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### (No. 26) – Puppy Mills, Pet Shops and Breeders Add to Pet Surplus

Humane Information Services, Inc.

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The commercial pet trade, consisting of breeders, puppy mills and pet shops, is an important source of surplus puppies and kittens.

Many humanitarians seem to think that eliminating the surplus of dogs and cats is merely a matter of educating the owners of ordinary household pets to not allow their female animals to breed, either on purpose to provide amusement and biological "education" for the children, or by "accident". Certainly such efforts are an essential part of a complete program for control of the surplus.

But even if these ordinary pet owners would pay attention and act voluntarily, which most will not do for reasons noted in a previous *Report*, the production of surplus pet animals would continue. This is because of the expanding production of puppies and kittens by the commercial pet trade, including "backyard" breeders, who hope to combine the pleasures of pet ownership with profits from the sale of puppies and kittens.

Letters received by Humane Information Services and word-of-mouth reports indicate that a rapidly-increasing proportion of total receipts of dogs and cats at shelters and pounds are "purebreds". These are the pitiful end products of the system described later in this *Report*.

Nobody knows the exact total annual output of puppies and kittens which can be traced to the commercial pet trade. But it runs into the hundreds of thousands, and probably into the millions. Certainly the number is sufficient to keep the surplus an ongoing feature of the pet population explosion even if many more ordinary pet owners with no interest in breeding could be induced to spay and neuter.

Were it not for this trade in "purebred" pet animals, stopping the output of unspayed females from shelters and pounds and providing better spay and neuter facilities and educational programs would make possible substantial inroads into the surplus. The commercial pet trade, however, is not interested in, and would hotly oppose, any requirement that the animals they sell should be spayed or neutered. For a chief sales pitch of the "purebred" trade is the enticing prospect of making money while enjoying the ownership of a pet. Otherwise, why pay \$100 or more for a pet of uncertain health when one just as attractive and with health inspection, shots, etc., can be obtained at the SPCA shelter for a fraction of the cost? It is the breedability of the purebred which makes it so attractive to the prospective buyer. The latter does not want to avoid future litters, but to encourage them. That is the way he hopes to have a pet and, so to speak, eat it, too, by selling the progeny.

If those backyard breeders purchasing the

# REPORT TO HUMANITARIANS

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EDITORS:

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Miss Emily F. Gleockler

*Humane Information Services*  
Incorporated

A NON-PROFIT NATIONAL HUMANE SOCIETY  
FOR THE PREVENTION OF ANIMAL SUFFERING

4521 - 4th Street South, St. Petersburg, Florida 33705

purebred females, with rosy expectations of making a nice annual return on their investment plus enjoying the ownership of an attractive pet which might be exhibited at the dog or cat show, followed through on these intentions on a professional basis, they would breed carefully, limit the number of litters to what could be sold on the local market, and take the required precautions to see that all of the progeny sold were in good health and females spayed unless going to another legitimate breeder. All too often, however, the would-be breeder discovers

cussed. By analysis of data for Pinellas County, Florida, our director of humane education, Arthur B. Brainerd, showed rather clearly that the outflow of unspayed females from shelters and pounds could be stopped without significantly decreasing shelter financial revenues, adoptions, and receipts of unwanted animals, and without increasing the abandonment of pets. The problem largely is one of overcoming outmoded and erroneous concepts still found among some members, directors and officers of local humane societies and public officials. We are pained to

## Puppy Mills, Pet Shops and Breeders Add to Pet Surplus

receive quite a few letters from directors of local societies telling why they are afraid to stop putting out unspayed females.

Similarly,

many owners of purebred dogs and cats, including breeders and non-breeders, harbor fixed ideas on this subject which cause them to oppose enlightened measures designed to reduce the contribution of the commercial pet trade to the pet population explosion.

It is almost impossible to even discuss this subject without evoking bitter denunciations and furious differences of opinion. Even the announcement, in *Report No. 25*, that our December issue would contain a discussion by Edward Newman, Los Angeles humanitarian, of the part played by "backyard" breeders in adding to the dog and cat surplus has brought a strong protest from an organization reflecting the viewpoint of some breeders.

This letter, from the California Coalition of Animal Owners, protesting publication of an article which had not even been read, purely on the basis of personal animosities, will not deter us from going ahead with our plans to explore this important phase of the surplus problem. We do not agree with everything in Mr. Newman's article, but commend him for having the courage to say what he thinks. We have followed the humane activities of Mr. Newman in California with great interest. We believe that Mr. Newman is a sincere, vigorous and effective humanitarian.

However, we do not think that Mr. Newman's article differentiates sufficiently among different types of breeders. We have requested our new director of field services, Dalton B. Byerly, who has had extensive experience in this field, to write an introduction to Mr. Newman's article, bringing the puppy mills and pet shops into the picture along with the backyard breeders. This appears to the left of this column.

that vet bills and other expenses greatly exceed income, and that the amount of work and expertise involved far exceeds his or her expectations or capabilities.

So, these people may soon forget their intentions to become serious breeders. But they have a purebred female dog or cat. It "seems a shame" to spay it and forever estop using it for breeding purposes. So, the nice dog or cat, which the owner still takes much pride in discussing with other animal owners ("Oh, yes, we have her papers"), becomes just another unspayed female household pet. And pretty soon, in just the ordinary course of events, the pretty purebred gets loose one day while in heat, and mates with some neighborhood male. Now the whole painful business of getting rid of the progeny starts, just as if the female were not a purebred. But the fact that it is purebred keeps the owner from getting it spayed, because he might want to change his mind later. "I think if we have the time and money next year we may buy a mate for her," the owner says.

In this way a large proportion of the purebreds purchased on impulse when they are cute little fluffy puppies in the pet shop window eventually become just a part--but an important part--of the surplus-producing pets in the hands of the general public. And their progeny go out to others and continue to expand the pet population.

### OPPOSITION FROM BREEDERS

In *Report No. 25* the contribution to the output of female breeding animals by humane society shelters and public pounds was dis-

## THE COMMERCIAL PET TRADE

by Dalton B. Byerly,  
Director of Field Services

Although the various elements in the commercial trade in dogs and cats for pets might be divided into different categories, the ones most significant from the standpoint of the pet population explosion are:

(1) Serious professional breeders and exhibitors of dogs and cats who make careful genetic studies seeking to improve the breed in which they are interested, or to introduce some new breed carrying desirable characteristics not found in the breeds of origin. These breeders are the mainstay of dog and cat shows, and their careful operations involve relatively infrequent litters and small inventories of breeding animals. They do not contribute substantially to the surplus.

Humane Information Services would be among the last to cast aspersions on this type of breeder. We do not agree with many who maintain that a crossbred "mutt" from the pound is necessarily or usually a healthier, better adjusted dog than a purebred obtained from a conscientious and knowledgeable breeder. And we are aware that well-conceived, carefully-conducted breeding programs have sensationally improved the characteristics of dairy cows, racing horses, and other animals.

Our only important criticism of this group has been that it has not fully seen the danger, to them, to the public, and to pets generally, of the operations of other types of breeders and the commercial trade in "purebreds", and acted firmly to put a stop to undesirable conditions.

(2) Large commercial breeders of dogs, ordinarily referred to as puppy mills. These are found all over the country, but principally in the central states which are strategically located with reference to major outlets for their "merchandise".

One can get as many estimates of the number of these puppy mills as the number of supposedly knowledgeable people one asks the question. It runs into the thousands. But fewer than a hundred large puppy mills located in about ten states have so many breeding animals, and so many sales outlets, as to account for a major share of the market.

Frequently these large commercial breeders supplement their own operations by buying, for resale, puppies raised by smaller  
(See PET TRADE, page 2, column 1)

December, 1973

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REPORT TO HUMANITARIANS No. 26

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Address Correction Requested

PET TRADE — FROM PAGE 1

breeders in their areas, who may be farmers or ordinary housewives who elsewhere would be classed as "backyard" breeders. These supplemental sources of stock for sale, however, usually obtain their breeding animals from the puppy mills which buy their output, and their operations are at least partly geared to those of the mills.

(3) Pet shops which retail the merchandise bought from the puppy mills. These shops may also buy from "legitimate" or "backyard" breeders in the vicinity, but depend mostly on the puppy mills. Some conscientious pet shop owners may take great pains to insure the sale of well-bred puppies from legitimate local breeders, with full precautions to insure the true breed characteristics and good health of the puppies. All too often, however, the pet shop is interested only in the fast buck, with little or no consideration for the welfare of the puppies, their customers or the general public, which in the long run pays a good part of the cost of these misguided operations.

Most of the dogs sold by pet shops come with "papers" certifying that they are purebreds. These are called AKC papers, because they are issued by the American Kennel Club. The people who will put out the money required to buy a purebred puppy want the glamour of owning a purebred, and want the "papers" that go along with the puppy. Naturally, they don't want the female puppy spayed when it reaches the proper age, since ownership of the breeding animal carries with it an aura of affluence and distinction. Met in the park, such owners will discourse at length on the lineage of their dogs or cats and what they intend to do in breeding for the next litter. This possibly chance or impulse buyer of a cute little purebred puppy at the pet shop frequently turns into one of the backyard breeders who add so much to the surplus.

There are no "kitten mills", and pet shops must depend usually on the less reliable types of backyard breeders for their supplies of supposedly purebred kittens. Legitimate cat breeders tend to be a closely-knit group, the members of which deal among themselves, and they have little to do with pet shops. Miss Celia Heriot, of Pet Pride, a cat society in California, informed the president of Humane Information Services that in her opinion there are only about 2,500 cat breeders, and few or none of them is a large-volume operator like the puppy mill.

(4) The "backyard" breeder, who may have only one female which is bred to stud for a

fee, or to a male also kept for breeding, but may also have a considerable business running into thousands of dollars annually (see Newman article which follows).

Taken collectively, these backyard breeders probably are as great a source of puppies as the puppy mills. They sell sometimes to retail pet shops in the same area, but more frequently through classified advertisements in the local newspapers and through personal contacts.

MANY THINGS WRONG WITH COMMERCIAL PET TRADE

It would require every page of this Report to catalog all of the many deplorable conditions which are found in the highly commercialized part of the pet trade. Hu-

mane Information Services will perform this important service at a later date.

For the purposes of this issue, which deals with the contribution of the commercial pet trade to the great surplus of dogs and cats, such an evaluation of the shortcomings of the trade is unnecessary. We must merely show that:

(a) A significant part of the annual surplus is derived directly from the trade, because of the actions of people who buy these purebreds and then find it desirable to get rid of them and their progeny when the anticipated glamour and gold fail to materialize.

(b) The commercial trade contributes an even greater proportion of the unspayed female breeding animals held by the general public.

DOG AND CAT BREEDING AS A SOURCE OF ANIMAL OVERPOPULATION

by Edward Newman, President, California Humane Council

Even a casual inspection of the classified section of the Los Angeles Times will reveal what is to the author a shocking picture of backyard breeders raising pet animals for profit. One of these advertisers, Mrs. A, an 18-year dog breeder, enthusiastically admitted that she had bred the astounding number of 82 puppies in just seven months. To avoid city restrictions of three dogs per household, Mrs. A stashed litters in the homes of friends and neighbors. With her animals selling anywhere from \$150 to \$600 each, Mrs. A enjoys a lucrative business, indeed!

Mrs. B is another example. She owns and operates a breeding business consisting of 50 English sheep dogs and 100 poodles, many of them housed in filthy old barn-like structures. By her own admission, no veterinarian inspected these puppies for health and fitness. She advertised her puppies as "Sacrifice to Accommodate the Newborn".

The above examples are merely two of over 1,000 breeders advertising in the Los Angeles Times whom we contacted over a period of six months. The vast majority (95 percent) averaged nine animals per litter, bred at least twice per year, and planned to continue breeding. In just one day, we counted 953 ads in the Times and Valley News. We conservatively estimated that more than 82,000 such ads appeared in a year's time which could reflect the production of 400,000 animals. We also learned that most breeders conduct their business illegally in residential zones, pay no city nor state sales taxes, and failed to buy a city business license. Revenue lost to Los Angeles is estimated at more than two million dollars from this source; for the state as a whole, more than 15 million.

Generally, our investigation revealed that breeders are usually housewives seeking a supplementary income, but many earn sizable returns. One woman referred to her dog as "my little gold mine". Some dogs and cats are sold indirectly through clubs, pet shops and "information" centers. This is done as much for convenience as for evading legal restrictions. Los Angeles appears to be the mecca of the breeding business. Advertisements appear not only from local residents but have been inserted by breeders from all parts of the nation and even from foreign countries. Prices vary from as little as \$15 per animal to as much as \$600. Those who buy often do so to enter the breeding business themselves.

Breeding is not confined solely to housewives. Even veterinarians and researchers engage in such operations, sometimes trying to produce a mating of an exotic such as leopard cats with domestics. Animals from such matings are often given away unspayed and unneutered when the breeder believes they are not suitable for various reasons. An organization in Los Angeles known as the California Coalition of Animal Owners is believed to cooperate with the Southern California Veterinary Medical Association for breeding.

In a letter (reproduced herein) recently received from the office of the district attorney of Sacramento County regarding the prosecution of a franchised pet shop for fraudulent advertising, I was informed that such retailers buy large quantities of dogs from mid-Western puppy mills. These animals arrive often in sick, diseased, and even dead condition. They are sold with the advice that buyers can recoup their initial high cost by breeding their first litter; but since most such would-be breeders, according to the D. A., are novices, the animals produced are often unsalable due to improper mating techniques and must be destroyed. In the city of Los Angeles, destroying unwanted animals costs on the average \$12 per animal, adding to the local government's and humane societies' expenses.

Los Angeles city and county together destroy 250,000 unwanted animals yearly. The cost amounts to some three million dollars annually. We should bear in mind that for nearly every animal produced and sold by breeders, another dog or cat must lose its life in public shelters, an animal which might have been adopted. As long as a surplus exists, it is wasteful and cruel to

breed more animals than we need. Again, animals lacking certain desirable qualities such as championship characteristics are often sold unaltered or destroyed at taxpayer expense. One breeder brought in 22 puppies to be killed in this manner.

BREEDING CONTROL

We California humanitarians concerned with this problem do not argue that total elimination of breeding is necessary. Those breeding occasional litters for exhibition purposes do not, in our opinion, seriously contribute to overpopulation. But reasonable control of breeding as a business venture should be exercised. We have taken the following approaches:

(1) State sales taxes. The California state sales tax of five percent applies to the sale of animals as well as to other items. The State Board of Equalization, which administers the law, requires that sellers of dogs and cats fill out the appropriate forms if they sell more than two animals per year. Sales must be reported regularly to local Board offices, and taxes paid where appropriate. The Board investigates breeders' advertising and even requires payment of back sales taxes.

(2) City business licenses. City councilman Joel Wachs, at the urging of the California Humane Council, secured the passage of a council resolution in June, 1972, requiring the city clerk to contact breeders for the purpose of paying business license fees. Several thousand breeders were contacted and advertising dropped as a result. However, when the council resolution was not renewed in June, 1973, advertising increased again in local newspapers. And, although breeder groups such as the California Coalition of Animal Owners are believed to have attempted to obtain special favored treatment through legal means, the effort was defeated when the city attorney ruled against them in February, 1973.

(3) Zoning enforcement. This would seem to be the best approach. It is illegal in most southern California cities to operate a business in residential zones. Breeding is permissible in Light Industrial zoning, but such areas are difficult to find. If breeders were compelled to find such areas, they would have to go out of business. The Los Angeles city council is presently studying ways of enforcing this provision in the law. (See NEWMAN, page 3, column 1)

Humane Information Services will send a receipt for dues or a contribution in the amount of \$5.00 or more, or in a lesser amount if the sender so requests, or if same is received in cash, by money order or from a foreign country. Otherwise your cancelled check will serve as a receipt. ALL DUES AND CONTRIBUTIONS ARE TAX DEDUCTIBLE.

RETURN COUPON
Humane Information Services, Inc.
4521 - 4th Street South
St. Petersburg, Florida 33705
I wish to be kept on your mailing list for Report to Humanitarians (I understand that I do not have to become a member or make a contribution to receive this).
I do not wish to be kept on your mailing list.
My name and address on the reverse side are correct.
My name and address on the reverse side are not correct and should read as follows:
I wish to become a Patron Member and enclose annual dues of \$ (5.00 or more).
I wish to become an Associate Member and enclose annual dues of \$ (\$1.00 to \$4.99).
I wish to continue my membership and enclose \$
I wish to make a contribution and enclose \$
to be used for
zip

NEWMAN — FROM PAGE 2

THE EXPERIENCE OF THE CITY OF THOUSAND OAKS

The net effect of pressures on breeders as described above was to force many to move to neighboring communities where restrictions were less severe or in the process of revision. But breeder exodus from Los Angeles caused much concern among officials of neighboring communities. Thousand Oaks, a growing city a few miles north of Los Angeles, was considered fair game by many breeders moving out of Los Angeles. Late in May, 1973, an organization, The Conejo Valley Animal Owners Association, packed the new city hall intent upon securing a revision of the city's animal control laws. Thousand Oaks, like most urban centers, was faced with a large increase in animal control problems including a mounting animal surplus. The CVAO was vigorously opposed by another group, Conejo Action for Animals, led by Mrs. Doris McGruder, a former breeder, who insisted that 30 percent of public pound animals were purebred. Led by Duncan Wright, of the American Dog Owners Association, the breeders gave Thousand Oaks a foretaste of the possible result if breeders were permitted to write their own rules for animal control for adoption by the city, in order to promote their "hobby".

Principal recommendations of the breeders were as follows: (a) Elimination of zoning ordinances to be supplanted by breeders' self-regulation. This reminds us of the old Roman saying, *Quis Custodiet*, or who would watch the watchman? (b) Voluntary registration for cat and dog owners open to anyone for an initial fee of \$10 plus an annual fee of \$25. (c) Premises of breeders would be classified as "private animal kennels". Owners of altered animals would be classed as "private animal refuges". Inspection of these premises would require nothing less than a court order! (d) Breeders would be permitted as many as ten adult dogs on a normal city lot of 10,000 square feet. Animals under six months of age would not be counted, thus allowing the maximum number of litters. (e) The limit on dogs would vary with the lot size, ranging from three dogs on a 5,000-square-foot lot up to 18 dogs to an acre of land.

Obviously, breeder self-regulation as a replacement of zoning regulations exacerbates the problem of the animal surplus. For example, ten female dogs such as St. Bernards, on a 10,000-square-foot lot, with litters of ten for each dog, would total 110 Saints; or, as Dave White, columnist for the *Oxnard (California) Press-Courier*, observed, "100 Saints on a city lot is a lot of dog." This is the dread possibility which the Conejo Animal Owners Association apparently would consider "sensible and reasonable". These preposterous proposals were coldly received by the Thousand Oaks city council, and, although a meeting was slated to be held in mid-July, nothing to date has occurred.

MAGNITUDE OF THE SURPLUS IN CALIFORNIA

While existence of the pet animal surplus is generally admitted, it may be worthwhile to quote some figures. On April 19, 1973, *Barron's Weekly* revealed the huge growth of the pet food industry. John C. Maxwell, Jr., author, described the increase in pet food sales from \$1.6 billion in 1972 to \$1.75 billion in 1973. "Pets are eating better than ever," wrote Mr. Maxwell. Our own comprehensive California Animal Control Survey provides a broader and more accurate analysis. The average overall increase in animals handled by those California public pounds replying to our questionnaire was 33 percent, with some counties showing as much as 100 percent to 300 percent increase.

Costs, too, showed a startling increase. Our previous survey taken two years ago revealed a cost of nine million dollars for 65 counties and cities. Our 1973 survey upped that figure by 50 percent or \$13 million. Mr. Robert Rush, of Los Angeles, explained that city shelter food costs have gone up by 35 percent over the previous year. Most of this money goes to provide for animals destined for destruction. Yet, in 1970, the state as a whole spent about 50 million dollars for animal handling, including costs for food, while today it amounts to 68 mil-

JOHN M. PRICE  
DISTRICT ATTORNEY

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SACRAMENTO COUNTY

GEOFFREY BURROUGHS  
CHIEF DEPUTY

FRAUD DIVISION  
816 H Street - Room 202  
Sacramento, California 95814  
454-2471

September 5, 1973

California Humane Council  
4432 Canoga Avenue  
Woodland Hills, California 91364

ATTN: EDWARD NEWMAN, PRESIDENT

RE: DOCKTOR PET STORES, INC.

Dear Mr. Newman:

Your letter dated August 12, 1973, directed to John M. Price, District Attorney of Sacramento County has been directed to my attention for a reply, as I was the prosecuting attorney in the Docktor Pet Store case.

Our prosecution primarily concerned itself with the false and misleading advertising by Docktors of their animals' state of health and the pure bred qualities of said animals.

By pre trial discovery we did learn of two things which may be of concern to you.

1. A large percentage of the dogs purchased by Docktors come from "puppy mills" out of the midwest, primarily Kansas. If, for any reason, the animal is not saleable merchandise it is generally too expensive to ship the animal back to the breeder and it is therefore destroyed for financial reasons. However, if the dog is purchased from a local breeder, it is inspected before being purchased by Docktors and therefore no animals are destroyed for financial reasons. I would imagine that out-of-state breeders ship more dogs than the seller actually needs on many occasions because a large percentage of the animals are either sick, diseased or dead upon arrival and this figures into the number of animals bred for eventual sale to the public.

2. The dogs sold by Docktors are generally quite expensive and a sales technique used by them, and I'm sure other retailers of dogs, is to convince the prospective purchaser that if he or she breeds the dog, part or all of the original purchase price will be recouped within a relatively short period of time. However, the purchaser is generally untrained in dog breeding and produces puppies which are not the results of proper mating and therefore unsaleable. This results in puppies which must either be given away or destroyed, thus compounding the problem alluded to in your letter.

I would hope that the public could be informed of the inherent problems of breeding and that it is not for the novice. Your organization, and other pet orientated organizations could join forces to educate the public in this area of immediate concern.

The figures expounded in your letter are most impressive and point out a difficult problem confronting our society. As concerned citizens, everyone should be willing to help you in your crusade to abrogate this situation as soon as humanly possible.

If I can be of any assistance to you, please contact me at your convenience.

Very truly yours

JOHN M. PRICE  
DISTRICT ATTORNEY

Deputy District Attorney

mly

Editor's Note: Other franchised units of The Docktor Pet Stores chain may do business in an entirely different manner, and the reader is cautioned against drawing unwarranted conclusions by generalizing from a single case.

lion. A problem of such staggering dimensions cannot, and must not, be encouraged by breeder schemes designed only to perpetuate status symbols and profit making.

THE AMERICAN KENNEL CLUB AND THE BREEDERS

One of the more unfortunate aspects of the puppy mills and their smaller rivals lies in their "support" from the American Kennel Club. Regarding the AKC's relationship to breeders, Mrs. Roberta Bickerstaff, director of Dog Study Unit, Camarillo, California, has this to say in accounting for the rise in dog registrations from about 500,000 in 1962 to over 1,250,000 in 1971:

"... the primary point to be noted is AKC's unrestricted dog registry system. It has promoted ... sales of purebreds until it

has become a multimillion-dollar (industry). A correlation exists between the AKC's phenomenal and unsupervised growth and the unwanted dog situation ... the present registry system allows dogs to be registered without certification relative to identity, health or ancestry ... has encouraged unscrupulous breeders to flourish ..."

Mrs. Bickerstaff added that physical imperfections are common with purebred dogs and that buyers have squandered millions of dollars because they were misled by "the razzle-dazzle of papers and pedigrees, pay huge sums to veterinarians to alleviate dogs' inherited ailments", and, finally, "disenchanted over huge expenses, allow their dogs to breed promiscuously, resulting in the hybrids that become street mongrels." Dependable data concerning numbers of (See NEWMAN, page 4, column 1)

## NEWMAN — FROM PAGE 3

breeders in the nation are hard to come by, but the *Bulletin of Atomic Scientists'* article "Planned Parenthood for Pets" (January, 1973) estimates that over 100,000 breeders "glut" the market. Al Rosenthal, president of the United Pet Dealers Association, estimates that there are more than 5,000 "breeding operations" in the country producing 100 puppies yearly. This would mean more than 500,000 dogs alone produced from these operations. The American Dog Owners Association estimated that in 1971, 600,000 purebred dogs were shipped by commercial kennels to U. S. pet shops. The bad condition in which these animals are found can be discerned from reading again the letter I received from the Sacramento County district attorney. Clearly, national legislation to supervise and curb interstate shipment of dogs is needed!

On the local scene, even a cursory inspection of dog ads in the *Los Angeles Times* reveals almost universal citation of claimed AKC status whether the dogs are shipped in from out-of-state puppy mills or bred locally. Breeders, knowing the almost magical sales appeal of AKC, do not hesitate to exploit this symbol as a guarantee of excellence.

## EVASION OF THE LAWS

Worried by mounting public concern over the pet animal surplus as well as insistence of public officials for better animal control ordinances, breeders resort to numerous evasions. A December, 1972, *Newsletter* by the CCAO recommends the following for Los Angeles city breeders:

- (a) Do not advertise in local papers unless absolutely necessary.
- (b) Screen calls carefully.
- (c) Collect five percent sales taxes on all sales.
- (d) Do not volunteer too much information on the phone.
- (e) Do not identify yourself with name and address or number of animals, nor discuss your breeding program whether the caller appears to be a private party or member of the city clerk's office or any government agency.

Again, some breeders raise dogs and cats in communities other than in Los Angeles but sell their litters through a Los Angeles phone number. Others have more than one phone number for advertising purposes.

## PROPOSED STATE BREEDER LAW

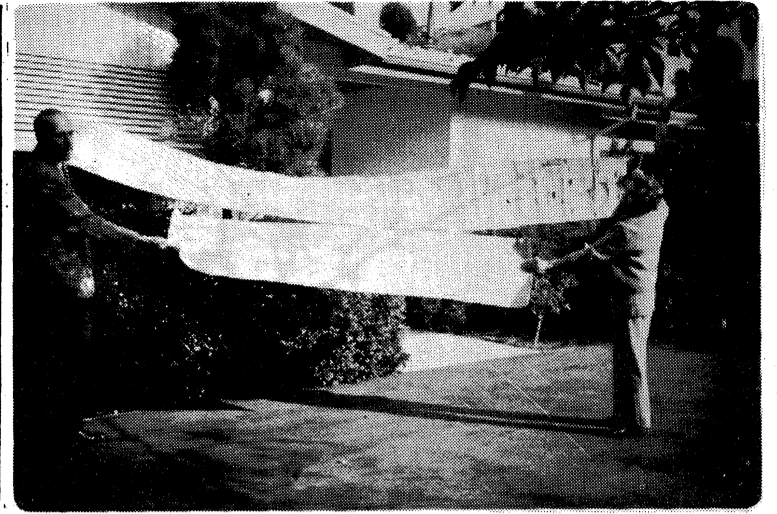
Growing affluence in the United States is partly responsible for heavy demand for purebred animals, largely reflected in the tremendous upsurge in the previously-mentioned AKC registration data. This has re-

sulted in a vastly increased number of breeders seeking a piece of the pie. To restrict breeding in California to manageable proportions, the California Humane Council has proposed a state bill, AB-2271, which will be introduced in the state legislature by Assemblyman Howard Berman in January, 1974.

AB-2271 would provide for licensing on a sliding scale from a minimum of \$50 for one litter annually to \$250 maximum for five litters annually. In no case would any breeder or agency be permitted to own more than 25 animals. To ensure quality litters and to guarantee the animals sold, breeders would have to post a bond. Thus, the bill would discourage novices from breeding, halt fraudulent sales and enable the government agencies involved to prosecute offenders since the bill provides for a maximum penalty of six months in jail and/or \$500 fine.

Although we spearheaded the original drives to obtain low-cost spay clinics in Los Angeles city and county, we believe that such clinics, valuable as they are in helping to reduce the surplus, must be supplemented by other means. For one thing, adoption of spay clinic legislation is slow due mainly to official indifference and timidity. It should be obvious that all animal birth problems originate in breeding of one kind or another--from those who breed to make money to those careless or apathetic pet owners who permit their dogs and cats to have litters for one reason or another. But, if breeding is slowed or restricted, the animal surplus will be reduced.

About a year and a half ago, we submitted a plan to control the breeding of household pets. Any pet owner permitting an animal to have a litter would be required to pay a fee of \$25, which would be refunded upon presentation of evidence that the animal had been spayed. Although the proposal was contingent upon the adoption by Los Angeles of construction of additional low-cost public spay clinics, the proposal could be adopted without such clinics. Enforcement of the plan would be made by the Department of Animal Regulation and concerned citizens who would scan the free ads in local newspapers and report their findings to the authorities. In a two-month period alone, we discovered 3,500 free ads offering 15,000 dogs and cats for adoption. These ads appeared in one city newspaper, and testified to the huge amount of breeding by ordinary pet owners.



Mrs. Edward Newman, better half of the husband and wife team responsible for the accompanying article on "backyard" breeders, holds the ends of two sheets of butcher paper pasted solidly with classified ads from the Los Angeles papers offering pet animals for sale. That is old "Doc", your senior editor, holding up the other ends. This effort by the Newmans to reduce the sale of pets from promiscuous breeders represents a mountain of work which all true humanitarians should applaud.

Although opponents of the above plan criticized it on the grounds that the poor would be unable to pay the \$25 fee, the fact remains that no plan by itself will solve all surplus animal problems. But the proposal has the merit of attacking one of the most prolific sources of animal overpopulation we have--the careless pet owner.

The adoption of low-cost spay clinics, coupled with breeding control mentioned, would go far toward the elimination of animal surplus.

We cannot hope to successfully cope with the tragedy of the animal surplus without acknowledging the inadequacy of halfway measures such as humane education in public schools. Humane organizations, particularly, must squarely face this issue. Their honest support for efforts to control breeding of all types, enactment of which would reduce the surplus in a relatively short time, will be a true indication of whether or not they really want to eliminate the surplus animal population.

*The foregoing measures designed to reduce the flow of dogs and cats from "backyard" breeders are only some of the many alternative approaches, through federal and state legislation, local ordinances, and voluntary action. When Humane Information Services completes its series of articles showing where and how the surplus originates, we will propose a complete program for its elimination.*

## HUMANE SLAUGHTER IN FOREIGN PLANTS EXPORTING MEAT PRODUCTS TO THE UNITED STATES

Humane Information Services, a tax-exempt national humane society, cannot and does not engage in legislative activities. Our sister society, the National Association for Humane Legislation, reports that its plea for funds to be used in supporting the Gunter humane slaughter bill, H.R. 8055, produced a generous response from a comparatively small number of individuals. This enabled NAHL to pay off debts previously incurred, but there is left only a bare minimum for use in the continuing work of following up legislative bills in Congress. No salaries are included in these expenses.

So NAHL will not be able at this time to send its members a bulletin outlining progress to date on the two most important humane bills introduced in the present Congress, the Bayh-Anderson trapping bill and the Gunter humane slaughter bill. But as soon as additional action by members is needed, it will get out such a bulletin. Meanwhile, NAHL reiterates everything that it said in the *Humane Legislation Digest* for September, 1973. Any who did not act then in response to its suggestions still has time to do so now. Any others who did not receive the September *Digest* may obtain a copy by writing to the National Association for Humane Legislation, Inc., 675 Pinellas Point Drive South, St. Petersburg, Florida 33705.

Since the *Digest* was issued, Representative Gunter has reintroduced his bill, as H.R. 10755. All references to the bill hereafter should bear that number. The new bill differs from the first by making the

effective date a year from passage, to give the foreign plants plenty of time to get in compliance without hardship. And--very important--the new bill, H.R. 10755, has 15 co-sponsors: L. A. (Skip) Bafalis, of Florida; Bob Bergland, of Minnesota; George E. Brown, Jr., of California; Silvio O. Conte, of Massachusetts; John Conyers, Jr., of Michigan; John W. Davis, of Georgia; Ms. Edith Green, of Oregon; Orval Hansen, of Idaho; Dawson Mathis, of Georgia; Parren J. Mitchell, of Maryland; John Joseph Moakley, of Massachusetts; Donald W. Riegle, Jr., of Michigan; Charles Rose, of North Carolina; Paul S. Sarbanes, of Maryland; John F. Seiberling, of Ohio.

Other developments since the last *Digest* were:

(1) The U. S. Department of Agriculture, which was queried as usual by the House Agriculture Committee, gave a negative opinion of the bill. This has caused some humanitarians to think that the House Agriculture Committee has voted against the bill, which is quite contrary to the facts. USDA disapproval is based on the specious argument that the bill requires foreign countries to do something not required of all packing plants in the U. S., since there still are a few intrastate plants in this country not required by law to use humane methods (ritual slaughter would continue to be exempted both by the U. S. law and in plants covered by the Gunter bill). NAHL appealed in person to Secretary of Agriculture Butz to withdraw the Department's disapproval, but encountered only ridicule for humane slaugh-

ter. He is not what could be called humane-minded! Although disapproval by any federal government agency sometimes prevents bills from passing, this is not necessarily so. It depends upon the degree of support for the bill coming from the grass roots.

(2) The chairman of the House Subcommittee on Livestock and Grains, Representative Thomas S. Foley, of Washington, so far has been unable or unwilling to find a place on the Subcommittee schedule for hearings on the bill. Representative Foley comes from a district comprising approximately the eastern one-third of the State of Washington, where there are few large cities and members of humane societies. In the past he has seemed sympathetic to humane proposals, but perhaps in this case he has been impressed by the claim that the bill constitutes undue interference in the affairs of foreign governments, which is the only argument that has been made against the bill. NAHL reports that it has been trying to generate more letters to Congressman Foley, especially from the State of Washington. Mrs. Charlotte Parks, of York, Maine, a vice-president of NAHL, is in charge of this effort.

(3) Nothing is likely to happen to this bill before adjournment of the First Session of the 93rd Congress. But the bill will be carried over to the Second Session, which begins in January, giving another six months or more in which the House might act. The bill then would go to the Senate, where previous passage by the House would be expected to give it greater impetus.

Humane Information Services, like some other national humane societies, continues to receive letters from members asking why "nothing is being done to stop the suffering of laboratory animals".

We suspect that some of these letter writers really are asking why we and other national humane societies are not continuing to publish articles and photographs describing and condemning the mistreatment of animals in laboratories. To many antivivisectionists who also are members of humane societies, "doing something to stop the suffering" seems to be synonymous with verbally chastising the experimenters.

The kind of highly emotional description of the suffering of laboratory animals, real and imagined, which moves these kind people, is exemplified in an article submitted to us by Mrs. Lewis K. (Pat) Coil, of Whittier, California. This article, with some editing for length, appears below. It is obviously straight from her heart. One can sense the deep emotional feeling for the animals which is behind this verbal montage evidently culled from reading many antivivisectionist articles. It is the publication of such materials that so many of our readers confuse with "doing something for laboratory animals". We only wish it were so, since that would make solution of the problem comparatively easy.

"LOVING DOMINION--Is it too much to ask? CAN YOU IMAGINE YOURSELF IN THIS POSITION?: Your breathing, feeling body in a wire cage just big enough to squat in with head bowed, filthy, hungry, thirsty, breathing foul, oxygen-free air--almost. Most of you is blessedly numb from inaction and immobility. You try to ignore the excruciating pain in the other parts--bloody, swollen, infected feet (one of which you chewed off so there would be one less member to suffer and cut on). Your feet had straddled the wires too long. The only hands that ever touch you are indeed not gentle. The cruel hands that you feel yank you out of your cage, and what would take your body hours to accomplish (straightening out your agonized body after spending a week or month in that vice-like position from which there could be no variations like lying down, stretching, standing straight and tall) is accomplished in just seconds by unyielding hands with a purpose. But you utter no cry of pain, because your vocal cords have been cut out so there will be no bothersome noise in the torture chambers. You believe that the world is your small wire cage and the operating table, because you have never scampered in the beautiful surroundings just outside. You have never even seen them, or a tree, or ever been for a walk. Nor will you ever! For you, only the cage and this operating table you are now on, with the familiar immobilizing stereotaxic instrument ready for your open brain surgery, fully conscious, without mercy. Only now do you truly forget the stump where your foot once was and the big sharp chain put tightly around your neck when you were a baby and which is now a part of you ... I, for one, would like to add just one more much-needed word to the Bible --'loving'. We shall have 'loving' dominion over all of the animals, creatures, fowl, etc., of the earth!"

For over a hundred years, antivivisectionists all over the world have seemed to equate denunciation with action. It most decidedly is just the opposite. Unbridled assaults on the medical profession, veterinarians, biologists, and other scientists, regardless of the degree in which they may be justified, have constituted one of the biggest stumbling blocks to effective action programs designed to greatly reduce and eventually eliminate the suffering of laboratory animals.

We don't need to dig out from the scientific literature a lot of horrible examples of painful experiments and tests. Reports from the laboratories to the United States Department of Agriculture required by the Animal Welfare Act of 1970 indicate that 14,251 experiments involving pain without anesthesia were performed at 81 research institutions in 1972. That would seem to be proof enough that painful experiments and tests continue to be performed in the laboratories. And we believe these figures do not include many or most routine testing which involves even larger numbers of animals.

Nearly all who read the continuing descriptions in the antivivisectionist literature already are convinced that the acts described are unjustified and should be stopped. Our task is not to reinforce the faith of the antivivisectionists in their cause, which amounts to almost religious conviction, but to convince the scientific community, legislators and the general public that a great deal of unnecessary suffering exists in the laboratories, and that it could be eliminated by constructive measures which would not hamper legitimate biomedical research or effective protection of consumers of foods and drugs.

## Progress and Prospects for Laboratory Animals

### ANTIVIVISECTIONISTS AT HEART

The two active founders of Humane Information Services, who remain its principal officers, both are antivivisectionists at heart. We would gladly give up any personal health benefits we might derive as a result of painful experiments on animals, if they could be stopped by such action. And after years of study of the problems involved, we believe that it would be possible to stop many or most of the acutely painful experiments and tests without seriously interfering with efforts to improve the health of people.

Suppose, for example, that the laboratories and researchers suddenly were compelled to pay \$3,000 for dogs, \$2,000 for cats, and \$1,000 each for rats and other small laboratory animals. We would witness an astonishing change in the kind of research projects undertaken, and in methods of conducting research and testing. Laboratory administrators who now claim that they cannot reduce the number of animals used in painful experiments and tests by better experimental design, that they already are doing everything possible to substitute tissue and organ cultures for live animals, etc., would suddenly discover that they had overlooked a lot of possibilities!

And we believe that the subsequent actions taken by the laboratories to adjust to this situation might even improve the results obtained, by substituting more scientific methods for the crude ones now all too often passing as research.

So Humane Information Services has no quarrel with the long-time goals of the antivivisectionists. What we do disagree with is the way in which the antivivisectionists have approached the problem. Their "all-or-nothing" demands stand in the way of step-by-step improvement. And, even more important, their strident denunciations and obviously biased "facts" and arguments produce a credibility gap which acts as a barrier to communication between humanitarians, scientists and the public. The whole approach is destructive rather than constructive.

The general public, the scientific community and legislators will not accept our moral principles, or our lay appraisals of scientific evidence relating to these laboratory animal questions. The writer has three college degrees including Bachelor and Master of Science and Ph.D., but as an economist his views on such matters carry no weight against those of the medical profession and allied biomedical scientists.

Nor will they accept the highly authoritarian statements on controversial and complex biomedical subjects of a former stenographer who reads the medical journals and interprets to suit her own beliefs the highly technical articles on such subjects as mathematical models. Congressmen and members of the general public will no more give credence to such statements than they would agree to have their office stenographer supervise an operation to remove their kidneys, merely because she had read medical journal articles on kidney operations and claimed to know more about how the operation should be done than the surgeon doing the job.

### THE LADIES PUT OLD DOC TO ROUT!

At the recent annual leadership conference of the Humane Society of the United

States held at Atlanta, Georgia, the writer made some statements to this effect, in explaining why and how he believes a different approach to laboratory animal reform is necessary. Several ladies present, followers of the former stenographer who to them has become an "authority" on biomedical research, became highly insulted at what they considered to be an unjustified affront to stenographers! "Well, I am a stenographer myself," one said, "and I consider stenographers to be just as intelligent as other people!" She was not interested in discussing the issues--only personalities. When the writer returned to the office and told

Emily, our executive secretary, of this encounter, Emily exclaimed: "Well, I think she is right. I am a stenographer, too, but I think I've got more sense than a lot of other people!" So poor old Doc is forced to retreat from the fray, licking his wounds, and admitting that some stenographers are smarter than some scientists!

But try to convince a Congressman. If a medical doctor tells him that the stenographer is wrong, that she doesn't know what she is talking about, that she lifts statements out of context from the medical journal articles, that she berates medical researchers for lack of training in mathematics and other advanced research techniques which she herself has never received, that she applies the term "animal poisoners" to sincere scientists who are trying to protect the public against dangerous drugs and foods, that she makes a whole lot of patently ridiculous statements about extremely complex scientific matters, the Congressman will believe the medical doctor. And so will 99.44 percent of the public. After all, opinion surveys have shown that the public has more confidence in and respect for physicians than almost any other group, although skyrocketing medical costs have tended to diminish this veneration somewhat!

### ADVERSARY VS. COOPERATIVE APPROACH

There are two alternative approaches to bringing improvement in the treatment of laboratory animals: (1) the "adversary" and (2) the cooperative or constructive.

(1) The first of these would maintain a constant, vigorous "adversary" relationship to the animal-using scientists. In law, the contending parties in a civil suit, and the prosecuting official and defense lawyer in criminal cases, meet as "adversaries". Each side cites only evidence that supports the case for its client or against the other side. The entire procedure is based on bias. Perry Mason to the contrary notwithstanding, nobody except the judge or jury attempts to evaluate the case at issue to discover the truth and reach a fair, objective conclusion. And even the judge or jury may be biased!

That is the kind of adversary approach followed in the past by antivivisection and humane societies in trying to reform the laboratories. Only evidence which is against the laboratories and the scientists who direct their operations is cited. Points which are made by the opposing "side" either are ignored or "refuted" by whatever plausible-sounding arguments come to mind.

Both sides to the controversy adopt this adversary approach.

The laboratory defenders are equally biased and intransigent. Even a scientist who himself has serious reservations about some conditions in the laboratories will rarely come out in the open and say so. You must catch him in an unguarded moment, and first convince him that you are only seeking factual information and will not expose his traitorous thoughts to his scientific colleagues!

The laboratory people, like the antivivisectionists, seem to feel justified in adopting any argument that will cast doubt on the claims of the other side. One of the favorite devices used to disparage any proposal for the humane treatment of laboratory animals is to lump all humanitarians and humane societies together as "antivivisectionists", although as many different shades of opinion are encountered among animal defenders as among scientists. The epithet "antivivisectionist" usually is sufficient, by itself, to turn a Congressman, a businessman or most members of the general public

(See LABORATORY, page 6, column 1)

**LABORATORY—FROM PAGE 5**

against even the most reasonable proposition advanced by a humanitarian.

The adversary approach to the laboratory animal problem has accomplished only one thing: it has resulted in alerting thousands of animal lovers to the suffering undergone by laboratory animals, and caused them to give generously to antivivisection and humane organizations which have taken up the cudgels in behalf of laboratory animals. Unfortunately, these funds, running into hundreds of millions of dollars over the years, have been used to continue the adversary attack on the laboratories, without accomplishing anything significant.

The only significant progress that has been made in preventing suffering by and cruelty to laboratory animals has come about as a result of humanitarians and humane societies that have tried to follow a more constructive approach, frequently with the derision and open antagonism of those who believe in the adversary approach.

(2) The constructive or cooperative approach is designed to persuade, not force action. Humanitarians are an entirely negligible group from the standpoint of forcing other people to do anything. We cannot expect to get anywhere by denouncing or fighting other groups that are respected by those who control action. You cannot compel society to change its morals overnight. The whole idea is to make the people involved think that they are kind, intelligent, humane individuals who want to do the right thing. Sometimes we are surprised to learn that they really are!

**MUCH ACCOMPLISHED ALREADY**

By following the constructive, cooperative approach, marked improvement in the laboratory animal situation already has been achieved during the past few years. However, those bent on total elimination of the use of animals in laboratories seem strained to find anything good in these developments, and look only on what hasn't been done, not on what has been accomplished.

The situation is analogous in many respects to the changes in conditions affecting labor which have occurred over the years. If the first labor unions had started out by insisting on complete control of working conditions, wages and hours in all of industry and government, and refused to compromise in a step-by-step approach, they would still be arguing the theoretical and moral issues involved, without having made any progress. But they moved gradually, gaining a little more with every contract and labor law.

The gains on the laboratory animal front during recent years show up most clearly in three areas: changes in the attitudes of scientists and humanitarians, passage of the Animal Welfare Act, and a virtual revolution in the treatment of laboratory animal problems in Canada.

**INTRANSIGENCE REDUCED**

(1) A gradual change has occurred in the attitude of researchers and members of the general scientific community, some of whom have discovered that humanitarians are not all bad, that not everyone concerned over the suffering of laboratory animals is an antivivisectionist, and that it may be advantageous to "both sides" to establish some means of communication, even if it is subject to the limitations of the "hot line" between the White House and the Kremlin.

In the United States this less intransigent stance has been largely a result of patient, persistent effort on the part of a handful of humanitarians identified with the Committee for Constructive Laboratory Animal Legislation, Humane Information Services, the Humane Society of the United States, and the Society for Animal Protective Legislation, not necessarily in the alphabetical order named. In Canada, where great strides have been made, it reflects partly the labors of several humane societies, but more particularly of Dr. Harry C. Rowsell, DVM, DVPH, Ph.D., secretary of the Canadian Council on Animal Care, who may well deserve to be honored as world humanitarian of the year.

**THE ANIMAL WELFARE ACT**

(2) Passage by the Congress of Public Law 89-544 several years ago, followed by extensive amendments incorporated in a new law

entitled "The Animal Welfare Act of 1970" (P.L. 91-579) grew out of this change in attitudes.

Administration of the Act has been less than satisfactory, partly because of inadequate appropriations to employ sufficient staff. Humane societies have not made a sufficient effort to see that, now we have the Act, enough money is appropriated to make it fully effective. In fact, some societies have opposed such appropriations in the misguided belief that more money going to the laboratories would merely encourage the use of more animals. But the Act already has accomplished much, and bids fair to achieve far more in the future.

The act has too many significant provisions to permit even summarization here. We have intended for some time to run an article showing just what the Act is intended to accomplish, how it would so, and why it has not so far realized all of its potentials. This article, which we are sure will contain a lot of information not now known to many of our members interested in the subject, must still be postponed awaiting more definitive administrative developments within the USDA.

**GREAT PROGRESS IN CANADA**

(3) Even greater progress toward the alleviation of laboratory animal suffering has been made in Canada, under the aegis of Dr. Rowsell. In fact, that country has accomplished so much with so little fanfare that few humanitarians in other countries are informed about it.

These accomplishments have been under "The Animals for Research Act", Revised Statutes of Ontario, 1970, Chapter 22, as amended in 1971 by Chapter 50, s. 6, and in 1972 by Chapter 1, s. 1. Although the Act applies only to Ontario, actions taken under it have spread out to other provinces.

Again, this is an important subject which cannot be adequately summarized here. We intend publishing later a comprehensive analysis of what has been done in Canada and its implications with respect to the U. S.

**APPLYING THE CONSTRUCTIVE, COOPERATIVE APPROACH IN THE FUTURE**

The desirable general direction of our future efforts to follow the constructive, cooperative approach to laboratory animal problems in the U. S. was outlined in *Report to Humanitarians No. 18*, issued in December, 1971. A few copies still are available for anyone who is definitely interested.

We have been very pleased with the reception that *Report* has received among constructively-minded humanitarians and humane societies. We are sufficiently egotistical to believe that it has significantly influenced the actions taken in Canada and in the U. S.

The constructive, cooperative approach to improving conditions in the laboratories has three main features:

(1) Become as fully informed as possible about the subject matter before talking or acting. Being fully informed means understanding the limitations as well as the possibilities of the proposed actions, and being willing to acknowledge these limitations and to discuss them objectively with those whom we seek to persuade.

(2) Follow an organized work plan rather than engage in random efforts. This means not wasting time and funds on shoot-from-the-hip attacks on scattered phases of the use of animals in laboratories. For example, when the newspapers recently carried stories about the use of 200 beagles in experiments to determine toxic effects of different gases encountered in airplane fires, animal lovers acting on impulse wrote in great numbers to the armed forces, members of Congress and the President. This is only one of hundreds of experiments in which beagles are used in the laboratories, and there are better defenses for it than for many others which don't get in the newspapers. Such an uproar cannot hope to accomplish anything significant. But the same amount of effort and letter writing in support of a specific measure resulting from careful study of the laboratory animal problem might accomplish a great deal.

(3) Break down the overall problem into its component parts requiring similar utilizations of available manpower and funds, and attack one part at a time. After the break-

down, establish priorities which take into account the amount of manpower and funds required to deal with each part, in relation to the budget limitations of the society conducting the project.

Following is a breakdown of possible approaches to the overall laboratory problem. The six "projects" include just about every aspect of the use of animals in laboratories, broken down not by biomedical subject matter (the manufacture of vaccines, toxicity testing, etc.) but by the kind of effort required by the humane societies that might undertake the projects.

**1. Promoting more effective screening of research projects.**

Much of the money to finance biomedical research comes from the federal government, via the National Institutes of Health (NIH). The applications for grants seem to have been approved or disapproved in the past largely on the basis of the opinions of a few bureaucrats (no disparagement intended) and some cursory review by professional committees, many members of which also were employed by other applicants for grants. Little or no apparent attempt was made to check on potential duplication of effort (and of animal usage), the proposed techniques for experimental design (greatly affecting the number of animals used), the possible extrapolation to human experience of these animal experiments, the potential value to society of the expected results, the proposed measures for relief or elimination of pain, or the possibilities of substituting alternative biological models for the animals to be used. All of these desirable checkpoints are related to the number of animals required and the amount of suffering undergone by them, as well as to the social value of the experiments' results. Much of the effort in this screening process apparently was directed at the competence of the investigator and the technical laboratory methods he proposed to utilize, rather than the equally important considerations suggested immediately above.

In recent years there has been noticeable improvement in the screening process. We suspect that this has come about in considerable measure as a response to the constant pressure on research institutions including NIH that has resulted from agitation of humane societies for federal legislation regulating the laboratories, which came remarkably close to gaining national acceptance. Be that as it may, and perhaps it does not give the Devil his sufficient due, humanitarians who worked so long and hard in behalf of the Moulder bill, the Rogers bill, and the Rogers-Javits bill have the satisfaction of knowing that their efforts have borne fruit by influencing the adoption of a number of important voluntary improvements, as well as passage of the Animal Welfare Act. It was partly because these bills, although they failed to pass largely because of internal feuding among humane and antivivisection societies, were so constructively written as to gain wide acceptance in the scientific community itself, that the biomedical organizations decided that the wind blowing down the backs of their necks was getting too hot, and they should make serious efforts at voluntary reform.

But the screening process for animal-using research projects is still far from being what it should be, from the standpoint of either results obtained per dollar expended or humane considerations.

If this project is undertaken, humane society personnel engaged in it would have to become fully informed about screening procedures already in use, and the professional capacity of the screening committees and other personnel with respect to passing on such questions as experimental design and possible replacement methods. A constant check should be made to see that the screening process keeps abreast of latest developments in these fields, that maximum advantage is taken of important recent developments in "information retrieval" to avoid duplication, and that it provides adequately for insuring in advance the use of correct procedures for eliminating or minimizing pain.

Successful conduct of this project alone would accomplish a great deal to eliminate or minimize laboratory animal suffering. But it cannot be handled by scientifically-untrained humanitarians. The personnel (See LABORATORY, page 7, column 1)

**LABORATORY — FROM PAGE 6**

engaged on this project must be able to meet scientists on their own level, be recognized as peers, and by hard work and study become versed in a number of highly technical subjects such as the principles of experimental design. And this personnel must have personality and leadership qualities which can win the gradual acceptance of reforms by the screening organizations, committees and individuals, and those at the top who control screening policies.

**2. Checking compliance with Section 13 of P.L. 91-579.**

At the opposite end of the process by which laboratory animal experiments are planned, screened, approved, conducted and reported is checking the completed research for compliance with the humane procedures requirements of the Animal Welfare Act of 1970, P.L. 91-579.

Section 13 of that Act contains the following:

"Provided, That the Secretary (of Agriculture) shall require, at least annually, every research facility to show that professionally-acceptable standards governing the care, treatment, and use of animals, including appropriate use of anesthetic, analgesic, and tranquilizing drugs, during experimentation are being followed by the research facility during actual research or experimentation."

This proviso by itself provides a great opportunity for putting pressure on the laboratories to see that humane procedures are followed during the course of the experiments. Unfortunately, partly because of lack of sufficient funds for effective administration but also, we believe, because the administrative officials have been content to leave well enough alone and comply only technically with the wording of this proviso, the latter has not been used for all the good purposes for which it was intended and is adapted.

The reports submitted by the laboratories to the USDA show that in 1972 there were 14,251 experiments involving pain without anesthesia, conducted at 81 different research institutions. The number of animals used in these experiments apparently was not given, but if the ratio of animals used to the number of research institutions for non-painful experiments is applied to the painful ones, the number of animals used for the latter would be around 184,000. And even this figure, in our opinion, does not reflect the full extent of the painful uses of animals.

The USDA reports: "The Department was unable to identify any experiments where anesthetics, analgesics or tranquilizers could have been used without interference with the experiment." Obviously, they did not try very hard!

It is difficult to conceive of that many experiments being conducted by that many institutions without any mistakes of judgment or execution.

Section 13 of Public Law 91-579 certainly entitles the Secretary to demand access to the detailed procedures followed in the painful experiments.

This would permit various kinds of analysis to determine compliance with the declared intent of NIH to reject applications having no justification according to the specific NIH criteria, to evaluate the possibility that refinement, reduction and replacement techniques might have been used to reduce the amount of animal suffering in those particular experiments, and to furnish a better overall picture of the most significant part of the laboratory animal problem; namely, that dealing with painful experiments. All of this would gain much-needed facts and insight for persuading the scientific community to take action in other phases of the program.

**3. Working with the Food and Drug Administration on animal usage in drug and food testing.**

The foregoing relates to experiments performed in research, and presumably not to animals used in painful routine testing procedures. We believe the numbers used for such purposes are even greater, and give rise to a large proportion of the animal suffering in laboratories.

This third project would deal with this phase of the use of animals in laboratories. The project personnel would become complete-

ly familiar with the laws governing FDA operations, its organization, professional personnel, regulations and reasons therefor, and compliance operations. Following an extended period of study, suggested changes in the regulations and procedures designed to reduce animal usage and suffering would be prepared and thoroughly discussed with outside scientific experts in the field at issue as well as with FDA personnel, and an effort made to obtain voluntary changes. Only if cooperation were lacking would an attempt be made to exert outside pressure to bring changes in the regulations or procedures.

We could give a number of examples of what might be accomplished by this procedure, but these are technical subjects which most humanitarians would not understand without greater elaboration than is possible here. Prospects for substantial changes appear good.

This, however, would be a full-time project requiring the services of a high-priced professional scientist.

**4. Strengthening the number, scope and usefulness of in-house committees in the laboratories.**

The need for and possible improvements which might result from this action were described in *Report to Humanitarians No. 18*. In Canada substantial progress already has been made along these lines, since our *Report No. 18* was published.

This project, although potentially very valuable, is more complicated and controversial than others that have been described.

**5. Strengthening academic training requirements in the biomedical sciences.**

It would be highly desirable, from the standpoint of improving laboratory research and testing procedures designed to reduce animal usage and painful experiments on animals, to have better trained research scientists in the biomedical fields.

At present, M.D.'s going into research seem to be those that have received pretty much the same training as those going into general practice, except for having more interest in research or a dislike for the vagaries of private practice. This presents difficult problems which might be dealt with by setting up two classes of degree-receivers in biomedical subjects, those trained to become practicing physicians and surgeons, and those trained to become researchers and teachers. The idea of this project is to greatly increase the requirements for a degree preparing the recipient to engage in research and teaching, as opposed to one entitling him to engage in medical practice. There is no sense, for example, in making a medical student who intends to engage in general practice of medicine or surgery take a lot of advanced courses in mathematics, biochemistry, and the other subjects which would be very infrequently used in ordinary practice. But these courses should be required of research specialists and those engaged in teaching or other specialized biomedical work.

It would be presumptuous for any humanitarian, even a veterinarian, to walk into the office of a dean of a medical school or of biological sciences, and tell him what he and the university should do. The approach would be to find some eminent academicians who have similar ideas, and to work with them behind the scenes to bring pressure on the profession to understand the problem and engage in reforms of the curricula.

**6. Objectively determining the possibilities and limitations of "reduction" and "replacement".**

A comprehensive discussion of this subject will be found in *Report to Humanitarians No. 10*, issued in December, 1969. In the preparation of that analysis, Humane Information Services did a great amount of library research, and discussed the problems with experts in methodology. It represented at the time of publication a fair, objective description and appraisal of the possibilities and limitations of "replacement" methods designed to reduce the use of laboratory animals. We invited objective criticisms, and offered to publish the latter as a rebuttal to our findings. Neither laboratory scientists who thought we were a little too optimistic nor antivivisectionist organizations which believed we were too pessimistic about the immediate future of replacement offered any significant specific criticisms or suggested changes. Two technical workers

acquainted with the subject matter praised the report as the best they had seen written by a layman. One technical expert for an antivivisection society and a technically-trained official of an organization devoted to replacement said they could find nothing seriously wrong with the article. But several of our members who are "sold" on replacement thought the article, even though technically correct, was "too negative" because it brought out the limitations of replacement just as strongly as the possibilities.

We have reached the conclusion that it will never be possible to convince some humanitarians that any kind of evident bias, even though it be mere "optimism", can only hinder acceptance of an idea by scientists. We will not convince Congress, the public or scientists by stressing the favorable points and ignoring or minimizing the unfavorable ones. "Optimism" that takes the form of exaggeration, unwarranted extrapolation or omission of limitations may please animal lovers who want to believe, but causes disbelief and unfavorable reactions by others.

What is needed is a scientific and objectively definitive study of the possibilities and limitations of replacement. This should include "reduction", which is quite as important as replacement and involves the same methods of evaluation (see *Report to Humanitarians No. 18*).

Nothing is being done now, by either the scientific community or by the antivivisection and humane societies, which would furnish such an evaluation. We have offered a specific plan for a study which would accomplish this objective, and produce convincing evidence regarding the possibilities of reducing laboratory animal suffering.

To conduct a competent study of this kind would require financing running anywhere from \$100,000 to half a million dollars. That, obviously, is quite beyond the budget limitations of HIS, the HSUS or any other humane society with a general program of humane work. But there are two alternative ways in which it might be possible to finance the project, which will be discussed in a subsequent *Report to Humanitarians* dealing entirely with reduction and replacement.

**COOPERATION WITH HSUS**

At the invitation of president John A. Hoyt of the Humane Society of the United States, we submitted a summary of the foregoing six possible projects to the HSUS Special Study Committee on the use of animals in biomedical research and testing. After two full days of objective discussions, attended by members of the Committee, HSUS staff members and several invited participants including the writer, we wound up in practically complete agreement on every point.

The Committee decided to recommend to president Hoyt the first two projects listed and discussed in this article, as offering best prospects for results in relation to the necessarily limited budget allocation to this work. We understand that president Hoyt and the HSUS have decided to follow this recommendation.

We believe, therefore, that HIS and the HSUS are in practically full agreement on everything connected with the laboratory animal problem. We have recently received several letters questioning the HSUS staff's intention to really pursue the laboratory animal problem vigorously. We recognize that to anyone who feels this to be the pre-eminent humane problem, as many do, the present effort may appear too thin. We agree to the extent that our only real point of difference with the HSUS is over the priorities attached to different types of humane work, and we would attach a higher priority to these laboratory animal projects than does the HSUS. But we know it is always easy to spend the other organization's money! HIS is still more limited as to funds, and all we can do in this very expensive field of humane activity is make what we hope are constructive and helpful analyses, and cooperate as far as possible with the HSUS and other willing organizations in the advancement of our mutual aims. If some philanthropic humanitarian believes in the foregoing approaches, but would like to see them much more vigorously pursued, Humane Information Services would be glad to discuss the matter!



## LETTERS TO THE EDITOR . . . .

We have received some very provocative and stimulating letters to the editor during the past quarter, and had some of them all lined up, with our replies, when we ran out of space! No doubt we could have found some "flab" in the articles contained in this issue which might have been removed to make room for your letters, but with the mailing deadline approaching we don't have time for that. But these letters will keep until next time--look forward to some verbal brickbats as well as the more encouraging notes from those who like our work! And keep them coming. We don't have correspondence clerks--every incoming letter is read by both Emily and Doc. That's how we know what you are thinking about our mutual problems.

On second thought, here is a letter we do want to include with this issue. It shows our readers sometimes are out ahead of us!

### BREEDERS A PROBLEM IN AUSTRALIA, TOO

"You put most of the blame on animal shelters and backyard breeders, but don't mention the licensed breeders. Aren't they equally to blame? In Australia there are many thousands of breeders, and the majority of dogs coming into our animal shelter in Sydney are thoroughbreds."--Mrs. Vida Pratt, Ermington, N.S.W., Australia.

#### REPLY:

We put much of the blame on the ordinary pet owner, but shelters, pounds and breeders also are guilty (see articles in this issue). Breeders have been neglected, partly because of fear of offending them. There are more breeders' organizations than humane societies, and more dedicated breeders than dedicated humanitarians.

By the way, thanks for your help on Australian humane laws.

### EDITORIAL

We receive from our loyal members quite a few excellent suggestions about fund raising, which admittedly is our weak point. We are so busy just lining up with the always-increasing work load that we don't even have time to think about different ways of increasing contributions. We understand that high-quality Christmas cards mailed first class with a business reply envelope requiring no postage, with personal appeals from some society officer for Christmas donations, have been highly successful fund raisers for some other societies. But this costs a lot of money which we are not sure is justified even though it brings in much more than is spent. One alternative would be to enclose a return envelope with our Christmas Report to Humanitarians.

One alert member sent us \$25 to be used for the express purpose of enclosing with this issue a self-addressed envelope to be used in sending your Christmas gift for the animals. But we found that it would cost a lot of money and require time to obtain a permit for business reply envelopes. We now have about 14,000 on our mailing list, and to staple an envelope to this Report, plus increased labor for folding, would require extra part-time office help, which we could not find. So, with a post office-enforced mailing deadline of December 1, we abandoned the idea for this issue.

It might help us a lot for next year if we knew whether or not enclosing a self-addressed envelope would be a deciding factor for you in making a Christmas contribution. Won't you please answer "yes" or "no" on the edge of your return coupon, or in your letter or note, when you respond to our Spartan appeal below. And to make this information valid, if you were not going to send a contribution for lack of an envelope

### NEW DIRECTOR OF FIELD SERVICES

Humane Information Services is pleased to announce the appointment of Dalton B. Byerly as director of field services. He has had extensive experience in different kinds of work involving the handling of animals, from a stint in the K-9 Corps in Korea to managing a humane society shelter.

Mr. Byerly's first major project for HIS is an investigation of alternative techniques for euthanasia, the results of which will be presented in later issues of this Report to Humanitarians. Following the comprehensive reports on some methods of euthanasia which have appeared in these pages during the past several years, and have elicited widespread commendation, other national societies now are beginning to engage in serious investigations dealing with this subject. We welcome these efforts, which we do not view in any sense as competitive. "Euthanasia" is so important as a source of a vast amount of animal suffering, and the technical problems encountered are so complex, that no single society is likely to come up with the final word on this subject. HIS believes that it will continue to be in the forefront of efforts to improve so-called "euthanasia", especially now that we have the services of Mr. Byerly.

In the course of this work, Mr. Byerly will visit many shelters and pounds, observing methods used and offering to help wherever invited to do so. In many cases animals are suffering needlessly because of simple lack of know-how. If you would like Mr. Byerly to visit your shelter or pound if and when he gets to your area, please write to him.

or stamp on hand, please make an extra effort to do it, and tell us about it. That would be most convincing!

## INJUNCTION AGAINST USE OF LIVE RABBITS FOR TRAINING GREYHOUNDS IN FLORIDA

On November 8 trial was held in circuit court at Ocala, Florida, Judge E. R. Mills, Jr., presiding. The judge granted an injunction to stop Central Florida Greyhound College from using live rabbits to train dogs, effective December 1, 1974. This will give the trainers time to discover and try out other methods, such as those used in Australia. The court's action will serve as a precedent to facilitate legal action against other trainers if they should attempt to continue use of live rabbits.

Dalton B. Byerly, our director of field services, was at the trial, ready with proof that live rabbits are not used for training the dogs in Australia. As we anticipated, the case hinged not on the definition of "animal", which is very unambiguous in the statute, but on the question of necessity. But Byerly's testimony was not required because the defendant presented no proof of necessity. Prosecuting attorney Gordon G. Oldham, Jr., had been presented with facts by HIS on the Australian situation, including copies of their laws.

This case is another example of the need for calm, knowledgeable treatment of such matters. We were told that a representative of another humane society spent over \$500 on phone calls about this case. HIS spent only a few dollars in postage to Australian members, in telephone calls to the prosecutor, and for gasoline to attend the trial, but what we did really counted. We could have found good use for that \$500 for our other programs. When will humanitarians learn to act rationally?

### OUR APOLOGIES TO MR. STEPHEN BYRD

Stephen Byrd, a director of the Mississippi Animal Rescue League, sent us an excellent article describing in detail his observations of the facilities and operations of the Jackson, Mississippi, pound. We know that animal lovers will be startled to learn about conditions existing there.

We intended running this article in our September issue, and then again in December, but for various reasons have had to postpone it again. However, we promise it will appear at the earliest opportunity, and that you will find it very enlightening.

Stephen Byrd is a very young man only now ready for the university, and hopes to study veterinary medicine. But he writes like an experienced adult, and is one of the most promising of the younger generation of humanitarians, very active for the comparatively new and vigorous Mississippi Animal Rescue League. We old fuddy-duddys of the humane movement must overcome our conservative aversion to long-haired youths who dress with a modern flair, or we will alienate the younger generation of animal lovers, upon whom the future of the humane movement rests.

### JOIN US IN A CHRISTMAS CELEBRATION

To many people with families, Christmas is a time of joy and excitement, of receiving and giving presents, of travel to be once more with loved ones. And it is a time for a little extra love for our pet animals, who also are members of the family.

Emily and Doc, executive secretary and president, respectively, of Humane Information Services, are not blessed with large families. On Christmas day we probably will be at our desks, trying to catch up with the constantly-increasing load of work which is a result of the gratifying success of our society. But we will be thinking about all our good friends who have contributed to this success, and reading the Christmas cards which so many of you are kind enough to send. You are our family, and all the animals we together are helping may be considered our family pets.

That means we have millions of pets all over the world. For you and we together really are touching the lives of these animals in so many ways as a result of the projects you finance and we conduct. So we don't really feel lonely on Christmas, taking care of the animals. We can almost see, hear and touch them, as we move about the office. We hope that our many members who write to say they also have few family ties will feel on Christmas as we do. It's a great feeling.

There is one way you can be represented here, helping us to celebrate a joyous occasion: by sending a Christmas gift to the animals, a gift over and above your regular membership dues or contributions.

We really regret that we are too busy helping the animals to send a Christmas card and letter to each of you. But this printed message comes no less from our hearts. We love you all.

Sincerely,

Emily

Emily F. Gleeckler, Executive Secretary

Doc

Frederick L. Thomsen, President

Merry Christmas



Happy New Year

