



# NAIA

## Animal Policy Review

A publication of the National Animal Interest Alliance dedicated to analysis of legislation, regulations, and policies that affect animals and animal owners

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### Ranchers, hunters, activists argue over wolves in court

On June 23, federal court Judge Donald W. Molloy heard arguments from opposing sides in the ongoing debate over federal protection of wolves in Montana and Idaho. Wolves in those states were removed from the Endangered Species List in 2009, leading several environmental and animal rights groups to sue to get them returned to federal oversight.<sup>1</sup>

Judge Molloy sided with Montana and Idaho in September 2009, allowing a wolf hunt to go forward in those states. However, his decision included a comment that the US Fish & Wildlife Service may have overstepped its authority by delisting the wolves in those two states but maintaining federal protection in Wyoming.

This latest skirmish in the wolf narrative involves animals transplanted from Canada into central Idaho and Yellowstone National Park in Montana and Wyoming in

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**Wolf numbers have increased far beyond expectations in the Northern Rocky Mountains, leading to harassment and killing of livestock and a decline in elk herds.**

### Ohio governor, farm bureau submit to threats from HSUS

Ohio Governor Ted Strickland and the Ohio Farm Bureau Federation conceded care of Ohio's farm animals to the Humane Society of the US, a private fund-raising organization that threatened a battle over livestock care in the November 2010 election.

While both the livestock board approved by state voters in 2009<sup>1</sup> and the HSUS initiative petition language address only farm animals, the agreement also requires a ban on certain exotic animals and support for a kennel licensing bill that will devastate commercial kennels in the state and change licensing laws for owners of intact dogs.<sup>2</sup>

The agreement also allows HSUS to resume pursuit of a ballot initiative to mandate housing and other requirements for livestock if it is not satisfied that Ohio's livestock board is making progress to-



**Under the draft agreement, Ohio farmers will be forced to accept livestock rules for raising**

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### NAIA Animal Policy Review

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## Ohio governor, farm bureau submit to threats from HSUS



Ohio produces more than seven billion table eggs each year and is a leader in protecting consumers from salmonella contamination. The industry will be hard

hit by the draft agreement to phase out cage systems for housing hens.

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ward the goals set by the animal rights organization.

### What's at stake

The draft agreement requires phase-out of gestation crates for pregnant pigs and battery cages for egg-laying hens<sup>3</sup> and requires group housing for veal calves,<sup>4</sup> thus pushing the livestock board to find alternatives to these systems rather than researching and writing regulations that take animal needs, individual farm situations, disease control, food safety and economic considerations into account.

The egg industry in the state will be hard hit by the concessions to HSUS. A producer of more than seven billion table eggs annually, the state has been a leader in protecting consumers from bacterial contamination by *Salmonella enteritidis* through its egg quality assurance program.<sup>5</sup> Part of this success can be attributed to the use of cage housing systems that keep the birds out of their own waste.

Pork producers will also feel the crunch. Although the agreement allows the use of gestation crates for sows in existing facilities until 2025, only alternative systems will be allowed in new facilities after December 31, 2010. The switch to group housing allows sows to move around and indulge in natural behaviors such as rooting, but group housing systems are more labor intensive and require a higher level of expertise than housing sows in gestation crates.

Although dog breeding is not covered in either the HSUS petition or the purview of the Livestock Welfare Board, and the farm bureau has traditionally refused to get involved in dog bills, the agreement includes passage of SB 95, a kennel licensing bill pending in the state Senate. This bill creates a new state agency to administer and enforce the licensing of commercial kennels producing more than nine litters or selling more than 60 puppies or dogs annually. Smaller kennels will continue to be regulated by county governments.

Although the governor and the farm bureau supported the 2009 initiative to set up the livestock care board to allow Ohioans to make decisions about Ohio animals and food

safety, the agreement forces the livestock board to work with outsider HSUS in developing its standards. If the board fails to do so, HSUS can void the agreement and file its initiative petition.

The two final components of the agreement are a ban on the breeding and sale of dangerous animals such as big cats, bears, and alligators by December 31, 2010, and passage of a bill tightening the law against cockfighting. The dangerous animal ban will be done by regulation; the cockfighting bill has been stalled in the legislature over concerns that hobbyists who raise game fowl will be targeted as cockfighters.

### Notes

1. Ohio voters approved the constitutional amendment establishing the new livestock care board nearly two-to-one. The governor, the farm bureau, various state farming organizations, and individual farmers promoted the state livestock board as an alternative to keep HSUS out of the state and to allow Ohio livestock experts to determine the standards for raising Ohio farm animals.

2. Senate Bill 95 has passed committee and is awaiting action in the full Senate.

3. Studies for housing chickens and pigs are being conducted at several universities and in conjunction with livestock organizations and companies that buy the products. The challenge is to find or modify systems that not only provide a suitable environment for the animals but that are safe and economically feasible for producer and consumer and are practical to build and maintain. See "Egg producers balance ...," *NAIA Animal Policy Review*, winter 2009-10.

4. In 2007, the American Veal Association Board of Directors adopted a resolution calling for US veal farms to convert to group housing systems for calves by December 31, 2017. The Board also encouraged more research to aid farmers in the transition. Today, the AVA estimates that approximately one-third of veal calves are raised in group housing. News release from AVA, February 3, 2010.

5. "The Facts About Egg Safety in Ohio" by Robert J. Boggs, Director of the Ohio Department of Agriculture, June 17, 2010, <http://tinyurl.com/25ownyl>



[Http://www.naiaonline.org](http://www.naiaonline.org)

## Ranchers, hunters, activists argue over wolves in court

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the mid-1990s. In 2008, the US Fish and Wildlife Agency in the Bush Administration determined that the transplant was successful and the growing wolf populations in Montana and Idaho could be dropped from the Endangered Species List. The Obama Administration affirmed that decision, and the wolves were removed from the list in 2009.

Ranchers who have had cattle and sheep harassed and killed by wolves and conservationists who have noted a decline in elk herds back the decision to allow the two states to directly manage the expanding population of these top-level predators. Defenders of Wildlife and other environmental organizations dispute the evidence of elk herd decline, encourage ranchers to take measures to avoid conflicts between livestock and wolves, and claim that state control would endanger the experiment to reintroduce wolves to their former habitats.

### The saga

In 1995-1996, the US Interior Department Fish and Wildlife Service trapped 66 young wolves in the MacKenzie Valley in Canada's Alberta Province and released them in central Idaho and Yellowstone National Park in an effort to reintroduce gray wolves to these areas. The goal? Establish a total of 30 breeding pairs and 300 total wolves.

The wolves were considered an experimental population, a category under the Endangered Species Act that allows the killing of individual animals that pose a danger to people, livestock, and pets.

The project was successful beyond expectations: by 2007, the five dozen wolves had grown to more than 1000 wolves at the two sites, and the Yellowstone packs had spilled into surrounding areas in Montana and Wyoming. Livestock maiming and death increased, and the wolves began to have considerable impact on some elk herds.<sup>2</sup>

By the end of 2009, the federal agency reported more than 1706 wolves in 242 packs and 115 breeding pairs, including breeding pairs in Oregon and Washington State.<sup>3</sup> This number did not include the wolves relocated or killed by the agency for preying on domestic livestock and pets.

The wolves in the experimental population in Idaho and Montana were dropped from the ESA in May 2009 after the federal agency approved management plans by those two states. Wyoming's plan was turned down, so wolves in that state are still under federal control.<sup>4</sup> Both Idaho and Montana have set hunting seasons for the animals, and Judge Molloy upheld those plans in September 2009<sup>5</sup>.

### Wolves vs ranchers

Cattlemen and sheep farmers in Montana, Wyoming, Idaho, and Oregon have experienced livestock losses to

wolves, but death of calves, lambs, and stock dogs is just part of the story. Ranchers are also facing significant losses as wolves stalk and panic livestock even when they do not attack and kill.

State and federal laws do allow killing of wolves that prey on livestock, but suspecting and proving a wolf kill

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### Wolf kill report from Hansen Livestock, Dillon, Montana

**This is a family owned ranch. We are a fourth generation operation with sheep and cattle. We have been using all non-lethal methods available in an attempt to keep the wolves away from our sheep. At this time the wolves seem to be more aggressive, due to the growing wolf population. All of this results in an increased expense for the rancher causing a real financial burden. The wolf kills started in the spring of 2004 and the kills are getting more frequent every year as the population of wolves increases. It is bad enough we have to feed these wolves that we didn't want or need, but the sad part is they eat very little of the livestock they kill. It seems they just kill for the fun of it. We run cows and calves on forest and BLM lands during the summer months and we always come in a few head of calves short every fall so I am sure we are feeding wolves.**

**Unless something is done to *control* the wolf population they will continue to increase at an alarming rate. It will be hard for the Montana rancher to stay in business because of the predation by the wolves. Due to this predation wildlife have also changed their habits to try and survive. Instead of being in their natural habitat elk, deer and other herbivores are congregating in large numbers for protection. Thus impacting private property of ranchers or land owners. At this rate the wolf harvest of wildlife will result in the near total elimination of the animals we have all learned to admire and hunt.**

**Courtesy Montana Cattlemen's Association,  
<http://www.montanacattlemen.org/>**

## Senator wants to regulate retail dog breeders

Senator Richard Durbin of Illinois has once again introduced a federal bill to regulate dog breeders who sell puppies directly to consumers. A watered down version of bills in previous Congressional sessions, S3424 would bring these breeders under the aegis of the Animal Welfare Act that now applies only to wholesale breeders and distributors.

Typical of bills touted by agenda-driven groups and often promoted by urban politicians with little knowledge of the subject, S3424 has the potential to drive responsible breeders out of a hobby, avocation or business.

The original AWA specifically exempted retail breeders and previous attempts to drop the exemption were turned down by USDA in 1999 and by the US Circuit Court of Appeals, District of Columbia, in January 2003.<sup>1</sup>

Durbin introduced this bill after the USDA Office of the Inspector General released a report describing the failure of the department to effectively enforce the AWA against repeat offenders among the regulated wholesale dealers.<sup>2</sup>

S3424 has two main provisions: One, it regulates high volume retail breeders, defined as one who owns or co-owns any female dog over the age of four months and sells or offers to sell more than 50 puppies a year by advertising through any media. Two, it specifies standards for exercise that is not “goal-oriented,” including a requirement that dogs get time in an enclosure that allows them space to “reach a running stride.”

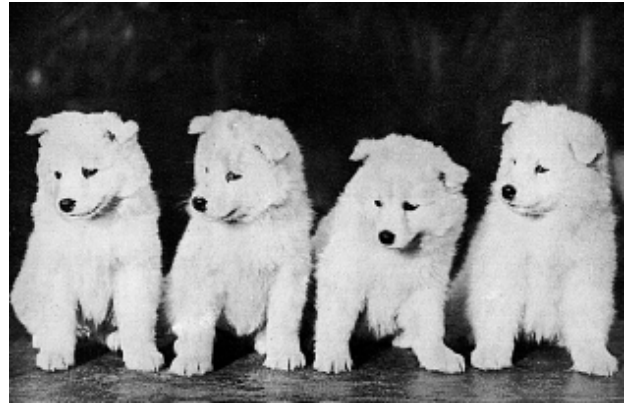
### NAIA position

The methods for selling puppies has definitely changed over the last decade as use of the Internet has become more common. However, NAIA believes that the change does not warrant federal intervention in dog breeding practices, an intervention that could place federal inspectors in breeders’ living rooms and kitchens and require that homes meet AWA regulations clearly written for commercial facilities.<sup>3</sup>

In agreement with the court in the Doris Day Animal League case,<sup>4</sup> NAIA supports enforcement of well-written state and local welfare laws and believes that local control is more appropriate for oversight of kennels that sell puppies directly to the public. To this end, we have developed materials to guide policy makers in local jurisdictions to devise laws and regulations appropriate for their circumstances and to help protect puppy buyers from unscrupulous sellers.<sup>5</sup>

### Notes

1. Doris Day Animal League, et al., Appellees v. Ann M. Veneman as Secretary, US Department of Agriculture, et al. (00cv01057). Argued November 4, 2002; decided January 14, 2003.



**Senator Durbin wants to extend the federal Animal Welfare Act to license breeders who sell directly to the public even though both USDA and the courts have declined to do so.**

2. *Animal and Plant Health Inspection Service Animal Care Program, Inspections of Problematic Dealers* published in May 2010 by the USDA Office of the Inspector General. Senator Durbin used this report in his rationale to add retail puppy breeders to the AWA even though the report covered the agency’s failure to get current repeat offenders to comply with existing law.

3. The court in the Doris Day Animal League case agreed by writing: “It was also within the authority delegated to him by Congress for the Secretary to decline to amend the definition in light of the potential invasions of privacy that would result if federal inspectors began enforcing “cleaning, sanitation, handling, and other regulatory requirements in private homes.” *Doris Day Animal League, et al., Appellees v. Ann M. Veneman as Secretary, US Department of Agriculture, et al.* (00cv01057). Argued November 4, 2002; decided January 14, 2003

4. “There are already many State and local laws and ordinances in place to monitor and respond to allegations of inhumane treatment of and inadequate housing for animals owned by private retail dealers. If we were to regulate these dealers along with State and local officials, it would clearly not be the most efficient use of our resources.” *Doris Day Animal League, et al., Appellees v. Ann M. Veneman as Secretary, US Department of Agriculture, et al.* (00cv01057). Argued November 4, 2002; decided January 14, 2003

5. *Dog Buyer’s Protection Act Model Law*, © 2009 National Animal Interest Alliance.

**NAIA conference is October 2-3**

in Denver. Details at

[www.naiaonline.org/involved/conference2010.html](http://www.naiaonline.org/involved/conference2010.html)

## Ranchers, hunters, activists argue over wolves in court

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are often two different things. Even though Defenders of Wildlife and government agencies established compensation programs for livestock losses, applications are often turned down for lack of proof that the loss was due to wolf predation and payment for accepted cases is often too little, too late.

According to Idaho rancher Casey Anderson, proximity of wolves to cattle herds panic the livestock, cause weight loss and other problems, and reduce the number of weaned calves. Anderson took part in a two-year study funded by the Oregon Beef Council that tracked radio-collared wolves and cattle on his ranch. The study involved one wolf wearing a radio collar and 10 cows also wearing radio collars. The animals were tracked by GPS and recorded 784 contacts between the single wolf and the 10 cows.<sup>6</sup>

Wolves killed more than 300 head of livestock in Montana alone in 2009, leading Senator Jon Tester to introduce a federal law to pump money into the state's livestock compensation fund. Wolves killed nine calves in Oregon in May, but they could not be removed until the sixth kill because the first five calves were killed on one ranch and state law requires that kills be verified on at least two adjacent ranches. Oregon is in the process of amending its wolf regulations, and the Oregon Cattlemen's Association has submitted suggestions for changes to allow ranchers to protect their stock.

### Wolves vs elk

Defenders of Wildlife was a prime influence in the wolf relocation project. Although the group has paid some ranchers for losses attributed to wolf predation and says it does not oppose hunting hoofed animals, DOW firmly opposes delisting of the wolves in Montana and Idaho and claims that hunters exaggerate the wolf's impact on the numbers of elk, deer, and moose in the wolf recovery areas.<sup>7</sup>

The Rocky Mountain Elk Foundation takes the opposite view. In its response to a letter<sup>8</sup> from DOW, RMEF president and CEO M. David Allen accused the activist organization of "cherry-picking data" in its efforts to deny that wolves were contributing to a decline in some elk herds

"Once again, I will state that elk are not flourishing where wolves are present," Allen wrote. "Contrary to what you have suggested many times, to claim otherwise is disingenuous and 'cherry picking' data. Elk populations are being exploited at a high rate by predators, primarily wolves and



**Wolf packs have grown from the 66 animals transplanted into the northern Rockies in 1995-96 to more than 1700 individuals in 242 packs at the end of 2009.**

somewhat by grizzly bears. However, since the introduction of the Canadian gray wolf into Yellowstone this exploitation has become worse for elk numbers in the same areas. Yet, you would have the public believe otherwise."

Defenders of Wildlife noted that elk herds have increased in size throughout their range, but RMEF countered that this general upswing does not tell the whole tale about elk herds and wolves. The RMEF letter contained specific data on the on elk decline in the northern Yellowstone, Gallatin Canyon, and Madison Firehole herds and in the Yellowstone moose herd – all areas where wolves are concentrated. It also cited low calf survival rates in those herds due in part to predation by wolves and grizzly bears and poor nutrition caused by changes in the animals' grazing habits that developed to help the elk avoid predation.

### Wolves and tapeworms

In addition to the concerns about wolf predation on elk, some people are worried about the growing presence of a tapeworm infestation that has increased in the Montana since the wolf reintroduction. In January this year, the Montana Fish, Wildlife & Parks Division and the Idaho Fish & Game Department both issued fact sheets about the tapeworms to aid hunters and farmers to avoid infection.

The tiny tapeworm is known as *Echinococcus granulosus*, a species that uses canids as a definitive host and ungulates such as elk and sheep as intermediate hosts. *E. granulosus* is a zoonotic parasite; it can infect humans

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# Could the purebred pet become an endangered species?

## ***Dog breeders face pressure from activists and lawmakers***

During the 2008 presidential campaign, candidate Barack Obama promised his daughters a dog after the campaign ended. When the Obamas moved into the White House, they began looking for a dog that would not aggravate one daughter's allergies. Although animal rights groups urged them to adopt a shelter or rescue dog, the First Family settled instead on a purebred Portuguese Water Dog, a medium-sized breed known for intelligence, trainability, a playful nature, and a wavy or curly coat that doesn't shed and is therefore less likely to irritate allergies.

A few months earlier, Vice-president-elect Joe Biden added a German Shepherd puppy to his household. While Biden's search for a breed was not as highly publicized as that of the presidential family, the Vice President was widely criticized for buying a puppy from a breeder instead of acquiring a dog from a shelter, and the breeder was subjected to spurious complaints about the way she cared for her dogs.<sup>1</sup>

Tens of thousands of Americans conduct such searches each year for a dog that meets their needs and wants, dogs of predictable appearance, size, coat type, drive, temperament, and trainability. Like the President and the Vice President, they understand that purebred dogs are bred to maintain a set of characteristics that increase chances of finding just the right dog to meet personal criteria for a pet or working partner.

Historically, responsible breeders who produced purebred dogs were appreciated for their dedication to a particular breed or breeds and for their efforts to produce mentally stable, physically healthy dogs suitable as pets, companions, and working partners. In their pursuit of excellence, these long-time breed enthusiasts and their protégés continue to build a body of knowledge about the dogs they love and to work hand-in-hand with scientists and behavior



**Bursting with the controlled energy that is his heritage, this Dalmatian sails over a jump in agility competition.**

specialists to identify and eliminate undesirable physical and behavioral characteristics in their dogs. And because they cherish their own dogs, they establish and support rescue organizations to keep others of their breed out of shelters.

Today, however, breeders are held to an almost impossible standard as activist groups focus attention only on the black sheep and sad stories to lead lawmakers and the public to a distorted view of breeders and breeding. These groups take a variety of tacks: They select and manipulate facts about animal husbandry, denigrate purebred dogs as unhealthy; smear breeders as abusive; declare that purposeful breeding of purebred dogs contributes to "pet overpopulation"; and try to shame people into acquiring a pet from an animal shelter instead of a breeder. They spread propaganda about "hoarding," a legitimate description of acute cases in which animal owners lose control of the number and condition of the animals they own but now deliberately misapplied to criticize those with more than some arbitrary number of dogs. And they lobby for local, state, and federal laws that restrict breeding and tie regulations to the number of dogs kept rather than the conditions they are kept in.

## **Activist crusades**

According to the American Veterinary Medical Association, more than 70 million dogs live in American homes and kennels with owners, breeders, trainers, and handlers who spend hundreds of millions of dollars annually on supplies and services to keep them healthy and happy. More than half of these dogs are confirmed as purebreds or estimated to be purebreds.<sup>2</sup>

Even so, the assault on purebred dogs has been relentless, resulting in dramatic reductions in numbers, especially in rare breeds. Extremist organizations such as the Humane Society of the US and its affiliates and People for the Ethical Treatment of Animals have stepped up their advocacy of policies such as mandatory sterilization, bans on tradi-



**Their superior sense of smell and their huting ability help Golden Retrievers search for lost hikers.**

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## Ranchers, hunters, activists argue over wolves in court

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and cause echinococcosis, also known as hydatid disease or echinococcal disease. Although human infection is rare, spread of the parasite from the elk-wolf cycle to a dog-sheep cycle could increase human contact with the tapeworm eggs and potential infection. Signs of infestation can take years to show up, so the potential harm to humans is not known.

### Wolves in the Great Lakes Region

Governments in Minnesota, Wisconsin, and Michigan have also sought to have wolves in the Great Lakes region of the US dropped from the Endangered Species List but have been thwarted by animal rights and environmental groups. Unlike the reintroduced Rocky Mountain populations, wolves in this region came from Canada on their own and have successfully established a stable population.

The wolves in this region were actually delisted in 2007, when the US FWS made the following statement: “The region’s late winter gray wolf population now numbers approximately 4000 and occupies portions of Wisconsin, Michigan and Minnesota. Wolf numbers in the three states have exceeded the numerical recovery criteria established in the species’ recovery plan.

“The Michigan, Minnesota, and Wisconsin Departments of Natural Resources have developed plans to guide future wolf management actions. Protection of wolves, control of problem animals, consideration of hunting and trapping, as well as maintenance of the long-term health of the wolf population will be governed by the appropriate state or tribe.”

The 2007 decision was overturned on technical grounds following a lawsuit filed by the Humane Society of the US. A second attempt to delist the Great Lakes wolf population in 2009 was reversed by the agency in a settlement between the federal agency and a group of activist groups including HSUS. All three states have again petitioned the US FWS to delist the wolves and are awaiting an answer.<sup>9</sup>

### Wolves in Alaska

Wolves are not endangered or threatened in Alaska, and the state’s Department of Fish and Game allows hunting of the predators under its intensive management program to protect hoofed animals that are an important source of meat for residents. Aerial hunting of wolves by the state has been under attack by Defenders of Wildlife and other groups and as a result has see-sawed in and out of favor since the early 1990s. The program is now in operation.

However, a recent plan to kill seven wolves on the island of Unmiak in the Aleutian chain was halted by court order after the US Fish and Wildlife Service turned down a

permit to kill the animals. The island is home to a small herd of caribou that sustains the population of resident natives. The state determined that killing the wolves would decrease predation on caribou calves. However, Unmiak is part of the national refuge system under control of the federal government; the agency objected to the kill until they could complete a study to determine why the island caribou herd was shrinking.

### Notes

1. On June 2, 2010, coalition of 13 environmental and animals rights groups filed a lawsuit against the delisting in Federal District Court in Missoula (9th Circuit). The Greater Yellowstone Coalition filed a separate lawsuit challenging the USFWS delisting criteria. The cases have been consolidated in the Missoula District Court under Judge Molloy, who previously allowed a wolf hunt to go forward in 2009 even while noting that the activists may ultimately prevail in the lawsuit. The complaint alleges the Northern Rocky Mountain wolf population is not recovered and that the delisting violates the federal Endangered Species Act.

2. Letter dated April 8, 2010, from M. David Allen President & CEO, Rocky Mountain Elk Foundation to Mike Leahy, Director, Rocky Mountain Region, Defenders of Wildlife, and Kirk Robinson, PhD, JD Executive Director, Western Wildlife Conservancy; <http://tinyurl.com/2374e28>.

3. *Rocky Mountain Wolf Recovery 2009 Interagency Annual Report: A cooperative effort by the U.S. Fish and Wildlife Service, Nez Perce Tribe, National Park Service, Montana Fish, Wildlife & Parks, Idaho Fish and Game, Blackfeet Nation, Confederated Salish and Kootenai Tribes, and USDA Wildlife Services*

4. The State of Wyoming, Park County, and the Wyoming Wolf Coalition filed a lawsuit in the 10th Circuit in Cheyenne, Wyoming, challenging USFWS rejection of Wyoming’s state wolf management plan.

5. “Hunt is on: Molloy says wolf season can continue in Idaho, Montana” by Rob Chaney, The Missoulian, September 9, 2009; <http://tinyurl.com/ltcuef>

6. “Wolves take toll on cattle during study: Livestock behavior changes as wolves move in to territory” by Lee Farren, Capital Press, May 27, 2010.

7. Letter dated March 30, 2010, from Mike Leahy, Director, Rocky Mountain Region, Defenders of Wildlife, and Kirk Robinson, PhD, JD Executive Director, Western Wildlife Conservancy; <http://tinyurl.com/29w98rh>.

8. Letter dated April 8, 2010, from M. David Allen President & CEO, Rocky Mountain Elk Foundation to Mike Leahy, Director, Rocky Mountain Region, Defenders of Wildlife, and Kirk Robinson, PhD, JD Executive Director, Western Wildlife Conservancy; <http://tinyurl.com/2374e28>.

9. “Great Lakes Wolf Management Issue Continues,” US Sportsmen’s Alliance, May 13, 2010; <http://www.ussportsmen.org/Page.aspx?pid=2436>

## IWC turns down commercial whaling compromise

The International Whaling Commission failed to approve a plan that would allow commercial hunting of whales for the first time since a moratorium went into effect in 1986. The comprehensive document used as a starting point for discussions among the 88 IWC members also outlined an overhaul of the commission's operations to bring commercial whaling under its control.<sup>1</sup>

Currently, the IWC has no power over nations that hunt whales for scientific purposes or those that have maintained objections to the moratorium. The compromise was put forth to bring these nations into compliance by allowing some commercial trade while setting low quotas that would decrease further over the 10-year life of the agreement.

Japan hunts whales to gather scientific data and sells the meat and products of the whales it kills. Norway and Iceland also conduct annual hunts and sell the products. These three nations were willing to reduce their own quotas and make other concessions if the IWC would modify the moratorium, but to no avail. Delegates could not reach agreement in closed-door discussions despite the opportunity to bring the hunts under IWC control.

The quotas would have specified the number of each species that could be killed without requiring a nation to hide behind exceptions to the 1984 moratorium. Domestic use of whale and other products would be allowed, but international sale would continue to be prohibited. Whaling ships would be required to carry an observer to make sure quotas and other requirements were adhered to. And only nations that hunted whales in 2009 would be allowed to hunt for the 10-year duration of the agreement.



**No hunting of humpback whales would be allowed in the IWC proposal to loosen restrictions on hunting some other species.**

Many nations oppose any whale hunting in the Southern Atlantic Ocean, but Japan refused to give up its hunts in that area. Iceland refused to accept any limits on the sale of whale meat and products, and environmentalists opposed any changes.

The US delegation supported discussion on the proposal but reaffirmed its opposition to commercial whaling.<sup>2</sup>

### Notes

1. "Proposed Consensus Decision to Improve the Conservation of Whales from the Chair and Vice Chair of the Commission" presented to the 2010 membership meeting in Morocco in June 2010.

2. "US Commissioner Medina's Statement on International Whaling Commission Proposal," April 22, 2010

## *Enhancing the Bond: Preserving our working, performing & companion dogs*

**NAIA's Annual Conference, October 2-3, 2010  
Crowne Plaza at Denver International Airport, Denver Colorado**



*Enhancing the Bond features presentations by leading authorities on subjects related to our dogs, including: the domestication of wild canids; the evolution of canine cognition and the communications repertoire between dogs and humans; an overview of historical and current canine roles; and a discussion of the challenges we face and strategies we need to preserve our dogs for future generations. For more information and to register, go to [www.naiaonline.org/involved/conference2010.html](http://www.naiaonline.org/involved/conference2010.html)*

## Could the family pet become an endangered species?

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tional animal husbandry practices, and unreasonable and irrational housing standards that force responsible breeders to close their kennels. Billing themselves as animal protection or animal rights organizations, these groups release a constant stream of propaganda against purebred dogs and dog breeding<sup>3</sup> and promote laws<sup>4</sup> that penalize ownership of intact dogs, ordinances that charge higher license fees for intact dogs and require special permits to produce a litter, aggressive sterilization drives that falsely claim that neutered dogs are healthier, bans on certain husbandry and management practices, and campaigns that blame breeders for shelter deaths. More than 80 bills restricting breeding were introduced in state legislatures in 2009 alone.

These groups deceptively mask their anti-breeding campaigns as efforts to end cruelty or curb an alleged glut of dogs in shelters. But the truth is that every US state already has laws against animal cruelty. As to shelter glut, some areas of the US actually import dogs from other parts of the US and even from the streets of foreign countries to fill empty runs. Dogs from the southern US are heading north and stray dogs from the streets of Caribbean islands, the Middle East, the Orient, and Mexico are entering the US to be sold by shelters.<sup>5</sup>

Purebred dogs have a long history as human companions and partners. Early on, farmers, hunters, warriors, and others who valued working dogs began breeding for specific physical and mental traits that enabled them to do their jobs. These efforts gave us dogs capable of herding and guarding livestock, hunting and retrieving game on land and in water, hauling goods to market, and keeping shops and homes free of pests. Although many of these jobs no longer exist, the predictable traits of purebred dogs have helped them adapt to new careers as pets, service dogs in the military, helpers for owners with physical disabilities, search and rescue dogs, and performance dogs in a variety

**Herding breeds like this rough-coated Collie helped the British develop the world's leading wool industry by helping sheep farmers control their flocks.**



**Today's collie brings the same loyalty to families that appreciate his working ability and kind nature.**

of sports.

In the early 1990s, an HSUS campaign against dog breeding urged people to adopt a pet from a shelter instead of buying a puppy from a breeder. Their campaign slogan "Adopt one until there are none," subsequently adopted by many shelters, takes on a stealth meaning when seen in the light of nearly 20 years of campaigns to malign purebred dogs and their breeders. Rather than an admirable attempt to empty shelters, it underscores a transformational goal: a time when there will be no purpose-bred dogs available as pets or working partners.

### Notes

1. "Chester County kennel where Biden bought dog found not guilty of violations" by Kathleen Brady Shea, staff writer, Philadelphia Inquirer, June 15, 2010.
2. An NAIA survey taken in 2010 found that 63 percent of respondents reported that their dogs were registered as purebred, could be registered as purebreds, or looked like purebreds.
3. "Dog Breeding: Behind the Best in Show," a blog entry by HSUS CEO Wayne Pacelle on February 16, 2010, gave high praise to a deceptive and one-sided British documentary that knocked purebred dogs as inbred for looks regardless of health concerns.
4. In the 2009-2010 legislative sessions, laws restricting breeders and breeding practices were introduced in more than 30 states.
5. "Humane or insane? The importation of foreign strays into US shelters threatens health, sustains 'overpopulation'" and "Major advances in regulating animal relocation and importation into US shelters," both by Patti Strand, NAIA National Director.

**Developed in France to hunt game birds, the Brittany has maintained his skill as a gundog while adapting to city and suburban life. Many Brittany owners participate in hunt tests and trials with their dogs even if they don't actively hunt.**



## Feds seek to control exotic snake populations in Florida

### ***Private report calls effort anti-science, anti-education and anti-conservation***

Lawmakers and a federal agency are pressing for bans on certain types of snakes, leaving owners and retailers to fret about the consequences for their pet reptiles.

The target species are constrictor snakes that are sold by pet stores and may enter a hospitable environment in the southeastern US by escaping or being abandoned by owners. The snake species proposed for listing are the Burmese python, northern African python, southern African python, reticulated python, green anaconda, yellow anaconda, Beni or Bolivian anaconda, DeSchauensee's anaconda, and boa constrictor. The snakes are breeding and are killing native wildlife and pet dogs and cats in and near the Florida Everglades.

While Congress battles over whether to ban the reptiles, the US Interior Department has reopened a comment period on rules designed to add the snake species to the injurious animal list under the Lacey Act, a law that bans commerce in exotic animals that threaten humans, agriculture, and native species.<sup>1</sup> Meanwhile, herpetologists David and Tracy Barker, owners of a commercial business specializing in the captive propagation and research of pythons, have released a study of the Burmese python in Florida.<sup>2</sup> The report concludes that the plan to list the Burmese python is anti-science, anti-education and anti-conservation, and provides no recourse for owners of more than one million pythons in the US.

S 373, the bill under consideration "... is poorly and ambiguously written" and "... amounts to a sweeping confiscation of the property rights of 500,000 or more Americans," the Barkers determined after visiting south Florida to discuss the issue with residents and snake owners.

The Barkers challenged the assertion that the foundation of the Burmese python population was released pets, positing instead that hurricane damage to distribution businesses is a more likely source. They suggested that the US port of entry for tropical species be changed from Miami to a northern port to eliminate the potential for escaped species to thrive in the surrounding environment.

For more information on the problems associated with exotic animal ownership, see "Non-native species test lawmakers, conservationists, and animal owners" in the Summer 2009 issue of *NAIA Animal Policy Review*.

### **Notes**

1. The Lacey Act prevents import and interstate transport of the listed species. Comments will be accepted until August 2. For information, contact Tom MacKenzie, 404-679-7291 or tom\_mackenzie@fws.gov.

2. *On Burmese Pythons in the Everglades: Questions Posed and Answered on the Issues of Pythons in South Florida and in Captivity* by David G. Barker and Tracy M. Barker

### **Update**

## **California tightens rules for egg imports**

California Governor Arnold Schwarzenegger signed a bill that mandates control of farm conditions on out-of-state companies that sell eggs in his state.

The use of cages for hens is a major issue in activist campaigns against farming practices<sup>1</sup>. Two years ago, California voters overwhelmingly supported a ban on hen cages and pig and veal calf crates following a ballot initiative campaign heavily financed by the Humane Society of the US<sup>2</sup>. The ban left egg producers to face three possibilities: retool their facilities to meet new rules for keeping hens in cage-free environments, move to another state; or go out of business.

Idaho and Utah quickly made overtures to egg farmers who might opt to move out of California. The prospect that the egg business would shift out of state and that California consumers would continue to have access to eggs from hens kept in cages sent activists back to Sacramento to lobby for restrictions on imported eggs.

Shifting to cageless housing systems requires a capital investment that could run into millions of dollars and increased labor costs for each egg farm. The governor's signature protects the state's egg farmers from cheaper out-of-state eggs, assures that California consumers will pay higher prices for eggs, and increases pressure on farmers in other states to switch hen housing practices regardless of cost, efficiency, or food safety considerations.

### **Notes**

1. "Egg producers balance hen health and food safety to bring low-cost protein to consumers," *NAIA Animal Policy Review*, Winter 200-2010.

2. HSUS put about \$4 million into gathering signatures to put the initiative on the ballot.



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