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# HSUS NEWS

THE HUMANE SOCIETY OF THE UNITED STATES

FALL 1989

VOL. 34 NO. 4



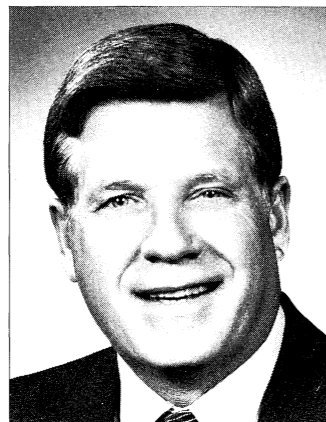
## Not So Fashionable Furs *Our fur campaign's success and goals*

It is with a great sense of pride and anticipation that I take this opportunity to announce the launching of our 1989 anti-fur campaign and to introduce our two newest spokeswomen, the outstanding actress Candice Bergen, star of TV's "Murphy Brown"; and the beautiful and talented actress Carré Otis. Ms. Bergen says, in her HSUS radio public-service announcement, "I do not want to participate in activities that sanction cruelty"; Ms. Otis is appearing on behalf of the HSUS in a magazine advertisement, "I'd Be Ashamed to Wear Fur" (see page 2).

Together, the sentiments of these women epitomize the nature of the HSUS anti-fur campaign. This is a campaign whose basic approach is public education. Whether the furs are obtained from wild animals or from so-called ranched animals, brutality, cruelty, and a needless waste of animal life are unavoidable. We need to educate fur-wearers and consumers that, because of this unmitigated cruelty, fur garments are no longer symbols of admiration and affluence but of shame and suffering. Fur is not chic, glamorous, cute, or enticing; it is simply cruel. The question, therefore, is whether a humane and caring society will tolerate the senseless suffering of innocent animals for the superficiality of not-so-fashionable furs.

Our critics have tried to obscure our message by calling us "terrorists" and labeling us a cult of "anti's." Yet the "Shame of Fur" campaign is the very antithesis of violence. Violence or antagonistic confrontation is, we believe, counter-productive to our message, for ours is a campaign of caring and compassion. We can neither advocate nor participate in violence and physical confrontation and seriously expect society to adopt the gentler values we espouse.

For many years, The HSUS and a wide variety of animal-advocacy organizations have opposed the leghold trap. Last year,



John A. Hoyt, President

The HSUS, as part of the program of The World Society for the Protection of Animals together with a host of other organizations, increased its efforts to expose the horror of trapping and to stress the cruelty of fur to the buyer. We have been rewarded with incredible success. Several fur ranches have gone out of business because there was no market for their products or they could not sell their products for a sufficient profit. Publicly traded fur companies lost millions of dollars as net revenues declined. And, in many areas of the country, the demand for fur skins decreased to such an extent that the trapping of wild animals was reduced by 75 to as much as 90 percent. This trend occurred in Canada as well. The bottom dropped out of the market for animal furs. While these declines cannot totally be attributed to our campaigns, the fact is that when people understand the cruelty and suffering inherent in fur coats, they will stop buying them, and when they do, the suffering will end.

I commend the courage, the compassion, and commitment of Candice Bergen, Carré Otis, television personality Bob Barker, and a host of other individuals. I commend, too, the national and international organizations that have committed their resources and their energies to ending the horror of fur. I commend the thousands of local societies and the million of members of animal-protection organizations whose efforts have been instrumental in exposing the tragedy of fur. All of us, together with a public that recognizes and rejects senseless animal cruelty, are bringing an end to the tragedy of fur fashion.

For The HSUS, the fur campaign has been the largest campaign in our history. Our success last year was a fantastic beginning, but only a beginning. We must now redouble our efforts and sustain them, until the shame of fur and its cruelty ends! ■

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# HSUS NEWS

THE HUMANE SOCIETY OF THE UNITED STATES  
FALL 1989 VOL. 34 NO. 4

### FEATURES

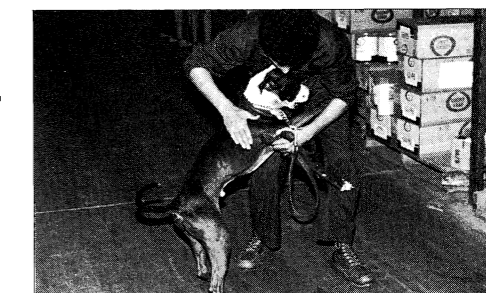
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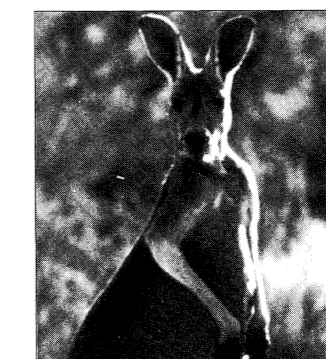
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Cover photo by  
Jim Hansen

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ROBERT KINNEY

Data on trapping of non-target animals, such as this Doberman, is being gathered through HSUS trapping case reports.

**HSUS SPONSORS "EARTHBEAT"**

Who says the news is always bad? Tune in to the Turner Broadcasting System (TBS) on Sundays, starting October 15, and watch "Earthbeat," a new, international, weekly series of half-hour programs featuring real, action-oriented solutions to some of society's most serious environmental problems. The HSUS is proud to be sponsoring the October 29 show in this remarkable series. "Earthbeat" will be the first regularly scheduled program devoted to reporting on activities that are helping to ensure a safe and healthy future for all living creatures.

"Earthbeat" will show how just one person's actions can make a difference in the quality of life for both humans and animals," said HSUS President John A. Hoyt. "The HSUS is delighted to take part in this effort to reach out and demonstrate to the public that there are positive ideas and solutions to some of life's most pressing problems of survival."

The show will provide viewers with a means to get involved

immediately with some of the ideas presented. Each episode will end with an "Action Guide" offering information on organizations to be supported, a list of initiatives people are taking all over the world, and effects of individual life-style choices. The show's producers will work with foreign networks in an exchange arrangement designed to make "Earthbeat" a global program dedicated to world improvement.

"Earthbeat" will encourage millions of people to do something, if only within their own neighborhoods, to help improve the environment and society," Mr. Hoyt asserted. "These people might otherwise have done nothing, believing their efforts would not make a difference."

"Earthbeat" will air on Sundays at 11:00 p.m. EST, 10:00 p.m. CST, and 8:00 p.m. PST.

**TARGETING TRAPPING CRUELTY**

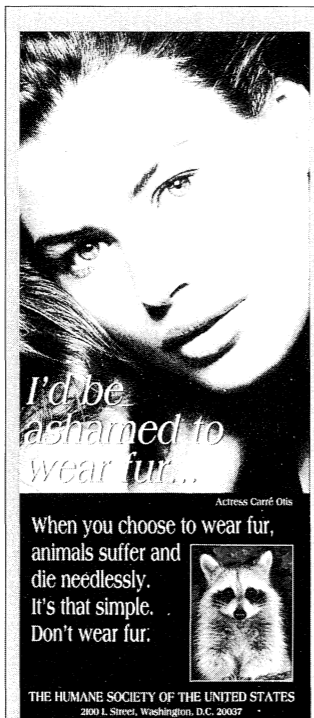
The HSUS anti-trapping campaign depends largely on data submitted by concerned individuals regarding domestic and wild animals that are in-

jured or killed by steel-jaw leghold, Conibear, or neck-snare traps. If you know of anyone involved in a case of a "non-target" animal being killed or injured by a trap, ask him or her to contact The HSUS to obtain the standard HSUS trapping case report form. We are compiling this information on non-target trappings to make available nationally, regionally, and locally as needed to help end this cruelty. Please contact Pat Ragan at The HSUS, 2100 L St., NW, Washington, DC 20037, for a trapping case report kit to disseminate to appropriate persons in your community.

**GFWC CONVENES IN TULSA**

The General Federation of Women's Clubs (GFWC) held its ninety-eighth Annual International Convention in Tulsa, Okla., June 12-15. Patty Finch, director of the National Association of Humane and Environmental Education (NAHEE)\*, and Pat Ragan of the HSUS Wildlife and Environment Division were present as exhibitors to provide information to interested GFWC conferees, club presidents, and individuals. GFWC is the oldest and largest nondenominational, nonpartisan, international service of volunteer women in the world. The HSUS has close ties to GFWC both through NAHEE's "Kids and Kindness" program (very popular with GFWC members), and through the joint GFWC/HSUS Wildlife Conservation program. GFWC has enthusiastically supported NAHEE's "Adopt a Teacher" program, and numerous GFWC clubs around the country have "adopted" teachers in their communities. An "adopted" teacher receives *Kind News* every other month of the school year along with four issues of *Kind Teacher*, an award-winning magazine designed to help teachers plan humane education topics for their curriculum. Through the GFWC/HSUS Wildlife Conservation program, GFWC members sponsor a variety of activities to increase protection for endangered species, encourage humane attitudes, preserve habitat, and promote wildlife stewardship in their communities. ■

\* Formerly the National Association for the Advancement of Humane Education.



For our 1989 fur campaign, The HSUS has placed this ad featuring actress Carré Otis in prominent national magazines, including the popular *Cosmopolitan*.

CRLE

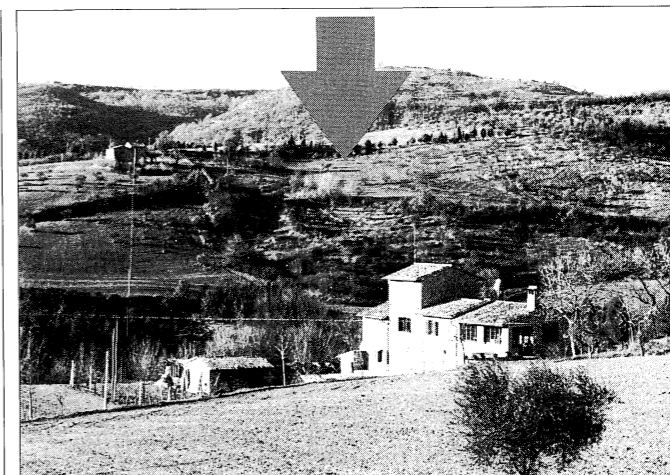
**CENTER ACTIVE OVER SUMMER**

This past quarter has been a challenging and creative period for the Center for the Respect of Life and Environment, linking major environmental issues with animal-protection concerns. The potential impact of the greenhouse effect on the animal kingdom and the role sustainable agriculture plays in reducing the greenhouse effect as it improves the quality of life of farm animals illustrate this linkage. The Center promotes a strong alliance between the environmental/conservation and animal-protection movements.

The Center welcomes Father Thomas Berry to its board of directors and four new advisors, Laura Utley, David Brubaker, Henry Niese, and Harold H. Gardiner. We welcome, too, a new associate director, Dr. Richard M. Clugston. The advisors held their first meeting at HSUS headquarters in Washington, D.C., April 15-16, 1989, where they agreed that sustainable agricultural and other industrial activities should embrace at least the principles of ecological neutrality, if not those of enhancement, social justice, and respect and reverence for all life.

The Center's first monograph, *St. Francis of Assisi, Animals, and Nature*, sheds new light on St. Francis's relationships with animals and his attitude toward all creatures and creation. Now available, *St. Francis* highlights the relevance of the holy man's life and teachings to today's environmental and animal-welfare concerns.

The Center has also been



HSUS/FOX

A new sanctuary is proposed for Assisi, Italy.

working with an international coalition of animal-protection organizations to raise funds to

establish The St. Francis Animal Sanctuary in Assisi, Italy; there is presently no adequate

**INTRODUCING NAHEE**

NAHEE

Effective September 1, 1989, NAAHE officially became NAHEE—the National Association for Humane and Environmental Education. NAHEE Director Patty Finch explains, "We have always recog-

nized the relationship between concerns for the environment and animals. By formally incorporating environmental awareness into our programs, we will broaden our scope and educational impact."

Other changes have occurred, including the launching of an unprecedented international children's campaign, "Helping Hands for Pets," aimed at reducing pet overpopulation. Paul Dewey was named NAHEE associate director, and Jude Reitman joined the staff as manager of special programs. The award-winning *Children & Animals* magazine

is now titled *Kind Teacher*. Both *Kind Teacher* and *Kind News* have a fresh new look.

In the Fall of 1990, *Kind News*, currently available five times per year, will become a monthly publication throughout the school year. At the same time, *Kind Teacher* will become an annual publication of eighty pages, providing teachers with a year's worth of activities at the beginning of each

teaching year. Teachers will receive enough humane and environmental worksheets to offer one per week to their classes.

The best news is that the price of providing these materials as a gift to a teacher will remain \$18. Please don't wait until 1990 to "adopt" a teacher with a gift subscription: write to NAHEE, 67 Salem Road, East Haddam, CT 06423, for more information. ■



With its name change, NAHEE has launched new, successful projects from the wooded Norma Terris Center in East Haddam, Conn.

**MARINE MAMMALS**

**Whales Face Uncertain Future**  
*Will 1990 bring permanent protection?*

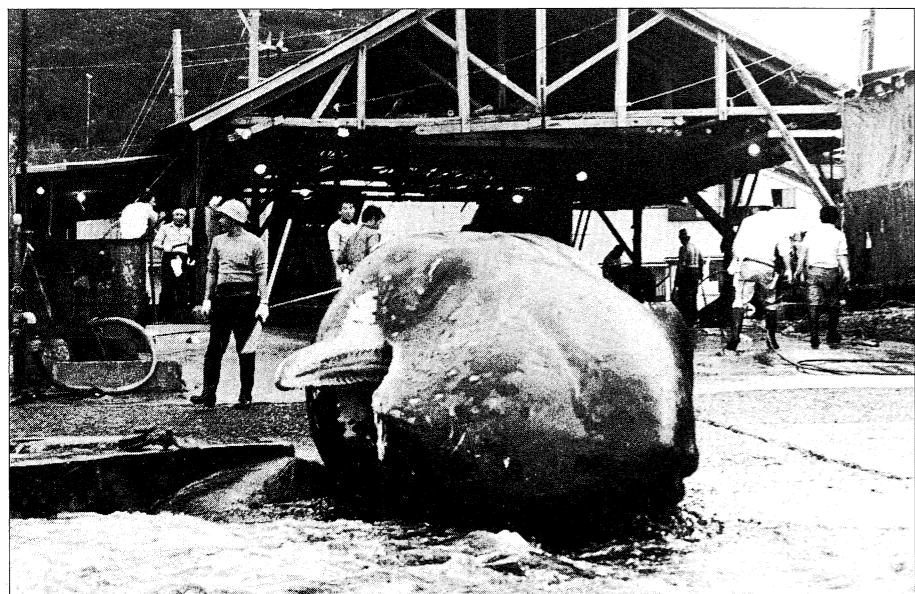
**D**uring this century, we have witnessed the unprecedented destruction of the great whales, due not only to advanced technology but also to a philosophy of greed based on exhausting a resource as quickly as possible, rather than conserving it. As a result, many of the remaining whale populations teeter on the brink of extinction.

For example, in a recently completed, decade-long survey conducted off the coast of Antarctica, scientists found only 453 blue whales in an area where they expected to find at least ten times that many. This result, while shocking, was not surprising to many in animal protection who have been warning for decades that no one knows enough about whales to harvest them commercially. The HSUS also endorsed that view and has worked aggressively to end whaling, not only because of incomplete population figures

but also because we believe whales can never be killed humanely.

If we look at the recent statistics on blue whales and add them to growing environmental threats such as oil spills, driftnet fisheries, and toxic pollutants dumped into the oceans, we can only conclude that the world can't afford to let whaling continue, in any form.

We are at a turning point in the history of man's relationship with whales, when it is still possible to end the cruel and unnecessary business of whaling. As we look towards the 1990s, there are renewed hopes for saving the environment. There are efforts to stop the destructive consumption of our resources, because it is clear such consumption will destroy ourselves, as well. Ironically, the great whales have been a symbol of these efforts since 1972, when the seeds of the international environmental movement



*In 1984, the Japanese whaling ship Ryuho Maru brought in two sperm whales for processing. The Japanese remain the greatest threat to the recovery of whale stocks.*



*Japanese buyers examine whale meat destined for local consumers.*

were first sown at a major conference in Stockholm. The rallying cry was to save the great whales; everyone knew that, if mankind couldn't save whales, it couldn't hope to save anything else on the planet.

Much has happened in the nearly twenty years since the plight of whales became a cause célèbre. The numbers of whales killed dropped dramatically; a few sanctuaries were carved out of the Indian Ocean, and several calving grounds elsewhere in the world were protected. But 1990 will be a pivotal year; commercial whalers hope to reverse the tide of whale conservation and head out to sea once more.

**International Whaling Commission**

In 1982, the International Whaling Commission (IWC), a body set up by international treaty to set quotas for whalers, made a landmark decision to adopt a moratorium on commercial whaling. Certain concessions were made to the whaling nations, which were, not surprisingly, bitterly opposed to this decision. These concessions allowed them three years to comply with the moratorium and promised a "comprehensive assessment of the effects of the moratorium on all whale stocks" to begin by 1990. This assessment did not automatically mean whaling could begin again; rather, it signalled the evolution of the IWC into

a scientific and conservation organization from a club for whalers.

In truth, total compliance with an end to commercial whaling never became a reality until 1989. Worse still, three nations—Japan, Iceland, and Norway—not only conducted commercial whaling during some of those years but also conducted so-called research whaling, on

which basis they gave themselves kill quotas. All three countries were able to use this scientific-research loophole as a means to keep their whalers afloat because such "scientifically" harpooned whale meat was worth millions of dollars. Most of it was caught by or sold to the Japanese.

In response, the IWC adopted resolu-

tions every year, beginning in 1987, opposing these bogus research programs, stating they are inadequate and add little to the body of knowledge about whales. Nevertheless, all three nations continued to conduct lethal "research" whaling right through 1989. Japan and Norway plan to continue into 1990 and beyond.

Obviously, it is a sham to say there can

**AMANDA BLAKE: A REMEMBRANCE**

*On August 16, 1989, Amanda Blake, "Miss Kitty" on the fabled television show "Gunsmoke" and a former member of the HSUS board of directors, died in California after a long illness. For decades, Miss Blake used her public position to advance the cause of animal protection, particularly the welfare of captive wildlife. At the request of HSUS President John A. Hoyt, Sue Pressman, former HSUS director of captive wildlife and a long-time friend of Miss Blake, wrote this tribute.*

I lost a friend today—so did you; so did the animals. Amanda Blake died with some of her work left undone. Dedicated people will fill the space she leaves as best they can, but it won't be the same.

Amanda was serious about her animal work, and for a star of that magnitude to give of her time and funds was not as usual as it is today, twenty years later.

The charm of Amanda was that she did not take herself seriously. She was tall, five feet, ten inches, with bright red hair; she had, as they say, a presence. She had the strength of Miss Kitty, and, at the same time, a heart of mush.

I remember when she testified on behalf of The HSUS at a rodeo hearing in the middle of cowboy country. After she had spoken in a very hostile courtroom, one rodeo cowboy blocked her exit and said, "Miss Kitty, after what you said, I'll never watch 'Gunsmoke' again." John Hoyt was just to the rear of Amanda and worried that there might be trouble. Amanda looked up at this fellow, placed

her hand on his vest, lightly moved him aside, and said, "That's all right with me, big boy," and moved confidently through the crowd. She appeared on game shows, which she loved, and sent her winnings to animal organizations. Once, while appearing on the Doris Day program, Amanda told of her concern for wildlife in the wild and tears began to stream down her face. She said, "I'm sorry,



*Amanda Blake*

if I don't pull myself together, my friend Sue Pressman will kill me." All her friends were aware of her soft heart and close tears. Roger Caras began it first, I think, but we all called her Hank; what most people didn't know was that it was short for Hankie.

Her animal work covered a wide range of issues, each separate and distinct, but all related—donating funds to a number of small local humane groups, giving her time to fund-raisers for animal organizations, making promotional films for animal care, and, of course, serving for years on the HSUS board of directors.

That board has always been a working board, and that was important to Amanda. What many of you may not have known, but the zoological world knew, was her professional work on the breeding and nutrition of the captive cheetah. Much of her data was helpful to the display programs in zoos.

Amanda's interest in wildlife was well known, but the soft spot in her heart was for those animals in Africa. Amanda considered East Africa her second home. We all felt she would retire there in a few years. However, her work was not done here in the United States. As a respected Hollywood and TV star, she felt that she could have a positive impact on those who use animals in entertainment. She began to work with the Performing Animal Welfare Society and her friends Pat Derby and Ed Stewart. She shared a home with these two people and all the wild exotic leftovers from the acting world. Amanda helped to care for lions, elephants, Harriet the baboon, and a great many others. It made her postponing Africa more bearable. Although Amanda did not cook, my favorite memory of her will be in her kitchen, complete with eyelashes, caftan, and hair just so, up to her elbows in cheetah food.

Her energy level was such that once, when she visited me in Washington to testify before Congress—writing all her own testimony, attending an HSUS board meeting, making a trip to the zoo, and visiting federal agencies to look into laws on animal welfare—I needed a day off, but she flew off to make a "Gunsmoke" episode.

There is no doubt that we will not find her equal. Amanda Blake will be missed. I loved her, and so did you. ■

be a comprehensive assessment on the effects of the moratorium on whale stocks in hopes of starting commercial whaling again when, in fact, there has been no real moratorium.

#### Boycott

The HSUS and several other groups worldwide have been conducting a consumer boycott of fish products from these three remaining whaling nations. Whaling nations' fishing industries are closely related to—and often own and operate—whaling companies.

By far, the most comprehensive and successful action to date has been against Iceland.

The HSUS began the boycott in 1987 and was joined in 1988 by Greenpeace, which launched a massive, international grassroots effort. As a result, Icelandic newspapers were reporting losses of \$50 million to their fishing industry. This concentrated public pressure on Iceland forced it to announce at the 1989 IWC meeting in San Diego, California, that it would not conduct any lethal scientific research on whales in 1990. This is a truly resounding victory for the whales and everyone who participated in the boycott.

The HSUS would like to join with Greenpeace in thanking Red Lobster, Shoney's, Long John Silver's, and the many school systems that took action on this issue. We must also thank our HSUS members, who responded to this important campaign.

While we are happy that no boycott will be necessary against Iceland in 1990, we are deeply concerned that there is a concerted effort planned by Iceland, Japan, Norway, and possibly other former whaling nations to begin commercial whaling again in 1991.

#### Focus on Japan

Japan has shown no sign of accepting the conclusion that whaling is no longer an appropriate use of the world's whales. It has been and continues to be the primary consumer of whale meat, providing a market incentive for other whaling nations such as Iceland. Japan shocked the IWC this year with the announcement that it was killing more dolphins and other smaller whales



HSUS Senior Vice President Patricia Forkan (center) joins protesters and media representatives outside the meeting of the IWC held in June in San Diego.

because it couldn't kill enough large whales. Dr. Roger Payne, HSUS 1989 Krutch Medalist and world-renowned whale biologist, said, "This constitutes a hostage situation. The Japanese are holding Baird's Beaked whales and Dall's porpoises as hostages in exchange for minke whales." Since the IWC has no jurisdiction over these smaller cetaceans, it is helpless to act against Japan in this matter.

Japan has vigorously opposed all efforts to protect remaining whale resources and continues each year to push for a renewal of commercial whaling. There have been reports that Japan is trying to obtain "friendly" votes at the IWC by providing foreign aid to some of the smaller, poorer countries that are members of the IWC. Drastically different voting patterns from one year to the next suggest this may be true.

The HSUS has tried, through legal and legislative efforts, to enforce U.S. laws that allow President George Bush to embargo fish products from any country not complying with IWC directives. It is time for the United States to get tough and embargo a major portion of the \$500 million in Japanese fishery products coming into the United States annually.

Norway may be closer to ending whaling because of recent changes in its government. Norway's Prime Minister GRO Har-

lem Bruntland has taken strong environmental positions in many other areas, so there is room for optimism about the whale issue. Norway's scientific research will result in the death of 20 minke whales in 1990. However, if it does *not* stop, all of its future projections move it back towards the killing of hundreds of whales.

Given the Icelandic decision not to whale in 1990 and the hopeful glimmer in Norway, the real enemy of whales in the 1990s is Japan. It has made no secret of its desire to kill thousands of small minke whales in the Antarctic as well as off its own coast. To make matters worse, it has increased its kill of smaller cetaceans in their place.

Massive demonstrations are planned throughout the United States and Europe over the next year to protest the continued arrogance and greed of Japanese whaling companies.

The HSUS is asking everyone to join the campaign. We also ask our members to send letters to President Bush asking him to enforce U.S. laws against the Japanese whalers.

If Japan can be stopped, we will have won a tremendous victory. If it cannot, then the decade of the '90s will reverberate with the roar of harpoons as they are fired at fleeing whales. The resulting quiet could be forever.—Patricia Forkan, senior vice president of The HSUS ■

## WILDLIFE

# Compromise in the Desert

## Ravens, tortoises protected

It won't surprise anyone to learn that The HSUS has been actively trying to protect ravens from a mass government poisoning program in the Mojave Desert. Indeed, we filed and won a lawsuit to accomplish that objective. However, what may be surprising is that the ravens were being killed because they were supposedly eating desert tortoises, an endangered species. Of course, The HSUS strongly supports protecting critically endangered species such as the desert tortoise. For that reason, we had to make every effort to save ravens and protect the dwindling tortoise population. We were successful, and the details of our action may bring into focus the complexities of trying to protect wildlife in today's world.

The action really began in 1988, when The HSUS received a call from the Bureau of Land Management (BLM) asking that we become involved in an issue concerning ravens eating desert tortoises. The BLM sent material describing the tor-

toises' plight. Tortoises are endangered in California, due to a host of threats including livestock grazing, off-road vehicle use, suburbanization of habitat, vandalism, and collection by individuals seeking pets. In recent years, raven predation has reportedly become significant in some areas. Raven populations have boomed due to the proliferation of garbage dumps, sewage lagoons, and urbanization. The BLM's proposed response to the tortoise problem was to allow the killing of 1,500 ravens, principally by baiting land-fills and garbage dumps with poison.

The HSUS objected most vehemently to this proposal as a needless, wasteful, and inhumane destruction of these animals. The ravens that live in garbage dumps are not the ravens that have established territories and habitually prey on desert tortoises in the Mojave Desert. (An expert affidavit demonstrated that ravens at garbage dumps are likely to be from a population entirely different from

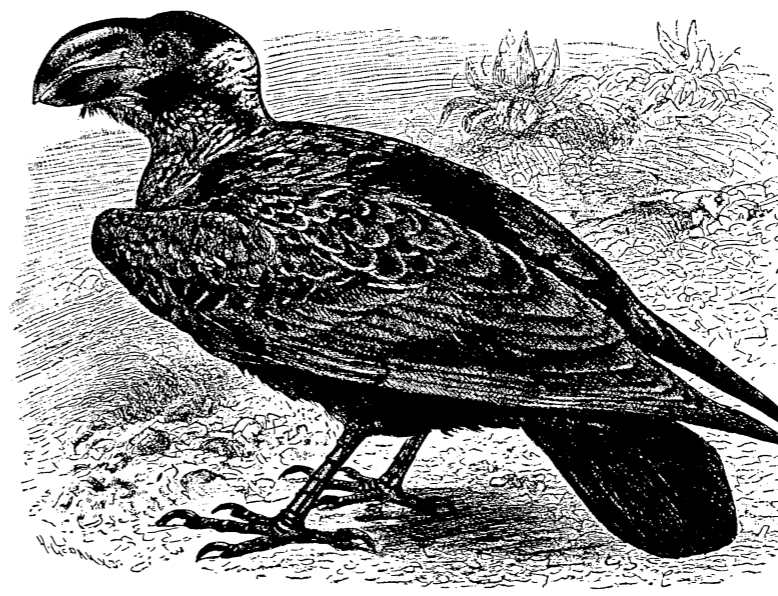
those that have established territories and live in the desert.) We reasoned that poisoning was not only cruel (because it could take days for the birds to die) but also non-selective in that it did not target ravens that were known or even suspected of eating tortoises. Since the non-selective poison would not act immediately, the so-called limit of 1,500 birds killed could well be substantially exceeded because many poisoned birds would never be found.

This plan for mass non-selective killing of ravens was in direct contrast to the careful work of BLM biologists, who had identified approximately twenty individual ravens with established territories in the Desert Tortoise Natural Area which had been implicated in habitual predation on desert tortoises. In another specific area, the BLM had similarly identified another forty ravens. These identifications contrasted sharply with BLM's proposed program to build platforms and poison a large number of ravens in a garbage dump.

The HSUS took the position that the BLM should attempt non-lethal methods of controlling ravens as a first line of defense. However, if non-lethal methods proved unsatisfactory, specific individual ravens could be killed if these were shown to be habitually preying on desert tortoises. Under the HSUS proposal, no ravens would be killed at garbage dumps or in other areas where they were not known to be so implicated. The BLM refused our proposal.

Accordingly, in late May, The HSUS, through the dedicated pro bono services of Jeffrey H. Howard, Esq., of Miller & Chevalier in Washington, D.C., brought suit in U.S. District Court. We requested a temporary restraining order that would stop mass poisoning of ravens by the BLM but would allow specific individual ravens known to be preying upon desert tortoises to be killed by marksmen. The court granted the temporary order. The BLM was thus allowed to kill specific individual predating ravens that threatened the endangered desert tortoise but was prohibited from implementing a mass poisoning program that would result in mass, non-selective killing of ravens.

The next step was to seek a preliminary



injunction against the BLM. A trial date was set for the end of June. However, with our victory on the temporary restraining order acknowledged, the BLM apparently felt much more inclined to settle the whole case. While confident that we could win a preliminary injunction, The HSUS saw the opportunity to craft a final decision that had the potential for helping tortoises and saving countless numbers of ravens. We hoped, too, to set a precedent for any future programs involving ravens and tortoises. We entered settlement negotiations with the BLM.

On June 29, 1989, after days of negotiation, The HSUS and the federal government, representing the BLM, went before the U.S. District Court Judge Royce Lamberth. The judge signed our agreement, a substantial victory in our attempts to put together a management plan that benefited both ravens and tortoises.

The results?

- There will be no mass poisoning of ravens at garbage dumps or landfills.
- Non-lethal methods to alleviate problems must be assiduously attempted.
- The HSUS will supply materials, at our cost, for making raven-resting places in the Desert Tortoise Natural Area inhospitable to ravens. This will represent a serious attempt at non-lethal control.
- Lethal control of ravens will only be allowed in specific areas where ravens have been positively identified as habitually preying upon desert tortoises.
- When lethal controls are allowed, shooting must be tried first, except in areas where power lines prohibit it.
- A very limited number of chicken eggs in which poison has been injected may be used if rifles and non-lethal controls are unsuccessful.
- Where such eggs are used, the number will be strictly limited, the eggs must be under observation at all times while they are in the field; the eggs may only remain in the field for ten days.
- If any non-target bird comes within fifty feet of the poisoned eggs, the eggs must be immediately removed.
- No more than 56 ravens may be killed.

The settlement, we feel, will save the lives of a minimum of nearly 1,500 ravens while meeting the legitimate needs of the

desert tortoise for protection. The long-term solution to the problems of ravens and tortoises is to eliminate organic waste at landfills by covering them better, by covering sewage lagoons, and by improving sanitation practices in suburban developments. For the desert tortoise, ending the use of off-road vehicles, limiting

livestock grazing, and ending vandalism and collection give real protection to this species. Although we did not get a "perfect" solution, in our view, both the ravens and the tortoises won in this complicated case of animal protection.—*John W. Grandy, HSUS vice president for wildlife and the environment* ■

## LABORATORY ANIMALS

# Cosmetics Testing on Animals

## *The logjam breaks—or does it?*

This has been a year for mixed messages from the cosmetics industry concerning its controversial use of animals in product testing. Several leading cosmetics companies have announced an end to their animal testing, but the industry's trade association is soliciting a million dollars for a war chest to oppose animal protectionists' efforts to phase out cosmetics testing on animals. Questions linger about those companies that claim to have abandoned animal testing.

### The Good News

On June 22, Avon Products, Inc., announced a permanent end to animal testing (although ingredients may still be tested). Eight days later, Revlon, Inc., announced that it had completed plans to end its use of animal tests. On August 2, *The New York Times* reported that Faberge, Inc., had stated that the company had already stopped animal testing without publicly announcing the change. Avon, Revlon, and Faberge rank first, second, and fourth respectively in sales among U.S. cosmetics companies.

Earlier in the year, Mary Kay Cosmetics, Inc., and the Amway Corporation (makers of household products as well as cosmetics) announced moratoria on animal testing. Mary Kay's announcement came in May in the aftermath of a series of "Bloom County" comic strips that lampooned the company's testing practices. Amway's low-profile moratorium began

on June 1. Animal protectionists are waiting to see if Amway and Mary Kay follow up their moratoria with a permanent end to animal testing.

The Noxell Corporation, which markets Noxema skin products and Cover Girl and Clarion cosmetics, announced that, effective January 1, 1989, it had substituted a non-animal alternative for 80-90 percent of the ocular-irritation testing usually done on animals. In April, The HSUS learned that Cosmair, Inc., marketer of L'Oreal and Lancome products, no longer conducts the Draize Acute Eye-Irritancy Test.

The animal tests that have been the target of much of the controversy are the Draize Acute Eye-Irritancy Test and the LD-50 Test. In the former, a chemical is placed in the eyes of restrained rabbits to provide a crude indication of whether the substance causes injury. Ulceration of the eyeball can result. In the LD-50 Test, chemicals are force-fed or otherwise administered to mice, rats, and other animals to determine the dosage that will kill 50 percent of the animal subjects.

### The Bad News

Despite the progress 1989 has brought, there are disturbing developments. The Cosmetic, Toiletry, and Fragrance Association (CTFA), an industry trade group, is preparing to launch a million-dollar lobbying campaign to undermine the humane community's efforts to restrict or eliminate animal testing of personal-care products.

In a June letter, CFTA President E. Edward Kavanaugh exhorted the trade group's members to contribute to the war chest, inveighing against "animal-rights fanatics."

A copy of this confidential letter was obtained by The HSUS, which issued a press release criticizing the cosmetics industry for its schizophrenia: while individual companies make public statements about their efforts to eliminate animal testing, their trade association (with their apparent approval) is making private plans to ensure the continuation of animal testing.

Especially disturbing are recent statements and actions by Avon that seemingly undermine the progressive steps the company has made. An Avon representative stated that the company, despite its earlier announcement, was leaving its options open to conduct some forms of animal testing. Avon is also participating in the CTFA action plan. The HSUS has asked Avon for clarification of its new policy.

Another concern is that animal testing of cosmetics *ingredients* will continue even after companies announce an end to animal testing of their *products*. Avon, for example, will continue to sell cosmetics containing new ingredients that have been tested on animals by suppliers, according to a company spokesperson. Such ingredient testing is conducted by third-party suppliers, such as Dow Chemical, DuPont, and Monsanto. As cosmetics companies phase out animal testing of their products, the animal-protection community will increasingly turn its attention to animal testing of ingredients by suppliers.

### The Future

"Despite the bad news about the CTFA's battle plan, Avon's conflicting statements, and the industry's reliance on animal-tested ingredients, the humane community is likely to remember 1989 as the year the logjam on animal testing broke," observed Dr. Martin Stephens, director of The HSUS's Laboratory Animals Department. An editorial on cosmetics testing in a recent *Christian Science Monitor* affirmed what the humane community has been saying for years: "Few would argue that the benefits from these products warrant the cruelty to animals." ■

## MARINE MAMMALS

# The Hidden Canadian Seal Hunt

## *Older pups killed out of publicity's glare*

While many believe that the infamous slaughter of Canadian harp seals ended two years ago, this is, regrettably, not the case. The slaughter of young seals continues at an alarming rate: according to the latest preliminary figures from the Ministry of Fisheries and Oceans in Canada, 66,175 seals were killed during the 1989 seal hunt. Last year, more than 80,000 seals were reported killed.

While the killing of whitecoat seal pups has been banned, it is still legal to hunt and kill harp seals when they are ten to fourteen days old, when the white fur molts. The body parts of these young seals are in demand for luxury furs and leather, frivolous trinkets such as keychains, dolls, and toy slippers, and aphrodisiacs in Far East markets.

The banning of whitecoat seal killing has only preserved the seal pups' lives for two more weeks. Once the white fur is gone, the seals can be legally taken. And while

Canada now prohibits the large, commercial, ship-based hunts so visible in the past, an insidious and hidden seal hunt continues unabated. Sealing today takes place from smaller boats, and there is concern that possibly more seals are suffering cruel deaths now than during the height of the highly publicized whitecoat hunt of years past.

Today, the vast majority of seals are shot in the water using rifles. Many seals are wounded and eventually drown in the process. Other seals sink below the surface long before the sealers can recover them.

HSUS Vice President John Grandy has sent a strongly worded message to Tom Siddon, Minister of Fisheries and Oceans in Canada, condemning the practice and urging him to halt the hunt of older pups. We ask our members to write Tom Siddon, Minister of Fisheries and Oceans, House of Commons, Ottawa, K1A-0A6, Canada, and tell him you are outraged by the seal slaughter. ■



Although clubbing of whitecoat harp seals (above) has ended, older pups can be legally taken in Canada. Seals still suffer cruel deaths, out of protesters' sight.

# A FEW GOOD DOGS

BY DEBORAH SALEM

PICTURE A FRUSTRATED PET OWNER WALKING into a humane society's shelter and going straight to the desk where animals are surrendered, dragging a boisterous, sixty-five pound young adult dog.

"He's impossible—he has tons of energy, digs holes in the yard, wants to chase a tennis ball 'til you drop," complains the owner. "He's friendly, all right, but we just can't handle the destructiveness anymore." The shelter manager looks at the bright-eyed Labrador Retriever (or German Shepherd, pointer, or Golden-mix) and sighs inwardly. "Who is going to want this guy?" she wonders.

The answer may be the United States Customs Service.

Every year, the Customs canine-enforcement program takes approximately 100 healthy, young dogs with energy, enthusiasm, and an almost compulsive need to retrieve into its drug-detection program. After twelve weeks of training, dogs and their handlers are posted to one of thirty-eight ports of entry across the country, where they search baggage, warehouses, mail-handling facilities, private vehicles, small airplanes—even travelers themselves—for illegal narcotics entering the United States.

For the dogs, it's a great career. They play "find the package" with a handler who has been taught to let the dog do its job, then reward the animal effusively when

it makes a find.

Although the dog views the work as a game, for Customs, it is serious business: one year, the Customs Service's 153 canine-enforcement teams made 3,854 seizures of narcotics and dangerous drugs with a street value of \$844,020,000. Customs officials admit they could use 500 dog/handler teams in ports and at border crossings right now; plans call for 500 teams to be in the field by 1993. These teams are extremely effective; a dog can search an automobile in a few minutes as thoroughly as can a human agent in twenty minutes.

Approximately 98 percent of the Customs Service's drug-detection dogs come from shelters. Each dog is selected by one of the Customs Service's twelve instructors, who canvass shelters nationwide seeking canine students for the service's drug-detection courses, held at a former government remount station in Front Royal, Virginia. All female dogs recruited are spayed; males are neutered if so required by shelter policy.

Each instructor chooses dogs that he believes will make a good Customs dog. He looks for a high energy level, physical fitness and agility, and a keen desire to grab a tennis ball or play tug-of-war. This last is critical, because a Customs dog's reward for a job well done is a tug-of-war with its handler/buddy at the other end of a rolled-up towel. This towel is an irreplaceable training tool—it is the means by which a dog

first learns to use its nose to discriminate among a myriad of scents to concentrate exclusively on marijuana, hashish, cocaine, and heroin. (Dogs can be taught to detect other substances including bombs, but Customs work is geared to these four.)

About one dog in fifty has the right characteristics to make a good detection dog. In three weeks, an instructor on a procurement trip may cover five states and return to Front Royal with ten to twelve dogs. These will be carefully evaluated for physical health. Occasionally, a dog will wash out of the program. "A dog may quit working, or work inconsistently, or occasionally even be aggressive towards people," notes Randy Moore, who oversees the dogs while they are at Front Royal. "Or a dog may develop a physical problem once in the field." Any dog that is deemed unacceptable at any phase of Customs evaluation will either be returned to the originating shelter or placed in a pet home, according to the shelter's wishes. (Since Customs training doesn't teach or encourage aggression towards people or other animals, drop-outs and retirees can always be placed through Customs contacts.)

Once a dog has been given a clean bill of health, it enters the procuring instructor's upcoming class. Although the instructor is assigned his human students, he chooses his dog students himself. This partiality towards "his" dogs makes an instructor a keen ob-

server of each dog's individual working style and a quick corrector of handler errors.

Five human students compose a typical class. The instructor assigns each handler two dogs based on physical attributes, personality, and energy level. At the end of the course, the handler will choose one dog to take on duty; the other will remain at Front Royal to be matched with a handler in another course or an agent in the field needing a replacement dog. In this way, each handler is assured of finishing the course with at least one dog, even if the other dog does not complete it.

Some handlers may have never worked with a dog before, so early days are spent getting acquainted with their charges. But most handlers have applied specifically for dog-detection work. Jeff Weitzman, for example, previously worked in immigration in Arizona before joining the Customs Service in February. "I saw a drug-detection team at work and knew I wanted to get into Customs," he said halfway through his training in May. He was training Peaches, a yellow Labrador, and Trudy, a German Shepherd, with an eye towards his first assignment, Kennedy Airport in New York City.

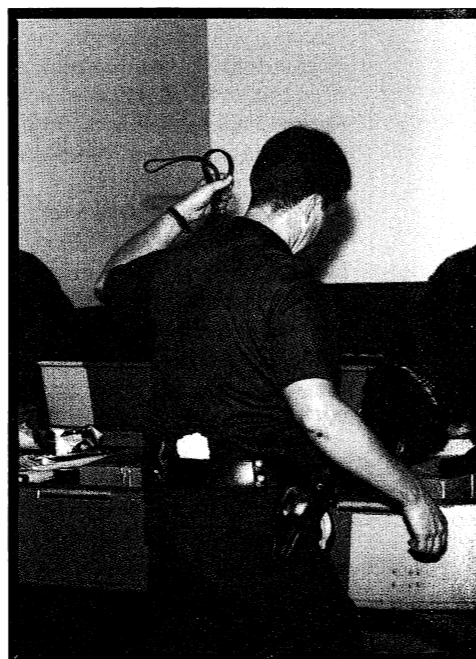
At first, a small cloth packet containing artificial (and harmless) hashish is hidden in a tightly rolled and secured tube of towel. While the dog is held by its handler, the towel is tossed some distance away, in

## THE U.S. CUSTOMS SERVICE'S CANINE-ENFORCEMENT PROGRAM SEEKS SHELTER DOGS FOR ITS DRUG-DETECTION EFFORTS AGAINST NARCOTICS

PHOTOGRAPHS BY RICHARD LAKIN



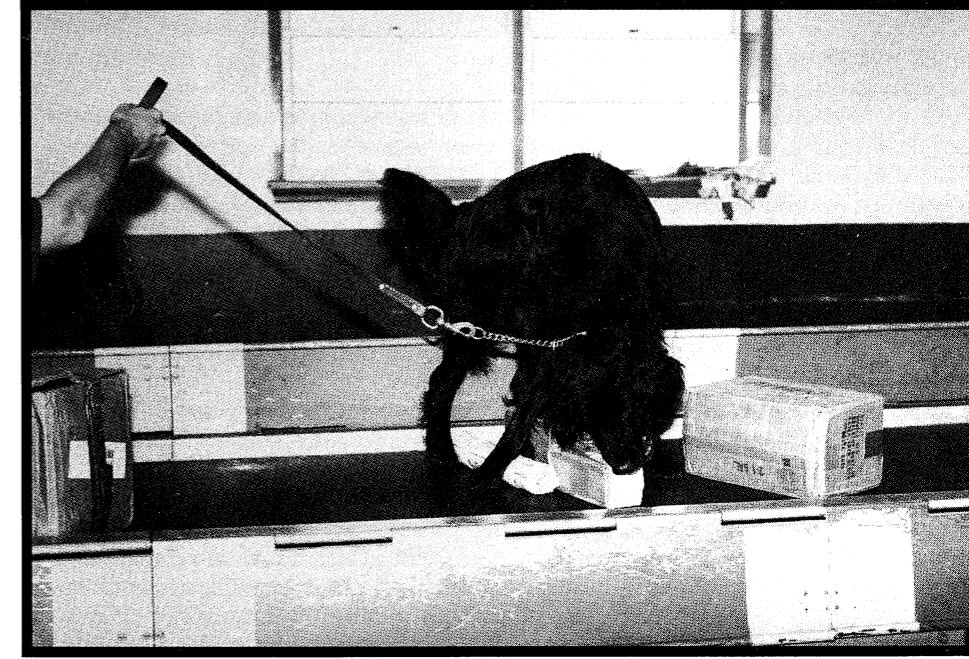
Drug-detection work for the U.S. Customs Service requires agility and confidence on the part of dog and handler. Here, a dog in training trots back and forth along a moving



mail conveyor belt, sniffing each package. The dog grabs the suspect



package with its mouth, so its handler knows which package to pull



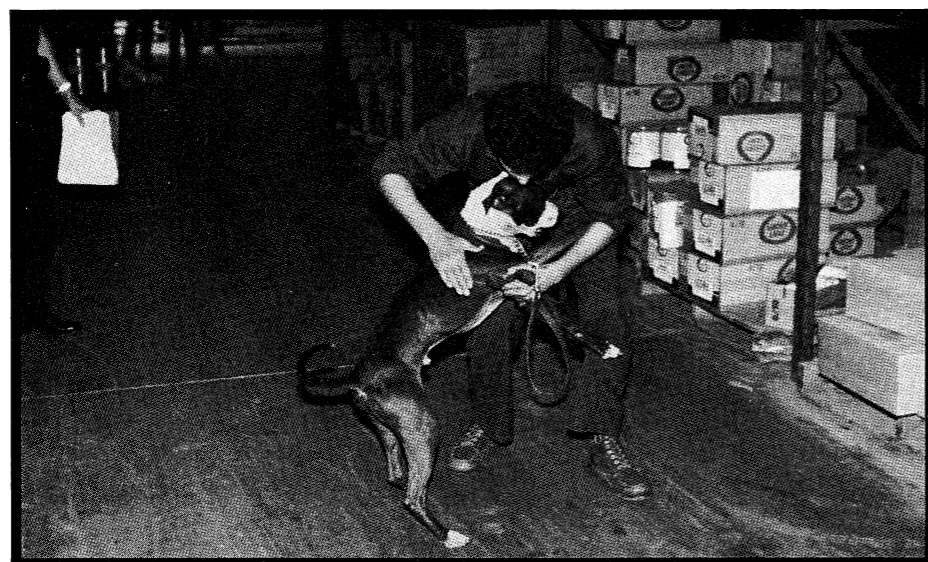
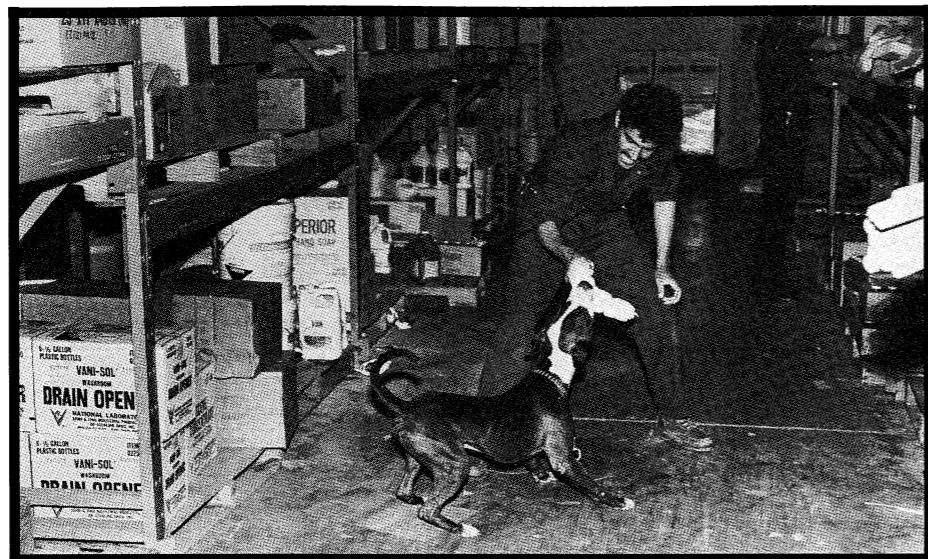
for inspection. Note the rolled towel tucked in the handler's belt, out of the sight of the dog. A towel game will be the dog's reward for a job well done.



plain sight. "There it is, boy, go get it!" the handler urges, as the dog dashes for the towel. The dog is allowed to parade around the handler, with the towel in its mouth, absorbing the peculiar aroma of hashish. After lavish praise and play, the dog begins to learn that finding the hashish smell in the towel creates joy in its human partner and triggers a play session. Later, the dog learns to find the hashish smell in a package on a moving mail conveyor belt, in a suitcase on a luggage conveyor, in an automobile dashboard, or among dozens of cartons of soap powder and cleaning supplies in a warehouse. Each time, the handler lays on the praise and produces the wonderful towel from a hiding place behind his back or inside a jacket. As far as the dog is concerned, it has "found" the towel inside the suspicious package. Since, for obvious reasons, the dog cannot be permitted to tear apart mail or luggage to get at the contraband substance, it must paw or bite at the item so that the handler knows exactly which package among dozens is the one holding drugs.\* Presto! The towel magically appears under the package and the tug-of-war is on. Later, the dog learns it will be rewarded for finding marijuana, cocaine, and heroin as well, and that running on a moving conveyor belt or scrambling amid cardboard boxes is fun. Customs work requires a dog with self-confidence and natural physical ability because of such working conditions. The Front Royal training center has its own mail-handling conveyor belts, parking lots filled with automobiles, and luggage carousels to provide realistic simulations of all kinds of working environments. A local businessman allows the agency to use his facility for warehouse training.

Bill Molaski has been with Customs for ten years and has been an instructor at Front Royal for four. The hardest part of a handler's job, according to him, is "staying out of the dog's way, learning not to cut the dog off or trip over the dog." The dog and handler relationship "is like a dancing partnership—each has a role." Since the dog is always on a leash while on duty, the handler must insist the dog check every package or suitcase by pointing or tapping at it (a technique called "detailing") but not yank the dog away from a package if it hesitates for a second whiff. On a conveyor belt moving dozens of packages a minute,

\* Should a dog inhale or otherwise come into contact with real narcotics while on the job, an antidote is administered immediately.



such a technique requires physical fitness on the part of the handler as well—along with eye/hand coordination.

Once in the field, dog and handler typically work an eight-hour shift, checking vehicles at border crossings, holds of container ships, aircraft cabins, luggage, or mail—thirty minutes on, thirty minutes off with another team in a physically demanding position.

After its shift is over, the dog is returned to a secure local kenneling facility—often a veterinarian's clinic—fed and groomed by the handler, and left until the next morning. Customs has found that, if a dog goes home with a handler and takes on the role of family pet, the dog's enthusiasm for the next day's "fun" can diminish. A valuable piece of government property, the dog would be a significant loss if it were to get away from a family home—another reason

to keep it securely kenneled. After an energetic eight hours on the job with a buddy, the Customs dog probably relishes time alone to flop down in peace and quiet, in any case.

Each dog receives a complete medical exam every six months. Every day, the dog is given practice retrieving a baited towel to keep its sense sharp. Dogs are also periodically rewarded with a find of contraband on the job, even if the handler has to plant a bogus package, so the dog doesn't become discouraged by a long drought between finds.

Although all handlers may not begin their courses as "dog lovers," they soon realize that they must genuinely respond to their dogs in order to complete the dog-detection course successfully. Even those who are "volunteered" for drug-detection work enthusiastically cheer on their dogs

through each day's training exercises, trotting along as their dogs strain against their leashes. "The dog must be having fun to be effective," Bill Molaski observes. "If the dog doesn't like the job, he stops working." Training is designed to let the dog have fun finding drugs then reward it with whoops of praise and the ever-popular tug-of-war.

A few dogs, such as the famous Corky, a cocker spaniel working in Miami's airport, are trained by Customs to detect drugs concealed on people themselves. These personal-search dogs are small (one is a Yorkshire Terrier) and have been trained to sit down next to a suspected individual as a sign to the Customs officer. (Pawing, chewing, or jumping on someone in the airport would not win Customs many friends.) Personal-search dogs are on the job in a few locations as part of a pilot study. More may be added.

Every dog/handler team is recertified annually by the Front Royal instructors. Usually, if a dog is not working well, instructors will discover a handler error is to blame.

Local and state police—even foreign governments—can, for a substantial fee, send officers to fill vacancies in classes for Customs trainees.

Although the life of a Customs dog may seem, in many ways, ideal for a certain kind of dog, Gene McEathron, director of the Canine Enforcement Program for Customs, reports that finding enough dogs is a struggle.

Many shelters have policies against placing dogs anywhere but in a pet home; others have had bad experiences releasing dogs to police departments or military units only to have the dogs later returned to them traumatized or too aggressive for alternate placement and have closed their doors to all government service. Others simply don't know how Customs training works.

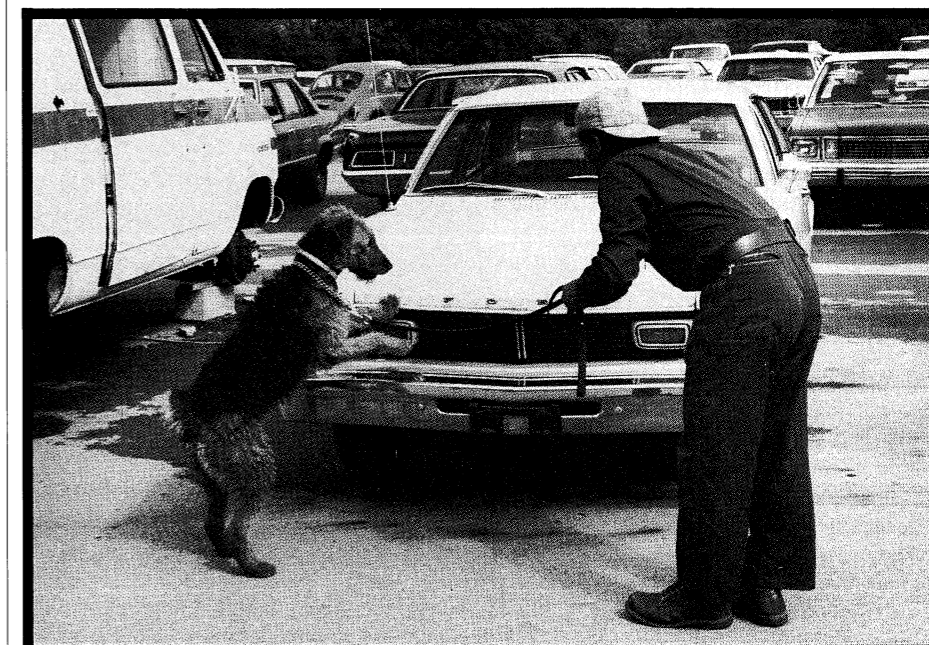
Dennis Reed is chief warden of the Fairfax County (Virginia) Department of Animal Control, a facility that releases dogs to Customs.

"Customs work saves an animal's life," he says. "A lot of animals not suited to a family make good working dogs. The rigorous training can make an unmanageable animal into a manageable one." Mr. Reed has been to Front Royal to see Customs training for himself. "I know the dogs are well cared for. I know [Customs] to be a very reputable agency. They take care of the dog—not only mentally but physically. I wouldn't hesitate to recommend" to any

shelter that it release dogs to Customs, he emphasizes.

Jenny Horlamus, who works at the Washington County (Wisconsin) Humane Society, agrees: "We do check back with Customs and [the dogs] all seem to get excellent care," she says. "The instructors know within a minute of working with that towel whether the dog will work for them. We sometimes have a big dog that has been in the shelter for three weeks with no one interested in him. If we think he will suit Customs, we give them a call."

Said another employee at a midwestern



**Far left, a handler rewards his dog with a quick game of tug-of-war and physical praise after the successful completion of an exercise during Customs training in a Virginia warehouse. Enthusiastic positive reinforcement is the key to a dog working well.**

shelter, "We've had eight to ten dogs graduate with high honors" from the Customs program. "I would recommend Customs to any shelter—everything we've seen has been good."

Customs isn't for every dog. Every dog that pulls on a leash or likes a game of catch isn't Customs material. Dogs must be between fifty and seventy pounds (any larger and they can't search a compact car). Sporting breeds predominate, although Airdales and pit-bull terrier crosses have passed the test. For some shelter dogs, Customs work is a second chance at a life worth living. ■

For more information on the U.S. Customs Service's dog-detection program, contact Gene McEathron, Director, Canine Enforcement Program, U.S. Customs Service, HCR Box 7, Front Royal, VA 22630-9302.

**Above, Ginger, an Airdale, checks an automobile headlight and radiator grill for concealed drugs. Although sporting breeds predominate in Customs work, representatives from a number of pure breeds and mixed breeds have excelled.**

# BEHIND THE SCENES AT CHINCOTEAGUE:

## The Death Toll Rises

There were about 40 to 50 horses in the pen. They all looked very stressed," recalled Jan Spink, a therapeutic riding instructor from central Virginia. Ms. Spink was on her way to the beach when she stopped to observe pony-handling procedures during Chincoteague's annual pony-penning roundup. "Then I noticed that 1 mare was down," she continued. "She wasn't looking right.

"I went to the firemen [who sponsor the roundup]; there were about a dozen of them standing around. None of them had noticed the pony, so I pointed her out and said that she was in severe distress and needed a vet immediately.

"I watched for about ten minutes, assuming the fire company had a competent system in place for veterinary emergencies. I assumed that everybody was running to get things for the mare. I assumed wrong. Nobody seemed to be doing anything to help her, and valuable time was being wasted.

"I finally said, 'You've got to get a vet!' They said, 'We tried. No vet will come.'"

The next thing Jan Spink knew was that fire company officials were bringing a respiratory therapist to the corral site. "Outside of myself, she was the only person with any knowledge of horses," Ms. Spink explained. "But even she was standing there in confusion, telling the crowd the pony was about to give birth." The pony wasn't even pregnant. "Meanwhile, the pony was overheating in the direct sunlight, and nobody was doing anything. That's when I finally jumped the fence."

Ms. Spink began directing efforts to save the dying animal. "I was furious that they hadn't done anything until I mobilized them. By this time, the pony had broken

into a sweat. I started asking people for their ice-coolers, but nobody wanted to give them up. I emptied the sodas out of mine and began to pack ice around the mare."

The fire company maintains a veterinarian of record for the ponies, and he was at his office some twenty miles away. When he was radioed for assistance, said Ms.



AP/STEVE HELBER

Spink, "He told us he had a parking lot full of clients and couldn't be disturbed. 'We have a pony that's going into deep shock,' we said. He said he wouldn't refuse treatment if the mare was brought to his office."

Eventually, the animal, unable even to move its legs or hold its head up, was dragged into a horse trailer and carted away. "I thought they were taking her to a vet," said Jan Spink, "but they took her to a shady area of the carnival grounds." (A second veterinarian, contacted by phone, had suggested that she be taken to a shady place and given some water.) When the pony failed to rally, it was trucked north to the Virginia/Maryland line where a third veterinarian, licensed to practice only in Maryland, agreed to meet and treat the animal. Deeply disturbed over the disor-

ganized rescue effort, he was forced to administer treatment to the dying animal in 102 degree heat in the back of the horse trailer.

Not surprisingly, these efforts were as futile as they were heroic. Adequate veterinary care came too late for that pony, just as it did for another 5 mares that have died in the last two years—the victims of Chincoteague's famous pony penning.

### Fire Company \$40,000, Ponies \$0

Each year, during the last week in July, the tiny island town of Chincoteague, Virginia, is thrust into the national spotlight as tens of thousands of spectators converge to participate in pony-penning events. Scores of newborn foals, mistakenly thought to be descended from ponies swept overboard from a Spanish ship 350 years ago, are auctioned to bidders in a time-honored tradition that dates back sixty-four years.

Assateague Island, a thirty-seven-mile spit off the Maryland/Virginia shore, is the home to roughly 300 wild ponies—animals that have made the successful transition to life in a marine environment. These hardy horses live in an exceedingly hostile habitat, enduring everything from temperature extremes to heavy mosquito and tick infestations. Consuming a variety of grasses in Assateague's marshlands, the ponies manage to flush the excess salt from their systems by drinking the fresh water they find in rain puddles and springs.

A herd of about 150 ponies inhabits the Virginia lower third of Assateague Island, living quietly in the salt marshes of the Chincoteague National Wildlife Refuge (NWR). Although they are described as "wild," these 150 ponies are actually



AP/STEVE HELBER

owned by the Chincoteague Volunteer Fire Company. Each year, that organization pays \$180 to the U.S. Fish and Wildlife Service (FWS) and is granted a special-use permit to graze its ponies on the federal refuge. As long as the ponies do not pose a threat to the island's unique ecology, the FWS tolerates their presence and enjoys the added attraction they represent to refuge visitors.

In what is billed as a management tool necessary to thin the Chincoteague herd, each year, the fire company sells off most of the herd's newborn foals, a tradition that, twenty years ago, brought the fire company a few thousand dollars, but, today, has become a much more lucrative event. This year, with a total of 77 foals selling for an average of \$600 a piece, pony penning added a whopping \$40,000 to the firemen's

coffers. Despite the record take, most of the monies raised during pony penning come not from the sale of ponies but rather from the booming tourist trade that accompanies the event.

Pony penning gets underway Sunday, as firemen on horseback begin to round up and corral the refuge's ponies, separating the stallions from mares and foals. On Wednesday, with crowds of spectators lining the banks, mares and foals are forced to swim across a channel separating Assateague Island and the refuge from the seaside town of Chincoteague. Once they reach the opposite bank, the ponies are given a short rest, then herded down Main Street to Chincoteague's carnival grounds. Thursday morning, foals are taken from their mothers and auctioned off to spectators; foal-less

Opposite, wild Assateague Island ponies are driven across the Assateague Channel to Chincoteague during the annual pony penning, held in July. Left, two men attempt to cool off a Chincoteague mare that collapsed during 1989 pony penning activities. Despite such efforts, the pony later died.

mares make the swim back to freedom on Friday.

It's not only the festivities associated with pony penning, but also the complaints The HSUS receives each year that have become part of the annual tradition. For more than two decades, HSUS investigators have monitored Chincoteague's roundup, documenting a multitude of abuses ranging from the sale of day-old foals and the manhandling of newborns to the shipment of newly purchased ponies—their legs tied tightly together—in the backseats of Volkswagens and jeeps. "Wild-pony rides," in which mares, just separated from their foals, are forced to endure bronc riding by local cowboy-types, are also part of the show.

While negotiations with the fire company have resulted in some improvements (company officials no longer sell day-old foals, transportation standards have been upgraded, and foal-care packets are distributed to buyers by The HSUS and the American Horse Protection Association), problems continue to plague the operation, the result of the expedient and highly stressful fashion in which the herd is handled and managed. Impulse buying by spectators with no knowledge of the specialized care horses require is common.

### 1988: Four Mares Collapse

Last summer, a new threat to resident ponies surfaced when, shortly after roundup on Chincoteague NWR, several mares became gravely ill and lapsed into shock. It would be weeks before autopsies revealed that, in the frenzy of the roundup, the ponies had consumed island vegetation toxic to their systems, vegetation that would ultimately cause cyanide poisoning in the mares.

Although the pony deaths were kept under tight wraps by the fire company, information about the tragedy was leaked to The HSUS by an anonymous phone caller. An HSUS investigation during pony penning revealed that 4 mares had died, and,

**R**ight, a Chincoteague pony is examined for purchase. Below, four men hoist a newly purchased Chincoteague pony into a horse trailer. The HSUS has found, in the past, that many such purchases are made on impulse by people inexperienced in caring for wild horses.



HSUS/EISNITZ

unknown to the public, been quietly disposed of at the north end of the refuge.

When the first 2 ponies collapsed, no veterinarian was present, and the fire company made no attempt to obtain the services of one.

"The horses' jaws became locked, they couldn't stand up, and they were burning up," recalled a former FWS employee. "I phoned the fire company's veterinarian at his office but he said he was tied up in surgery and couldn't come." The FWS employee spent four long hours on the phone trying to locate a veterinarian who would come to examine 2 more mares that had gone down in the interim. By the time she located one, rescue efforts were futile; all 4 animals eventually died what were described as very painful deaths. (The veterinarian who later performed autopsies on 2 of the mares explained that, in the

wild, the ponies would not have eaten the toxic vegetation, consuming primarily island grasses. When forced into the extremely stressful conditions of the roundup, however, they apparently did so, with fatal consequences.)

"The HSUS finds it inconceivable that the FWS was left to bear the responsibility of locating a veterinarian for the ponies in a time of dire need, when corralled mares were mysteriously dying and no veterinarian was available to examine the herd," said HSUS Investigator Gail Eisnitz in a letter to the FWS last year. "The fact that a FWS employee spent four hours on the telephone in a frantic attempt to locate veterinary assistance is a clear indication of the fire company's indifference to the welfare of its stock."

Additional investigation by The HSUS revealed that the fire company has no significant mechanism in place to monitor or care for injured or dying animals on Chincoteague NWR year 'round. In fact, a biologist who conducted extensive research on the refuge informed The HSUS that, in the past, when injured or ill animals were brought to the fire company's attention, they were simply dragged from public view

and left to die. There have also been allegations of kickings and drownings of disabled horses as well.

As a result of last year's deaths, The HSUS requested that the FWS include a special provision in the fire company's grazing permit requiring that an on-site licensed veterinarian be present during the entire pony-penning operation. Last November, we received word from the FWS that our request had been approved and a special condition had been inserted into the fire company's permit. It was a small step, but we were delighted to know that, after sixty-three years, the fire company would at last be held accountable in some fashion for the welfare of its ponies, even if only during pony-penning week.

#### 1989: Two Mares Die

On the morning of July 27, 1989, one year to the day after the first two mares died, Jan Spink tried to save 1 of 2 mares that would die *this* year. Despite the 1988 tragedy, despite the stipulation in its grazing permit, the fire company again had not arranged to have a veterinarian on-site, nor could company officials locate one anywhere.

Chincoteague's ponies. "My proposal here may seem ambitious, but I believe it can be carried out in a commonsense manner. Hopefully, these changes could lead to better husbandry...and stop the death losses in the pony population with its attendant bad publicity."

John Schroer has vowed to add new stipulations to next year's grazing permit, requiring a veterinarian to "check in" with the FWS each day of pony penning. This year, however, in an effort to prevent negative attention from being drawn to the refuge, the FWS has decided not to impose any penalties on the fire company; the company's permit will not be revoked or suspended nor will fire officials be fined for their flagrant violation of their special-use permit. For this reason, we urge our members to write the Interior Department's Assistant Secretary for Fish and Wildlife and Parks, with a copy to Chincoteague NWR Manager Schroer, demanding that the FWS take strong disciplinary action against the fire company

by imposing a stiff fine and making it clear that the company's expedient treatment of ponies for profit will no longer be tolerated. After all, any organization that netted \$40,000 from the sale of foals that inhabit a taxpayer-funded refuge can certainly afford to pay a fine for its negligent actions affecting its stock. In addition to a fine, explain that, if the FWS does not intend to revoke the fire company's grazing permit, you wish to see the fire company put on probationary status. You might mention that the only negative publicity you foresee from this incident would result from the FWS's decision not to hold the fire company accountable for what is a clear violation of its special-use permit.

Write: The Honorable Constance B. Hariman, Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, 18th and C Streets, NW, Washington, DC 20240 and Mr. John Schroer, Refuge Manager, Chincoteague NWR, P.O. Box 62, Chincoteague, VA 23336. ■

## WHAT'S A CHINCOTEAGUE PONY?

No one really knows where Chincoteague ponies came from or how they came to dwell on Assateague Island. While legend has it that they were descended from the survivors of a sixteenth-century shipwreck, some scientists believe that the ponies actually descend from stock of early colonists who permitted their animals to roam freely about the island.

Whatever their origin, one fact remains: Chincoteague ponies are not the purebreds—with bloodlines dating back 350 years—that the public has been led to believe. In fact, time and again, off-island blood has been introduced to the herd.

Reports from the early 1900s tell us that Shetland ponies were imported to the island and subsequently bred with resident stock. As recently as 1962, when half the herd was swept to sea in a devastating storm, outside stock was introduced to help replenish the herd. In recent years, new stud animals—particularly mustangs, Spanish barbs, and Arabians—have been imported by the fire company to upgrade the herd and add new blood. (Why does the fire company find it necessary to add horses to the herd, when the annual sale is supposedly conducted to reduce the number of ponies on the refuge?)

Each year, scores of unsuspecting

buyers shell out hundreds of dollars for so-called Chincoteague ponies. Such foals are often in extremely poor condition at the time of sale.

"I saw the foal two weeks after it was brought back from the island," recalled a Virginia veterinarian in a recent letter to The HSUS. He described the failing health of a two-month-old foal that was anemic, thin, and would not eat. The veterinarian treated the pony with vitamin supplements, antibiotics, and intravenous fluids, but its condition only grew worse. "Despite three to four days of intensive care," the veterinarian reported, "the foal died." Weaned too early, subjected to transport stress, and in poor nutritional shape, the foal had three strikes against it before it even arrived at the buyer's farm.

Chincoteague ponies, often also suffering from internal and external parasites, have developed unique adaptations to the marine environment and require months of special treatment and care after purchase. No matter how loving, owners are seldom equipped to help a foal make the difficult transition from rugged island life to pasture and stall. The HSUS can only speculate on the numbers of newborn foals that, despite the buyers' best intentions, meet pitiful deaths. ■



HSUS/EISNITZ

*animalines* is often asked if anything on the horizon brings us cause for optimism, and our response is resoundingly in the affirmative. We hear from increasing numbers of committed activists who are redirecting their energies from an organizational focus to assuming individual responsibility for making a difference. This greatly heartens *animalines* as it reflects a growing awareness that a movement is ultimately nothing more than the collective journeys of its members. If we as individuals are lacking in terms of what we have to offer of ourselves, then even the most noble of sentiments carries a hollow ring. Movements are not grab bags to fill our personal voids, but a privileged opportunity to give back to Nature what we have mercilessly taken from her.

The crucial question is what brings people to life-affirming movements? No human animal is without needs and frailties, and certainly movements provide ample opportunity for recognition, influence, and a host of other factors associated with altruistic endeavors. We are all nourished from the kinship of pursuing a common dream with brothers and sisters, but such nourishment should occur naturally from the intrinsic satisfaction of giving, not the deliberative act of taking. This is why *animalines* derives such encouragement from those who are embarked on a journey of the spirit, for they realize the capacity to give to others is directly proportionate to their own continued growth and evolution.

The capacity for giving generously of ourselves is critical to our ultimate success, for outreach efforts depend upon creating an inviting climate which appeals to a broad-spectrum audience. *animalines* is not suggesting diluting either principle or message, but even the most radical vision must be presented with kindness, tolerance, and a willingness to embrace people at whatever point in their journey we find them. Individuals travel at different speeds and in different directions, and rather than self-righteously judging their progress, we should be painting an inviting portrait of the many paths to peace. The critical element is motivating people to embark upon the quest, not predefining the route or destination for them. Many of our friends believe *animalines* is indulging in romanticism when we write of unconditional regard, but charity is the music of the soul, and we make no apologies for uncompromisingly and tenaciously pursuing our ideals with one hand while embracing our adversaries with the other.

*animalines* is saddened by the myopic manner in which movements dismiss the power of feelings to produce change, as historically virtually every successful nonviolent struggle for justice has predicated its approach on touching the soul rather than the mind. The mind assimilates fragmented information and rarely responds with great compassion except in circumstances when self-interest and altruism coincide, whereas the spirit can perceive the promise and splendor of a new dawn. Like the wonder of a young child, feelings and imagination are able to transcend the boundaries of cultural conditioning and bias. That is the magic of poetry, for it translates words into feelings without walls. Walt Whitman described this magic as the power to "enlarge" ourselves, and that power resides in each of us. The mind is restricted by a myriad of constraints, but feelings carry a boundless potential for expansion and self-discovery if unlocked by a gentle vision and supportive hand.

It's that vision which *animalines* has sought to further in our outreach efforts, for we measure our success not by how many we quantitatively reach, but how many we profoundly "touch." No less a great thinker than Schopenhauer asserted that compassion alone is the critical determinant of ethics, and if history has taught us anything, it's that compassion is a product of the soul, not the mind. It wasn't reason that empowered Gandhi, but the sheer force of his spiritual energy, and it's that energy which all of us must cultivate within ourselves and others. Gandhi's impact, like others before and after him, was tragically short-lived because it died with the original source. For such energy to endure and expand, it must emanate from within the depths of each person rather than an external source or authority figure—bringing us back to empower-

ment and change through individual journeys of the spirit.

What is the essence of these journeys? By their very nature, the behavioral dynamics of such journeys are unique to each individual and thus defy explicit definition, but the common denominator is the quest for inner light and peace. Bergson described this light as *elan vital*, the life force; Spinoza called it Nature's God; *animalines* refers to it as a metaphysical leap of faith; secular humanists call it justice; and still others apply a theological interpretation. There are no right or wrong paths to uncover this inner light, only varying degrees of illumination. Ultimately, the journey culminates with the realization that we are interconnected with not only everything we're able to see, but also with the rest of the universe that eludes our limited vision. More specifically, it's reclaiming and embracing the noblest dimensions within us that rarely survive childhood in this violent and avaricious culture.

It's this inner journey that leads to the peaceful path we wrote of earlier, and this is the path that many activists are presently following and sharing with others. They are not "marketing" a formal ideology or organizational memberships, for they have tapped into their own life force which enables them to unconditionally share their bounty with others. Through transcending concerns of ego and other such manifesta-

tions of human frailty and folly, they have looked inward for direction and found answers previously known but long forgotten. Peace does not spring forth from external sources, but from liberated individuals practicing it in a manner that's inviting and supportive to others yearning to share in that peace. Compassion becomes contagious when we create a nurturing climate that rekindles the life force within each of us.

We understand that many will find these views idealistic, and indeed some perceive all peaceful visions as utopian. For *animalines*, however, the quest for peace is fundamentally a vision of gentle possibilities, and it's the passionate love of life and Earth that fuels this growing force in every nation on this planet. It's not governmental bodies or organized movements that are leading the way, but the individuals we referred to who are embarked on a journey of the spirit—finding within themselves rich nourishment to share with others. Through this process of giving generously and unconditionally, they are planting seeds to heal the fragmentation and artificial divisions that Einstein described as humanity's "optical delusion." Einstein so clearly understood what our troubled species has yet to grasp—the properties of the parts can only be understood from the dynamics of the whole, and the whole is all the organic and

inorganic elements that comprise the symmetry and integrity of our fragile universe.

This integrated concept of wholeness cannot be realized externally, as it can only be found within the spirit of each individual. Children possess this unified life force in great abundance before the weight of socialization and fragmentation descends upon them, and for most adults it's an arduous journey back to again experience the child's spontaneous capacity for exploring, discovering and sharing. Tragically, many well-intentioned reformers tend to sanctimoniously lecture and chastise rather than sensitively convey the joy of their own journey, for they often have little to give themselves and even less to give others. Having lost connection with their own spirit, they're unable to lovingly touch others. Adults obscure the simple truth and power of a child's feelings, and in so doing deny their own essence. *animalines* recently received a note from a kindergarten class in Kirkwood, Missouri, which embodies the spirit and light of unconditional love—love that lies waiting in each of us. They write: *Our teacher told us...you love all life and the air and water and forest and grass. We want to help you in any way we can. We know you care about us. We care about you. We are your friends. We love you.*

*Edward S. Duvin is editor of animalines, from which this essay is reprinted. animalines is a program of The HSUS.*

# MUSIC OF THE SOUL

BY EDWARD S. DUVIN

The world's second largest commercial wildlife slaughter is going on right now, in Australia.\* There, 6 million kangaroos will be shot this year for the burgeoning athletic-shoe industry under the pretext of "wildlife management."

The HSUS seeks to end the mass commercial exploitation of all wildlife, regardless of whether the species involved is in danger of extinction yet or not. For that reason, we have joined Greenpeace, the International Wildlife Coalition, and other concerned organizations working to stop the Australian kangaroo slaughter.

The Australian government set this year's legal quota at 3.7 million animals, but an additional 1 million kangaroos will be legally killed for non-commercial use. The illegal kill is undetermined, though it has been estimated to be greater than the legal quota. Therefore, although the government claims it will "limit" the kill to 3.7 million animals, more than 6 million kangaroos are likely to be slaughtered.

Kangaroos are killed for their skin, which is considered softer and sturdier than

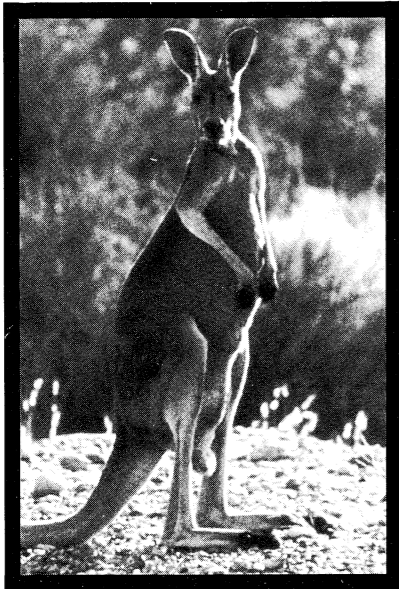
cow hide. It is used primarily for athletic shoes, as well as for dress shoes, boots, purses, wallets, belts, and golf bags. Kangaroo fur is used for stuffed koala toys, which, along with kangaroo-paw bottle openers and other novelties, are sold to tourists. The United States is the world's largest importer of finished kangaroo products, although they compose less than 2 percent of all leather imported annually and less than 1 percent of all leather sold in this country. But few suburban shopping malls

in America are without kangaroo-leather shoes.

This year, several Australian states lifted their bans on the human consumption of kangaroo meat, creating additional incentive for economic exploitation of the animals. This is also potentially dangerous to humans, since kangaroo meat often carries salmonella, tuberculosis, tapeworm cysts, toxoplasmosis, and hydatid diseases.

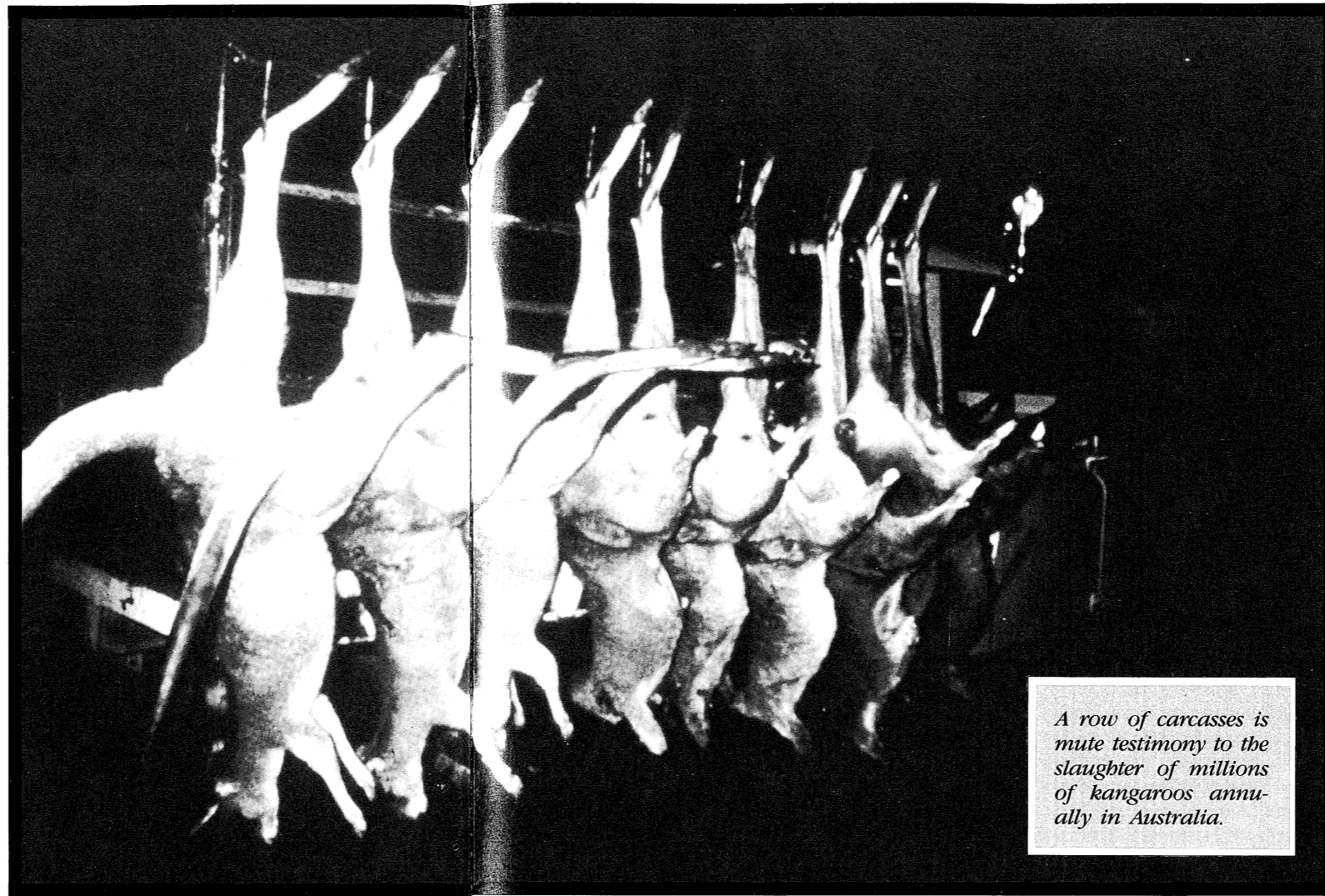
Eight of the forty-eight kangaroo species are already extinct, many as a result

of human over-exploitation. Twenty-four more species are listed as endangered, threatened, or rare by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the U.S. Endangered Species Act (ESA), or the International Red Data Book. These include



A red kangaroo male is undisturbed in Sturt National Park.

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A row of carcasses is mute testimony to the slaughter of millions of kangaroos annually in Australia.

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the three most plentiful and heavily exploited species, the red, the eastern grey, and the western grey, listed as threatened by the ESA. Unfortunately, a special rule exists in the ESA regulations that exempts kangaroos from the ban on commercial trade in threatened species products. (The HSUS opposes this special rule.)

The last published population figures for the red, eastern grey, and western grey kangaroo estimated that there were 10 to 12 million in 1984. The Australian government asserts that the present population is 15 million for all kangaroo species. Just nine years ago, it claimed there were as many as 60 million kangaroos. In fact, there are

no accurate statistics for the present population, which is particularly alarming given the high rate of kill. The substantial decline in estimates seems to indicate that the kangaroo population is at risk. Kangaroos are now outnumbered by sheep by more than ten to one.

Although population surveys have been

attempted for the three primary species, the Australian government establishes kill quotas for the euro and whiptail kangaroo, too. Only these five species are authorized for export. An additional five species may be legally killed for the domestic market. However, the Australian government complains that it is too difficult to police the hunting since it takes place at night in the rugged and unpopulated outback. Thus, there is virtually no control over which animals are shot, and many shooters cannot even distinguish among different species. A Greenpeace study of Italian kangaroo imports found evidence of trade in skins of rare or endangered kangaroos.

The vast majority of kangaroos are killed using inhumane methods. Hunters use powerful spotlights to stun the kangaroos momentarily; the animals are then shot with automatic weapons. Joeys, young kangaroos, are of no economic value and are not considered to be worth the cost of a bullet. They are often killed by being thrown against a tree or car bumper or kicked in the head. Non-professional, weekend shooters often employ even crueler killing techniques, running the animals down in trucks, poisoning their water holes, snaring them, or shooting them from helicopters. Ninety percent of commercial kangaroo hunters are such weekend shooters. There have been many documented incidents of animals skinned alive, impaled on stakes, and beaten to death.

The Australian government supports the kangaroo industry as "an important management tool." It claims that there are too many kangaroos and that they have become pests, competing with livestock and damaging crops. This has been openly contradicted by the Queensland state government, which stated in its kangaroo-management program: "It is important to recognise that, while the kangaroo industry was originally a response to the pest problem caused by the animals,

# AUSTRALIA'S KANGAROO SLAUGHTER

*Millions of animals die for shoes and novelties*

it has come to exist in its own right as the user of a valuable natural resource.”

There have been no scientific studies to support the claim of competition for food between kangaroos and livestock species. In fact, several studies have shown that, while there is potential for overlap in their diets, kangaroos and sheep prefer different vegetation, even under drought conditions. Australian livestock populations have decreased by about 25 percent in recent years, while kangaroo quotas increased by 242 percent. Clearly, if competition between kangaroos and livestock were the true reason for slaughtering kangaroos, kill quotas would have decreased with the livestock populations.

The numbers of kangaroos killed is subjectively determined by the wildlife ranger and the farmer. Their incentive is commercial, not biological. If biological control were really the paramount issue, many non-lethal management alternatives would be utilized, including protective fencing (with a slanted top edge to prevent the kangaroo from jumping over), control of reproduction, purchase of marginal farmlands where kangaroo populations are dense, and establishment of more parks and reserves. None of these has even been considered by the Australian government, which continues to yield to pressure from the kangaroo industry for quotas, killing, and more quotas.

Australian farmers, grazers, and govern-

ment officials defend quotas by observing that “kangaroos breed like rabbits” and that their populations are not at risk from commercial exploitation. This is simply not true. Kangaroo reproduction varies with climate. In a *good* year, only 56 percent of the young reach sexual maturity. Under drought conditions, sexual maturity is delayed, all breeding activity ceases, and there is 100 percent mortality of young. In the past century in Australia, only twenty-two years were free of drought. A female kangaroo produces two young every three years under good conditions and *none* during drought.

For fifteen million years, kangaroos have co-evolved with their ecosystem. Like all wild animals, they are subject to predation by other animals, such as dingos and foxes; disease, starvation, and drought also take their toll. These factors, coupled with the low rate of reproduction, control the kangaroo population at a level compatible with the carrying capacity of the habitat. Neil Shepard, a biologist who studied kangaroos for many years, states, “Culling of kangaroos is not an ecological necessity in national parks. The system is quite capable of managing itself.”

The kill quotas are unnecessary and ineffective management tools for several reasons. First, they are established arbitrarily. The Australian government claims to set quotas based on population statistics. However, surveys have never been attempted

for two of the species for which quotas are set, the whiptails and the euros. Aerial surveys are used by the government for the other three species, but this method was rejected as inaccurate by the Queensland state government (which sets the highest quota), and it is impossible to distinguish between the eastern grey and western grey in aerial surveys, in any case. Quotas have continued to increase greatly despite no corresponding increase in populations.

Second, the tagging and quota system does not limit the number of kangaroos actually slaughtered. It is designed to limit the number of skins which enter the commercial market, not the number of animals killed.

Third, kangaroo quotas are not an effective means of population control. Natural population controls depend on the present density of the animals and their rate of reproduction. Such factors fluctuate with natural fluctuations in the population. Kangaroo quotas, however, are set artificially. They are determined from inaccurate statistics from the previous year or by simple guesswork and, thus, are not related to the actual size of the population, reproductive rates, or age demographics.

Ironically, kangaroos, as indigenous wildlife, are declared “protected” by the Australian government. According to Peter Ranlinson, an Australian expert, such desig-

nation is virtually meaningless, since there is no national management program or national control of the state management systems. Each state is expected to submit a management plan to the Australian government for approval. None of these plans is consistent with the guidelines suggested by the central government, yet each one is approved. The Australian government has consistently failed to exert control over the state management programs, the kangaroo finishing plants, or the kangaroo export market, all of which encourage the illegal kill. Regulations that do exist are rarely or weakly enforced. The kangaroo industry, worth a relatively small \$10–15 million a year, seems to have more control over the government than the government has over it.

Prior to European colonization about 200 years ago, there was no problem with kangaroo overpopulation in Australia. If there is a problem now, it is the result of human activities and must be addressed by wise and humane stewardship of the land. The commercial slaughter of kangaroos as “pests” is not a solution.

Commercializing wildlife is a dangerous and destructive practice. The African elephant, the rhinoceros, the passenger pigeon, and the American bison stand as reminders that *no* species is ever safe from extinction so long as humans believe it is more valuable dead than alive. Extinction is only one

of the dangers. Modern day flora and fauna are the products of millions of years of natural selection and co-evolution. Commercial harvesting alters this process by removing the largest, healthiest members of a population. This substitutes “artificial selection” for natural selection and compromises the “wild” status of the animal. The resulting changes in inter- and intra-species demographics may de-stabilize the population, normally kept in delicate balance with its environment. The effects this will have on the species being exploited, its fitness, the surrounding species, and the ecosystem cannot be estimated or ignored.

If the rampant exploitation of the kangaroo is allowed to continue, the kangaroo, its neighboring species, and its habitat will be further degraded.

Loss of the kangaroo may also lead to increased destruction of the land. Sheep, cattle, and pigs are not native to Australia and are not well adapted to its landscape and environment. Extensive grazing by these hard-hooved animals, along with the spread of their manure, which is difficult for native micro-organisms to break down, has caused rapid desertification and destruction of land. Kangaroos are soft-footed animals uniquely adapted to Australian conditions. They help prevent desertification by spreading the seeds of native plants and by producing manure that is easily broken down and that fertilizes the soil.

They do not eat the vegetation as sheep do, leaving more growth in place. Further depletion of kangaroo populations will lead to an increase in erosion and environmental degradation and deplete other wildlife species as well if it results in an increase in use by domestic livestock.

As the largest importer of kangaroo products, the United States provides a huge incentive for the continued slaughter of kangaroos.

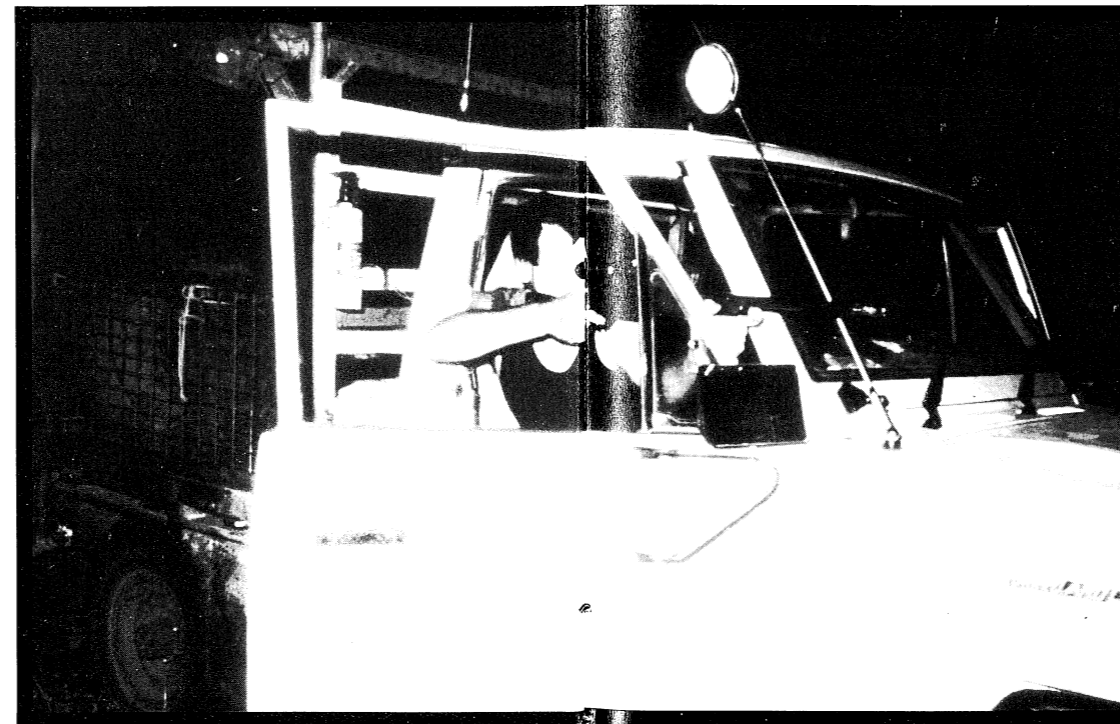
Without the international market in kangaroo products, the price of kangaroo skins would plummet. Shooters already make very little profit, and if the value of kangaroo skins were to fall, they would not make enough money to make it worth their while to kill kangaroos.

Kangaroos, like elephants, are indigenous to only one continent of the world. Many individuals within these far-away countries are working hard to protect and preserve their unique animals—our shared wildlife heritage. But they are fighting a losing battle so long as the rest of the world, separated from the daily slaughter by thousands of miles, continues to fund their decimation and destruction. ■

*Dr. Susan Lieberman is associate director of wildlife and environment for The HSUS. Natasha Minsker is a student at Cornell University and was a summer intern at The HSUS.*

## WHAT YOU CAN DO

- Rep. Robert Mrazek has introduced the Kangaroo Protection Bill (H.R. 1356) to ban all kangaroo-product imports. Write your representative and ask him/her to co-sponsor this excellent bill. Please also ask your representative to push for hearings on this vital issue. Write to: Hon. \_\_\_\_\_, U.S. House of Representatives, Washington, DC 20515.
- Don't purchase *any* products containing kangaroo leather.
- Ask the U.S. Department of Interior to rescind the Special Rule on kangaroo imports (17.40a). Please write to: The Hon. Manuel Lujan, Secretary of the Interior, U.S. Department of the Interior, 18th and C Streets, NW, Washington, DC 20240.
- Write the Australian embassy of your opposition to the commercial kangaroo slaughter: Australian Embassy, 1601 Massachusetts Avenue, NW, Washington, DC 20036. ■



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Left, a professional kangaroo killer takes aim at night in New South Wales, Australia. Above, the skinned carcass of a kangaroo is all that remains after the hide has been taken.

# LIVING WITH DEER

## Suburban communities face an abundance of a good thing

When eight-year-old Ann Johnson visited her grandmother in Boulder, Colo., she was overjoyed to find deer feeding at her window. "Look, Grandma, one's for sale!" she exclaimed, spying a numbered tag on the buck's ear. The Boulder deer were not for sale, of course, but part of a study by biologists of deer-related problems in the community. Such problems have become increasingly common in recent years, not only in Boulder, but also throughout much of suburban America, as deer have become more numerous and more visible.

Deer in America have been increasing in number since the turn of the century, when perhaps fewer than 500,000 of an original population of 40 to 50 million deer survived widespread slaughter for commercial meat and hide markets. Today, the deer population overall has recovered to about 23 million (although there are some endangered species like the Florida key deer) and continues to grow. At the same time, our human population, swelling to 250 million, continues transforming the American landscape. Land development for housing, industry, airports, shopping centers, and highways eliminates habitat for deer. Deer are often crowded into smaller and fewer habitat patches—to the consternation of farmers, orchardists, homeowners—and quite probably—other deer. Ironically, while habitat for deer decreases, the quality of what is left often improves;

people in many suburban areas tend to create a landscape mosaic of woodlots, brushy areas, meadows, lawns, and gardens—just what deer prefer.

Almost everyone who has deer as neighbors has some concerns about them. Deer may be involved in collisions with automobiles, with serious consequences for human safety and property. Deer can damage crops and ornamental plants. They have been implicated as a carrier of Lyme disease.

In today's world, living in many suburban areas has become synonymous with living with deer. Their graceful beauty and peace-loving nature are as much a part of suburban life as the robin's song or the raccoon's self-important mischievousness.

Public-opinion surveys generally reflect

## Concern over the interaction between deer and humans . . . turns into a heated debate if hunting is proposed.

an appreciation of deer, even where the animals are very abundant. A survey of Westchester County, New York, residents showed that 85 percent "enjoyed" the deer, while 8 percent didn't, and 7 percent had no particular feelings one way or another. However, a majority of those queried were also concerned about deer/people problems.

Concern over the interaction between deer and the human communities in which they live invariably turns into a heated debate if hunting is proposed. Some insist "it's the only way" to resolve deer/human conflicts in suburbia, to which others respond, "No way!" New hunts have aroused public protests in places as diverse as the U.S. Air Force Academy in Colorado and Tyler State Park in Pennsyl-

vania. Emotions run high elsewhere as well, such as Princeton, New Jersey, where some homeowners allow bow hunting, to the outrage of their neighbors, who have seen wounded deer in their own yards. There, as in Minnesota Valley, Minnesota, citizens push for an end to newly installed hunts.

While game managers often propose recreational hunting as a solution to suburban deer problems, The HSUS and most animal-protection advocates oppose it, for a variety of reasons. One has to do with the deer themselves. Even if killing were the only workable alternative, recreational hunting is not a humane way of doing it. Deer shot by hunters often suffer an agonizing and prolonged death. An indication of this is the high rate of crippling loss,

the number of deer that are shot and later die but are not recovered by hunters. Studies show the overall crippling loss for deer tends to exceed 25 percent of the total number of animals killed. It is much higher in some areas, particularly where bow and arrow or muzzle-loading guns are used. In addition to those animals that make up the crippling loss, many other deer sustain non-lethal wounds that may result in permanent disability and eventual death.

Deer in hunted populations typically lead very abbreviated lives. In many hunted deer herds, few animals survive past the age of five. In un hunted herds, deer of ten or more years of age are not uncommon. Although natural selection tends first to remove the weak, the

very young, and the very old in a population, hunters prefer the healthiest, most vigorous animals.

A less evident impact of sport hunting on deer is the behavioral and social disruption it causes. A fawn that loses its mother to hunting is without the benefit of her experience and care, which normally lasts a full year. As deer are killed, social bonds are also broken between does and older offspring, between siblings, and between bucks and does during the rut. Hunting commonly disrupts deer during the mating season, a time that can be particularly stressful for bucks. Deer that are hunted are, understandably, more leery of people and spend more of their lives avoiding and fleeing from them. This reduces the opportunity for people to observe and interact peacefully with deer.

Another primary concern about sport hunting is its effect on the human environment. Foremost is the risk of accidental death or injury to people and other non-target animals. The risk to human safety in suburban areas would be expected to be higher than for the country as a whole, which, in 1987, recorded 212 hunting-related fatalities and 1,467 injuries.

Because of safety concerns, the disturbance caused by an influx of hunters, the discharge of firearms, and the anxieties that all of these can cause, people have little choice but to curtail many outdoor activities during any deer-hunting season. For some people, the opportunity to experience and enjoy nature during much of the Fall is lost.

Traditional sport hunting is ineffective in controlling deer and, ultimately, in reducing deer-human problems. In New Jersey, for example, the herd continues to grow despite a 25-30 percent "harvest" and an extended hunting season (in 1988, for example, 45,000 of 160,000 deer were taken over a ninety-five-day hunting season.) In short, while it is certainly possible to decimate a deer population by killing large numbers of deer, sport-hunting seasons are not set in such a way as to accomplish such a decimation—even if that were a worthy goal.

Herd size can be largely unaffected by sport hunting because of a greater per-



JOURNAL GAZETTE/SORENSEN



HSUS/POVILITIS

BY DR. TONY POVILITIS

Above, suburban residents peer at each other across an expanse of lawn. Right, a deer dodges traffic in Indiana; such close contact can lead to accidents.

centage of survival of remaining deer over the winter and because of an increase in the number of fawns raised in the spring. (Hunting reduces competition for otherwise scarce winter forage.) In many cases, hunting creates a greater proportion of reproducing does in the herd, as hunters prefer killing bucks. (Since bucks are polygamous, even if relatively few remain, most does will still be mated.) Herd growth continues in many hunted areas while in some unhunted or lightly hunted areas, deer populations are stable or fluctuate only slightly from year to year.

In cases where hunting is heavy enough to reduce herd size, the deer that remain may still present a problem. Some people will simply argue for more hunting; if 35 percent of the deer are killed by hunters annually and that's not effective, why not kill 50 percent, or even 75 percent? Turning American suburbs into war zones, with camouflaged, shotgun-toting hunters as ubiquitous as station wagons, is obviously not the answer to real or perceived problems with deer.

Many people have heard about the effects of deer on the ecology of parks and other natural areas. Overpopulation and damage to natural vegetation are commonly cited by game managers as reasons to institute or expand the recreational hunting of deer.

Deer herds do not grow indefinitely. They reach a point where, over time, the number of animals that are born and die tend to balance out. Deer die from exposure to severe weather (particularly in winter), disease associated with old age, disease in general, parasitism, accidents, malnutrition, or from combinations of such factors. At higher herd densities, deer raise fewer fawns.

The maximum number of deer, averaged over time, that can be supported by available forage, cover, and other resources defines the ecological carrying capacity for deer in a given area. Some game managers mistakenly assume that deer herds that reach carrying capacity are, by definition, overpopulated. Yet, deer commonly do well in such high density herds, and most live far longer than where hunting is allowed.

There are circumstances when a deer herd may exceed carrying capacity for a time. Biologists term this a population irruption; some people describe it as "overpopulation." It may occur, for example, when deer are forced by land development into areas where their numbers are already high or when deer are introduced into a new area and grow very rapidly in number.

When populations irrupt, the number of deaths will increase until herd numbers come back into balance with available resources.

Does an abundance of deer have a negative impact on the local environment? There is no doubt that deer can change it, as do insects, smaller mammals, high winds, forest succession, and other natural factors. But whether or not the change is unfavorable depends on one's viewpoint. When deer consume much of the plant food available to them, some argue that the vegetation is damaged. Others contend that this may not be properly called damage at all, since deer are only eating their natural food in their natural habitat. Deer eventually provide abundant food for crows, eagles, vultures, raccoons, weasels, opossums, bobcats, foxes, bears, and other wildlife that feed on carrion. Given the degree to which most natural communities have already been altered by tree cutting, roads, urban development, and pollutants, changes brought about by deer seem minor, indeed.

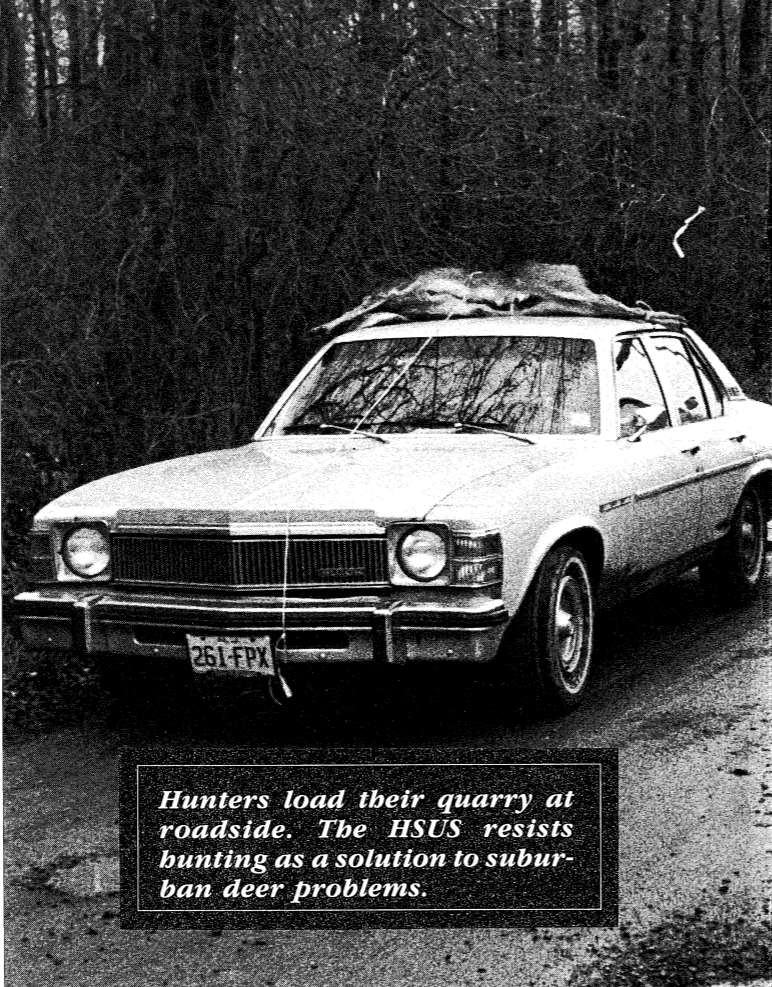
Living with deer poses concerns for people as well as for the environment. In the United States each year, deer-vehicle collisions result in an estimated 200,000-350,000 deer mortalities and \$400-\$700 million in damage to property. Approximately 120 human deaths and 8,000 injuries yearly are attributed to deer-vehicle accidents (about two-tenths of 1 percent of all auto-related human fatalities and injuries). Recreational hunting of deer does not solve the accident problem; the states and areas where hunter kill of deer is highest are often the ones where deer-vehicle collisions are greatest.

The best way to reduce deer-vehicle collisions is to modify driver behavior and, in some cases, deer behavior as well. Drivers can be directed to slow down in deer-crossing areas, especially between sunset and sunrise. Speed limits should be strictly enforced. In many cases, deer can

be discouraged from frequenting roadside areas by removing vegetation as far back from the road as possible. (Underpasses or overpasses for deer should be considered on busy roads that bisect their natural travel routes.) Installing an optical "fence," created when automobile lights hit special roadside reflectors or mirrors, is another option, as is more traditional roadside fencing to exclude deer from especially hazardous areas.

Deer have been implicated in the spread of Lyme disease. Lyme disease is an infection caused by a coiled bacterium, which is transmitted normally through the bite of the tiny Ixodes tick, whose adult stage occurs on deer as a primary host. The disease usually involves an initial skin rash and flu-like symptoms. It responds well to antibiotic treatment but, if left untreated, can lead to serious illness.

Current evidence indicates that even a major reduction in the number of deer may not eliminate the disease. For example, Ixodes ticks infected with the Lyme disease organism occur in Bethpage State Park, New York, where deer are reported absent. This is apparently because adult ticks can also feed on other mammals such as raccoons, foxes, and dogs. Birds, field mice, and other small mammals carry tick larvae



*Hunters load their quarry at roadside. The HSUS resists hunting as a solution to suburban deer problems.*



EUGENE A. SHENESKY, JR.

and nymphs, the latter of which most often carry Lyme disease bacteria. More than 5,000 cases of Lyme disease were reported in 1988, but deer are no more to blame for the ailment than any other wild animal serving as an intermediary host for ticks. Although hunters sometimes claim that sport hunting controls Lyme disease, most such arguments are unjustified. One study shows that the incidence of Lyme disease was not reduced even where deer were reduced by 75 percent. Where Lyme disease is of concern, the best defense is protective clothing and repellents and an awareness of symptoms.

The most common complaint about deer is that they feed on vegetables, fruits, ornamental flowers, and shrubs. Deer are fond of a great variety of domestic plants, ranging from corn and pumpkins to apple trees and evergreen azaleas. When damage, replacement, and control costs are tallied across suburban areas, they can total in the many millions of dollars. For some suburban farmers, deer are as troublesome as pest insects, bad weather, and high taxes.

To protect crops and ornamental plants, fencing is undoubtedly the best alternative where deer browsing is heaviest. Deer-protection fences for commercial or agricultural use consist of eight- to ten-foot

woven-wire fence and various parallel double fences, both electric and non-electric, which are installed several feet apart. Slanted and double fencing need be only about four feet high since the perception of depth deters deer from jumping them. While the initial cost of fencing may be high, it is an investment in long-term prevention of economic loss and long-term compatibility with the local deer population. Some homeowners have used custom-made fencing to appeal to aesthetics (e.g., a rustic wooden picket fence), utility (a double fence that also serves as a chicken run), and cost efficiency (use of low cost plastic mesh).

In some cases, creative homemade devices have worked, such as "false fence" made from cord, aluminum pie plates, and venetian blinds. If some browsing is tolerable, a person can simply cover plants with plastic netting (with one-quarter-inch mesh) where deer are active.

Many homeowners and farmers commonly apply substances to vegetation that taste or smell bad to deer. These repellents can be effective where deer pressure is light to moderate. Commercially available products include those composed of ammonium soaps (Hinder), putrescent egg solids (Deer-Away), and bone tar oil (Magic Circle). "Home remedies" that can be effective include human hair (in bags spaced three feet apart), deodorant soaps, and tankage. In a pinch, hot pepper sauce (with a retention additive such as Wilt-Proof) and even dirty socks may work.

Rather than block or repel deer, some people will plant ornamentals that are less palatable to them. Deer show little or no interest in many plants including holly, boxwood, English ivy, barberry, daffodil, iris, spruce, fir, and cactus.

Reducing deer problems through the use of "deer-resistant" plants, repellents, and fencing does not require reducing herd size. Nevertheless, there is often commu-

nity pressure to do so. Apart from sport hunting, commonly proposed methods include killing by marksmen, capture and euthanasia (or relocation), and contraception. The basic problem with any attempt at an overall reduction of the herd is that a very large number of deer (often 50 percent of the females) must be regularly killed or treated for significant results.

In contrast, selective removal or treatment of deer may be practical for reducing the number of deer locally if non-lethal alternatives fail. For relatively small, confined herds, for example, fertility control may be an effective and humane means for limiting the number of deer.

If herd size must be controlled, the best and most permanent way is through basic land-use planning. In this case, land development strives to keep down the carrying capacity for deer in residential and farming areas. For best results, residential developments, farms, and natural areas should be arranged in large blocks, rather than finely interspersed over the land. To ensure a range of natural communities, natural and open space areas should be as large as possible, and where they lie near farms or residential areas, they should consist of older growth forests, as these tend to produce less undergrowth favorable to deer.

None of these solutions works all the time for everyone—none could, because not everyone feels the same way about the impact of deer. What is acceptable or desirable to one landowner may be completely unacceptable to another. In some communities, expectations may differ drastically from reality. Deer exist and have to eat—they are as much a part of the natural environment as are storms, cold weather, or insect life.

Some solutions may work in some, but not all, circumstances. One strand of electric fence wire may keep deer out of a yard, but, if the deer learn they can scale such a fence if they wish, a six-foot high barrier might fail.

People, in the end, will have to accept the fact that, unless they exterminate every deer in their environment, they will be unable to eradicate every consequence of their existence.

While living with deer can be challenging, it is also enviable from the point of view of those who live where little wildlife of any kind remains. ■

*Dr. Tony Povilis is senior scientist in the HSUS department of wildlife and environment.*



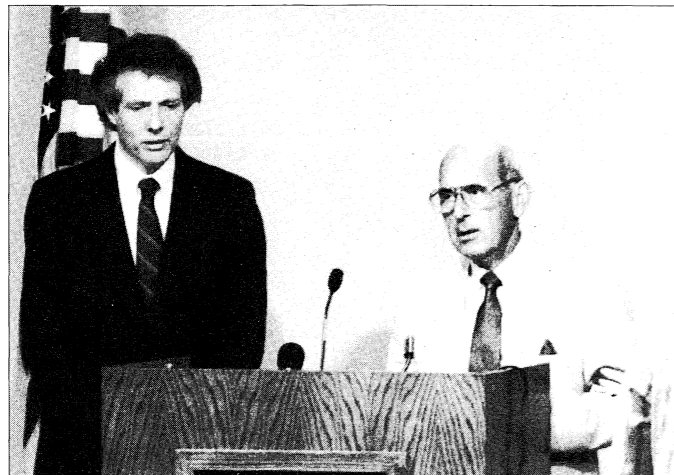
## MIDWEST

### REWARD IN KANSAS

In an effort to put an end to blood sports in Kansas, The HSUS has established a \$5,000 reward fund for information leading to the arrest and conviction of those involved in animal fighting and the use of animals as bait to train greyhounds.

Attorney General Robert T. Stephan was astounded to learn that most sheriffs in the state were under the impression that animal fighting was legal if there was no gambling involved. He also discovered that a new law passed in 1987 prohibiting the use of animals to train racing greyhounds was not being enforced.

Midwest Regional Director Wendell Maddox and HSUS Investigator Robert Baker worked closely with Mr. Stephan to set up the reward fund and participated in its announcement throughout the state.



Kansas Attorney General Robert T. Stephan (right) and HSUS Investigator Robert Baker announce \$5,000 reward fund.

### MARCHERS CALL FOR NO MORE VEAL

About thirty members of The HSUS, the Humane Society of Greater Kansas City, and People for Animal Rights marched in protest outside several Kansas City area restaurants for "National Veal Boycott Day," June 23.

Norma McMillen of People for Animal Rights and Wendell Maddox organized the protest to bring attention to the need-

less suffering of veal calves and to make consumers aware they are not getting better quality meat when purchasing veal.

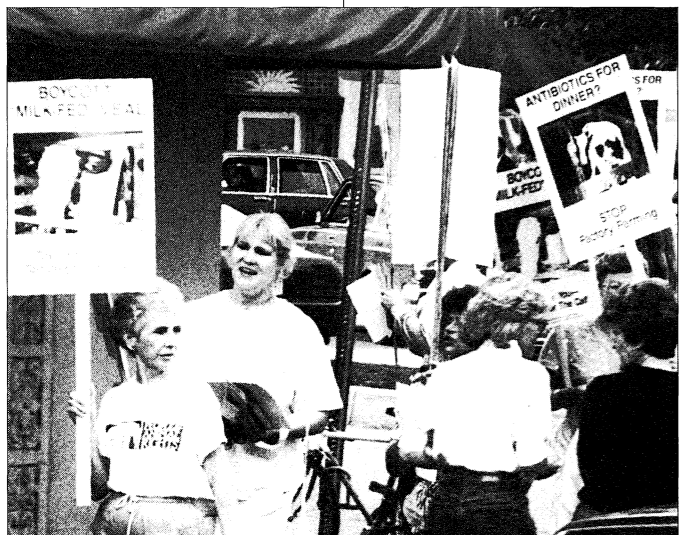
Mr. Maddox pointed out, "We cannot overstate the complete disregard and apparent insensitivity towards young calves evidenced by the veal industry. The industry's cruel methods are on parade whenever they advertise 'special fed, fancy, or milk-fed' veal to consumers."

### BETTER CARE FOR CARRIAGE HORSES

In the spring of 1988, Midwest Regional Director Maddox, along with other animal protectionists, campaigned to remove horse-drawn carriages from the streets of Kansas City, Mo.

The city council refused to end carriage operations but was willing to make changes in the ordinances and amend agreements with the operators to improve conditions for the horses and the public.

The committee set up to draft changes has since made significant improvements, including stepped-up certification requirements for drivers, which took effect in August 1989. ■



Concerned citizens mark "National Veal Boycott Day," June 23, by marching in protest outside Kansas City, Mo., restaurants.

## NORTH CENTRAL

### RAIDED IN WISCONSIN

Regional Director Frantz Dantzer recently helped the Kenosha, Wis., County Sheriff's Department investigate a farm where fighting cocks and pit bulls were allegedly being raised and sold. The resulting raid netted about 200 birds and 13 pit bulls. The farm's owner was charged with three felony counts.

### IVORY PULLED FROM AUCTION

A prominent auction gallery in Chicago was persuaded to withdraw an elephant tusk from a planned sale through the efforts of the North Central office and HSUS President John A. Hoyt. The HSUS successfully argued that such sales promote the slaughter of elephants. ■

### STATISTICS ON SACRIFICES

Evidence of suspected animal sacrifices in the Great Lakes region will soon be organized onto a standard report form. The Great Lakes office has helped the Bowling Green, Ohio, Police Division and Dr. Dale Griffis, a nationally known expert on cult activities, to standardize this form. Information will be shared among the agencies involved and with specialists to increase awareness of the seriousness of these crimes and to end them. ■

## GREAT LAKES

## SOUTHEAST

### NO MORE SACRIFICES

Southeast Regional Director Marc Paulhus was a key witness in the federal trial that will decide whether animal sacrifice by religious cults is protected by the Constitution. The trial took place in Miami, Fla., where thousands of animals are killed each year in gruesome rituals.

The case involves a legal battle between followers of the Afro-Caribbean religion Santeria and the City of Hialeah. The Church of Lukumi Babalu Aye filed a lawsuit against the city following the adoption of several ordinances banning the sacrifice of animals. Mr. Paulhus was called to testify in the trial because he originally urged the Hialeah City Council to pass the ordinances.

The cult contends the ordinances are unconstitutional under the First Amendment, which guarantees religious freedom. The city argues that animal sacrifice constitutes unnecessary cruelty and is psychologically damaging to children who view the killings.

A decision by Federal Judge Eugene Spellman is expected soon. However, either party is likely to appeal.

### CRACKDOWN ON LIVE LURES

While trials are pending for twelve persons arrested last October for using a live domestic rabbit at a Florida greyhound training track, the state Division of Pari-Mutuel Wagering has already held a hearing to consider suspension or revoca-

tion of their licenses. The division heard testimony from HSUS staff on the undercover investigation. Industry insiders attested to the fact that the arrests had created an uproar among greyhound owners and trainers, who had felt little need in the past to stop this bloody practice.

The Southeast office, meanwhile, spearheaded a raid at a training track in Putnam County, Fla., in July. Over the course of several months, an HSUS investigator had ob-

served both live and dead rabbits being used at the track. The local sheriff's department, the Game and Fresh Water Fish Commission, and the Division of Pari-Mutuel Wagering all took part in the raid.

### GREYHOUND CRUELTY CASE

"Walking skeletons" is how HSUS Investigator Ken Johnson described the more than 100 racing greyhounds found on the verge of death in a

Florida kennel. More than 70 of the dogs had to be euthanized within days of their discovery by the Suwannee County Humane Society.

The tragedy occurred when the animals were caught up in a dispute between their owner and a caretaker. In conflicting stories, each accused the other of neglecting the dogs. Mr. Johnson is working with the sheriff's department and the state attorney's office to file charges against all responsible parties. ■

## MID-ATLANTIC

### RAID ON THE FOURTH

Twelve people were arrested in Pottsville, Penn., over the Fourth of July weekend under the state's newly enacted felony animal-fighting laws. Twelve spectators were also charged.

The HSUS was assisted by the Pennsylvania State Police, their Vice Unit from Reading, Troop L-Reedsville, The Bureau of Criminal Investigation, Luzerne County detectives, and the SPCAs of Luzerne and Schuylkill counties.

Officials seized more than sixty game fowl on the property of Ronald A. Sabitsky, Sr. Mr. Sabitsky was subsequently charged with manufacturing and possession with intent to deliver marijuana and possession of cocaine and drug paraphernalia. Suspects, if convicted, face a possible seven years' imprisonment or a \$15,000 fine.

We wish to thank the Schuylkill County SPCA for maintaining the birds seized.



Nina Austenberg, director of the Mid-Atlantic region, congratulates Rep. Dean Gallo of New Jersey on legislation he introduced to the U.S. House of Representatives requiring double hulls on all newly-constructed tankers and other vessels carrying oil and hazardous materials in U.S. waters.

### PENN. PIGEONS: SITTING DUCKS?

Members of the Judiciary Committee of the General Assembly of Pennsylvania heard testimony on H.B. 696 on May 26, 1989. This bill makes it illegal to organize or participate in live pigeon shoots in the state. Guy R. Hodge, director of the Department of Data and Information Services for The HSUS and a

native of Pennsylvania, testified on behalf of the bill. Another important witness was forced to send her testimony rather than appear in person due to threats to her family.

H.B. 696 was passed out of the Judiciary Committee, which is a major feat. However, according to Mr. Hodge, only strong support from all interested parties will ensure its enactment. ■

## A QUESTION OF TEETH

The California Board of Examiners in Veterinary Medicine (BEVM) has proposed Regulation 2037 to make the removal of tartar from dog or cat teeth by laymen a criminal act. For years, this cosmetic procedure has been practiced by professional dog handlers, breeders, and groomers. Controversy arose from the BEVM's accusation that a groomer performing tartar removal was practicing veterinary medicine without a license, a misdemeanor in California. The groomer sued the BEVM; in March, the San Joaquin County Superior Court ruled that the BEVM could not restrict non-veterinarian tartar removal unless a cavitron (a motorized device to remove tartar) was used.

Subsequently, the BEVM passed a regulation outlawing tartar removal by laymen, which was vetoed by the Department of Consumer Affairs. The new regulation now being proposed by the BEVM is identical to that vetoed.

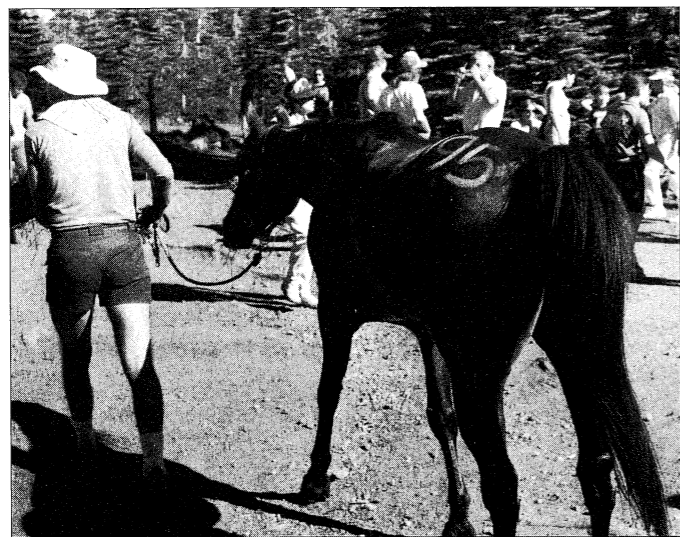
Despite written pleas by the Southern California Veterinary Medical Association and the California Veterinary Medical Association to their respective members, not a single case of injury has been produced to support the proposed legislation. The BEVM has received illustrations of injury to animals by unlicensed persons attempting to perform veterinarian techniques of teeth cleaning and oral prophylaxis, complex processes using motorized and non-motorized

devices beneath the gum line with the pet under anesthesia. The HSUS believes these procedures should be regulated but that they should not be confused with non-veterinarian tartar removal. Veterinarians perform only the complex procedures. Consumers have the right to choose not to subject their pets to life-threatening anesthesia.

If Regulation 2037 is passed in California, banning and/or severely restricting layman tartar removal by allowing only the use of dental floss and toothbrushes, subsequent passage of similar regulations is sure to follow in other states. Write The HSUS/West Coast Regional Office for more information on how to become involved: 1713 J Street, Suite 211, Sacramento, CA 95814.

## ONE DAY—100 MILES

On July 29, 1989, West Coast Regional Investigator Kurt Lapham observed the Tevis Cup Endurance Race, a one-day, 100-mile horseback ride



*This year's Tevis Cup Endurance Race, through 100 miles of the Sierra Nevada Mountains, finished with no major injuries.*

through the rugged Sierra Nevada Mountains of California. This year's race was completed without any deaths or major injuries. Several riders and their horses were pulled from the race at veterinary check stops for reasons of temporary lameness or exhaustion, but it was apparent to Mr. Lapham from conversations with the disqualified riders that several would have continued the race if allowed.

## NORTHWEST COCKFIGHT RAID

Acting on HSUS information, Oregon State Police arrested 348 persons and seized more than \$90,000 during a raid on a major cockfighting derby near St. Helens, Ore., on May 21, 1989.

The raid occurred at the property of Charlie Pearce in Deer Island, Ore. "Many of the persons cited were from outside Oregon," said HSUS Investigator Eric Sakach, who provided information leading to the raid and assisted state police in the action. All were

cited for involvement in illegal animal fighting, a Class A misdemeanor under Oregon law punishable by a year in county jail and a \$2,500 fine.

Thirty state police participated in the raid, assisted by agents from the Federal Drug Administration, U.S. Fish and Wildlife Service, Washington State Gambling Commission, and The HSUS.

Investigators seized gambling records, weapons, drug paraphernalia, cockfighting implements, and related equipment. They also found the bloody remains of dozens of birds tossed unceremoniously beneath the bleachers, stuffed in garbage bags, left in cans, and thrown in the thick brush.

Trials were expected to continue through the summer months.

## HICKEY CONVICTION HELD

The Ninth U.S. Circuit Court of Appeals in Portland, Ore., has upheld the U.S. Department of Agriculture's (USDA) enforcement of the Animal Welfare Act (AWA) against animal dealer James W. Hickey.

Mr. Hickey's son, Joseph J. Hickey, and Joseph's wife, Shannon Hansen, both licensed as USDA/Animal and Plant Health Inspection Service "B" dealers, have had a case filed against them. James Hickey has been joined to that case for numerous violations of the AWA.

Help The HSUS urge officials to proceed with this case without further delay. Write to: Dr. Dale Schwindaman, Assistant Deputy, USDA—Animal Care, 6505 Belcrest Road, Hyattsville, MD 20782. ■

## BALLOONS CANCELLED

After notification by The HSUS, the New Hampshire Animal Rights League, and other groups of the danger posed by helium-filled balloons to marine animals and the environment, the New Hampshire Health Care Association modified its plans to launch 8,000 balloons at fifty-nine nursing homes across the state for its fund-raising event benefiting the New Hampshire task force on child

abuse and neglect. The association notified the nursing homes to tether the balloons so that they could be retrieved and properly disposed of after the event on August 1, 1989.

Latex balloons have been found lodged in the intestinal tracts of a number of dead marine animals and have been implicated as the cause of their deaths. Several of these animals are listed as threatened or endangered under the federal Endangered Species Act.

Florida has taken the initiative and passed a law, effective November 1, 1989, prohibiting the release of ten or more helium balloons for any celebration. New Jersey and Connecticut had similar laws proposed this year.

## OVERSEEING RESEARCH ANIMALS

Cambridge, Mass., is the first city in the country to bring research, testing, and educational procedures on live animals under municipal oversight. An ordinance passed on June

26, 1989, calls for a commissioner of laboratory animals to oversee their care and use within the city.

The campaign for citywide monitoring of laboratory-animal use was spearheaded by the Cambridge Committee for Responsible Research (CCRR), which secured a citywide ban on the LD-50 Test and Draize Acute Eye-Irritancy Test in 1987. The HSUS congratulates the CCRR for its outstanding work. We are proud to have supported these pioneering efforts.

## FAREWELL TO MR. DOMMERS

John J. Dommers, seventeen-year veteran of The HSUS and director of its New England Regional Office since 1981, has resigned to work on non-profit, commercial, and environmental

enterprises in California.

HSUS members and friends in New England will miss Mr. Dommers's extensive knowledge and eagerness to help when needed. Patrick B. Parkes, vice president for field services, commented, "John

has been totally dedicated, unusually effective in whatever he tackled, and a tireless worker on behalf of suffering animals. He has done a great job for us, and while we hate to see him go, we wish him well." ■



*John Dommers addressed animal-protection issues for The HSUS throughout New England (here at WELI, New Haven, Conn.).*

## RATTLESNAKES ABUSED

Gulf States Program Coordinator James Noe recently investigated and documented cruelty and abuse at the Freer, Tex., rattlesnake roundup, one of the largest in the Gulf States region. Snakes were driven out of their dens with gasoline and handled with constant abuse, deprivation, and outright cruelty in violation of Texas law. Law-enforcement officials

have shown indifference in such cases by not enforcing state cruelty laws. We ask our members to avoid attending any event connected with rat-

tlesnake roundups and to make their opposition known to local sponsors, news media, and sanctioning officials.

## HUNTING IN STATE PARKS

In June 1989, the Gulf States office and the Fund for Animals presented 5,000 signatures to the director of the Texas Department of Parks and Wildlife urging the end of hunts in public parklands for the sake of so-called wildlife management and sport. The director promised that the department would not expand public park hunting. However, the current hunts close parks to the 80 percent of park-users who are not hunters. The HSUS supports the total abolition of sport hunting from public parks. Notify your leg-

islators of your opposition to these hunts and urge the Department of Parks and Wildlife to pursue non-lethal methods of wildlife management.

## HSUS PRODUCES TV PROGRAM

The HSUS Gulf States Regional Office is producing "Protecting Animals and Earth," sixteen hour-long programs of previously released material on animal issues. The program will air on public-access channels in Corpus Christi on Thursday nights at 6 p.m.; it is available for other groups to air on their own local public-access channels free of charge. Contact The HSUS/Gulf States Regional Office at 6262 Weber Road, Suite 305, Corpus Christi, TX 78413. ■

## A PERSONAL THANKS

In July, John A. Hoyt, president of The HSUS, presented Sen. Harry Reid of Nevada and Rep. Barbara Boxer of California with baskets of cruelty-free products donated by several companies which produce cosmetics and personal-care items without using animals for testing. Rep. Boxer is the sponsor of H.R. 1676, the Consumer Products Safe Testing Act, and Sen. Reid is the sponsor of S. 891, the senate version. The bills would eliminate animal suffering by prohibiting the use of the LD-50 Test and the Draize Acute Eye-Irritancy Test for determining the safety of products. Nearly 100 members of Congress were also given smaller baskets of donated items to thank them for their support of these bills. The HSUS thanks the following companies for providing samples of their products: Body-ware, Borland of Germany, Aveda Corporation, Tom's of Maine, Paul Mitchell Systems, Carmé Inc., and Avanza Corporation/Nature Cosmetics Inc.

## BACK-TO-BASICS FARMING BILL

Low-input agricultural systems emphasize a diversity of crops on the land, less use of pesticides, and smaller farms to protect the environment and prevent the increasing problem of ground water contamination resulting from erosion and a concentration of livestock manure.

Sen. Wyche Fowler of Georgia recently introduced S. 970, the Farm Conservation and Water Protection Act of 1989, which would promote



HSUS President John A. Hoyt presents Sen. Harry Reid (top) and Rep. Barbara Boxer with baskets of cruelty-free products.

low-input agricultural production systems as a means of maintaining wildlife as well as protecting land and resources. It would also provide more humane methods of animal husbandry by encouraging smaller farms and simplified farming techniques.

The bill has been referred to the Senate Agriculture, Nutrition, and Forestry Committee.

Sen. Fowler's bill would also protect farmers from losing crop insurance when they introduce new farming techniques and would establish a demonstration program to gather, analyze, and distribute information on successful methods of low-input agriculture that does not emphasize pesticides.

Let your senators know that you support this bill and that you believe low-input sustainable agriculture can foster better conditions for farm animals while protecting public health.

## HSUS SPEAKS ON VEAL BILL

On June 6, a joint House Agriculture Livestock Subcommittee and Department Operations Subcommittee hearing was held on H.R. 84, the Veal Calf Protection Act, sponsored by Rep. Charles Bennett of Florida. Testifying in support of H.R. 84, which now has seventy-four co-sponsors, was Dr. Michael W. Fox, HSUS vice president for farm

animals and bioethics. Dr. Fox pointed out, "There are no guidelines or minimal provisions for the humane husbandry of any farm animal, including veal calves."

Current techniques for raising veal include confining calves inside a crate so small they cannot turn around, lie down, or groom themselves. The restriction of movement, plus a purposely iron-deficient diet, produces the pale, tender flesh demanded by gourmets.

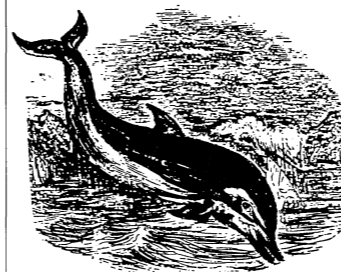
The next step toward passage of the Veal Calf Protection Act would be for Rep. Charles Stenholm, chairman of the Livestock Subcommittee, to hold a markup session on the bill and report it to the full House Agriculture Committee. Please write to your legislator and ask him or her to co-sponsor H.R. 84 and to encourage Rep. Stenholm to schedule a markup session for the bill at the earliest possible date.

## NEW NOBEL PRIZE ASKED

Global warming, ozone depletion, and loss of rain forests are just some of the international crises confronting the planet. In an effort to focus greater international attention on the development of solutions for these problems, Sen. Albert Gore of Tennessee has introduced S.J. Res 162, which calls upon the Nobel Committee to offer a Nobel Prize for outstanding efforts on behalf of the environment. HSUS President John A. Hoyt recently sent a personal note to the senator praising him for this creative idea and expressing our strong support for environmental issues as an international priority.

## TUNA: READ THE LABEL

Each year, millions of dolphins die in purse seine nets set to catch yellowfin tuna. Until now, all consumers could do to protest this slaughter was to write legislators to oppose the use of purse seine nets or to boycott tuna. Rep. Barbara Boxer of California has now introduced legislation that will provide consumers with a more direct way of taking



cruelty out of the shopping cart. The Dolphin Protection Consumer Information Act of 1989, H.R. 2926, would require that all tuna products sold in the United States be labeled either with the words "dolphin safe" or "the tuna in this product has been captured

with technologies that are known to kill dolphins." Penalties for companies violating this proposed law would include fines up to \$150,000 and/or imprisonment of up to three years.

This important legislation has been referred to the House Energy and Commerce Committee and to the Fisheries and Wildlife Conservation and the Environment Subcommittee of the Merchant Marine and Fisheries Committee. It has more than eighty cosponsors, including Gerry Studds, chairman of the Fisheries and Wildlife Conservation and the Environment Subcommittee.

The HSUS has been working closely with Rep. Boxer on this legislation; a letter from The HSUS has gone to every member of the House stressing our support of the bill and urging legislators to co-sponsor it. Meetings with key subcommittee staff and legislators will follow to underscore the importance of early Fall hearings on the bill. You can help by writing or calling your legislators to urge their support or to express your appreciation if they have already sponsored it.

## THANK YOU!

The HSUS extends its appreciation to the following members of Congress on behalf of animals:

- Rep. Charlie Rose of North Carolina, for reintroducing H.R. 2345, which would amend the AWA to permit private suits compelling the USDA to ensure its enforcement.
- Sen. Wyche Fowler of Georgia, for introducing S. 970, The Farm Conservation and Water Protection Act of 1989, which

would promote low-input agricultural production systems that provide better stewardship of wildlife, land, and resources.

- Rep. Arthur Ravenel, Jr., of South Carolina, for his daily statement in the Congressional Record reminding his colleagues that Secretary of Commerce Robert Mosbacher has a legal obligation to require Gulf Coast shrimpers to use turtle-excluder devices on their nets to protect endangered sea turtles and that Secretary Mosbacher has failed to uphold the law.



Kangaroo hides are used for running shoes, handbags, and baseball gloves.

## PROTECTING KANGAROOS

Australian kangaroos suffer unimaginable cruelty when they are hunted and killed; their hides are used for running shoes, handbags, and baseball gloves and their meat is used for gourmet food (see the article on page 20). The United States is the largest importer of finished kangaroo items and the third largest importer of raw kangaroo products, and thus provides incentive for the continued slaughter.

Rep. Robert Mrazek of New York has reintroduced legislation to ban the importation of any species of kangaroo, its parts, and its products. H.R. 1356, the Kangaroo Protection Act, offers an effective way of stopping the slaughter in Australia by cutting off a major market for these products. Twenty-eight legislators have

co-sponsored the bill to date. Please contact your representative to see if he or she is one of them.

## PATENTS PENDING ...ON ANIMALS

On September 13 and 14, the House Judiciary Courts Subcommittee was scheduled to hold hearings on bill H.R. 1556, sponsored by Rep. Robert Kastenmeier of Wisconsin. HSUS President John A. Hoyt was to testify on the second day.

The bill would exempt farmers from patent liability on genetically engineered animals. This issue was triggered by an April 1987 ruling of the U.S. Patent and Trademark Office stating that patents would be approved in the future on animals changed or altered through genetic engineering techniques. The patent office subsequently issued the first patent in April 1988 to Harvard University and DuPont Company covering any mammal that contains a certain cancer-causing gene.

The HSUS is concerned about the ramifications of animal patenting and is part of a diverse coalition of other animal-protection groups, environmentalists, public-interest groups, religious leaders, and farmers expressing concern about the long-term animal suffering and the ethical, economic, and environmental consequences created by the patenting of animals. As part of the coalition, The HSUS supports a moratorium on animal patenting until these potential consequences can be thoroughly examined. Please write your representative and ask him or her to support such a moratorium.

## DRIFTING NETS OF DEATH

High seas driftnets kill countless whales, dolphins, sea birds and other creatures that become entangled in the nylon filaments. Thirty to forty miles long and thirty to fifty feet deep, these nets are often allowed to drift endlessly, literally strip-mining the seas of marine life.

Rep. Jolene Unsoeld of Washington has introduced H.R. 2958, The Marine Resource Protection and Drift-net Use Cessation Act of 1989, which would direct the U.S. Secretary of State to secure an immediate international ban on the use of driftnets. As the driftnet issue continues to make headlines, it is important that your representative join the list of co-sponsors of this bill. Please contact him or her to urge co-sponsorship of H.R. 2958.

## ENVIRONMENTAL LITERACY

Concern for the environment should be a life-long priority. With this in mind, Sen. Quentin Burdick of North Dakota has recently introduced S. 1076, the National Environmental Education Act, which would establish an environmental education and training program to increase public understanding of environmental issues and to train educational professionals in providing environmental education and training programs and studies. This legislation would also establish an Office of Environmental Education under the Environmental Protection Agency. The HSUS has proposed amendments to this bill to incorporate "respect for all



Volunteer Jim Logan, on an HSUS-funded expedition during 1988, disentangles the body of dolphin from a driftnet.

living creatures" as part of the curriculum development put together by these educators. The HSUS will also submit written testimony to amplify our interest in broadening the educational objectives to include humane education. Letters to your senators asking them to call for an expansion of this curriculum to include humane education will help our efforts.

## LAB BREAK-INS: A FEDERAL CASE

Sen. Howell Heflin of Alabama has introduced legislation amending the Animal Welfare Act (AWA) to make laboratory break-ins a federal violation, and Rep. Charles Stenholm of Texas intends to introduce the house version of the bill. As defined by Sen. Heflin in the Animal Research Facilities Protection Act of 1989, S. 727, any acts of violence against a laboratory would not only include break-ins, trespassing, and vandalism but would also cover possessing or copying written material

taken from the laboratory without authorization.

The HSUS has had a long-standing and firmly held view abhorring violence in any form; we have consistently used and encouraged the use of legal means for achieving the protection of animals. However, we believe that the Heflin bill, in its attempts to eliminate isolated acts of violence, will also cut off legitimate scrutiny of whether laboratories are adhering to the AWA. This bill could actually impede efforts by whistleblowers and anti-cruelty investigators to bring to light inhumane treatment of animals or even scientific fraud. We have urged Sen. Heflin and Rep. Stenholm to include provisions to hold harmless from federal prosecution laboratory employees who obtain and release information indicating violations of the AWA. The HSUS has also proposed an amendment that would open to public review the activities of animal-care committees, required by law to make decisions on how animals are being used in the laboratory. We believe it is im-

portant to include the provision proposed by Rep. Charlie Rose in H.R. 2345 giving individuals the right to sue the U.S. Department of Agriculture for failing to enforce the AWA. With these amendments, the legislation would protect legitimate public interest in laboratory animals. Urge your senators and members of the House to seek inclusion of these important amendments. If this bill passes without them, scientific fraud and inhumane treatment of animals could go unchecked.

## TIDES TURNING ON WETLANDS

In an effort to halt the elimination of the nation's wetlands, which provide habitat for fish and wildlife, Rep. Charles Bennett of Florida has introduced H.R. 1746, the Wetlands No Net Loss Act of 1989, to preserve and protect wetlands and help restore those on the brink of being lost to development or other activities. The Bennett bill would establish a national policy on wetlands and a Wetlands Preservation Trust for the purpose of acquiring ownership interests in wetlands and restoring or creating them. The HSUS has been working with Rep. Bennett and his staff on the bill's phrasing and language to strengthen it and provide maximum protection for wetlands. ■

*Please note: letters to senators should be addressed: The Honorable \_\_\_\_\_, U.S. Senate, Washington, DC 20510.*

*Letters to representatives should be addressed: The Honorable \_\_\_\_\_, U.S. House of Representatives, Washington, DC 20510.*

# FIVE MINUTES



Is all it takes to write a letter that can save animals' lives. The newly redesigned *Animal Activist Alert* supplies all the information you need to publicize or protest against the treatment of animals nationwide—and it's free to HSUS members upon request.

## TAKE FIVE MINUTES

to write The Humane Society of United States, 2100 L Street, NW, Washington, DC 20037 for information on how to receive the AAA.

# STARTING OCTOBER 15<sup>TH</sup> WATCH TELEVISION HELP THE WORLD.

Tune into Earthbeat—the first weekly international television program to address the physical, social and economic ecology of our planet. Earthbeat will promote the solutions and constructive actions that are essential to building a sustainable future. 11 pm Eastern; 10 pm Central; and 8 pm West Pacific Time on Superstation TBS.



The Pulse of the Planet.

underwritten by Thompson Vitamins and The Humane Society of the United States

## Reflect for a moment...

how can I help animals even when I no longer share their world...?

By your bequest for animal protection to The Humane Society of the United States.

Your will can provide for animals after you're gone.

Naming The HSUS demonstrates your lasting commitment to animal welfare and strengthens the Society for this task.

We will be happy to send information about our animal programs and material which will assist in planning a will.

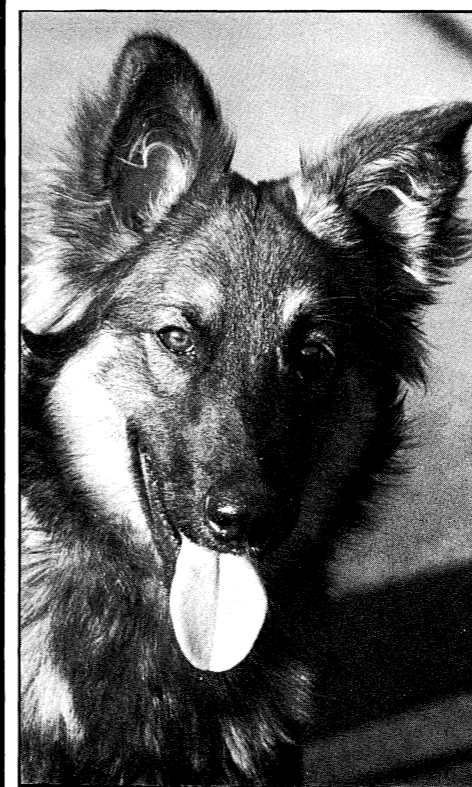
Please send: Will information

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Mail in confidence to: Murdaugh S. Madden, Vice President/General Counsel, The Humane Society of the United States, 2100 L Street, NW, Washington, DC 20037.



## PLANNING FOR THE FUTURE

Caring for and meeting the needs of our companion animals requires a great deal of individual attention, which ranges from the daily feeding to walking our dogs or playing with our cats. Our animals need human companionship. Pets certainly do not do well over the long-term in isolation or in institutionalized settings such as commercial kennels or animal shelters.

Therefore, each of us who has pets and is concerned about what will happen to them when we die must face the fact that we have a very predictable problem that must be addressed during our lifetime, if it is to be handled and resolved in any meaningful and satisfactory manner. It is simply not enough to say to ourselves that we will let someone else, such as our executor, solve the problem or that if we leave enough money to go toward the care of our pet, it will be done satisfactorily. Bank trust departments *never*, judges and courts *never*, and lawyer/executors *rarely* adequately can take care of this very personal matter and obligation after we are gone.

There are scores of cases, which almost invariably have a tragic ending, that have arisen solely because the person involved did not attend to this very critical matter during his or her lifetime. These cases included a situation where a wealthy person had a number of "adopted" dogs running relatively freely and happily together on a twenty-acre ranch, which upon her death were fenced and caged by bank trustees who narrowly followed their traditional responsibility of "preserving and conserv-

ing the assets." These actions led to many years of tragic isolation and distress for these animals until their natural deaths. There have also been cases where a person knowing full well that the pet was very old and unadoptable and that no one could properly attend to its special needs and infirmities, simply stated in the will that the animal should be humanely euthanized. However, because there were no specific and clear instructions and arrangements made in advance for someone to perform this function immediately, the case was bogged down in court proceedings where executors asked judges to give them "instructions" and "protective orders," which resulted in a long period of anguish for the pet itself and ended up as the opposite of what the decedent had in mind.

All of this leads to the conclusion that alternative care must be in place immediately—as soon as the person dies or is no longer able to care properly for the animal. A pet owner usually best knows his or her own pet's individual needs and is best able to judge with whom, and in what circumstances, the pet would be most likely to be happy.

In spite of all these considerations, people all too frequently place too much reliance upon legalistic solutions to take care of their pets after they die—making conditional gifts in their will to care for their animal or setting up trusts with the animal as the beneficiary. These solutions tend to be of limited use for a number of reasons, including the fact that only a minority of states recognize or enforce trusts having animals as beneficiaries, or outright gifts to animals, or conditional gifts to another

human being for the benefit of the animal. Attempting to use such legalistic solutions, particularly when large sums of money or property are diverted to the care of an animal, sometimes invites legal attack by relatives through a challenge to the will in court.

The General Counsel's Office recommends to those who are concerned about the care of their companion animals after their death or disability:

1. While you are still healthy and well, line up a friend or relative whose personality and circumstances are compatible with your pet and who is willing to make a commitment to take care of the animal for the rest of its natural life. If such a person does not readily come to mind, for the sake of your pet, make a special effort to locate and develop a relationship with such a person.

2. Do not resort to trusts, conditional gifts or other more sophisticated legalistic devices without consulting with a local attorney who can advise you on whether your state's law will recognize and enforce such devices when an animal is the beneficiary. Unless the courts of your state have clearly recognized and enforced such trusts or other similar strategems in favor of animals, it is best to seek another solution. In any event, even if a trust or some similar legal vehicle is to be used, try to choose a caring and knowledgeable person either as trustee or to oversee the trustee in matters concerning the care of your beloved animals.

3. Use your last will and testament, at most, to confirm the transfer of the animal to the person who has made a commitment to providing alternative care and to bequeath an outright gift of money to that

individual which, by a prior understanding between the two of you, will be used to take care of the animal. In this event, you must make it clear that the legal custody of the animal has already been transferred by an understanding which you have with the person so that under no circumstances does the matter of transferring the animal to that person become just one more item that needs to go through court proceedings. (Obviously, this solution requires a high degree of trust between you and the person who will take care of your animal.)

4. Do not leave your animals in the care of an organization or institution unless you have carefully investigated that organization and the organization is committed to and has demonstrated an ability to find a non-institutionalized home for your animal within a very short time after your death and can guarantee alternative care immediately after your death, so that not even a day will pass but that the animal will have the kind of individualized attention it needs.

5. If the animal is extremely old or in poor health, euthanasia may be the most humane alternative. In such a clear case, forcing an animal to adjust to a new person or circumstances can compound its suffering, particularly when it has just lost its own cherished human companion. Advance personal arrangements with a friend or neighbor *and* a reliable veterinarian, to be confirmed by clear directions in your will, are also called for here. ■

*The Law Notes are compiled by HSUS General Counsel Murchaugh Stuart Madden and Associate Counsel Roger Kindler.*

# Season's Choice

We are pleased to offer HSUS members two winter scenes to carry their 1989 season's greetings. *The Chickadees* perch on a mailbox decorated with holiday greenery, while the *Kittens with Wreath* seem to find themselves in the midst of a predictably feline bit of holiday mischief. Each card is 7" x 5" and in full color. Both contain the message "Peace on Earth/Goodwill to All Creatures."

Each package of twenty-five cards and envelopes costs \$7—\$6 each if you order four or more packages of any assortment. Supplies are limited, so make your selection early!



*The Chickadees*



*Kittens with Wreath*

## Greeting Card Order Form

Please send me:

\_\_\_\_\_ packages of *Kittens with Wreath*

\_\_\_\_\_ packages of *The Chickadees*

\_\_\_\_\_ TOTAL packages ordered

(\$7 per package for 1-3 boxes; \$6 per package for 4 or more boxes)

Total Quantity	Cost per Package	Total Amount Enclosed
	1-3 x \$7	
	4 or more x \$6	

Please send the cards to:

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(Use the label provided on the back of this magazine or write your name and address in the space above. Please provide a street address since we cannot ship to P.O. boxes.)

Make all checks or money orders payable to The HSUS and send with this coupon to: HSUS Greeting Cards, 2100 L St., NW, Washington, DC 20037. All orders must be prepaid.



“But Mom,  
I played  
with Rusty  
yesterday.”

**W**e often assume that all children love animals. Unfortunately, that's not always true. Children have to be taught to care, especially if they are to grow up to be caring, concerned adults.

That's why humane education is so important. You can

help make it happen in our schools by participating in the HSUS "Adopt-A-Teacher" program. It's quick and easy!

For more information, write to **The National Association for Humane and Environmental Education**, a division of The HSUS, P.O. Box 362G, East Haddam, CT 06423.

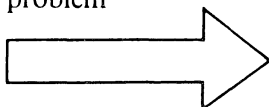


National Headquarters  
2100 L Street, NW  
Washington, DC 20037

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