cubs to starve. We also stressed that there are many proven, nonlethal management options available to prevent bear-human conflicts.

Following the testimony, the commission vote on whether to allow

the hunt was tied, at 3 in favor and 3 against—at which point Chairman Brian Yablonski cast the deciding vote against, sparing the bears for now.

## AWI SUES MONTEREY COUNTY OVER WILDLIFE SERVICES CONTRACT

AWI and allies filed a lawsuit in June challenging the renewal by Monterey County, California, of its contract with the US Department of Agriculture's deadly Wildlife Services program. The lawsuit asserts that the renewal of the contract violates the California Environmental Quality Act (CEQA) because the county failed to analyze the environmental impacts of its agreement and wrongfully claimed an exemption from CEQA. Furthermore, county officials held no public hearings about their CEQA exemption claim and have not disclosed the details of the agreement.

The groups hope for a similar outcome to that achieved earlier this year regarding a lawsuit filed against

Mendocino County over its Wildlife Services contract. After the groups sued Mendocino County in 2014—and again in 2015 when the county breached a settlement agreement—the county finally buckled. In April 2016, it agreed to immediately suspend its Wildlife Services contract, prepare a full environmental impact report under CEQA, and weigh nonlethal predator control options.

More than 15 years ago, Marin County voluntarily replaced its Wildlife Services contract with a nonlethal predator control program that decreased predation by 62 percent at one third the cost. More recently, Sonoma County also opted not to renew its contract with Wildlife Services.

Monterey County's previous contract authorized Wildlife Services to kill hundreds of coyotes, bobcats, mountain lions, and other animals every year without fully assessing the ecological damage or considering alternatives. Over the past five years, Wildlife Services has killed 3,563 animals in Monterey County using traps, snares, and firearms. The USDA program's indiscriminate (and often exceedingly inhumane) killing methods have come under increased scrutiny from scientists, the public, and government officials. Peer-reviewed research shows that such reckless slaughter of animals—particularly predators—results in broad ecological destruction and loss of biodiversity. Each year, the program kills thousands of nontarget animals in the United States, with threatened and endangered species and family pets among the unintended victims.

*Last year, Florida officials sold nearly 3,800 permits for hunters to kill black bears in the state. Nursing mothers and cubs as young as 4 months old were among those shot and killed.*



FLORIDA FISH AND WILDLIFE

## HORNED OWL HAS AWFUL ENCOUNTER WITH STEEL-JAW LEGHOLD TRAP

The victim was caught out of trapping season and appeared to have been in the trap for days. The trap lacked required identification, and did not catch a furbearing animal, the brutal device's typical intended target. The incident occurred in Swansboro, a popular tourist destination along the North Carolina coast, and a place often referred to as a "Friendly City by the Sea." However, it was not so friendly to a great horned owl—a protected species—who got caught in a steel-jaw leghold trap set along the side of a road in late May.

Fortunately, a local volunteer at the Possumwood Acres Wildlife Sanctuary was driving by, noticed the owl, and came to her rescue. Once the woman saw that the owl was caught in a trap, she called for help. It was tough freeing the bird from the jaws of the trap; two of her toes had sustained cuts all the way down to the bone.

The owl recuperated at a local raptor rehabilitation center, with careful attention to ensure that her foot didn't become infected. Unlike many other raptors caught in steel-jaw leghold traps, gangrene did not set in and require amputation of any toes. The owl recovered and was released back to the wild by the sanctuary.

## RED WOLF POPULATION DWINDLES AS USFWS DITHERS

Since a victory by AWI and allies in a lawsuit to limit coyote hunting in the red wolf recovery area (see *AWI Quarterly*, summer 2014), the US Fish and Wildlife Service has continued to sabotage its own once-successful red wolf recovery program, in apparent



*This owl is thought to have languished in a steel-jaw leghold trap for a couple of days before being rescued. Despite deep cuts, she was fortunate in one sense: A rehab specialist told a local reporter, "These traps usually cut off toes and sever tendons, and that equals euthanasia for these birds. You can't have a one-legged owl. It has to have both to hunt and feed." Photo courtesy of Possumwood Acres Wildlife Sanctuary*

capitulation to a small, but very vocal group of individuals opposed to red wolf recovery.

In June 2015, the USFWS announced it would "suspend its reintroductions of [the] red wolf into the wild while it gathers additional science and research into the feasibility of recovery for the species under the Endangered Species Act (ESA). The Service intends to complete its review by the end of 2015." In October 2015, the agency announced it was "progressing toward recommendations" and hoped to complete its review by summer 2016. As this issue goes to press, word concerning the outcome of that review has yet to emerge from the agency.

In June 2016, AWI and its coalition partners asked the US District Court for the Eastern District of North Carolina to stop the USFWS from capturing

and killing—and authorizing private landowners to capture and kill—red wolves. In July, a petition with nearly half a million signatures was delivered to the USFWS, urging the agency to fulfill its legal duty under the ESA to recover the critically endangered wolf. The petition urges the agency to resume efforts to protect and bolster the wild population, now reduced to an estimated 45 individuals.

As the USFWS continues to abdicate its responsibility, AWI and allies will redouble our efforts to save the species. For additional information about red wolves, the threats they face, and what you can do to show your support for these animals, visit [www.thetruthaboutredwolves.com/](http://www.thetruthaboutredwolves.com/).

## BILL SEEKS TO BAN INTERSTATE COMMERCE IN CRUEL TRAPS

A horrific incident just outside her district, in which a young boy was seriously injured by a Conibear trap, motivated Representative Alma Adams (D-NC) to join Representative Nita Lowey (D-NY) in introducing the Public Safety and Wildlife Protection Act (HR 5560) to prohibit interstate commerce in steel-jaw leghold and Conibear traps—barbaric body-gripping devices that are inherently indiscriminate. These traps injure not only wildlife species targeted by trappers for their fur, but also companion animals, endangered and threatened species, countless other animals (from raptors to ungulates), and even people. When triggered, the jaws of these traps slam shut with bone-crushing force. Victims can endure excruciating pain and extensive trauma.

Several states restrict or ban such devices. Over 80 countries have banned steel-jaw leghold traps. By prohibiting interstate trade in steel-jaw leghold and Conibear traps, HR 5560 would facilitate

a phase-out of these two devices, thus making people, wildlife, and pets safer. Moreover, this bill would help fulfill a commitment the United States made in a 1997 bilateral agreement with the European Union regarding humane trapping standards, which called for phasing out of steel-jaw leghold traps.

### What You Can Do

Ask your representative to cosponsor the Public Safety and Wildlife Protection Act. [www.compassionindex.org](http://www.compassionindex.org).

## ANIMAL WELFARE ON THE LINE IN STATE BALLOT MEASURES

The outcome of these ballot measures this fall will affect conditions for farm animals and wildlife. AWI supports the first three and opposes the fourth.

**Montana I-177** would end commercial and recreational trapping on public lands in the state and establish misdemeanor criminal penalties for violations of the trapping prohibitions.

**Oregon Petition #68**, the Wildlife Trafficking Prevention Act, would prohibit trade in 12 highly trafficked species, to discourage poaching. Violators could be subject to felony-level fines. California, Hawaii, and Washington already have similar laws.

**Massachusetts Question 3** would require that egg-laying hens, veal calves, and sows not be confined “in a cruel manner,” defined as being prevented from “lying down, standing up, fully extending the animal’s limbs, or turning around freely.” The initiative would also ban the sale in the state of products from animals confined in this manner. (See *AWI Quarterly*, fall 2015, for more on this measure.)

**Oklahoma State Question 777**, would add a “right to farm” to the state constitution. The measure is more like a “right to harm,” however, as the intent is to prevent voters and legislators from adopting meaningful improvements in farm animal welfare.

Democratic presidential nominee Hillary Clinton has a page dedicated to animal welfare issues on her website: [www.hillaryclinton.com/issues/protecting-animals-and-wildlife/](http://www.hillaryclinton.com/issues/protecting-animals-and-wildlife/). The website for Republican nominee Donald Trump, [www.donaldjtrump.com](http://www.donaldjtrump.com), does not appear to address animal welfare issues. The records of current members of the House of Representatives and Senate on key animal issues can be viewed at [www.compassionindex.org](http://www.compassionindex.org).



MATT KNOTH



# WILDLIFE TRADE IN FOCUS AT CITES CONFERENCE OF THE PARTIES

**I**n September 2016, thousands of government delegates, scientists, industry representatives, and conservationists will gather in Johannesburg, South Africa, for the 17<sup>th</sup> meeting of the Conference of the Parties (CoP17) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). CoP17 will tackle an ambitious agenda of working documents and species proposals to influence the treaty's future and the species it is supposed to protect. At CoP16 in Bangkok, Thailand, in 2013, significant decisions were made to protect several species from unregulated trade, a welcome result compared to CoP15 in 2010, where politics prevailed over science. Which of these recent conferences CoP17 will emulate remains to be seen.

Host nation South Africa, like so many countries, is experiencing escalating trade in wildlife: It is the epicenter of an unrelenting slaughter of rhinoceroses; elephant poaching is on the rise; there is a massive illegal trade in sea cucumbers and abalone; and the country sanctions the highly controversial canned hunts of African lions.

Wildlife criminals and syndicates—driven by greed, buoyed by corruption, and operating without fear of apprehension or significant penalty—are stealing the world's biodiversity to feed the insatiable demand for wildlife products. Nevertheless, efforts to combat the booming wildlife trade—both legal and illegal—have increased dramatically

in recent years as governments, celebrities, scientists, and conservationists call attention to the threats not only to wildlife but also to human health, well-being, and security. Mountains of reports have been published and countless hours of meetings have been held worldwide. Only time will tell if such efforts will succeed.

CoP17 is an opportunity to confront such threats by listing species on CITES Appendix I or II and to advocate for a stronger treaty. Species on Appendix I cannot be traded commercially, while those on Appendix II are subject to regulated trade that is (in theory, at least) sustainable. CITES is described as an effective multinational environmental agreement, but many, including AWI, challenge this assessment due to weaknesses in the treaty's implementation. CITES' effectiveness is diminished by decision-making that is too often political, expedient, and opaque rather than science-based, precautionary, and transparent, as well as by inadequate national legislation, enforcement penalties, and implementation of the treaty's requirements.

In Johannesburg, AWI will work with dozens of organizations within the Species Survival Network, a coalition of over 100 organizations concerned about wildlife trade. Such collective efforts should generate conservation victories for individual species and strengthen the treaty itself. In addition, AWI will bestow the Clark R. Bavin Wildlife Law Enforcement Award on a number of deserving recipients who have excelled—often at great personal risk—in the enforcement of wildlife laws.

A description of some of the species proposals and working documents (which relate to CITES implementation) follows.

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Swaziland has submitted a proposal seeking permission to sell off its **rhino** horn stockpile, along with an additional 20 kilograms each year. Most wildlife experts strongly oppose legalizing rhino horn trade, as such trade would facilitate the laundering of illegally sourced horn, increasing the incentive for poaching and escalating threats to rhino populations in Africa and Asia.

Rhino poaching has increased exponentially since 2007. In Vietnam and other Asian countries, persistent but groundless claims that rhino horn can cure cancer help fuel the relentless poaching. Thirteen rhinos were poached in South Africa in 2007. For the past several years, however, the annual number poached has exceeded 1,000 and poaching has expanded to other African range states.

**Recommendation: Oppose**

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The **African lion** is proposed for transfer from CITES Appendix II to I due to significant population declines and mounting threats to the species, including trade in lion parts, habitat loss, indiscriminate killing to protect livestock, and poorly regulated sport hunting. Lions inhabit only 8 percent of their historic range. Their numbers dropped by at least 43 percent between 1993 and 2014 and the species has been extirpated from 16 countries. Lion numbers in West, Central, and East Africa are predicted to decline by another 50 percent over the next two decades. Despite such declines, trade in lions has increased. From 2005 to 2014, more than 29,000 lion specimens, including lion parts, were exported globally—including more than 11,000 items from wild lions.

**Recommendation: Support**



LOUIS-GUILLAUME MORAND



The **western tur**, a wild goat species endemic to the Caucasus Mountains in Azerbaijan, Georgia, and Russia, is proposed for inclusion on CITES Appendix II with a zero export quota for commercial trade or hunting trophies. The number of western tur has declined from an estimated 12,000 animals in the 1980s to 5,000 today. Trophy hunting, along with biological characteristics such as low productivity and high kid mortality, makes the species particularly vulnerable to the impacts of trade.

**Recommendation: Support**



**African elephants** will generate considerable debate at CoP17 due to the ongoing poaching crisis, which is claiming an estimated 96 elephants each day. All African elephant populations are proposed for listing on Appendix I to reverse the unsustainable demand for ivory and to make clear to criminal syndicates that trade in ivory must stop. Since 1997, African elephants have been split-listed, with all populations on Appendix I except for those in South Africa, Zimbabwe, Namibia, and Botswana. The one-off

sales of stockpiled ivory to Japan in 1999 and, particularly, to Japan and China in 2008 stimulated the demand for ivory, triggering the current poaching crisis. From 1989 to 1997, a period when all elephants were included on Appendix I, poaching rates substantially declined.

According to recent data analyses, elephant poaching rates continue to exceed normal elephant herd growth rates. Population data from the World Conservation Union's African Elephant Database indicate that the continent-wide elephant population has declined from an estimated 556,000 in 2006 to 473,000 in 2013. In many countries, declines have exceeded 50 percent, while some local populations have been wiped out altogether. A new elephant census, the results of which will be published before CoP17, is expected to reveal further continent-wide declines in elephant numbers.

**Recommendation: Support**



All eight species of **pangolin** (aka scaly anteater)—four native to Africa (white-bellied, black-bellied, giant ground, and Temminck's ground) and four to Asia (Chinese, Sunda, Philippine, and Indian)—are proposed for transfer from Appendix II to Appendix I due to substantial illegal trade. Pangolins are the most heavily trafficked mammal in the world, with an estimated 1 million animals illegally traded from 2004–2014 to satisfy demand in China and other Asian countries for live animals, meat, and parts—particularly scales. China's high demand for pangolins and commercial extinction of its own has triggered escalating exploitation of pangolins throughout other parts of Asia and Africa. Pangolins are threatened by local collection and use of meat and scales, illegal international trade, and habitat loss, which have contributed to massive declines in pangolin numbers.

**Recommendation: Support**



The **earless monitor lizard**, found in isolated populations in Brunei, Malaysia, and Indonesia, is proposed for listing on Appendix I due to substantial illegal trade as pets. Trade in this species, particularly from West Kalimantan, Indonesia, has increased substantially since 2013, with animals reported in trade within Japan, France, the Ukraine, the Czech Republic, Germany, and the United States. The impact of trade is inferred to be great; given its small habitat area, its fragmented distribution, and deforestation in the area, the species is considered to be in a precarious situation.

**Recommendation: Support**



All species of **African pygmy chameleons** are proposed for listing on Appendix II to regulate trade in imperiled species or due to similarity in appearance. (CITES allows listing of look-alike species to protect them from trade and to facilitate enforcement.) As CITES protections were bestowed upon other chameleons, the demand for pet African pygmy chameleons (primarily in Europe and the United States) skyrocketed. From 2001 to 2014, the United States imported more than 185,000 pygmy chameleons, with over 98 percent of those removed from the wild.

**Recommendation: Support**

The **psychedelic rock gecko**, **turquoise dwarf gecko**, and **masobe gecko** are proposed for listing on Appendix I due to demand from the international pet trade in Europe, the United States, and other countries, and elsewhere via online sales. These species, found in southern Vietnam, Tanzania, and central-eastern Madagascar, respectively, exist in small and/or declining populations.

**Recommendation: Support**



The **African grey parrot** is proposed for transfer from Appendix II to Appendix I to stem the substantial legal and illegal trade in this popular pet, whose wild populations have plummeted. Since 1975, over 1.3 million wild grey parrots, native to West and Central Africa, have been exported, making this one of the most highly traded of all CITES-listed birds. In addition to legal trade, there is evidence of significant quantities of parrots in illegal trade. The number of birds in trade underestimates actual impacts due to substantial pre-export mortality rates which, in some cases, equal 50 percent of captured birds. Ongoing collection for international trade and significant habitat loss are causing massive declines in grey parrot populations—between 90 and 99 percent in Ghana and in excess of 50 percent in other range states, while parrots in several range states are rare or locally extinct.

**Recommendation: Support**





Madagascar has submitted two proposals for the **tomato frog**, **false tomato frog**, and **antsouhy tomato frog**. The tomato frog was listed on CITES Appendix I in 1987 but now is proposed for transfer to Appendix II, while the other two species are proposed for listing on Appendix I. All three species were/are in demand for the international pet trade. False tomato frogs are taken from the wild and traded in large numbers due to the Appendix I listing of the tomato frog. Madagascar claims the tomato frog is very common. It offers no credible or recent evidence to support this claim, however, and does disclose that tomato frog numbers in the species' best-known location have declined. Due to their similar appearance, split-listing the species will transfer trading pressure from the more to the less protected species, while an Appendix I listing would benefit all three species.

**Recommendation: Oppose transfer of tomato frog to Appendix II, support Appendix I listing of other two**



Six species of **soft-shell turtles**, found in Africa and the Middle East, are proposed for listing on Appendix II due to ongoing and unsustainable trade, primarily for consumption in eastern Asia. As turtle populations in Asia have been decimated, turtle populations in Africa, the Middle East, and the Americas have been exploited to meet demand.

**Recommendation: Support**

The **Titicaca water frog**, endemic to the highlands of Peru and Bolivia, is proposed for listing on Appendix I due to severe population declines, attributed to illegal and indiscriminate capture, domestic and international trade, habitat degradation, and other threats. The number of frogs declined by over 80 percent since 2000, with tens of thousands of frogs (including over 40,000 in Bolivia alone) collected annually for human consumption as meat, traditional medicines, or extracts, or for trade within Latin America.

**Recommendation: Support**



The **silky shark** and three species of **thresher sharks** (bigeye, common, and pelagic) are proposed for inclusion in Appendix II due to the overexploitation of the species for the international shark fin trade (or for shark fin look-alike reasons in the case of the common and pelagic thresher sharks). The trade has contributed to significant declines of these species throughout their global range. Silky sharks are taken in very large numbers by both target and bycatch fisheries. Worldwide, silky sharks have declined by more than 70 percent in almost every area they are found and for which data, ecological risk assessments, and stock assessments are available. Despite this decline, the proportion of silky shark fins available in the shark fin market has increased from 3.5 percent in the early 2000s to as high as 7.5 percent in 2013. Over the past 36–39 years, bigeye thresher populations have declined by 70 to 80 percent in the Atlantic Ocean and by over 80 percent in the Indian and Pacific Oceans. Meanwhile, the availability of thresher shark fins in Hong Kong markets has declined by 77 to 99 percent in the past 10–15 years.

**Recommendation: Support**

Chambered nautilus are proposed for listing on Appendix II due to documented population declines, substantial international trade, and biological characteristics that make the species highly susceptible to overexploitation. While nautilus meat is consumed locally or traded, the colorful shells drive the international trade in this species via tourist souvenirs, jewelry, and home décor items. The United States alone imported more than 900,000 chambered nautilus specimens, including 104,000 individuals and 805,000 parts, from 2005–2014, with 99 percent of the specimens taken from the wild. Populations are locally extirpated or have declined throughout the species' range (including by 97 percent in the Philippines) due to habitat degradation and serial depletion, as collectors exhaust populations and move on to exploit new ones.

**Recommendation: Support**



PAT BONISH

Devil ray species, found in tropical and temperate waters of the Atlantic, Indian, and Pacific Oceans, are proposed for listing on Appendix II due to unsustainable trade, contributing to declining population numbers. The proposal specifically seeks an Appendix II designation for the sicklefin and spinetail devil rays, while all other devil ray species would be listed based on similarity of appearance. Gill plates, used by rays to filter food from water, are in high demand for use in health tonics. Because it is difficult to identify the species of dried gill plates and because CITES afforded manta rays protection in 2013, devil rays have been subject to increased fishing pressure. Catch data for sicklefin and spinetail rays reveal massive population declines of more than 95 percent in the Indo-Pacific region over the last 15 years, with sizeable declines reported in other regions.

**Recommendation: Support**



KLAUS STIEFFEL

BERNARD DUPONT

The Banggai cardinalfish, a popular ornamental fish species endemic to the Banggai Archipelago off Central Sulawesi in eastern Indonesia, is proposed for listing on Appendix II. Surveys in 2015 estimated that 1.4 million fish remain in small, isolated populations, a 36 percent decline in numbers since 2007 and a decline of over 90 percent since 2000. In 2007, at least 900,000 fish were collected. According to fish traders, however, 25 to 50 percent of captured fish perish before export, thereby increasing collection pressures to meet demand.

**Recommendation: Support**

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In addition to species proposals, CoP17 delegates will deliberate a number of working documents covering issues ranging from the mundane to the vital. These include treaty implementation and species-specific resolutions and decisions on standards and guidance for the regulation and monitoring of international trade. To promote transparency, Israel is seeking to alter voting procedures to require a majority of parties present to approve any casting of votes in secret, rather than the mere 10 votes required to approve secret votes now.

The trade in bushmeat, freshwater stingrays, shahtoosh shawls from Tibetan antelope, rhino horn, saiga antelope, Asian big cats, great apes, pangolins, and snakes will be discussed. The bushmeat trade is devastating wildlife populations, leading to “empty forests” where habitat is available but few animals exist. In China, thousands of captive tigers are bred under cruel conditions to generate a constant supply of animals to feed the black market trade in tiger parts. Massive numbers of snakes are collected from the wild and killed for the skin trade, with virtually no credible scientific evidence to demonstrate sustainability or to identify non-CITES-listed snake species that may warrant CITES protections.

Wildlife crime, including cybercrime, will be discussed, as well as strategies to improve enforcement of wildlife laws and reduce demand for wildlife products. Online trade in wildlife has skyrocketed in the past decade, facilitating trafficking while complicating law enforcement.

National legislation implementing CITES must be strong to prosecute and penalize wildlife criminals. Yet there are 81 countries, including Botswana, Chile, Georgia, Nepal, the Philippines, Tanzania, and Zambia, that have been parties to CITES for more than five years but still don't have adequate laws implementing the treaty. This, too, will be a topic of discussion.

The role of corruption in wildlife trade, conflicts of interest among members of CITES committees (e.g., Animals, Plants, and Standing Committees), disposal of confiscated CITES-protected wildlife species (live and dead), trade in Appendix I and captive-bred specimens, trade in hunting trophies, and traceability systems will all be deliberated. Corruption is a key contributor to wildlife trade and needs to be reined in.

Furthermore, although Appendix I is often considered a block to trade, there are a number of treaty provisions that permit trade. In 2013, the United Nations Environment Programme World Conservation Monitoring Centre found extensive trade in Appendix I species, particularly whales for meat, not consistent with the spirit of CITES.

Elephants and the ivory trade are the subject of a number of documents. A proposal on the trade in live elephants asks that future trade be limited to *in-situ* conservation projects instead of subjecting wild-caught elephants to a lifetime of suffering in captivity. The closure of domestic ivory markets (a key to reducing demand for ivory and ending the elephant poaching crisis) will be deliberated, as will guidance on monitoring and destroying ivory stockpiles—an increasingly popular action taken by at least 20 countries since 2011 to signify their opposition to the ivory trade. Trade in ivory from long-extinct mammoths, which may be used as a cover for illegal trafficking of elephant ivory, would be subject to increased scrutiny and monitoring under another proposal. Even protections for the helmeted hornbill, a bird species native to the Malay Peninsula, Sumatra, and Borneo with a casque on its bill made of solid keratin, will be debated to address population threats linked to poachers profiting from the illegal trade in “hornbill ivory.”

The decision-making mechanism (DMM) for ivory trading is also at issue. In 2007, an effort was initiated to develop a framework for legalized ivory trade. But with no progress made on the DMM and elephant poaching continuing at alarming levels, one proposal seeks an end to the DMM process. Meanwhile, South Africa, Namibia, and Zimbabwe—which all would profit from a legal ivory trade—seek additional DMM deliberations.

It is impossible to predict the outcome of CoP17. Will governments and NGOs that promote the exploitation of global biodiversity for profit prevail, or will science and conservation win out? AWI will work toward achieving the latter and will report on the outcome in a future edition of the *AWI Quarterly*. 🐾



TAMBAKO THE JAGUAR

# Ivory Trafficker Sentenced to 20 Years in Prison

**Feisal Mohamed Ali** is now in a Kenyan prison. He has begun to serve a term that will keep him there until July 21, 2036, when he will be 69 years old.

The Kenya Wildlife Service had long suspected Ali of being a kingpin among the ivory trafficking syndicates of Mombasa, Kenya's port city on the Indian Ocean. So they and the Kenya Police Service kept vigilant watch of his activities, ready to act swiftly at the proper opportunity. That opportunity came on June 5, 2014, when a raid seized 4,744 pounds of contraband ivory concealed at a storage facility in Mombasa. That ivory was all that remained of at least 200 elephants who had been slaughtered by poachers.

Ali purchased the ivory from the poachers for about \$645,600. Using his business and smuggling skills, Ali could have expected to sell that same ivory for about \$4.5 million if he could deliver it to the black market buyers of East Asia. Although the police were able to seize the ivory and arrest two of Ali's subordinates, the kingpin himself made a desperate escape. Investigations indicated Ali had slipped across the border, into Tanzania. So the Kenyans turned to INTERPOL, the International Criminal Police Organization, which then issued a "Red Notice," a formal request to all countries, asking them to arrest Ali and hold him for extradition to Kenya.

Ali was a fugitive for five months and one day, while investigation units from many agencies diligently combed through many leads. The cooperative effort paid off and Ali was found hiding in Dar es Salaam. Following a period of surveillance, he was cornered by Tanzanian police on the evening of December 22, 2014. The fugitive was peacefully arrested, booked, and delivered to Kenyan authorities for extradition and prosecution.

Ali could afford the very best defense attorneys. They fought like street cats for a year and a half and used every available maneuver and stratagem to protect Ali from a determined prosecution that was applying Kenya's new and very resolute Wildlife Act. There were repeated court delays, medical excuses, the theft of important evidence linked to the case, even the destruction of the crime scene itself—the storage facility in Mombasa. The initial magistrate was withdrawn from the case amid allegations of impropriety and there was some intense quibbling over the legibility of that magistrate's notes. But in the end, Ali was found guilty and condemned to 20 years in prison plus a fine of 20 million Kenya shillings (about \$200,000).

Feisal Mohamed Ali may be the biggest ivory dealer convicted in recent years. But he is not the only one. Notorious ivory traffickers such as "Le Patron" Emile N'Bouke in Togo, "Shetani" (The Devil) Boniface Matthew Mariango in Tanzania, and "Queen of Ivory" Yang Feng Glan in Tanzania, as well, are a few of the major dealers who have been marched off to the hoosegow. Curiously, Asian enforcement agencies have not been reporting similar successes in their efforts to suppress this gruesome trade. But it is the Asian dealers who provide the primary financial incentive motivating the slaughter of 30,000 African elephants a year. And they appear to be virtually immune from law enforcement. 🐾

## orphaned elephants

In most cases, young elephants orphaned by the ivory trade simply die. Kenya, however, has a very proactive rescue system.

Upon learning of a poaching incident, Kenya Wildlife Service rangers search for any surviving infants. Those found are evacuated—often by air—to the Sheldrick Elephant Orphanage in Nairobi National Park, where they are cared for until about age 5. After that, youngsters are brought to a halfway house at Ithumba, in Tsavo East National Park, where this photo was taken. There, they are gradually reintroduced to life in the wild and integrated into a receptive herd of elephants.





A small-clawed otter. Members of this species are increasingly taken from the wild to feed a growing pet trade in some Southeast Asian countries.

## OTTER TRADE ON THE RISE IN SOUTHEAST ASIA

A new report, *Illegal Otter Trade: An Analysis of Seizures in Selected Asian Countries (1980–2015)*, by TRAFFIC, a wildlife trade monitoring network, examines the black market trade in live otters and otter parts in the region. Four species affected by the trade were examined: small-clawed otters, smooth-coated otters, hairy-nosed otters, and Eurasian otters.

The authors found an extensive otter fur trade centered in India, Nepal, and China—one that “is likely to be taking a toll on wild otter populations.” They also saw evidence of a growing (primarily domestic) trade in otters as pets. This trade chiefly occurs within Indonesia, Japan, Malaysia, Thailand, and Vietnam.

Dr. Chris Shepherd, regional director of TRAFFIC in Southeast Asia, stated in a press release that “very little effort has been made in the past to tackle the illegal trade in otters here in Southeast Asia, largely due to ignorance of the situation and an overall lack of concern for ‘low-profile species.’ ... It is high time this group of species receive the conservation attention they so urgently deserve.”

## FLORIDA MANATEES SUCCUMB AS ALGAL BLOOMS ALTER HABITAT

Outbreaks of algae may once again be taking a heavy toll on the West Indian manatee population in Florida’s Indian River Lagoon. Since May, nine manatee carcasses have been found, all bearing signs of gastric trauma related to the spread of algae in the polluted lagoon. Algal blooms block sunlight needed by sea grass, a primary component of the manatees’ diet. This year’s fatalities may signal a return of the mass die-offs that plagued the population from 2012 to 2015, during which time 158 of the animals were found dead. Major algal blooms in 2011 and 2012 wiped out half of the lagoon’s sea grass.

Meanwhile, in January of this year, the US Fish and Wildlife Service proposed a reclassification of the West Indian manatee from endangered to threatened under the Endangered Species Act. (See *AWI Quarterly*, spring 2016.) During the comment period, which ended in April, AWI sent detailed comments strongly opposing the proposed downlisting, given the many threats the animals still face from habitat loss, boat strikes, and pollution.

## NATIONAL AQUARIUM SENDING ITS DOLPHINS TO SANCTUARY

The National Aquarium in Baltimore announced in June that it plans to move its colony of eight dolphins from its indoor amphitheater pool to a seaside dolphin sanctuary—the nation’s first. The aquarium publicly stated two years prior that it was considering such a move. (See *AWI Quarterly*, summer 2014.)

Aquarium CEO John Racanelli explained: “Emerging science and consultation with experts have convinced us that dolphins ... thrive when they can form social groups, have opportunities to express natural behaviors and live in a habitat as similar as possible to that for which nature so superbly designed them.”

A site selection team is currently evaluating potential locations in Florida and the Caribbean. The outdoor seawater facility will be significantly larger than the dolphins’ current living space and provide more natural stimuli for the dolphins, such as fish and marine plants. Humans would still care for the dolphins, only one of whom was born in the wild.

Transfer to the sanctuary is expected to take place by the end of 2020. “Although this decision is about a group of dolphins,” said Racanelli, “it is every bit as much about our humanity; for the way a society treats the animals with whom it shares this planet speaks volumes about us.”

# KEEPING SHARK FINS IN THE OCEAN AND OUT OF THE SOUP

KARIN LEONARD/MARINE PHOTOBANK



For over a decade, AWI has provided an online database of restaurants in the United States that continue to serve shark fin soup. The goal is to help people avoid such establishments and to call attention to the inherent cruelty associated with shark finning and the devastating effect that commercial demand for fins has on shark populations.

Even though the fins lack any real flavor, they are considered a delicacy in some East Asian dishes, notably soup and dumplings. Each year, up to 73 million sharks are believed killed for their fins, including from many species classified as endangered.

Once caught on a baited hook, live sharks are often hauled aboard to have their fins cut off. After this, the mutilated animals are tossed back into the sea to die of suffocation (as they can no longer swim), or be killed by predators drawn to the blood. The carcasses are of little economic value; by discarding the bodies, even small vessels can store hundreds of the high-value fins.

Despite their important role as top predators, sharks are vulnerable to overhunting because they mature late in life, grow slowly, and produce very few young. In this respect, their life cycle more closely resembles whales and dolphins than that of fellow fish. In some species, sexual maturity

does not occur until the age of 20 and gestation can last up to two years. Unlike bony fish, sharks give birth to a handful of live young, known as pups, instead of a large number of eggs. Once reduced, shark populations are extremely slow to recover. Some shark populations have declined by 70–90 percent in the last three decades.

The AWI webpage on restaurants selling shark fin soup is one of the most visited areas on AWI's site. We encourage visitors to avoid patronizing listed restaurants or, if they do, to voice their concerns to restaurant management. We also encourage people to inform us if they discover restaurants that serve shark fin products but are not yet on the list. Over the years, and with assistance from many interns as well as members of the public, the page has grown. From a list based on restaurants in the Washington, DC, metropolitan area, the page now includes information on restaurants in over half of the country's states and territories. No restaurant is listed until AWI personnel have verified that the facility does, in fact, offer shark fin products for sale. The list is audited every year, leading to the removal of some restaurants and the addition of others. Approximately 300 restaurants are listed currently.

Since the launch of this resource, the federal Shark Conservation Act of 2010 was signed into law, making it illegal to conduct shark finning in US waters. This was

followed by legislation in various states and territories addressing the shark fin trade. A total of 14 US states and territories now have laws that ban the possession, sale, offer for sale, trade, and/or distribution of shark fins.

Many of these laws do exempt certain fisheries in which fins are not usually targeted, such as those for smooth dogfish. While this seems a logical exemption for true “shark fishers” who utilize the entire fish, it can make enforcement of the bans problematic, as species are not readily identifiable from the fins; often, the processed fins must undergo expensive DNA analysis to determine the origin.

The first state or territory to introduce shark fin trade legislation was Hawaii, with a ban that came into force on July 1, 2010. Since then, American Samoa, California, Delaware, Guam, Illinois, Maryland, Massachusetts, New York, the Northern Mariana Islands, Oregon, Rhode Island, Texas, and Washington have all passed bans. Rhode Island’s law, which comes into force January 1, 2017, is the most recently passed. Texas is the first Gulf of Mexico state to pass a ban; its law came into force on July 1, 2016.

AWI continues to audit restaurants in states with bans, and when we find a restaurant that is violating the law we notify the relevant authorities. In recent years, we have noticed that a growing number of restaurants that sold shark fin are ceasing to do so, presumably due to the various state bans and also, hopefully, growing customer pressure. A significant number of eateries, however, do continue to offer shark fin products for sale and some have taken to serving imitation shark fin, especially in states with bans.

Not all restaurants that tell us they are offering imitation shark fin make it clear to their customers that the dish is not the real thing. Imitation shark fin is usually cheaper than real shark fin. By not disclosing imitation fins as such, however, the restaurant may be violating the state law against offering to sell a banned product, and may also be duping the customer into thinking and paying for the real thing. AWI still lists those restaurants on our website, with an annotation that the restaurant claims the shark fin is imitation.

A new federal bill, the Shark Fin Trade Elimination Act of 2016 (S 3095/HR 5584), has been introduced that could solve the state-by-state piecemeal approach to banning the sale of shark fins. The bill was introduced in July by Representatives Ed Royce (R-CA) and Gregorio Kilili Camacho Sablan (I-Northern Mariana Islands) in the House of Representatives and by Senators Cory Booker (D-NJ) and Shelley Moore Capito (R-WV) in the Senate. If passed, this bill would eliminate the need for further state legislation, standardize enforcement, significantly reduce the United States’ contribution to the global demand for shark fins, and help the United States engage with other countries in working toward a global ban on the shark fin trade.

#### **What You Can Do**

We invite you to visit our webpage ([www.awionline.org/sharkfinsoup](http://www.awionline.org/sharkfinsoup)) and use it to report, avoid, and encourage others to avoid restaurants that continue to serve shark fin products. Contact your legislators via our website and ask them to cosponsor the Shark Fin Trade Elimination Act ([www.awionline.org/shark-fin-ban](http://www.awionline.org/shark-fin-ban)). You may also call us at 202-337-2332 to report restaurants or obtain your legislators’ contact information. 🐾

*Severed shark fins, laid out to dry on a Hong Kong street.*



## PERDUE SAYS IT WILL IMPROVE POULTRY PRACTICES

Perdue Farms, one of America's largest industrial poultry producers, unveiled a plan in June designed to "accelerate its progress in poultry care." Perdue claims that the plan, to be implemented over the next several years, is based on the "Five Freedoms"—an internationally recognized benchmark for animal husbandry. According to the *New York Times*, it will hold Perdue's contract farmers (who, under serf-like agreements, raised 676 million chickens for the company last year) to standards similar to those in Europe.

The plan covers several important aspects of birds' lives. Among its stated goals are an increase in living space per bird, perches and other enrichment, and windows in poultry housing (after Perdue specifically decreed that there be no windows previously). Perdue may also modify breeding so as to reduce the leg injuries and other ailments inherent in birds bred to grow quickly and to freakish size. In addition, prior to slaughter, chickens are to be stunned with gas. Perdue has not set specific standards for several of its goals, however, and will not do so until the company conducts further research.

## EGG PRODUCERS ACKNOWLEDGE NEED TO END MALE CHICK CULLING

United Egg Producers (UEP), an industry group representing the interests of egg farmers throughout the United States, says it will seek to eliminate the culling of male chicks. Because male chicks cannot produce eggs—and other breeds are used to produce meat chickens—males of the egg-producing breeds have no economic value. As a result, hundreds of millions of newborn male chicks are routinely killed using

grotesque methods, such as maceration using a high-speed grinder.

Currently, there is no practical way to determine a chick's sex prior to hatching, leaving hatcheries to sort chicks after birth. Research is currently underway to find a method of determining sex before a chicken has hatched, which would allow producers to ensure only female chicks are born. UEP says it will eliminate male chick culling by 2020, or "as soon as it is ... economically feasible."

## CHINA AIMS TO CUT MEAT CONSUMPTION IN HALF

China's health ministry has announced new dietary guidelines for the nation's 1.4 billion inhabitants. The guidelines now recommend no more than 40 to 75 grams (1.4 to 2.6 ounces) of meat per person per day—a 50 percent reduction of the current average consumption. China, the world leader in greenhouse gas emissions, is seeking ways to reduce its carbon output. According to the *Guardian*, following the new guidelines would allow China's livestock industry to dramatically reduce carbon emissions by the year 2030.

Because cows, chickens, and other animals emit methane, a powerful greenhouse gas, the keeping of livestock results in more emissions than the entire transportation sector. Public health advocates and nutrition scientists have urged the USDA to make similar changes to American dietary guidelines, but have met with stiff resistance from the meat industry.

## NEW HUMANE SLAUGHTER GUIDELINES RELEASED

The American Veterinary Medical Association (AVMA) has published its first-ever set of guidelines for the humane slaughter of mammals and birds. In it, the AVMA addresses several recommendations offered by AWI, including those questioning the humaneness of low-voltage electrical stunning of poultry. The guidelines acknowledge that "it is unclear whether birds truly reach a state of unconsciousness," reinforcing AWI's concern that electrical stunning, as practiced in the United States, merely paralyzes birds and does not render them insensible to pain.



MIKE PORESKY





*Chickens stuffed into cages for transport. Birds may be left caged for days outside slaughter plants, exposed to the elements and denied food and water.*

## Birds Left to Suffer in Slaughter Plant Holding Areas

The welfare of birds at slaughter is not solely a matter of what happens once they pass through the doors of the slaughter establishment. Abuse and unnecessary suffering can occur before the birds even enter the plant. Through a review of US government records, AWI recently uncovered a grim illustration of this fact: Large numbers of birds are suffering and dying as a result of being abandoned for extended periods of time—often during extreme weather conditions—in the holding areas of slaughter plants.

Examples abound: In June 2015, Tip Top Poultry in Marietta, Georgia, rejected the advice of inspection personnel not to leave six truckloads of birds outside its plant over the weekend, in extreme heat and without food or water. Two months later, the same establishment left four trucks of birds over the weekend, again in extreme heat and without food or water, again after being cautioned by inspection personnel not to abandon the birds.

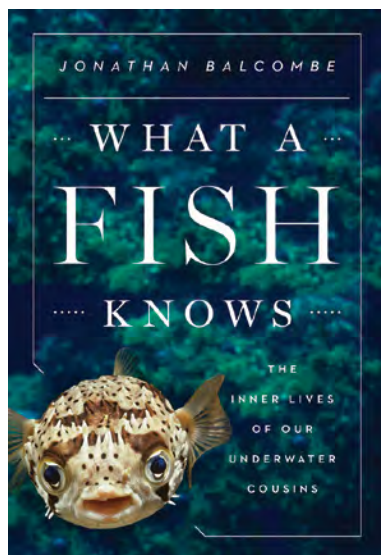
In another case, in February 2014, Southern Hens in Moselle, Mississippi, subjected thousands of birds to subfreezing temperatures while they were held at the plant for up to four days. In January 2014, Simmons Custom Processing in Jay, Oklahoma, held birds at the plant for two days during subfreezing temperatures, resulting in at least 7,300 dead-on-arrival birds.

US Department of Agriculture inspectors currently do not have the regulatory authority to order plants not to hold birds beyond a reasonable period. Inspection personnel also currently lack the regulatory authority to cite slaughter establishments for instances where birds have been

abandoned and suffered or died as a result. Under current regulation and policy, inspectors' only recourse is to advise plants not to abandon birds and to issue a document referred to as a "Memorandum of Interview" in the event that a plant fails to take the inspector's advice and deaths other than by slaughter occur.

AWI has requested that the USDA revise its regulations to prohibit behavior with the potential to cause birds to die other than by slaughter, which according to the Poultry Products Inspection Act (PPIA) is a form of adulteration. The PPIA gives the USDA the responsibility of preventing the sale of adulterated poultry products, and expressly states that the department has authority to write rules and regulations to prevent adulteration. Such a regulation would allow inspection personnel to take action to prevent or respond to acts of intentional animal neglect or cruelty—be it abandoning birds or physically abusing birds—as these acts increase adulteration.

The USDA should also revise its directive on ante-mortem poultry inspection to include actions that inspection personnel may take in situations of suspected animal neglect or cruelty. In these cases, the USDA has an ethical responsibility to contact appropriate state officials to inform them that the department believes animal neglect or cruelty may have occurred, and the situation should be investigated for potential prosecution under the state anti-cruelty law. Abandoning birds in extreme weather conditions without food or water represents intentional animal cruelty. The USDA must take action to prevent similar incidents in the future, and it can accomplish this by revising its poultry slaughter regulations and directives. 🐾



## WHAT A FISH KNOWS

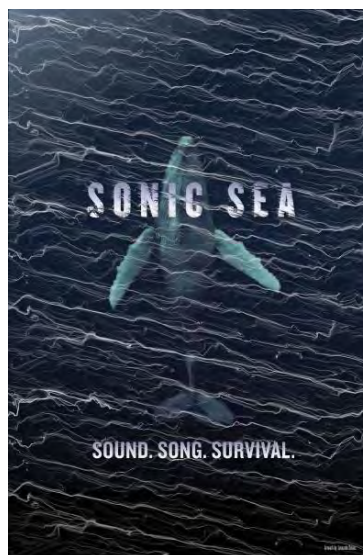
Jonathan Balcombe / Scientific American / 304 pages

As a child, I enjoyed standing in the shallow water of creeks, lakes, rivers, and the ocean watching fish. Later, as a scuba diver, I plunged deeper, observing the behavior and interactions of a wide array of fish in their natural habitats. *What a Fish Knows*, by ethologist Jonathan Balcombe, however, took me on a whole new journey into the vast and astounding world of fish.

The reader is presented with fact upon fact, beginning with the very first paragraph, in which we are told there are 33,249 species of fish, in 564 families and 64 orders—more than the combined total of mammals, birds, reptiles, and amphibians. But it's their behaviors that are most intriguing. For example, the archerfish can squirt water up to 10 feet to obtain an insect or spider to eat; up to 3 feet, their accuracy is nearly 100 percent. This “squirt gun” can be fired in a single shot or in machine-gun fashion, with the amount of water varied to suit the size of the prey. Accomplished archerfish may even aim at what the prey is standing on so as to knock the prey into the water instead of farther back on land. And archerfish can *learn* these skills by watching others.

Balcombe describes how fish communicate, experience a wide range of emotions, feel pleasure and pain, develop cooperative relationships, use tools, and demonstrate memory and an ability to complete complex tasks. For readers who may have underestimated fish, the book is a call to think more carefully about them.

—Cathy Liss



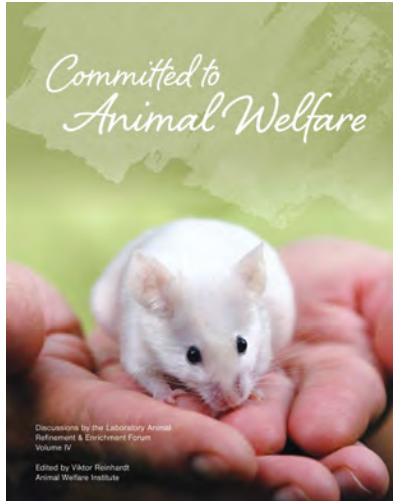
## SONIC SEA

2015 / Michelle Dougherty and Daniel Hinerfeld / [www.sonicsea.org](http://www.sonicsea.org)

At a time when thousands of whales were being slaughtered each year, the release of the album *Songs of the Humpback Whale* in 1970 sparked a movement that eventually led to one of the great conservation achievements to date, the moratorium on commercial whaling. The record inspired a new generation of researchers, who discovered that blue whale songs can travel underwater for a thousand miles and humpback songs vary from ocean to ocean. Whales rely on sound to navigate, communicate, locate food, and even to find—and perhaps impress—potential mates.

The newly released documentary *Sonic Sea* is a fascinating and moving account of how the oceans of the world are being overwhelmed by intense, human-caused noises such as shipping traffic, naval sonar training exercises, and seismic testing to locate oil and gas reserves. Narrated by the actress Rachel McAdams, and including an interview with the musician Sting, the hour-long documentary paints a grim picture of how noise pollution threatens the very survival of whales and other marine creatures.

Notwithstanding the bleak picture the documentary portrays, *Sonic Sea* offers hope, and a blueprint for how concerted public action can make a difference. Beautifully filmed, *Sonic Sea* is also well based in science; leading experts on ocean noise and whale behavior passionately describe just how reliant whale culture is on sound. Co-produced by the Natural Resources Defense Council, Imaginary Forces, and the International Fund for Animal Welfare, the film is currently appearing at venues around the world. Information on showings can be found at [www.sonicsea.org/screenings](http://www.sonicsea.org/screenings). *Sonic Sea* is also available on Netflix.



## AWI'S NEW BOOK ON BETTER CARE OF ANIMALS IN RESEARCH

AWI is pleased to announce publication of *Committed to Animal Welfare: Discussions by the Laboratory Animal Refinement & Enrichment Forum, Volume IV*, edited by Viktor Reinhardt. Since 2002, AWI's Laboratory Animal Refinement and Enrichment Forum (LAREF) has facilitated the exchange of ideas and the sharing of personal knowledge and experience by animal care personnel who strive to improve the conditions under which animals in research are housed and handled, while shielding them from unnecessary pain and stress. In compiling this latest LAREF volume, Viktor chose from discussions that took place on the forum from January 2013 to January 2016.

*Committed to Animal Welfare* offers numerous insights into the psychological and behavioral needs of various species in a laboratory setting. The conversations are filled with

heartfelt personal anecdotes concerning the caregivers' interactions with the animals and attempts to provide them with meaningful enrichment and greater opportunity to express natural behaviors in an otherwise unnatural environment. Forum participants also discuss successful techniques for handling, calming, and acclimating the animals to human contact.

While some of these caregivers enjoy the full support of their institutions for their creative efforts, others must persevere in the face of limited resources and recalcitrant administrators and researchers. In all cases, however, their unbridled determination to do what they can for the animals in their charge is truly inspiring.

## VETERINARIANS CAN HELP FIGHT AGAINST ANIMAL ABUSE

Thirty-one states either mandate or encourage veterinarians to report animal abuse, and most of these provide vets with immunity from civil (and sometimes criminal) liability for good-faith reporting. Moreover, the American Veterinary Medical Association (AVMA) has a very firm policy calling for such reporting, regardless of state law.

Nonetheless, even in the face of AVMA policy and state law, many veterinarians are reluctant to report possible cases of animal abuse to law enforcement authorities. Possible reasons for this include uncertainty

about what abuse really looks like and what to do when it is suspected. To raise vets' awareness of the likelihood that some of the problems they see in their patients may be due to abuse, and to demystify the process for reporting such concerns, AWI created posters listing some of the most frequent signs of possible abuse and the proper steps to address the situation. While there are several documents that go into great detail about recognizing animal abuse (see, e.g., <http://bit.ly/zamzezv>), we identified the need for something more accessible for vets to hang in their offices that would serve as a reminder and a "how-to." These posters will assist vets in fulfilling their role not just to treat animals but also to protect them from harm.

**That broken leg was an awful accident. Or was it?**

**Animal abuse victims depend on YOU.**

**If you see...**

- Signs of neglect**  
severely matted fur, ingrown collar, severe dental disease, heavy ectoparasite infestation
- New, repeated, or old trauma**  
to the skeleton and soft tissue
- Injuries that don't match the explanation**  
keep non-accidental injuries on your list of rule-outs
- Starvation or severe malnutrition**
- Repeated visits with different pets**

**...do the following:**

- Ask:**  
"Do you think someone may have harmed your pet?"
- Document everything.**  
Take pictures.
- Contact local law enforcement.**

Printed courtesy of the Animal Welfare Institute • [www.aawonline.org](http://www.aawonline.org)

## 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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## UNDER PRESSURE, MEXICO PLEDGES NEW FISHING RESTRICTIONS TO HELP SAVE VAQUITA

On July 24, Mexico committed to permanently banning all gillnet fishing within the Gulf of Mexico habitat of the critically endangered vaquita porpoise. Details, including enforcement mechanisms, have yet to be announced, however.

Earlier that month, AWI co-organized a “Save the Vaquita” rally outside the Mexican Embassy in Washington, DC. The rally coincided with International Save the Vaquita Day, an annual event that takes place in dozens of locations around the world to direct global attention to what must be done to protect the fewer than 60 remaining vaquita. At the DC event, some 30 staff members and supporters from AWI, Greenpeace, the Center for Biological Diversity, and the Natural Resources Defense Council enthusiastically carried signs, chanted slogans, and passed out pamphlets to hundreds of passers-by.

A small group, including AWI’s Kate O’Connell, also met with Mexico’s newly appointed ambassador to the United States,

Carlos Sada Solana. During the meeting, marine biologist Dr. Desray Reeb described the biological challenges facing the vaquita. The group presented a letter to Ambassador Sada, thanking his government for its efforts to date, and urging Mexico to impose a complete ban on gillnet fishing in vaquita habitat and increase enforcement against illegal fishing. The ambassador was further presented with a petition, initiated by the group ¡VIVA Vaquita!, containing more than 96,000 signatures supporting the permanent ban on gillnets.

Currently, vaquita habitat is listed as a World Heritage site by the United Nations. AWI petitioned the World Heritage Committee (WHC) to designate the site as “in danger”—a move that would free up UN resources to assist Mexico in saving the species. The effort apparently has borne fruit: At its July meeting, the WHC directed Mexico to make the gillnet ban permanent, take other immediate action to save the vaquita, and report back in February 2017. The WHC will conduct a fact-finding mission to the Upper Gulf, and an “in danger” designation will be considered at the 2017 meeting. 🐾

BRITTANY HORTON, AWI

