A Reformation in the Making

In this issue of The Humane Society News we are presenting an entire section addressing several critical problems affecting laboratory animals and the ways in which The HSUS, often in concert with others, is working to bring about meaningful change and reform. While we recognize that there are many problems not addressed here, we believe those presented are of immediate urgency and require forceful and concerted action.

After several months of inactivity and indecision, the House Committee on Science and Technology favorably passed H.R. 6928 (formerly H.R. 6245). Opposed by medical and research bodies as well as most colleges and universities using animals for research, H.R. 6928 represents the animal-welfare community's best hope for legislation which would protect animals currently being used in research and to provide for the development and use of alternatives.

Alongside our continuing efforts to bring about enactment of this kind of legislation, The HSUS is also launching a major national effort to oppose the seizure of shelter animals for research purposes. In cooperation with local animal-welfare societies as well as individual activists, we shall give priority to this endeavor during the next several months.

We are also supporting the Primate Centers Mass Mobilization, a mass demonstration against primate centers to take place simultaneously at four of the regional primate centers on April 24, 1983. An article by Dr. Andrew Rowan, our director of laboratory animal welfare, details the failures, inadequacies, and inhumaneness of America's regional primate centers.

Another article recounts the saga of the Silver Spring monkeys and the disappointments and successes realized in securing the conviction of Dr. Edward Taub. Through the publicity generated by this landmark case and the termination of Dr. Taub's research grant by the National Institutes of Health, the animal-welfare movement has demonstrated its effectiveness in bringing to accountability those who would neglect and abuse animals in the name of science.

Finally, Dr. Michael Fox, HSUS scientific director, sets forth with clarity in his article "Animal Experimentation: How Necessary—and How Moral?" our proper and necessary challenge to the continuing use of animals for research and testing.

Whereas The HSUS has never chosen to regard itself as an anti-vivisection society, we do, without hesitation or apology, declare ourselves a pro-alternatives society, and as such shall work untiringly for the day when animals are no longer subjected to the pain, suffering and indignities of research and testing. We seek, and acknowledge with appreciation, your personal participation in this reformation in the making.

Cover photo by Ron Kimball, "Bless the Beasts, 1983" ©Life Time Productions, Inc.
Brains Discuss Pain

A scientific conference is nearly always a bland, apolitical affair. Each session is focused on one highly specialized area of knowledge and is usually of little relevance to those who aren’t already initiated into the jargon and controversies of the particular field.

But a symposium several months ago in New Orleans held promise for addressing wider concerns since it was entitled “Pain Perception in Animals.” It seemed as if scientists were finally ready to take a hard look at what has been learned about the biological mechanisms of pain and to consider how this new knowledge might be applied to alleviate the suffering experimental animals must endure.

But, in the January 1982 issue of OWM magazine, a spokesperson from the symposium’s sponsor had asserted the session was being held to “help dispel [sic] some of the negative publicity associated with animal experimentation and bring to the attention of the public the suffering animals must endure pain for testing and research was that the only way out of this dilemma is to rely on inferential data. What we can see and hear—and even measure—obviously can’t be applied in an objective way.”

The only way out of this dilemma may be to stop worrying about the words themselves and start concentrating on what we can see and hear—and even measure—objectively. As J.C. Liebeschid of UCLA remarked in private: “I see no difference between the appreciation of pain between man and animals. In both cases, we are forced to rely on inferential data. What we must try to do is to find reproducible models that will allow us to correlate levels and kinds of behavior with stimuli that we can be pretty sure are painful to a broad range of species.”—Dana Murphy, Editor, ISAP Journal.

What a Neighborhood

In August, after an HSUS protest in Tipton, Iowa, cancelled their plan to spray a flock of English sparrows and starlings with fire hoses to knock them out of the trees so waiting residents could stamp and club them to death.

The birds had settled in a residential area, causing odor, mess, and fears about the spread of disease, according to neighborhood people. Town officials had authorized the volunteer firemen to blast the birds from their perches into the clutches of a welcoming committee armed with clubs and hoods.

HSUS Director of Data and Information Guy Hodge called officials, urging them to find other means of dealing with their bird problem.

“There simply is no rationale, on the basis of either humane considerations or practical considerations, for them to kill the birds,” Hodge told the Des Moines Register. Embarrassed by the publicity surrounding the event, the town backed away from its bird bash. At press time, Hodge was still working with town officials to find a non-lethal way to encourage the birds to flock elsewhere.

New Stamp Debuts

The nation’s newest postage stamp, featuring a kitten and puppy, will be unveiled at a special ceremony during the 1982 HSUS Annual Conference, in Danvers, Massachusetts.

The 13-cent postcard stamp was designed by West Virginia artist Chuck Ripper and was selected by a U.S. Postal Service citizen advisory committee for its universal appeal, according to Frank Thomas of the Postal Service.

Although the Postal Service receives many requests for animal stamps, this is the first time both a cat and dog have been portrayed together, Thomas said. He predicted the stamp would be especially popular for use on holiday postcards and “friendly” notes.

U.S. Postmaster General Ray Bolger, along with HSUS President John A. Hoyt, is expected to participate in the first-day-of-issue ceremony to honor the stamp.

“The stamp is a fitting tribute to the important contribution pets make to our society,” said Hoyt. “We are especially honored that the Postal Service has chosen to present the stamp at our conference.”

The ceremony will be open to the public. Complimentary souvenir programs, a valuable momento for collectors and non-collectors alike, will be distributed to those attending the ceremony, Wednesday, November 3 at 8 p.m.

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ARE CATS SMARTER THAN DOGS?

No, but neither are dogs smarter than cats.
It's all in how you look at intelligence and at each animal's unique qualities.

by Julie Rovner
The Humane Society News • Fall 1982

Dogs have the capacity for "learned intelligence." Through its use of insight, this pet has figured out that, in order to pull the dish with its hamburger treat within reach, it will have to pull the stick and the string attached to the dish towards him. People used to associate such problem-solving only with human intelligence.

An ameba shows intelligent behavior when it avoids highly acidic water, "he says. According to this definition, all living things, including plants, demonstrate intelligent behavior.

Fox says that intelligent behavior can be divided into three categories: instinctive or innate behaviors (such as the amoea's actions, a cat's purring, and a dog's tail-wagging); simple conditioning (such as training an earthworm to perform at the sound of a bell); and complex learned behavior. It's this last element of intelligent behavior we laypeople call "intelligence," Fox says.

Scientists have a variety of ways to test dogs and cats' complex learned behavior or "intelligence." Solving a puzzle or forcing an animal to use a tool to get at a desirable goody (see photograph above) can test an animal's capacity to reason and use insight, examples of complex learned behavior. Showing an animal where food has been hidden, then covering its eyes for a period of time before allowing it to find the food can test short-term memory and recall, other examples. Hiding the food behind different signs identified only by abstract symbols (see photographs below and on page 7) can test the ability to discriminate, according to Fox.

Yet when scientists put dogs and cats through these tests, the results may not accurately reflect the animals' capacity to demonstrate their "intelligence." For example, in a test done by a New Zealand professor that involved asking animals of several different species to navigate a maze in search of a reward, dogs' abilities to solve the problem were bested only by children. Cats came in seventh, ahead of rats and ferrets but behind cows, goats, sheep, and pigs. "Measuring intelligence depends to a great extent on what kind of task you ask the animal to do," says Hamilton. A dog may, for some unknown physiological reason, be better suited than a cat to maze work. Or, as Fox suggests, dogs may just do better than cats in the maze test because they have a greater desire to solve the problem to please the human tester than does the more independent cat.

Motivation can not only make us think our pets are "smarter" than they are, the lack of motivation may have the opposite effect, "Some people...

(continued on page 7)
“Waiting for Santa”

Just in time for Christmas are two of the most appealing pets ever. The HSUS’s new Christmas card is now ready for pre-holiday ordering. Artist Paul M. Breeden has re-created in green, gold, and black a scene sure to be repeated in household after household this holiday season. Perched on a gift bound to be for her is a dozing kitten, with one eye peeled for the Old Gent, while her companion guards the brightly decorated tree.

Inside is the greeting, “May this season bring Peace to all living creatures.” The HSUS Christmas card is an annual sellout, so don’t delay—order plenty. There are 25 cards, with envelopes, in each box. The price is $7 a box, $6 for each if you order 4 or more boxes.

Please send me _______ boxes
of HSUS Christmas cards at $7 per box.
OR
Please send me _______ boxes
of HSUS Christmas cards at $6 per box.

Send the cards to:

HSUS Christmas Card Order Form

Send the cards to:

Name __________________________
Address _________________________
City ___________________ State ________ Zip

I enclose $ ________

(continued from page 5)

people who are not well acquainted with cats have the mistaken belief that because the cat does not perform clever tricks, such as bringing its owner his slippers as a dog does, he is not as intelligent as a dog,” wrote Mary Villarejo in an article in a 1981 issue of Cats magazine. “The person who clings to this erroneous idea needs to be reminded that there is an enormous difference between cannot and will not” (her emphasis).

The more an animal will do for us, the smarter we say it is,” says Barbara Austin, a professional trainer of both cats and dogs for New York’s Dawn Animal Agency. “People frequently say beagles are impossible to train because they are dumb.” They are very hard to train she says, but it isn’t because they are dumb at all. They simply aren’t subservient. “I know a beagle that figured out that if it could jump from a step to the kitchen counter, it could steal some cookies. Now, that’s not dumb.”

Austin says she has never tried to decide whether dogs are smarter than cats. “You just can’t compare the two. Dogs are more like children: they thrive on security and attention. Cats have to approach as if they were adults—respect.”

Fox says laypeople also frequently confuse “intelligence” with a pet’s ability to respond to our commands. “Because dogs are more dependent than cats, they tend to be more trainable,” he says. “But that doesn’t mean they’re more ‘intelligent.’” He notes that wolves in learning studies have proved to be far more intelligent than domestic dogs, yet at the same time far less trainable in domestic situations. Adds Hamilton, “When a cat learns to fetch or perform some other trick usually associated with dogs, people often think it’s somehow brighter [than other cats].

Whatever real differences in “intelligence” exist between dogs and cats, according to Fox, are based in the evolution of each species’ unique social behavior. Dogs, as animals designed to live in packs, need to develop different survival skills from cats, which live a more independent existence.

“Animals with longer life spans and more complex social behaviors rely more on learned behavior and less on instinct,” Fox says. He thinks people may judge dogs as smarter than cats because dogs’ social structures are more similar to human social structures than are cats’. Cats, however, do perform some tasks better than dogs according to these arbitrary human criteria, such as learning to copy behavior they see almost immediately. This is not the result of a shared social history with humans but because they must learn all of their survival techniques in the short time before they are weaned from their mothers.

Many people mistake certain instinctive or conditioned behaviors for “intelligence.” Many so-called incredible feats that dogs and cats can perform, like sniffing out drugs or guns from cars (dogs), falling out of third-story windows and landing unhurt on all fours (cats), or following a family several hundred miles seemingly on instinct (both) are related to behaviors the animals evolved to enhance their survival, Fox says. As hunters, both dogs and cats needed to develop highly honed senses. Those animals that didn’t develop their senses well enough simply died off.

Given our limited abilities to understand any animal behavior, including our own, trying to answer the question “Are cats smarter than dogs?” is futile. Not only is it futile, says Fox, it is a very human impulse. Intelligence is something non-human animals use for survival, rather than to perform to human specifications. “In fact, humans like to rank animals by intelligence because it tends to make [people] come out on top of the heap. That’s just not fair. Each entity has a unique intelligence. It is ridiculous to say that since one is more intelligent than another it’s somehow better.”

Benji has learned to discriminate between two abstract symbols once he sees that a goody is hidden behind the box marked by a circle, according to owner, animal behaviorist Dr. Michael Fox.

The Humane Society News  Fall 1982
The “Impossible” Achieved!

The IWC Votes for a Total Ban on Commercial Whaling

by Patricia Forkan

On July 23, 1982, commissioners from 37 member countries of the International Whaling Commission (IWC) voted to end all commercial whaling as of 1986. This historic move was the climax of a week marked by debate, intrigue, negotiation, and a walkout staged by the Japanese whalers just as the final polling began. The long-awaited, three-quarters-majority vote in favor of a moratorium came exactly ten years after attendees at the Stockholm Conference on the Human Environment had called for a ten-year moratorium on commercial whaling.

Credit for this miraculous success must go to the animal-welfare and environmental groups which have worked together for so many years. The campaign to save the whales has truly been a worldwide effort and has influenced world opinion far beyond that which those of us who began, ten years ago, the uphill battle to save whales.

The IWC decided: “catch limits for killing for commercial purposes of whales from all stocks for the 1986 coastal and the 1985-86 pelagic seasons and thereafter shall be zero.” This provision will be kept under comprehensive assessment of the effects of this decision on whale stocks and conservation motivation of this provision and the establishment of other catch limits.”

“We need an agreement now for all generations of whales.”—Seychelles’ commissioner

Over the past few years, as the moratorium seemed closer to becoming a reality, the whaling nations have lobbied other IWC members trying to forestall the inevitable. They argued a moratorium would force them to leave the IWC and continue killing whales without regard for future IWC restrictions. Japan, as the South China Morning Post reported, “resorted to bullying, blackmail, bribery to force other nations to suppress Japan’s whaling cause at the IWC.”

The IWC’s member nations dislike confrontations, preferring negotiation-ed settlements where at all possible; thus, Japan’s threats to disrupt international cooperation were taken very seriously. A phase-out of whaling was, to most countries, an acceptable compromise. Theoretically, it would give the whaling countries time to develop alternative employment for their whaling peoples. Whaling quotas would go only one direction—down—until they withered away to zero. It remains to be seen if this compromise actually results in an end to commercial whaling. All whaling nations are currently making their decisions on whether to file objections to the moratorium. We probably won’t know, however, how many actually decide to defy the ban until 1986.

In the meantime, the IWC must set quotas for each whale species for each of the next three years and consider modification of this provision on sound biological grounds, we will determine from our own studies. We would like to have seen adopted.

Animal-welfare proponents celebrate the victory: from left, John Fritzzell (Greenpeace), Richard Ellis (Audubon), Liz Kaplan (Friends of the Earth), Dave Phillips (Friends of the Earth), Patricia Forkan, Tom Garrett (Deputy Commissioner to the IWC), and Maxine McCluskey (The Whale Center). The HSUS and Friends of the Earth, along with other organizations, underwrote the publication of ECO, a daily newsletter distributed free of charge to participants and observers at the IWC.

1983 Quotas

<table>
<thead>
<tr>
<th>Country</th>
<th>Quota (minke, Bryde, sperm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>4,443</td>
</tr>
<tr>
<td>USSR</td>
<td>3,086</td>
</tr>
<tr>
<td>Norway</td>
<td>1,696</td>
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<tr>
<td>Korea</td>
<td>950</td>
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<tr>
<td>Brazil</td>
<td>900</td>
</tr>
<tr>
<td>Iceland</td>
<td>567</td>
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<td>Denmark</td>
<td>450</td>
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<tr>
<td>Peru</td>
<td>165</td>
</tr>
<tr>
<td>Spain</td>
<td>120</td>
</tr>
<tr>
<td>Total</td>
<td>12,371*</td>
</tr>
</tbody>
</table>

*10,867 are minke whales killed by cold harpoon

The U.S. government must respond to this challenge by invoking domestic laws meant to protect whales.

“If we determine [from our own review] Norwegian whaling is based on sound biological grounds, we will continue whaling regardless of the IWC decisions.”—Norway’s commissioner

Any member of the IWC may file an objection to its rulings if it decides not to abide by them. It simply notifies the IWC of its intentions within 90 days after the annual meeting. This option, exercised freely prior to 1973, has been invoked infrequently since then; growing world opinion against whaling and threats of U.S. retaliation through trade sanctions have made most whaling countries reluctant to risk the consequences.

Last year, however, objections to the ban on the cold harpoon and Japan’s loss of a sperm whale quota were lodged. These remain on the books and set a very bad precedent. Animal-welfare and environmental groups are trying to convince whaling countries not to file objections to the ban and, instead, how to the inevitable and phase out their whaling operations. Some countries may file objections after all, but even then they have three years in which to con-
Dr. Sidney Holt of the Seychelles (center) prior to a conference with marine mammal scientists from other countries to comply voluntarily with the Pelly Amendment to the International Whaling Convention so certified.

The U.S. has national laws to protect whales, two of which could be called into service to enforce IWC rulings. The Pelly Amendment to the Fisherman’s Protective Act gives the Department of Commerce power to persuade other nations to comply as well.

Sen. Robert Packwood (U.S. Senate, Washington, D.C. 20510) and Reps. Don Bonker and Paul McCloskey (House of Representatives, Washington, D.C. 20515) have been working in their support for whales around the world. They deserve to be thanked for their efforts.

Letters to the whaling nations that ask them to abide by the IWC’s decisions are crucial. Please write to these representatives and ask them not to object to the 1986 ban on whaling.

New Calendar Promotes Kind and Baby Animals

Bo-Tree Productions of Palo Alto, California, has been a dedicated supporter of the Humane Society of the United States. The company first began donating a portion of the income from the sale of its annual gift calendars to support the HSUS.

For the past nine years, the company has been generous in its support, and continues to do so in 1986.

The first book on or by Albert Schweitzer is for Japanese compliance with the IWC as the appropriate forum for supporting an end to commercial whaling and ask that legal objections will have the opportunity to be heard.

The studio of the noted photographer, the late Erica Anderson, who spent more than ten years writing and photographing Dr. Schweitzer in India and in Europe. She was founder of the Albert Schweitzer Center in Great Barrington, Massachusetts.

The USCo-Publishes new Schweitzer Book

The HSUS has joined with The Animal Welfare Institute, The Albert Schweitzer Fellowship, and the Albert Schweitzer Center to publish Animal Nature and Albert Schweitzer, a unique new book with editing and commentary by noted animal-welfare writer Ann Cordtlee Free.

The first book on or by Albert Schweitzer to be published and distributed by any U.S. humane organization, the 96-page volume, with 65 illustrations, traces Dr. Schweitzer’s life from his birth in 1875, to his long service at his famous hospit in Lambarene, Gabon, equatorial Africa.

Primarily through Schweitzer’s own words, Freeman’s book is a bond with individual animals and shows how he coped with the problem of a human’s will to live of animals and plants. Animals, Nature and Albert Schweitzer offers guidance to everyone concerned with respect for animals and the preservation of the environment.

It emphasizes the importance of Schweitzer’s “reverence for life” philosophy, from its inception to its recognition by millions of people throughout the world. The book presents Dr. Schweitzer’s views on laboratory animals, meat-eating, hunting, falconry, animal fights, euthanasia, and other current issues.

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The Humane Society News • Fall 1982
Constructing A Temporary Ark:

Zoos and private landowners have designed a new program to breed endangered species on former game ranches.

It was 4:30 on a sweltering August afternoon. I leaned out of the jeep and looked out over the vast, mountainous terrain stretching as far as the eye could see to get a better look at the small herd of rare Grevy’s zebras grazing nearby. It was a sight now all too infrequent in Africa—but I wasn’t in Africa. I was outside Ft. Worth, Texas, and I wasn’t on a game ranch or in a safari park but in a unique wildlife preserve, part of a program in which landowners and zoos across the country are giving endangered wildlife a different kind of opportunity to breed and survive.

Game ranching is nothing new to Texas; for years, species such as the axis deer and blackbuck have been raised on private lands for sport hunting or to satisfy whims of private individuals. Despite their exploitive aspects, these ranches have accomplished some good for the animals they harbored, since private breeding programs were successful enough to allow reintroduction of some endangered species to the wild.

However, the concept of wild animal farming has taken a dramatic and welcome turn now that some zoos and game ranch operators are actively and systematically cooperating to save animals from extinction without sport hunting as a result.

The Waterfall Ranch in Texas, owned by Tom Mantzel, is the first exotic animal ranch chosen by the American Association of Zoological Parks and Aquariums (AAZPA) to inaugurate its Species Survival Plan (SSP). Zoos donate individual zoo animals to breeding stocks maintained in semi-wild environments on private land for propagation of the species and it is hoped eventual reintroduction to the wild.

The HSUS took some part in the discovery of these resources. In 1973, in response to members’ complaints and concerns about how game ranches were operated, we undertook a study of facilities allowing people to hunt big game for pay. In preparing our report, we found some truly unusually operations: however, we also found some extraordinarily professional ranches with tremendous resources—land, people, and expertise going to waste. There was no reason why, once their owners had been persuaded, these facilities couldn’t breed species for conservation purposes instead of sport hunting. We shared our findings with AAZPA. Two years later, AAZPA did its own study and agreed with our conclusions.

Zoos had, of course, on their own been active for years in captive breeding of wild animal species, with some success. These zoo breeding programs have generated information on reproductive and other behavioral characteristics which improve the chances for saving threatened populations and have replenished zoo’s own stocks. Though zoos could point to some successes, they also encountered difficulties. They faced criticism as net consumers—rather than producers—of wildlife since their own breeding programs relied in some part on the taking of animals from the wild. They also found captive breeding contributing to genetic changes in animals that make them less able to survive should they be released into the wild. Inbreeding, caused by the small number of animals involved in propagation programs, resulted in lowered fertility rates among the animals in subsequent generations. While some of these problems could be alleviated, as one scientific study put it, “The breeding strategies necessary to provide vigorous, genetically diverse animals that are minimally adapted to captive conditions both genetically and behaviorally are beyond the current financial and organizational capacities of zoos.”

Zoos began to explore alternatives. One of them was the AAZPA’s Wildlife Conservation Management Committee’s proposal for “developing the possibilities for cooperative programs with selected Exotic Animal Ranches possessing large tracts of land and sincere commitments to conservation.” The proposal recognized that expansion of zoos’ captive wildlife populations onto more spacious ranches would allow for the maintenance of considerably larger numbers of animals in a semi-wild environment and, in the process, would provide for greater genetic diversity and vitality.

The alliance between zoos and game ranches, whose traditional function was to supply animals for hunting, was not casually struck. Ranchers participating in the Species Survival Plan must promise that some of the animals will be used for hunting. The ranchers have agreed and have essentially put their considerable resources—land, finances, and the expertise of their professional staffs—at the disposal of the zoos for establishing these wildlife breeding populations. For the zoos’ part, they must be willing to contribute the best of their stocks to the ranches, even if it means parting with a popular favorite at the zoo.

There are a number of advantages to this plan. Ranch populations would not only fill zoos’ needs for animals but would also be a self-perpetuating breeding stock for conservation purposes, thus removing zoos from the commercial trade in truly wild animals.

By relying on zoos as its suppliers, the wildlife ranch will improve the vitality of captive populations by expanding the gene pool. Such genetic diversity will improve breeding and will also enhance the study of the animals.

Finally, zoos will be able to pool their expertise and resources, expanding their capacity to conserve endangered species. AAZPA has set out for this program that very specific arrangements. For the zoos’ part, they must be willing to contribute the best of their stocks to the ranches, even if it means parting with a popular favorite at the zoo.

The alliance between zoos and game ranches is a hopeful promise of the future. The Humane Society News welcomes this new program as a step in the right direction and looks forward to the day when this program has reached its success.
years, had 14 species of animals, from sable antelope to aoudad, running virtually at will on his 1500 acres of mountainous property. "I had been to Africa and been struck by the beauty of these animals—and their vulnerability. I wanted to do something for wildlife I could leave behind, so I began putting the animals on my land," he says.

A staff of four patrols the ranch by jeep on a daily basis. It is blessed with an abundance of natural water so the patrols are primarily to keep track of births and other natural happenings among the animal populations. The animals learn to drink from a trough (something they would virtually at will on his land,"

The AAZPA provides expertise as needed to assist landowners with any problems they may encounter with their program animals. So far, there have been no difficulties with the Grevy zebras—they seem to have adjusted to their new surroundings almost immediately.

Thirteen Grevy's zebras are the first animals from the zoo program to join Waterfall's other animals. Zoos across the country, from as close as San Antonio and as far as New York City, plan to send zebras to the Waterfall Ranch. All are surplus zoo animals with reliable breeding records. These pilot projects are intended to be learning experiences for the ranchers and ranches. The species now involved, like the Grevy zebra, are in considerable surplus in zoos, thus a good-sized population is readily available. Zoos are already experienced in the care of these animals, so that they can concentrate on perfecting the ranching side of the project. Once most of the problems are eliminated, they will be able to begin ranching projects involving more delicate animals.

One species that AAZPA would like to include in this project is the black rhinoceros of Africa. The numbers of black, northern white, and Javan (Indonesian) rhino are all severely reduced; Pat Quinn, zoo director and member of the SSP committee, feels that the black rhino will be the first among them to disappear from the wild.

Although some African countries do have rhino protection plans, poaching and potentially explosive political situations in those countries make on-site conservation programs vulnerable. There are too few rhino left to take the chance that such programs will save the species.

Other species targeted for the SSP program are Przewalski’s horse, guar, okapi, and the simitar horned oryx. The SSP is not a wonder drug to cure all the problems of endangered species. In alleviating many of the problems associated with zoo breeding activities, it will introduce new ones. Some species may not adapt to captive conditions; others may not be able to adjust to the semi-wild environment after years of zoo life. In those cases, we may have to be content with trying to conserve animals in the wild or in zoos. The ranch concept will not be for them.

Reintroduction to the wild of the animals—and their descendants—on the ranches will not occur for 10-15 years by best estimates. It will take that long to build up populations to safety levels and at least that long for the domestic conditions in some countries potentially available for reintroduction to stabilize.

The HSUS believes conservation has the best chance for success if it is undertaken in the wild, in zoos, and on ranches such as the Waterfall Ranch. Not only will ranches fill zoos' own needs for animals, but they can also preserve species during the time needed to reclaim sufficient habitat to permit reintroduction and, in an equally important phase of conservation, to prepare countries to receive and protect their indigenous wildlife.

The HSUS enthusiastically applauds the Species Survival Plan concept. It signals a change in zoo philosophy in that zoos are serious about becoming producers rather than consumers of wildlife. Second, by cooperating in other conservation efforts, yet recognizing that barriers to reintroduction may exist indefinitely, zoos and game ranches will be acting as a trust, building self-sustaining populations of threatened and endangered species as, in the words of one scientific report, "insurance against an uncertain future."

Sue Pressman is Director of Captive Wildlife Protection for The HSUS.

Northern Africa natives, oryxes graze peacefully in Texas. Individuals such as these could be the salvation of the species.
When you think of an animal shelter, what comes to mind? A place where happy reunions between lost pets and anxious owners take place every day? A haven for unwanted puppies and kittens available for adoption by new—and responsible—owners? A quiet last home for elderly or unwanted animals to be euthanatized by qualified, caring, humane personnel? How about a clearing house through which unwanted animals are channeled into research programs? At many shelters, this fourth, unsavory alternative is a real one, one the public doesn’t see. At these places, dogs and cats coming in the front door of the shelter leave through the back in trucks destined for research facilities.

From figures supplied by the National Institutes of Health, The HSUS estimates every year scientists and researchers use some 187,000 dogs and 75,000 cats from animal shelters for practice surgeries and a wide variety of experiments.

Frequently, the shelters don’t have a choice about whether or not to turn over unclaimed, impounded (and, sometimes, surrendered) dogs and cats for research. Seven states (Iowa, Massachusetts, Minnesota, Ohio, Oklahoma, South Dakota, and Utah) require that any shelter receiving public funds release, on demand, unclaimed animals to research facilities. Six states (Connecticut, Hawaii, Maine, New Jersey, Pennsylvania, and Rhode Island) prohibit the practice. In the remaining 37 states, animals can go to labs but disposition of shelter animals is carried out as provided for either under local ordinance or under contractual arrangements with a private shelter.

While such laws don’t apply to private humane society shelters operated completely with private funding, municipal shelters (historically called pounds), funded by local tax monies, are required to comply with state laws or local ordinances in their disposition of unwanted and unwanted animals. Humane society shelters that contract with cities or counties to provide sheltering and/or animal-control services are also required to comply with state and local laws regarding disposition of animals unless the contract specifically provides otherwise. (Generally, in states that have laws requiring release of animals for research, a contract may not supersede the state law. For that reason, when New York passed its state law in 1952 requiring shelters to release animals for research, many private shelters chose to end their contracts rather than give up their animals.)

As the cruelties to which animals in laboratories are routinely subjected become better publicized, concern about the role animal shelters play in providing animals to research is increasing. The 1979 repeal of the New York state law requiring release of animals for research was the culmination of a nearly ten-year battle waged by animal welfarists. The following year, Connecticut overturned its law requiring release and enacted one prohibiting shelter animals from going to research. Major battles to change state laws, aimed at keeping shelters from having to supply animals for research, have this year been waged in California, Iowa, Massachusetts, Missouri, Ohio, and the city of Chicago.

Researchers, grown accustomed to easy access to a cheap and almost unlimited supply of experimental subjects, are not giving up that supply without a fight. The National Society for Medical Research, an organization founded “to defend the opportunities of biomedical scientists for continued study,” has recently vowed to “es-
establish regional, state, and local representation...to aid
in identifying proposed state legislation and regulation and
local ordinances that would restrict the availability
and/or use of animals in research.
So the lines are drawn. On one side are the researchers
who defend their use of former pet dogs and cats as nec-
essary for the advancement of science. "Until the pass-
age of laws permitting dogs to be made available from city
pounds, medical schools in certain parts of the country
were able to use dogs to only a limited extent in teaching,
and less extensively in research than they would have
desired," states a 1985 introduction to a syllabus for a
course at the University of Chicago Medical School.
"Students and investigators at this and other universi-
ties where dogs are available for teaching and research
should realize that this privilege...will be threatened...and
must be fought for again in each generation."
On the other side are animal-welfare advocates and the
professionals who are responsible for dealing with the
animal-control and -sheltering needs of the community and
who frequently are caught between the demands of the
researchers and their desire to do what they think is
right for both the animals and the community. The di-
lemma is a painful one. If a shelter, public or private,
gives up animals for research, it runs the risk of under-
mining the confidence of the public that the shelter is there
to serve animals. Yet, in many states or localities, there
is no choice.
"Many people don't oppose the use of animals in re-
search," says Phyllis Wright, HSUS director of animal
sheltering and control, "but when it's their own pet or a
stray they've picked up, they feel differently. When peo-
ple are personally involved with an animal, they'd rath-
er let it run loose and take its chances on the streets
than take it to a shelter where it might end up in some sci-
entist's painful experiment.
"Scientists say allowing them to buy, for a token fee, a
shelter's unclaimed impounded animals saves the commu-
nity money it would otherwise have to spend to euthana-
tize the animals in the pound. That may be a false econo-
my according to Wright. "The animal running around
[because someone turned it loose rather than take it to a
shelter that releases animals for research] causes traffic
accidents, gets into the garbage, bites children on the
playground, and generally causes more money to be spent
on animal control than would be otherwise. We know that
where there's a good shelter operating under humane
guidelines, the public voluntarily brings in more animals
than the dog warden collects on his own."

That releasing pet animals from a shelter for use in re-
search represents betrayal of trust is a pervasive view
among those who run shelters and animal-control agen-
cies. In an HSUS survey conducted of some 2,000 shel-
ters and animal-control agencies this spring, 90 percent
of those responding answered affirmatively to the ques-
tion, "Do you believe that release of animals for research
undermines effective animal-control programs and indi-
vidual pet owner confidence in your shelter?" In re-
spose to another question, only 5 percent declared such
release did not (or would not) have a demoralizing effect
on shelter employees. "I think they'd quit rather than
turn over animals for research," one humane society ex-
ecutive director said of his staff.
"Pound seizure," as the required release of shelter ani-
mas for experimentation is frequently called, is a post-
World War II phenomenon, a result of the explosion in
science and biomedical research outstripping the supply
of animals that could be purposely bred for research.
Several states passed laws requiring public shelters and
private shelters receiving public funds to turn over their
unclaimed animals to accredited research institutions.
Animal-welfare groups tried in vain to prevent the enact-
ment of these laws, but the public's trust in the scienti-
fic profession made those attempts largely unsuccessful.
All that is changing, however. Today, animal activists
are joining with many scientists and members of the gene-
ral public in the belief that pets should not be subjected
to research. "Animals that are not born and bred in a labo-
atory environment will suffer more from fear and dis-
tress in the unfamiliar surroundings," wrote one scien-
tist in a March, 1982, letter to the editor of Lab Animal
magazine.
Scientists claim "random source" animals are not form-
er pets. This is simply not true. A former director of a
county shelter in North Carolina said the handler from
the universities who claimed dogs from her tended to take
more pets than unsocialized "strays": "When you walk in-
to a run with six or eight dogs, you take the ones you can
catch quickly. He'd go for the ones that he could handle."
Indeed, many of the shelter dogs and cats taken from
shelters for research go via a "buncher," usually a U.S.
Department of Agriculture-licensed dealer who may col-
lect animals from a number of shelters and then resell
them for research. Bunchers select docile dogs or cats
because those animals are preferred by the researchers
themselves over skittish, unsocialized animals cowering
in the back of the cage. High school and college students
often report being given "stray" cats for dissections

(Above) In one door and out the other, a dog brought to an ani-
mal shelter ends up in a buncher's truck, destined either for a
research laboratory or for euthanasia, rather than a new home.
(Above right) Puppies and kittens undergo conditioning in a
quarantine unit at the University of California at Davis. After
a holding period during which they will be certified as disease-
free, they will be given to researchers for experiments.
Aside from the damage mandated release of shelter animals does to the credibility of responsible and humane animal shelters is the question of whether random-source animals even make valid research models. While many of the animals are used by students for practice surgery and then euthanatized, a significant number are "conditioned," said the director of a humane society in a state that mandates release of animals for research. "As far as I'm concerned, I don't think humane societies should be in the position of supplying animals for research," said the director of a humane society in a state that mandates release of animals for research. "Animal experimentation leaves a bad taste in everyone's mouth. We've just gotten people to believe that it's better to bring the animal to the shelter than to turn it loose. If they know that the animal may be exposed to some kind of torture in a research lab, we'll just be right back where we started."

On its way with a yank, a shelter dog is unceremoniously loaded into a buncher's truck in Ohio. In return for euthanatizing sheltered unadapted animals, bunchers are allowed to take animals of desirable size and age for sale to research laboratories. Many shelter workers believe releasing animals for experimentation demoralizes shelter staff and betrays the public's trust in animal control.

HOW YOU CAN PROTECT PETS FROM RESEARCH

Finding out how your state views disposition of unclaimed shelter animals is important but it may be misleading, as well. Your local librarian or state legislator's office will give you the letter of the law, but you may have to do some digging to find out how that law is interpreted and applied. The local shelter should tell you how it disposes of its animals and whether the laws under which it operates cover both dogs and cats or cover dogs that have been given up as well as those impounded. Law vary greatly on these points. If your state is one of those mandating release of animals for research, you will have to have it overturned on a state level. Contact your state's humane federation or write to us to see how that can be done. If your state code says nothing about the issue, send for our information package "Protect Our Pets from Research," which includes a fact sheet answering the most commonly asked questions about "pound seizure," a background briefing paper, an action sheet detailing how you can have a local law changed or strengthened, a pamphlet on public awareness of this issue, and more. Each packet is $3.50. Bulk prices are available.

rest assured that it was done in the most humane way possible. But even when you see them put into an air-conditioned truck by a decent handler to go to a facility you know is clean, you feel you've abandoned your responsibility by turning them over to someone over whom you have no control. It's very unsettling. Somehow the problem for the animal and the community is not being humanely resolved.

People all over the country are gearing up to see to it that humane animal professionals will no longer have to bear the personal and professional agony of delivering animals for experimentation.

The HSUS has made the abolition of shelter release of animals for research a major priority for 1983. We have undertaken important legislative and legal efforts in California and Ohio, where The HSUS Great Lakes Regional Office was successful in obtaining an injunction against a buncher who was illegally selling dogs for research (see Summer 1981 HSUS News). Here in Washington, D.C., we are urging NIH to cease funding research projects that use random source animals. NIH currently does not use shelter animals in its own, in-house research, but that ban does not extend to the thousands of experiments it funds or helps fund with your tax money every year. In the end, however, this is primarily a local issue, and the battles will have to be waged locally by you and others in your community who are concerned about animals. To help you in these battles, The HSUS has prepared a packet of educational and lobbying materials (see sidebar on page 20).

"As far as I'm concerned, I don't think humane societies should be in the position of supplying animals for research," said the director of a humane society in a state that mandates release of animals for research. "Animal experimentation leaves a bad taste in everyone's mouth. We've just gotten people to believe that it's better to bring the animal to the shelter than to turn it loose. If they know that the animal may be exposed to some kind of torture in a research lab, we'll just be right back where we started."

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TWENTY YEARS OF EFFORT—AND FAILURE AT AMERICA'S REGIONAL PRIMATE CENTERS

BY DR. ANDREW ROWAN

Introduction

Fewer than in animal welfare are more complex than the use of animals in research. The sacrifice of non-human primates in the pursuit of human health is particularly controversial. To many, the non-human primate is man's closest living relative and a vital, supposedly expanding program in which visiting (or affiliate) scientists could undertake research projects using the home-base animal center's facilities. Affiliate scientists would receive funding either through NIH or other government agencies or private channels. Core support and use of non-human primates for research and research training is now examined by the complicated bureaucracy and scientific myopia which has been a feature of the regional primate centers, and offers specific recommendations for their operation and—in some cases—closing.

The Regional Primate Centers: "Years of Trying, to Do Better"

The creation of regional primate centers, supported directly by NIH (and, thus, by taxpayers) through four grants for operating expenses and individual scientists' research grants to staff and visiting scientists, was linked to the "catch up with the Russians in science" mania which swept the nation in good faith 20 years. American primatologists who had visited Sukhumi, the Soviet Union’s primate center, had been impressed by the concept: a national institution dedicated to housing animals used by a number of researchers. They thought the concept could work here. In 1966, Congress opened the Animal Care and Use Act, creating a national program for the acquisition, importation, housing and care of non-human primates; and the subjects on which the funds were spent were defense and national security. The National Institutes of Health (NIH) immediately proposed a "core" program in primate research. NIH’s budget for research in non-human primates was set at $1.2 million. At this regional primate center, a chimpanzee's exploration of the world outside its cage is limited to the reach of its arms. At the regional primate centers, there are no precedents for primate centers in this country. The centers began in a blaze of glory and expansive promise of monkeys and apes acquired at enormous cost in the 1950s and early 1960s. The centers offered rationalizations, excuses, and denials of the growing complexities of maintaining primate colonies. There were no precedents for primate centers in this country. The centers began in a blaze of glory and expansive promise of monkeys and apes acquired at enormous cost in the 1950s and early 1960s. The centers offered rationalizations, excuses, and denials of the growing complexities of maintaining primate colonies. There were no precedents for primate centers in this country. The centers began in a blaze of glory and expansive promise of monkeys and apes acquired at enormous cost in the 1950s and early 1960s. 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The centers offered rationalizations, excuses, and denials of the growing complexities of maintaining primate colonies. There were no precedent...
Many primates at the primate centers are kept full-time or part-time in outdoor ranges such as this one. Many others remain in barren laboratory cages virtually their whole lives. Drug and alcohol research (particularly, drug addiction research), motion sickness surveys, and behavioral exercises, has been a staple of primate center research for decades and continues to proliferate. For every animal sacrificed by a Nobel Prize winner in cataresearch, several are used in questionable drug studies, orthodontic treatments, exercise programs, motion sickness studies, and behavioral research on depression or stress. While NIH and the primate centers claim their funded projects must meet high standards of scientific excellence, outside observers have, throughout the years, observed the same problems. Although NIH has never managed to generate funds for the betterment of the animals housed in the primate centers and for an animal-welfare program, the centers are still receiving funds for questionable drug studies, orthodontic treatments, and behavioral research.

The Bolt Report

As the director of one of the centers said, “We need to do a study on the ethics of the money already spent on it.” NIH has for too long hidden behind its stature as a major purveyor of tax funds to biomedical research. When a primate research is questioned or criticized, NIH merely produces platitudes about the essential nature of such research and their importance. These platitudes are far from convincing. One analysis of the need for chimpanzee research was a gross distortion and disgrace to the name of scholarly analysis. Animal-welfare advocates are expected to provide detailed reasons for their criticisms of animal research while NIH can simply use the same arguments that would correspond with arrogant bureaucrats and bland generalities.

Conclusion

NIH’s seven regional primate centers are both helped and hindered by their unique relationship with the federal government. On one hand, they are more vulnerable to criticism than are private laboratories utilizing non-human primates in drug studies, because they are the recipients of public funds. Public censure could cause the flow of money to be curtailed or interrupted. On the other hand, they are sheltered by the government’s status as a major purveyor of tax funds to biomedical research. Once the animal has been censured, the benefits of the federal government’s status as a major purveyor of tax funds to biomedical research are only slightly offset by the fact that the centers are able to operate.

Pressure from The HSUS and other animal-welfare organizations can have an impact on how these centers are run. The American Institute for the Study of Animal Problems, the American Anti-Vivisection Society, the American Society for the Prevention of Cruelty to Animals, and the Primate Center Committee have all engaged in a campaign to change the conditions under which primates are caught, housed, and cared for by the primate centers and for an animal-welfare program. The centers have been slow to develop ethical guidelines for the use of primates. The primate centers have only in the past few months developed ethical guidelines for research on primates, and those came only as a result of pressure from the general public and how their achievements and value are judged in the conditions under which primates are caught, housed, and cared for by the primate centers and for animal-welfare alternative techniques.

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not take any part in discussing or initiating discussions on the ethics of primate research. Of the Wisconsin statement he said, “Putting out a statement isn’t going to contribute to the growth of animal protection.”

Reviews of the centers have been critical of the level of research and their efforts at attracting outside scientists. In 1978, the Regional Primate Research Center program have been critical of the quality of the science and the value for the money provided by the research. The centers have been critical of the amount of time and dollars required before some meaningful changes are instituted, in addition to the amount of funds provided by the centers. The centers are also critical of the amount of time and dollars required before some meaningful changes are instituted.

Defence of the primate centers has taken the form of public relations campaigns as well as a steady stream of critical analyses of what is actually going on. NIH has for too long hidden behind its status as a major purveyor of tax funds to biomedical research. When a primate research is questioned or criticized, NIH merely produces platitudes about the essential nature of such research and their importance. These platitudes are far from convincing. One analysis of the need for chimpanzee research was a gross distortion and disgrace to the name of scholarly analysis. Animal-welfare advocates are expected to provide detailed reasons for their criticisms of animal research while NIH can simply use the same arguments that would correspond with arrogant bureaucrats and bland generalities.

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THE HSUS SUPPORTS MOBILIZATION AGAINST PRIMATE CENTERS

The HSUS is actively supporting the Primate Centers Mass Mobilization, a campaign against the nation’s primate centers, which will culminate in a mass demonstration to take place simultaneously at four of the regional primate centers on April 24, 1983. These protests at the New England Regional Primate Research Center, the California Primate Research Center, the Wisconsin Regional Primate Research Center, and the Yerkes Regional Primate Research Center will focus the general public’s attention on the wasteful, often inhumane use of primates for scientific research. The Mobilization is positive—on the primate centers (printed below) is endorsed by The HSUS:

1. Establishment as immediate policy, and not mitigating against implementation of any other items in this request, that all animals in all Primate Centers and related facilities will receive anesthetic and analgesics in pre-operative, experimental, and post-operative situations in every case where there is actual or potential pain, suffering, or deprivation involved.

2. Housing and transportation of primates used for teaching, testing, or research shall provide for their physical, social, and psychological well-being. Minimum standards shall be those delineated by AALAC (American Association for the Accreditation of Laboratory Care), with the addition of fulfillment of psychological and behavioral needs.

3. Establishment of an office (to be supported by NIH, as part of the block grant) in each Primate Center, within one year, to be staffed by Mobilization-designated individuals acting as representatives for the welfare of animals within each facility.

4. Within each Primate Center and related facility, and at NIH, all policy-making, review, and advisory committees concerned with treatment and care of animals, conduct of experiments, pain classifications, and funding requests shall have 25 percent permanent, voting Mobilization-designated membership.

5. No initiation of new projects, and a phase-out of existing projects over a period of one year, as follows:
   a. all behavioral experiments which do not have current, easily demonstrable clinical applications, with the exception of naturalistic studies of wild populations.
   b. all experiments, which are redundant or are being duplicated elsewhere.
   c. all experiments for which alternatives to live-animal use exist.

6. Abolition of stereotaxic devices (such as “monkey chairs”) and other methods of restraint which can, or cause, distress to animals.

7. Grant funds saved by item #5 (a, b, c) shall be used to train resident researchers in alternatives to live-animal use, to fund development of alternative methods utilizing such alternatives, and to provide living conditions as specified in #2.

8. Complete closure within one year of the Oregon Regional Primate Center (Beaverton, Oregon) and the Delta Regional Primate Center (Covington, Louisiana), for reasons of relative inaccessibility, high disease and mortality rates, geographical redundancy, and duplication of work. Funds previously committed to those Centers shall be used to repatriate resident primates to natural habitats or wildlife refuges, or to place them in Mobilization-approved research facilities, under the direction of Mobilization member groups working with the staffs of the Centers, and all experimentation and breeding operations at the two Centers shall cease.

9. All employees, volunteers, and others at all Primate Centers and affiliated facilities must participate in a course on ethics and animals to be conduct- ed by a Mobilization group instructor.

Staff of this office shall have access, on a regularly scheduled basis, to all areas, rooms, and facilities within each Primate Center, as well as to all records of past and current experiments on procurement, breeding, euthanasia, and treatment of animals in the facility. The purview of this office and the Mobilization is positive—on the primate centers (printed below) is endorsed by The HSUS:

THE SAGA OF THE SILVER SPRING MONKEYS

TAUB CONVICTION UPHELD

Sara, one of the original 17 macaques in the Silver Spring, Maryland, laboratory of Edward Taub

In July, after 12 days of highly scientific and technical testimony, a Montgomery County, Maryland, jury upheld the 1981 conviction of researcher Edward Taub on charges of failing to provide necessary veterinary care to one of his research monkeys. In the much publicized original trial, a judge found the principal investigator at the Institute for Behavioral Research (IBR) guilty on six counts of animal cruelty last November (see the Winter 1982 HSUS News).

Under Maryland law, Taub’s first right of appeal was a new trial by jury. To assure the psychologist a fair hearing, it was stipulated that the jury not know and not be informed of Taub’s earlier conviction prior to reaching its verdict.

The jury heard from 18 scientific experts, testifying either for the prosecution or the defense, during the marathon proceedings. After three days of reported heated deliberations, the four men and eight women found Taub guilty of failing to provide necessary veterinary care to Nero, whose right forelimb had been amputated since the animal’s seizure from IBR by police in September of 1981.

After announcing their verdict, many jurors expressed dismay at their decision, which had, in effect, overturned Taub’s previous conviction of cruelty to 5 of the 17 monkeys taken from IBR. “Our hands were pretty much tied,” one juror said outside the courthouse afterwards. “The problem was the law and applying it.”

“I wanted to find him guilty on all six counts,” said another. He added that the evidence presented by the state convinced him of Taub’s guilt but that the jury had difficulty applying the law in the case. Whether monkeys that had had limbs surgically altered so that all sensation was eliminated suffered physical pain as a result of inadequate veterinary care of the limbs was a crucial determination—and one the jury had trouble making. “I didn’t perceive it [the case] as an attack on science [as the defense had claimed],” he said. “I feel you can do research on animals in a humane way, but [Taub] wasn’t doing it.”

Several jurors complained, after the trial was over, that they were not permitted to see evidence they believed would have helped them reach a decision in the case. Anything pertaining to animals other than the 6 for which Taub was originally found guilty was declared inadmissible by Circuit Court Judge Calvin Sanders because Taub had already been acquitted of any wrongdoing involving those animals. The jury did not learn that 2 of the original 17 monkeys had died in the ten months since they had...
said he saw the verdict as a landmark since it was
been seized (1 died shortly after being briefly
arms, open wounds, - I'd call that evidence
first time a jury had convicted a researcher of
plea for Laboratory Animal Welfare at the

Two days before researcher Edward Taub

Two days before researcher Edward Taub

the first time a jury had convicted a researcher of
crime to animals. Another letter urging NIH to
the National Institutes of Health informed him by
certified letter it was permanently terminating one
of the pathology report on Nero's amputated

several weeks in a specially renovated basement
photographs of the filth and poor physical state of the 17

The June trial was similar in many respects to last
fall's, although both sides presented more witnesses to
prove their case. Among the asserted Taub's admitted failure to allow a veterinarian to
come in, examine, and treat the animals constituted
cruelty under Maryland law. The defense argued no
an obligation to do it in the
testimony present there, if there was any [veterinary

Dr. John Hoyt, who, on July 6 in a letter to

Galvin said he did hope that the Taub case would serve as
a humane, nonviolent way of
did not meet the [NIH] requirements ...

recently worked on strategies to prevent Taub from


said he was aware of the verdict as a landmark since it was
been seized (1 died shortly after being briefly

conservancy present there, if present at all, it was an abnormal failure." When chal-
leveled by defense attorney James Miller as to whether or not the

Dr. Richard Simmonds, a veterinarian and Direct-

said he did hope that the Taub case would serve as
a humane, nonviolent way of


would teach you a


The verdict against Dr. Taub rendered by the jury is indicative that the citizens of this country
will not tolerate the abuse and suffering of animals used in medical research. The HSUS has


ANIMAL EXPERIMENTATION
HOW NECESSARY — AND HOW MORAL?

BY DR. M.W. FOX

Laboratory animals are used for a variety of purposes, their exploitation, suffering, and death being justified as contributing to the greater good of society. However, as will be shown, the apparently altruistic public concern of the biomedical research industry is losing its credibility for many reasons. The value of animal "models" of human diseases, and the arguments given by scientists to justify their widespread exploitation to society a reliable safety level for any compound. Why bother, then, with the costly charade of animal testing? One reason is that the results of animal experiments are often used to provide a company with some form of quasi-legal "evidence" should it ever be sued by a product's dissatis­fied consumer. In other cases, animal safety tests amount to little more than a public relations gimmick to dispel public concern about the products it advertises. In the worst case, give it a false sense of security. Profit is the most powerful motive for these tests' continued use — profit from the production of new consumables (detergents, cosmetics, insecticides, etc.) pumped into the marketplace to displace the adequate supply of such items, most of which have already been "safety tested" and determined, not in the animal research laboratory, but by those political and socioeconomic forces which either impair or enhance the opportunity for people to assume, through enlightened self-interest, the full responsibility for their own health and welfare.

The Value of "Safety" Tests

Laboratory animals are being used increasingly to test chemicals for their carcinogenic, teratogenic, and other pathological potentials. Such tests, like the "safety" tests for drugs, cosmetics, and other consumables, are embedded in a morass of politics, corporate interests, and costly and ineffective bureaucratic regulations to such a degree that chemicals known to cause cancer, birth defects, and other diseases are still being manufac­tured, widely used, and variously absorbed into our own bodies. Animal "safety" tests continue, causing further needless animal suffering, while debate goes on as to how much or how little of a substance is "safe." In the process, the principle of chemical synergy (that the combina­tion of two or more chemicals, even at "safe" levels, can have an additive effect, increasing their harmful­ness to our bodies) is overlooked. It is impossible for the 60,000 chemicals now in common use to be tested indi­vidually for various combination effects to society a reliable safety level for any compound. Why bother, then, with the costly charade of animal testing? One reason is that the results of animal experiments are often used to provide a company with some form of quasi-legal "evidence" should it ever be sued by a product's dissatis­fied consumer. In other cases, animal safety tests amount to little more than a public relations gimmick to dispel public concern about the products it advertises. In the worst case, give it a false sense of security. Profit is the most powerful motive for these tests' continued use — profit from the production of new consumables (detergents, cosmetics, insecticides, etc.) pumped into the marketplace to displace the adequate supply of such items, most of which have already been "safety tested" and determined, not in the animal research laboratory, but by those political and socioeconomic forces which either impair or enhance the opportunity for people to assume, through enlightened self-interest, the full responsibility for their own health and welfare.

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Relevance of Animal "Models"

Animals are frequently used as "models" for various human ailments. However, since the causes of human dis­eases are primarily mental, social, and environmental, the use of animals as appropriate models must be seriously questioned. Animal "models" mimicking human diseases are in life generally created in an artificial labora­tory environment, with the animal totally isolated from those social and environmental variables which are part of disease processes and stressed conditionally as a conse­quence of social deprivation and environmental disrup­tion. A steel cage two feet by three feet in a darkened, air-conditioned room is hardly a biologically appropriate environment for an owl monkey being used as a human model for malaria, since crucial social and environmen­tal variables are absent! Animal models are utilized pri­marily to find "cures" through drugs and vaccines and to study disease processes within the body. The former bring profits to manufacturers and alleviate some human suffering, but are without any preventive value. With clean air, water, food, and an adequate diet, sickness and suffering will continue and new diseases will appear. The study of disease processes is only part of the disease picture and is of limited value since the crucial knowledge of social and environmental influences is lacking.

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Justifying Animal Use in Research

There is one very powerful argument that scientists use to defend and justify their right to use animals for research purposes. This is the desire to acquire knowledge for the sake of knowledge. They argue all knowledge is of potential use to humanity and its pursuit should not be questioned and obstructed: such obstruction would be against the best interests of society and also a violation of scientific freedom. This attitude has led to a state in which all knowl­edge of potential benefit to humanity is of higher priori­ty to satisfy outmoded government regulations, and to displace the adequate supply of such animal suffering is involved, justify the ends, if there is "benefit" to society. Yet, all knowledge is not of equal value, and it is un­scholarly to make such a generalization. Only certain es­sential knowledge, rather than trivial information, should be justified as a useful process animal species. Thus, it is the pursuit of knowledge (scientific freedom), rather than the value of knowledge per se which scientists seek to defend and justify. In the pursuit, there may lead to knowledge that will benefit society. Yet, it is as likely not to, since much research is repetitive and nonproduc­tive. No research project can be guaranteed to give useful results.

Since it is the pursuit of knowledge and the promise of possible "benefit" to society rather than knowledge per se that is so rigorously defended, it is the means where­by such knowledge is obtained that must be questioned. If there are alternatives to causing animal suffering in the pursuit of knowledge, then adopting such alter­natives is a moral imperative and a scientist's responsi­bility. If no alternatives are available, then the possible benefits of such knowledge to society must be weighed against the costs to animals in terms of physical and psy­chological suffering. This is a side of scientific accounta­bility often overlooked.

Human beings can and do suffer far more than animals from drug addiction, depression, and schizophrenia. They may also suffer chronic physical and mental pain and anguish to a far greater extent and intensity than do most animals. Thus, in some circumstances, humane individuals may accept the need to use living things for
biomedical research. Ideally, these should be the most primitive, in terms of sentience and sapience, possible.

amount of pain and suffering that a human might feel

chologist Martin Seligman does in

and suffering to the animal would be greater than the

man pain and deprivation?

If the answer is yes, the ex­

vironment upon animals is that the knowledge gained may be of survival benefit. These scientists ask, "Should the good and well-being of humans be placed over that of animals?" The very formulation of such a question is based upon the assumption that the good and well-being of animals and humans are mutally exclusive and somehow separate. It is this kind of "speciestism" thinking that underlies much human suffering as well as unnecessary animal exploitation and suffering. Perhaps if scientists such as Marcuse and Pear were to examine those human values, motives, and priorities that lead them to make such ill-conceived statements to justify and defend their use of sentient animals "for the benefit of humanity," we might benefit far more significantly than we would from much of the animal experimentation now undertaken.

Marcuse and Pear urge that scientists should be encouraged to question the humaneness of procedures with the same intensity that they question their scientific soundness. But who is to encourage them to do so and to be more open with the general public and with animal welfareists? These authors state that "In the long run, it is the culture as a whole that will resolve the ethical issues involving research with animals," yet, it is the scientific community and its allied industries that have a monopolistic influence over public policy. Certainly, professional scientific groups seem incapable of resolving these issues and will not succeed unless they open the doors so that the culture as a whole can join in the discussion. The doors have been closed for too long, by such organizations as the National Society for Medical Research, in order to protect vested interests rather than "scientific freedom." But keeping the doors closed now is to be out of step with the times. Now is the time for dialogue, otherwise the biomedical and research community as a whole may suffer the consequences of a growing public disillusionment with science and medicine.

Finally—and appropriate ethically—to put the human in the animal’s place and decide that if the objectively quantified degree of pain, suffering, and deprivation is greater in man under those circumstances, the animal experiment is justified.

However, if scientists cannot ascertain how much the animal is in pain, then ethically they should not experiment upon it. And, if scientists do not know the answer to this basic question, then the value and relevance of the work, aimed at ultimately alleviating pain and suffering in humans, is most probably scientifically invalid and of little relevance clinically. Pain, suffering, and deprivation are intervening variables which affect the animal’s behavior, post-operative recovery, drug responsiveness, immune system, and disease and stress resistance. These variables must be controlled, for their intensity and effect on the animal must be known, otherwise the scientific validity and clinically relevant data derived from animal experimentation will be minimal.

Psychologists F.L. Marcuse and J.J. Pear contend the primary purpose and justification of scientists experimenting upon animals is that the knowledge gained may be of survival benefit. These scientists ask, "Should the good and well-being of humans be placed over that of animals?" The very formulation of such a question is based upon the assumption that the good and well-being of animals and humans are mutally exclusive and somehow separate. It is this kind of "speciestism" thinking that underlies much human suffering as well as unnecessary animal exploitation and suffering. Perhaps if scientists such as Marcuse and Pear were to examine those human values, motives, and priorities that lead them to make such ill-conceived statements to justify and defend their use of sentient animals "for the benefit of humanity," we might benefit far more significantly than we would from much of the animal experimentation now undertaken.

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Dr. M.W. Fox is scientific director of The HSUS and director of The HSUS's Institute for the Study of Animal Problems.

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Take a look around you at the animals sharing our planet. Newborn calves thrust into solitary confinement grow up without room even to turn around. Millions of kittens and puppies are condemned to death annually because their owners didn’t care enough. Seal pups are brutally clubbed in the first step toward becoming fashionable fur coats.

With your help, The Humane Society of the United States can give our animals the protection they deserve.

Already, we’re speaking out against senseless killing and cruelty toward animals, helping to eliminate inhumane commercial farming practices; scientific conditions for laboratory animals; end the brutality of clubbing seals, trapping with steel-jaw leghold traps, and harpooning whales.
In July, despite the best efforts of The HSUS and a host of animal-welfare and environmental organizations, a totally unnecessary and wasteful massacre of Everglades deer took place in Florida. State wildlife officials allowed hunters to participate in a "mercy killing" of animals supposedly in danger of starvation due to the unusually high water levels in the Everglades, without regard for a national outcry from the general public.* Animal-welfare advocates were overwhelmed— and ultimately defeated—in their attempt to save the deer because Florida state laws were simply too weak to prevent the destruction. Why did this happen? What are we doing to prevent it from happening again?

First, let's look at this summer's events in the Everglades. Late last June, the Florida Game and Fresh Water Commission announced plans to hold an emergency deer hunt in an almost 400-square-mile area of the Everglades. The hunt was to include approximately 800 airboats, 1600 people, and packs of dogs to chase the deer. Plans called for sparing bucks with antlers of more than four points, does nursing fawns. Obviously, there were few, if any, viable options other than to kill the deer. The game commission reported that the deer were reported to be infected with parasites. These generally turned out to be the typical assortment of ticks, mosquitoes, fleas, flies, and internal organisms deer in the Everglades have been living with for a millennium. The game commission's response to this non-crisis situation was effectively to ignore any non-lethal alternatives (such as necessary supplemental feeding) and to unleash an army of airboats, hunters, and dogs upon the deer. The toll: 731 dead deer, and unknown numbers wounded or pursued to exhaustion.

This must never happen again. The legal system of Florida failed to stop public officials from putting millions of gallons of water into deer habitat; it failed to protect the deer from unnecessary and inhumane destruction; and it failed to protect the interest of the great majority of the people in Florida and across the nation who are committed to the health and humane treatment of wildlife populations.

Now, each of us must take his responsibility. It exemplifies one of the worst cases of artificial manipulation of native wildlife populations that "managers." A few deer apparently had died or were dying, but the whole population was not threatened. Water levels were not overwhelmingly high, as had been reported, and the deer were slaughtered.

In retrospect, the affair seems a nightmarish perversion of nature. It exemplifies one of the worst cases of artificial manipulation of native wildlife populations that "managers." A few deer apparently had died or were dying, but the whole population was not threatened. Water levels were not overwhelmingly high, as had been reported, and the deer were slaughtered.

The public was incensed. A Miami lawyer brought suit to halt the slaughter. Both state and federal courts, after their mothers' deaths almost certainly died from starvation and malnutrition. The hunt's characterization as a "mercy kill" was ludicrously inaccurate. If ever a situation exemplified a "cure worse than the disease," this one did.

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It is time to put accuracy into wildlife management's use of the English language and logic into the management of this nation's wildlife. (Copies of The HSUS model legislation and detailed information about The HSUS Annual Conference in Danvers, Massachusetts, or from Ms. Wendy Smith, at The HSUS in Washington, D.C.)

John W. Grandy is Vice President for Wildlife and Environment of The HSUS.
Opposing FTC Threats

Two bills before Congress would prohibits the Federal Trade Commis- sion (FTC) from investigating or issuing any rule or regulation relating to any profession or occupation, including veterinarians. The HSUS opposes both S. 2499 and H.R. 3722. We believe that the FTC has been of great benefit to pet owners by investigating the American Veterinary Medical Association and state veterinary practice boards to ensure restrictions on advertisements of veterinary services. Such restrictions prevented consumers from discovering price differences and decreased competition among veterinarians. Costs for veterinary services were kept at an artificially high level as a result.

When veterinarians were permitted to advertise and modify fixed, professionally imposed fee schedules, prices, especially for routine surgical procedures and spay/neutering services, were significantly lowered.

The HSUS strongly supports the improvement of animal health care at lower cost figures obtained from the Office of Management and Budget and the National Institutes of Health. These agencies had projected 500 million dollars (a figure we dispute) as the price tag for unfunded research institutions to comply with the accreditation standards that would be required by the legislation, if passed.

During the lengthy meeting, Hamby asked that the administration reconsider its position and explained why The HSUS believes passage of H.R. 6928 is so important. Rowan emphasized the development of alternatives to the use of animals and challenged the effectiveness and efficiency of animal testing. Hamby was willing to grant the administration's official seal of approval to the bill. Steeves expressed willingness to allow administration participation in the encouragement of alternatives research. The HSUS intends to arrange more meetings at the White House level in seeking help for laboratory animals.

No Progress on S. 1043

The fate of S. 1043, which would establish a federal program to eliminate drug abuse in horse racing, remains in the hands of the Senate Subcommittee on Criminal Justice. Despite HSUS hopes after hearings held in May (see Summer 1982 HSUS News), Subcommittee Chairman Mathias' interest waned after being informed of its chances for passage a major boost in the bargaining. During committee meetings H.R. 6928 picked up ten new cosponsors. Now the bill must wait its turn for committee review, H.R. 6928 is put through its paces to strengthen the bill and get it enacted in five years. Quick bipartisan action to pass H.R. 6928 and bring about the enactment of H.R. 6928 in five years.

Among its provisions, H.R. 6928:

- recognizes alternatives to the use of animals in laboratories should be adequately funded alternatives research and would include one member from outside the scientific community who would be charged with representing the welfare of animals.

- during the August review, four weakening amendments were added to the original wording of H.R. 6928. In a move that surprised his colleagues, Rep. Barry Goldwater, Jr., introduced a "sunset" amendment requiring the review and reauthorization of H.R. 6928 every ten years. Quick bipartisan action changed the Goldwater amendment to require that the committee on Criminal Justice. Despite The HSUS's objection to this amendment, the bill is in danger of "stop date." H.R. 6928 would not cover wild animals. The HSUS would not cover wild animals. HSUS has argued that the provision does not apply to specific studies, research programs, or facilities if specific and certified standards are set and if the safety of manned space flight were present. Either house of Congress would hold the power of legislative veto over any regulations brought about by the enactment of H.R. 6928. The only way Congress should have the veto power over regulations issued by an agency, in this case, the Department of Health and Human Services, is being considered by the Senate Committee. A ruling against one house legislative veto would strike this amendment.

The HSUS has called all exempted provisions to H.R. 6928 based on our conviction that research animals must be treated humanely and that no person, organization, or group should set itself above such standards. Unfortunately, during the course of acquiring the votes necessary to pass the bill, the committee accepted these exemptions. As H.R. 6928 is put through its paces in the House Commerce Committee, there will be many more attempts to weaken it from our opposition, colleges, universities, and the medical community.

The HSUS is gathering its forces to strengthen the bill and get it enacted in five years. There is no Senate version of this bill to date. HSUS members can help by writing their senators and asking them to introduce a bill like H.R. 6928.

HSUS members should also immediately contact their representatives in the House and ask them to cosponsor and vote for H.R. 6928 and fight any further weakening amendments.

A Note on Addresses

In response to requests from a number of readers, we shall, beginning with this issue, publish the addresses at which any congressman may be reached in every Federal Report. Any member of Congress may be reached c/o The U.S. Senate, Washington, D.C. 20510. Any representative may be reached c/o The House of Representatives, Washington, D.C. 20515.
Wild Horse Maneuvers

On August 7, Field Investig­
ator for Marc Paulhus of the HSUS concerns about wild horses and burros on the road to the Boise, Idaho, location of a series of field hearings on Senate legislation that would virtually destroy the Wild Free-Roaming Horse and Burro Act (see Spring 1982 HSUS News). S. 2183, introduced by Sen. James A. McClure of Idaho, is a series of amendments, strongly supported by the Department of the Interior, that would allow round-up and dis­

sale of wild horses and burros to commercial slaughterhouses.

If passed, S. 2183 would give sale authority to the Bureau of Land Management (BLM), the De­
partment of Interior agency re­
ponsible for administering the act.

At the Boise hearing, chaired by McClure himself, Paulhus tes­
tified Interior support of the amendments was "indicative of their 'shoot first and ask questions later' attitude.

The BLM claims the amend­
m ents are necessary to limit the wild horse population, thus protect­
ing the so-called deteriorating Western rangeland from the graz­
ing horses.

The HSUS is outraged that the administration would support the destruction of the wild horse and burro act by what is tantamount to putting the government in the pet food business—especially when alternatives exist.

For example, BLM’s Adopt-A­

Horse program has been success­
ful in placing 35,000 animals al­
ready, although it was recently jeopardized by a program that rais­ing the adoption fee to the unrea­sonable level of $200 per horse and $75 per burro.

The HSUS continues to confront BLM with legislation to round­up and slaughter of our nation’s wild horses. On June 17, The HSUS joined the animal and environmental groups in a Washington meeting to fight S. 2183. In near­

cessary unanimous support, the group adopted a strong position of re­
sistance and opposition to the leg­

gislation.

The HSUS has three-point statement:

1. recognition that a sound management program must be de­

veloped and employed by BLM that is simple, humane, and least in­

trusive, that is, requires the smallest­
est degree of range manipulation.

2. completion of research pro­

jects identified by the National Aca­

demy of Sciences (NAS) Commit­
tee, as required by the Public Range­

land Improvement Act (since 6 of the 18 necessary projects were

funded, The HSUS wants the ad­

ministration to fund the rest for the complete project).

3. agreement to oppose the sale of any wild horses or burros for com­

mercial use or slaughter, as well as any change in the wild horse and burro act, until research is com­

pleted.

The HSUS was proud to host this group of animal-pro­

tectors who worked on this spirited coalition dedicated to the preservation and protection of wild horses and burros.

Battle Over Back Bay

For years, Back Bay National Wildlife Refuge has been the plains­
er beaches, dunes, and wetlands in Virginia, has been the center of controversy over hunting and non­

recreational land, conservationists, and state and federal government of­

ices over the amount of vehicular traffic and type of access to be allowed in the refuge. The refuge could have on the fragile ecosystem’s biological integrity. The HSUS, as latest member of the national wild­life refuge system, has become an active participant in the struggle to protect Back Bay refuge. We share biologist’s con­

cerns about the potential for ex­teme management practices, includ­ing migratory birds, and the threaten­
ed species, the loggerhead turtle.

Rapid development of peripheral land areas, beginning in the late sixties, led to so much increased veh­
cular traffic through and around the Back Bay refuge that such ac­cess was sharply restricted. Recent­

ly, however, part-time resident landowners of the Outer Banks of North Carolina, just south of the refuge, have petitioned the U.S. Fish and Wildlife Service to be al­

lowed to drive their trucks on Back Bay as an access corridor to their Banks property. Conservationists, national and state, have reacted strongly.

State wildlife officials and the Fish and Wildlife Service, caught between two warring alignments of con­
servationists, have found them­selves in the middle of the Back Bay dispute. A task force, consist­ing of state congressmen, business­
men, government officials, conserva­tionists, wildlife biologists, and wild­

tional environmental and animal-pro­
tection organizations, has been formed to solve the problem.

The HSUS’s Vice President for Wild­

e and Environment, Dr. John W. Grandy, who has fought for the refuge’s integrity for years, is part of that task force. A land swap plan—in which state would exchange most of the back­

lands, beaches, dunes, and wet­

lands in False Cape State Park (adjacent to Back Bay) for 4,600 acres of Back Bay beachfront land—has been pro­

posed for consideration by the task force. The plan would stress the need for safeguards against rapid development and sub­
sequent greater pressures for in­

creased access to Back Bay; specif­

ic management guidelines invol­

ing natural placement of access corridors; and transportation and reservoirs to give limited access to recreational and oth­
er vehicles with minimal disrup­tion to the dunes system.

Upcoming years will see other wildlife refuges turned into battle­
grounds between conservationists and animal-welfare proponents.

The HSUS, as a result of its ref­

uge survey, will be needed to get into the struggle with substantial data on the impact of all human in­

terference on refuge wildlife and en­

vironment.

Predator Control Offensive

The administration’s inhumane and ultimately counterproductive programs of predator control—and its efforts to legalize the poison con­t­

t 1080—continue. As we de­

scribed in our summer 1982 Close­

up Report, The HSUS is intimate­

ly involved in all phases of the ef­

fort to stop use of 1080.

On July 15 and 16, 1982, The HSUS’s Vice President for Wild­

e and Environment, Dr. John W. Grandy, gave expert testimony on behalf of a coalition of animal and animal-welfare organiza­

tions, before the Environmental Pro­

tection Agency’s (EPA) admin­

drugs. The judge, June L. Green ruled denning could con­t­
mue this spring. By the time we were able to appeal the decision, the whelping season had passed and the issue, for this year, was moot. Consequently, we are focusing all of our energies on the more immediate threat of “experimen­
tal” or other use of the poison coyote poison 1080. The HSUS is committed to stopping the use of 1080 under the guise of an exper­i­

mental-use program, or any other.

If the Interior Department decid­

e to allow denning again in 1983, we will once again, without hesi­

tation, fight the decision. The Re­

ter action administration should make it its final decision on the future use of 1080 in late November or early December of this year.

Banished

The HSUS this summer worked as part of a group of national animal-welfare groups in a massive lobbying effort to obtain Congression­
al action to be taken by the Eu­

ropean Commission. Regulations to impose and implement the ban are expected to be decided upon this fall.

In addition to sending its own

letter of support to the president of the European Commission, the HSUS worked to gather signa­

ators and 115 representatives had lent their names in support. We are hopeful that the Congression­
al action will influence the Eu­

ropean Commission’s stand.

Trap Hearings Cancelled

Trappers and representatives of the fur industry have claimed re­

sponsibility for cancellation of trapp­

ing hearings previously schedul­
e
d for late July in the Senate Sub­


Legislation to ban steel-jaw traps, S. 2329, was introduced by Sen. Douglas J. Young of Alaska, location of a series of field hearings on Senate legislation that would virtually destroy the Wild Free-Roaming Horse and Burro Act (see Spring 1982 HSUS News).

On March 11, the European Commis­

sion announced its position on 1080-continue.

A U.S. Fish and Wildlife Service denning operation before the practice was prohibited: coyote pups were yanked out of their dens with treble hooks, then clubbed to death with a shovel. Denning resumed this year.
NAAHE Expands Services to Educators

The National Association for the Advancement of Humane Education (NAAHE), educational division of The Humane Society of the United States, expanded its regular programming to include humane education research. Vanessa Malcarne, a recent graduate in psychology from Stanford University and a former NAAHE intern, joined the staff this past January to coordinate efforts in this area. Vanessa assists humane educators and school administrators in evaluating their humane education programs. By identifying strengths and weaknesses and pinpointing areas for improvement, NAAHE hopes to assist school groups in bettering the quality and effectiveness of their humane education activities. Vanessa also works with several organizations attempting to establish evaluation systems for their educational programs.

Maryland, spent part of the summer doing research as a student intern at the Institute on health and animal-welfare aspects of intensive, "factory farming" practices.

Institute Associate Director Dr. Andrew Rowan spoke in Canada last October to the Canadian Federation of Humane Societies meeting, Toronto, Ontario, and Maryland. The emphasis on the importance of alternatives to the use of animals in laboratory research. Through these kinds of thoughtgful, well-documented presentations, the Institute hopes to persuade professional groups of the urgency of its animal-welfare concerns. Mr. Steve Harris, an animal science student at the University of Maryland, spent part of the summer doing research as a student intern at the Institute on health and animal-welfare aspects of intensive, "factory farming" practices.

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With the questions of the ethics and relevance of psychological studies on animals, a similar meeting was held in Washington, D.C., at the National Psychological Association (APA) annual conference and the Ethical Treatment of Animals. Attendees of the National Dairy Science Association's annual conference, held at Pennsylvania State University in June, heard a paper by Dr. Fox on animal welfare and the dairy industry. Through these kinds of thoughtgful, well-documented presentations, the Institute hopes to persuade professional groups of the urgency of its animal-welfare concerns. Mr. Steve Harris, an animal science student at the University of Maryland, spent part of the summer doing research as a student intern at the Institute on health and animal-welfare aspects of intensive, "factory farming" practices.

Gulf States

Texas Races Nixed

The HSUS has had chronic problems with animal abuse during fund-raising events (see Summer 1982 HSUS News). In Laredo, Texas, the Gulf States Regional Office, in conjunction with the Animal Protective Society of Greater Laredo, lobbied a protest with the sponsor of armadillo races as part of a Frontier Days celebration. John Dommer, HSUS vice president, testified before both the House and Senate committees on the need for financial support for and commitment to alternatives during appropriate hearings for the National Institutes of Health. In July, he appeared on the national ABC News program, "Nightline," to discuss the problems associated with the use of animals in research.

New England

Conference on Exotics

At the request of New England Regional Director John Dommers, officials from Connecticut's Department of Environmental Protection Wildlife Unit, the Connecticut Agricultural Experiment Station, the University of Massachusetts, and the Massachusetts Agricultural College delivered a workshop on exotic animal welfare at the 5th annual conference of the Animal Welfare Association, which was held in early May at the Massachusetts Agricultural College. The conference was attended by over 150 people. The workshop focused on the welfare of exotic animals in zoos and other facilities.

No to Rodeo for Dough

In an appeal to the Vermont Memorial Committee in Norwalk, Connecticut, to abandon the use of dogs in rodeos for funding purposes, New England Regional Director John Dommers described the cruelty and danger to animals involved in rodeo events and called for the establishment of a cruelty-free alternative. The committee agreed to consider the proposal.

NAAHE Expands Services to Educators

The National Association for the Advancement of Humane Education (NAAHE), educational division of The Humane Society of the United States, expanded its regular programming to include humane education research. Vanessa Malcarne, a recent graduate in psychology from Stanford University and a former NAAHE intern, joined the staff this past January to coordinate efforts in this area. Vanessa assists humane educators and school administrators in evaluating their humane education programs. By identifying strengths and weaknesses and pinpointing areas for improvement, NAAHE hopes to assist school groups in bettering the quality and effectiveness of their humane education activities. Vanessa also works with several organizations attempting to establish evaluation systems for their educational programs.

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AROUND THE REGIONS

West Coast

Community Studies Completed

Veal and veal rearing investigato Eric Sakach has completed a study of the veal-sheltering facility for the city of San Bernardino (California). Mayor W.R. Holcomb had made the official request for evaluation, along with the city council and other official bodies. Once his study was completed, Sakach forwarded his report, with recommendations for improvements, to city officials. In thanking Sakach for his work, Holcomb reported that the city had already been resolved and HSUS-recommended modifications had been begun and major structural modifications are being prepared for inclusion in the city's annual budget process.

Sakach has prepared a similar report on the Alameda County (California) animal-control program in response to a request from the county's grand jury and animal-control supervisor. That report has been forwarded to county officials.

Trap Ban Bill Fails

As often happens during the long process necessary for passage of any bill in any state legislature, the bill to ban the steel-jaw trap (CA AB 2600, HSUS News) was amended during the review process until the thrust of the legislation was lost.

AB 2600 would have banned the private or commercial use of the steel-jaw trap in California. The HSUS' model bill as its standard, would have allowed for the trap's use in predator and disease control. We have for a long time realized that a bill calling for a trap ban would stand no chance of passing even a first-committee review. Too many states, with support for this version of AB 2600, the West Coast Regional Office formed a coal-
West Coast (continued)

creation of 63 organizations, including 4 national animal-welfare organizations, every major humane organization in California, the California Animal-Control Officers' Association, and numerous animal-control agencies. The HSUS coalition gathered over 70,000 petition signatures and held three large press conferences. The Marin Humane Society and West Coast Regional Office initiated a Children and Youth Against the Steel-Jaw Trap Campaign. Humanitarians won editorials against the traps in major California daily newspapers and gave numerous radio and television interviews.

All 2060 passed the first committee, a first in itself for legislation opposed by the Catlemen's Association, National Rifle Association, California Federation of Wildlife, Woodgrowers Association, the AFL-CIO, the fur industry, trappers' groups, California Department of Water Resources, Department of Fish and Game, California Farm Bureau, and local farm bureaus. However, in order to push the bill through the second committee, sponsor Assemblyman San Farr agreed to a number of amendments which were unacceptable to the HSUS coalition. We asked him to withdraw the bill as a result, and he did so.

We are now more than ever committed to banning this cruel device. We have learned from past experience it takes many attempts before difficult animal-welfare issues are addressed successfully in the California legislature.

Flash

As we went to press, we learned that SB 1438 (see Spring 1982 HSUS News) had been defeated in the California state assembly. This bill, which would have prohibited animal shelters from releasing dogs and cats to laboratories, was opposed by powerful forces in the California medical community. “Although we are disappointed by the bill’s failure, we can take heart in knowing this is the first time such a bill made its way through both houses before going down to defeat on the assembly floor,” said West Coast Regional Director Char Drennon hours after the vote.

Great Lakes

Chicago Battle

The Great Lakes Regional Office is working to pass repeal of “pound seizure” law in the City of Chicago (see article on page 17). Mayor Jane Byrne announced her support of the repeal on August 8, 1982. She made a request to introduce an amended version of the Chicago animal-control ordinance, which would include the provision repeal the mandate to release shelter pets to research facilities, in September.

Dogfighters Sentenced

Many of the 47 people arrested in a series of dogfighting investigations in the Great Lakes area last fall (see Spring 1982 HSUS News) for information leading to the arrest and conviction of anyone directly involved in dogfighting in the Great Lakes area.

IN-FIGHTING

The Great Lakes Regional Office is lending a helping hand to the United Indiana Campaign Against Dogfighting, a coalition of humanitarians, dog groomers, and veterinarians who are working to make dogfighting a felony in the Hoosier State.

The coalition hopes to gather several hundred thousand signatures on petitions asking state legislators to upgrade this crime to the more serious classification. The petition is a mistake in the state legislature to secure passage of this legislation.

Great Swamp Protest

For more than a decade, hunters have killed hundreds of deer at the Great Swamp National Wildlife Refuge in Morris County, New Jersey. The agency’s personnel has reported that the projected deer kill has increased tenfold during that time, from a one-day hunt for 25 deer to a ten-day hunt for 250 deer. The HSUS plans to participate in a December protest against this misuse of a refuge designed to protect animals and urges all interested members to contact the Mid-Atlantic Regional Office for details.

Death Tank Ban

Gov. Thomas Kean has signed into a law to outlaw the decompression chamber in New Jersey. Sen. Louis Bassano was a major supporter of the legislation which had the backing of animal-welfare organizations as well as of the New Jersey Veterinary Medical Association (NJVMA). The NJVMA’s Dr. Calvin Moon told the state senate committee: “The law gives shelters and pounds the right to buy and use sodium pentobarbital, which is known to be the most humane method available; they should be using it.” Mid-Atlantic Regional Director Nina Augusten testified in support of this bill.

New Area Office Opened

The HSUS has expanded the work of our Tuscaloosa, Alabama, office to include regional activity throughout the states of Alabama, Tennessee, Kentucky, and Mississippi. The HSUS South-Central Area Office will work with state and local humane societies and animal-control agencies and organize programs for public education: for passage of additional and improved anti-cruelty laws; and for enforcement of existing laws by conducting cruelty investigations. Bill Smith, Director of the HSUS’s Animal Control Aca- demy, is the South-Central Area Representative. Both offices are located at 2600 8th Street, Suite 202, Tuscaloosa, AL 35401.
Vet Clinic Rulings Reported

The Internal Revenue Service (IRS) has notified an animal-welfare organization whose income from a full-service veterinary clinic was declared by the IRS to be taxable business income unrelated to the society's exempt purpose (see Summer 1982 HSUS News) that its tax exemption has been revoked retroactive to January 1, 1979. That revocation was based upon a second National Office Technical Advice Memorandum.

In the memorandum, the IRS, after comparing the receipts, expenditures, personnel hours, and assets allocated to the clinic with those allocated to more traditional humane organizations, found that “the conduct of a business with an apparently commercially characterized [the clinic] here where the organization's primary activity, although the organization also conducted numerous charitable activities, was operated for the primary purpose of carrying on a trade or business.” This ruling applies only to that particular society and was predicated upon a specific set of facts and circumstances, but other organizations that already operate (or plan to open) full-service clinics may want their attorneys to study the available Technical Advice Memoranda. Copies of both memora nda may be obtained from The HSUS General Counsel's office as well as from the IRS.

The recent Virginia state court case which halted the operation of a full-service clinic by a humane society because the organization's state charter did not include such activity in the description of its corporate purpose has precipitated a general anti-cruelty statute which applies to “every living creature ex­isting for profit or personal gain.” A veterinarian operating a full-service clinic in a locale where there are no other veterinary services available would not incur unrelated business income. The ruling stated “the provision of a clinic for the care of animals to an area which is without such facilities is substantially related to the charitable purposes of your organization... enable your organization to provide medical treatment for sick and injured animals which at present have to do without needed treatment for lack of facilities in that area.”

While neither technical advice mem­oranda nor private letter rulings are binding precedents, they are important legal sources for studying the IRS's thinking on this crucial issue.

Vagueness Challenge Rejected

Defendants frequently challenge state animal cruelty statutes on the grounds such statutes are constitutionally vague. In a refreshing example of judicial clarity, a Maryland state appellate court recently brushed aside as frivolous the constitutional challenge to that state's anti-cruelty statute.

A defendant who had been convicted of a particularly bizarre and outrageous act of cruelty was prosecuted under a general anti-cruelty statute which applied to “every living creature exist­ing for profit or personal gain.” He alleg­ed this language could be construed as proscribing the swatting of flies, the steaming of live crabs, or the shucking of live oysters. The Maryland state court, relying upon an earlier decision of the Supreme Court, ruled no person may successfully challenge a criminal statute for possible vagueness when applied to other hypothetical situations when his or her conduct fell clearly within the statute. The Maryland court's decision (reported on in the same issue) did not in any way state or im­ply that, had the corporate charter language permitted the operation of a full-service clinic, the wording in and of itself would have protected the organization from revocation of the IRS. The question of language and the definition of “unrelated business income” in that case was essen­tially unrelated in the IRS's evaluation of the clinic operation.

We're glad we can count you as part of The HSUS, but we find many people aren't aware of the variety of periodicals we publish to serve the many different and important interests of those in animal welfare. All of these publications are prepared by The HSUS's nationally experienced professional staff. Shouldn't you order one for yourself—or a friend?

The HSUS News
Quarterly membership magazine of The Humane Society of the U.S., with up-to-date reports on HSUS activities in national, international, and regional animal-welfare issues. $10 minimum membership contribution.

Shelter Sense
A lively, unique, informative newsletter for animal-sheltering and -control personnel that offers the Department of the Interior, The HSUS make it clear that unless the 1982-83 hunting season for black ducks was cancelled, the federal government would find itself in court attempting to defend what we located was essentially unlawful and ... wholly irrational, arbitrary, and capricious...action.

The documents we filed allege that failure to take action now to cancel this autumn's hunting season would permit the black duck population to fall to such a low level that it might never recover and could become extinct in the wild.

According to the winter inventory, black duck populations have declined by some 80 percent since the mid-1960's. News suggest that the black duck population significantly in Maine and Massachusetts, areas which have been at or near the heart of the black duck range.

It is our legal position that these migratory birds are protected by law and that any hunting or killing is forbidden unless the Secretary of the Interior takes affirmative steps to permit such hunting. Accordingly, we argued that, in the present controversy, demonstrating that hunting would not be harmful to the black ducks' survival and would be consistent with their conservation should be required of those in favor of a regular season this fall. We urged that, under these laws, it would not be the obligation of The HSUS to the con­servatists to prove the harm and detriment that the hunting would bring about.

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