



June, 2010

Hen Cages to be Big Issue in Ohio Election

The \$600-million-a-year Ohio-produced egg market is likely to be a focal point in Round Two of a fight between the Ohio Farm Bureau and the Humane Society of the United States (HSUS). *Caged* and *cage-free* will become part of the campaign vocabulary as HSUS pushes for a fall vote on a constitutional amendment to improve farm animal care.

Eggs are big business in Ohio, second only to Iowa in annual production. There are 27 million egg-laying hens in the state. The industry employs 5,000 people and has an annual payroll of \$50 million.

HSUS lost the first round of the ballot-box battle last fall when voters approved state Issue 2, a constitutional amendment that established the Ohio Livestock Care Standards Board. HSUS opposed the issue as inadequate but did not actively campaign against it.

This time, the two sides face off in a campaign that could collectively cost \$20 million.

The battle resumed last week when Wayne Pacelle, president and chief executive officer of HSUS, traveled the state with a group of supportive farmers. HSUS spokesman, Dr. Michael Greger, claims cages are an atmosphere where salmonella thrives because of an abundance of fecal dust, rodents and insects, and difficulty in sanitizing the cages. Greger stated that by comparison, numerous U.S. and international studies have shown that having cage-free or free-range hens cuts the odds of salmonella contamination by 43 percent.

Representatives with the Ohio Farm Bureau and other agri-business groups say Greger's arguments are misleading, his facts are misstated, and many of the studies he cites were done in Europe, where standards differ from U.S. standards. Jim Chakeres, executive vice president of the Ohio Poultry Association, said salmonella and other food-borne illnesses are a concern for farmers. He said incidents of salmonella from eggs have decreased over the years.

In addition, the Ohio Department of Health has operated a voluntary Egg Quality Assurance Program for the past 13 years. Spokesman Kaleigh Frazier cited statistics showing that only two of 219,000 eggs tested in the past decade were positive for salmonella.

A spokeswoman for Ohioans for Livestock Care, the organization that spearheaded the campaign last fall, said studies show that "eggs laid by hens in modern housing systems have a lower prevalence of salmonella." She said free-range chickens often lay their eggs in their own waste, increasing the risk of contamination; for caged birds, the waste drops away from the eggs. *Source: Columbus Dispatch* <http://www.dispatchpolitics.com>

Florida Officials Concerned about Increased Number of Parvovirus Cases

Officials from Lee County Domestic Animal Services and local veterinarian clinics have reported more cases of parvovirus.

This highly contagious, often fatal, virus is spread through direct or in-direct contact with an infected dog's feces. Symptoms typically include severe diarrhea and subsequent dehydration.

Ria Brown, spokesperson for Lee County Domestic Animal Services, reported that field officers and staff at clinics such as P.A.W.S. Lee County have seen more cases of infected dogs throughout the county.

"It is serious," said Brown. "It's easily preventable but it's an extremely contagious disease."

In many cases, the virus is spread in public areas where dogs are in contact with each other and feces, such as dog parks. But this specific outbreak is in Cape Coral, North Fort Myers and across Lee County, and not at one specific park or location.

Under the right conditions, parvovirus can survive up to five months in one location, such as a patch of grass, or on inanimate objects like clothing or food pans.

Brown said dog owners typically panic when they hear about a parvovirus outbreak, but as long as their dogs are vaccinated and they practice good hygiene, there is nothing to worry about.

"We really need to get the word out before it becomes something we need to worry about," she said.

Theresa Ink, owner of P.A.W.S. Lee County, a low-cost clinic in North Fort Myers which partners with LCDAS, said she has received six calls about parvovirus in one weekend. Many of these callers have never brought their dogs to a veterinarian or had them vaccinated. "A lot of the ones I saw last week were animals they never took to the veterinarian," she said.

A majority of the clinic's services are providing low-cost spay and neutering to the community, but Ink said they've been getting more requests to help parvo-infected animals. She explained that low-cost clinics typically provide the shot for \$10 per year and \$30 for puppies. Younger dogs need more than one shot because they may be lacking maternal antibodies.

Out of the infected dogs who've come to P.A.W.S. Lee County for help, some have died from the virus and others were fortunate enough to survive. Once in the clinic, the treat the dogs with fluids, she said, and hope it's not too late to save them.

"As long as you do it early, if you wait to the end it is much harder," said Ink.

Brown said the shot for parvovirus can be bundled up with other vaccinations like distemper, and that dog owners should check with their veterinarians to find out if they've had the vaccine.

Source: <http://www.cape-coral-daily-breeze.com>

Chicago: Low-Cost Distemper Shots Approved

Chicago dog and cat owners who skip distemper shots for their pets because they can't afford a trip to the veterinarian will soon have a low-cost alternative: a \$7 shot provided by the city. The City Council's Health Committee on Tuesday approved Mayor Daley's plan to provide the shots at 15 Chicago locations where the Cook County Department of Animal and Rabies Control is already providing micro-chipping and rabies vaccines.

Distemper is a serious, contagious and potentially deadly disease that effects the respiratory, gastro-intestinal and nervous systems of puppies and dogs. Cats can also get a different strain of the disease, although it is less prevalent.

The disease is spread by airborne exposure, such as mingling between animals at a dog park.

Cherie Travis, executive director of the city's Commission on Animal Care and Control, conservatively predicted that the city's bargain offer could result in "2,000-to-3,000 vaccines during the course of a year

Travis noted that a trip to the vet can cost as much as \$40, which is a lot of money at a time when people are skipping the shots and even giving up their dogs because they can't afford the cost of dog food.

She expressed hope that the low-cost alternative could avert a repeat of the deadly distemper outbreak in 2005. "There was a pretty serious situation. A lot of animals wound up being euthanized," Travis said.

Source: Chicago Sun Times

U.S. Pet Ownership Statistics

The following statistics were compiled from the American Pet Products Manufacturers Association 2009-2010 National Pet Owners Survey.

DOGS

There are approximately 77.5 million owned dogs in the United States. Thirty-nine percent of U.S. households own at least one dog. Most owners (67 percent) own one dog. Twenty-four percent of owners own two dogs. Nine percent of owners own three or more dogs. On average, owners have almost two dogs (1.7). The proportion of male to female dogs is even. Nineteen percent of owned dogs were adopted from an animal shelter. On average, dog owners spent \$225 on veterinary visits (vaccine, well visits) annually. Seventy-five percent of owned dogs are spayed or neutered.

CATS

There are approximately 93.6 million owned cats in the United States. Thirty-three percent of U.S. households (or 38.2 million) own at least one cat. Fifty-six percent of owners own more than one cat. On average, owners have two cats (2.45). More female cats are owned than male cats (70 percent vs. 65 percent respectively). Twenty-two percent of owned cats were adopted from an animal shelter. Cat owners spent an average of \$203 on routine veterinary visits. Eighty-seven percent of owned cats are spayed or neutered.

For additional information on pet ownership statistics, contact the APPMA at 255 Glenville Rd., Greenwich, CT 06831, 800-452-1225, or visit www.appma.org.

Animal Rights on the March – The Frontier

Animal rights is not only about federal laws, state ballot initiatives, and city council ordinances. At the cutting edge, and perhaps most fundamentally, the cause is about extracting support and sustenance from the common law, the set of principles that serve as the bedrock for the freedoms now taken for granted in Western societies.

Consider this plausible future: A day when the high court of some U.S. state grants a nonhuman animal -- say, a chimpanzee confined to a zoo or a biomedical facility -- a fundamental right to liberty, according to the ancient principle of common law that no one should be confined against his or her will without just cause.

Making that day a reality is now the consuming work of a prominent animal-rights lawyer, Steven M. Wise, director of the Nonhuman Rights Project in Coral Springs, Fla. Wise, who was born in Baltimore in 1950, taught the first class in animal law at Harvard Law School in 2000. He credits Singer's *Animal Liberation* with inspiring his passion for the cause. In an interview, Wise explained that it is "hard to come out of the Judeo-Christian tradition in favor of nonhuman animals." Regarding "animal rights" as too vague a term, he prefers to speak in terms of the rights of particular species, so that the rights of horses might not be the same as the rights of chimps.

At the Nonhuman Rights Project, Wise leads a nationwide team of 30 or so volunteer researchers -- law students, psychologists, and others -- that communicates mostly through e-mail and Skype. One goal is to identify a "plaintiff," probably a chimpanzee, on whose behalf Wise's group could file a lawsuit based on the common law writ of habeas corpus.

Habeas corpus -- Latin for "you have the body" -- dates to Anglo-Saxon times. In 1215, the Magna Carta declared, "No free man is to be taken or imprisoned ... save by lawful judgment of his peers or by the law of the land." As Wise noted, the habeas corpus writ was famously used to free slaves in the British Empire, a parallel that he views as apt to his own "abolitionist" cause.

A second objective of the Nonhuman Rights Project is to identify the most congenial venue for the lawsuit, which Wise said could be filed as soon as 2011 or 2012. For example, it might make sense to target a state Supreme Court dominated by female judges, on the theory that women are more likely to believe that nonhuman animals have legal rights. Or it might be better to go to a state whose Supreme Court has overturned an anti-gay marriage statute, on the theory that such a panel has a demonstrated commitment to a right that traditionalists have opposed.

Should a state Supreme Court grant a writ of habeas corpus and the state's legislature permit the writ to stand, the freed animal might be viewed much like the law regards a 3-year-old child, as "an incompetent rights-bearer," Wise said, and hence put into the hands of a qualified guardian. "Yes, I do expect to live to see this happen," he said.

At a session of the [Animal Legal Defense Fund sponsored] animal law conference billed as "Almost a Person: What Lies Ahead for Chimpanzees?" Michael Schocket, a law student and a researcher for the Nonhuman Rights Project, dazzled the audience with a rapid-fire talk on its mission, delivered with passion and ending with a plea for volunteers. He won a recruit in Dana Daum, a 52-year-old air traffic controller who came to the gathering on his own dime from Chapel Hill, N.C. In an interview, Daum said that his "skill set" as a numbers-cruncher might be useful to the project. Animal rights, he said, is where his heart is.

Article excerpt from: Animal Rights On The March. How Animal Rightists Are Bringing New Meaning To The Pledge "With Liberty And Justice For All." Washington, Watch Out. by Paul Starobin Saturday, May 22, 2010. National Journal Magazine

http://www.nationaljournal.com/njmagazine/cs_20100522_1200.php

For more information on the animal rights agenda against animal owners, changing the legal status of animals, the difference between animal rights and animal welfare, and animal rights organizations, visit the NCRAOA website.

NC Animal Law

In 2008 Calley Gerber opened her own practice, Gerber Animal Law Center, to focus exclusively on animal issues.

It's the first of its kind in North Carolina, according to Professor Bill Reppy, who heads Duke University's Animal Law Project. Other lawyers might handle a handful of cases involving animal cruelty, dog bites, custody issues but very few strike out into such territory on their own. Reppy knows of just two attorneys who have created self-sustaining animal law practices, one in Illinois and the other in Washington state.

Increased attention to animal abuse in recent years, both in the Carolinas and nationally, may mean that the tides have turned in Gerber's favor. North Carolina is the only state in the nation with a statute that allows private litigants to bring civil charges against violators of animal cruelty laws.

According to an interview in North Carolina Lawyers Weekly, the treatment of farm animals is one of the issues that Gerber hopes to tackle as she develops her animal law practice. One exemption to the criminal statutes for animal abuse N.C. G.S. Sect. 14-360 precludes prosecution for cruelty to animals raised for food and agribusiness. "The abandonment of the North Carolina legislature about the treatment of farm animals is shocking," said Professor William Reppy, Jr., Director of the Animal Law Project at Duke Law School. "It's so irrational that it's unconstitutional."

Reppy is delighted that Gerber is willing to be an animal law pioneer. He envisions collaboration between Duke's animal law clinic and Gerber's new practice. "We'll be able to help Calley by getting the students in our clinic to work with her and do research," Reppy said.

Recently, Gerber filed a lawsuit against Robeson County Animal Shelter on behalf of Forsyth County animal rights animal activist, Susan Barrett. Health Director Bill Smith, shelter manager Jeff Bass and Environmental Health Director Albert Locklear were named as defendants. Among accusations of animal abuse, the lawsuit alleged shelter staff regularly euthanize animals even after rescue groups called to adopt them, failed to take advantage of a state fostering law, and failed to use all available pens.

The shelter has a policy that mandates at least half of their kennels stay empty, in order to facilitate cleaning. That policy, alleged the lawsuit, results in unjustifiable pain, suffering or death. Reppy says the argument is a sound one. "The theory of the lawsuit, that euthanizing dogs and cats results in unjustifiable death when the shelter has plenty of cage space in which to hold the animals but refuses to use it, is novel but also sound."

District Court Judge Jeff Moore granted the temporary order on April 29 as part of a lawsuit preventing the Robeson County Animal Shelter from euthanizing animals that are on "hold" for adoption. The restraining order did not forbid euthanizing all animals, just those on "hold."

On May 24, 2010 Robeson County District Court Judge Stanley Carmical ruled that a series of charges accusing shelter staff of abusing and unnecessarily euthanizing animals would be heard.

However, Judge Carmical dismissed two claims in the lawsuit which challenged matters of protocol at the animal shelter. The shelter's policy to keep at least half of its kennels empty for cleaning and the county's decision not to utilize a voluntary fostering program allowed by the state are not illegal, the judge ruled. "The only thing I need to be concerned about is whether these practices deviate from state law," Carmical said. "It seems the proper mechanism to address those issues would be with the legislature."

Robeson County Board of Health approved a new adoption policy. Under the new adoption policy, anyone interested in adopting a pet from the shelter will have 48 hours after the state-mandated 72 -hour hold period. The policy vote came immediately following a one-hour closed session, during which County Attorney Hal Kinlaw briefed the board about the pending lawsuit alleging abuse at the animal shelter.

Sources:

Robesonian: Robeson Hold order extended at pound; Fayetteville Observer: part of animal shelter suit tossed; North Carolina Lawyers Weekly: Animals first in new firm

FDA and NIH Launch Electronic Safety Reporting Portal

For Immediate Release: May 24, 2010

Media Inquiries: Pat El-Hinnawy, 301.796.4763, patricia.el-hinnawy@fda.hhs.gov

Consumer Inquiries: 888-INFO-FDA

The Food and Drug Administration and the National Institutes of Health today launched a new Web site that, when fully developed, will provide a mechanism for the reporting of pre- and post-market safety data to the federal government. Currently the Web site can be used to report safety problems related to foods, including animal feed, and animal drugs, as well as adverse events occurring on human gene transfer trials. Consumers can also use the site to report problems with pet foods and pet treats.

The new site, called the Safety Reporting Portal (SRP), provides greater and easier access to online reporting. "The portal will be a key detection tool in improving the country's nationwide surveillance system and will strengthen our ability to protect the nation's health," said Commissioner of Food and Drugs Margaret A. Hamburg. "We will now be able to analyze human and animal safety-related events more quickly and identify those measures needed to protect the public."

The new Web portal includes different features for different types of reporting:

- **Reportable Food Registry:** Industry will have a more user-friendly electronic portal for submitting reportable food reports that are required by law. This electronic portal collects reports from the food industry and public health officials regarding problems with articles of food, including animal feed, that present a reasonable probability of causing serious adverse health consequences or death to humans or animals.
- **Pets:** Pet owners and veterinarians will be able to use the portal to report product problems with pet foods and pet treats.
- **Animal drugs:** Animal drug manufacturers can report adverse drug events associated with animal drugs.
- **Clinical Trials:** Biomedical researchers involved in human gene transfer clinical trials can report an adverse event, indicating whether it might be an unanticipated consequence of the product being

tested. Trial sponsors can use the portal to prepare a report, print it and send it to the agency to satisfy reporting requirements for investigational new drugs.

In the future, the system will encompass other types of clinical trials and, eventually, safety problems arising from products regulated by a broad array of federal agencies. This is a first step toward a common electronic reporting system that will offer one-stop shopping, allowing an individual to file a single report to multiple agencies that may have an interest in the event.

Just as important, the portal will ultimately enhance the government's systematic analysis of safety information, which will benefit public health. In the meantime, the new portal redirects individuals who want to submit reports about other products regulated by FDA, the U.S. Department of Agriculture, Environmental Protection Agency or the Consumer Product Safety Commission to the appropriate contact.

Cops Eye Animal Rights Extremists in Attack on Marine Biologist

Cut Brake Lines Discovered by Marine Biologist's Wife Before She Drove Car

May 26. Santa Cruz CA. Police suspect a radical animal rights group in the sabotaging of brakes on the car of a marine biologist researcher in Santa Cruz, Calif., and a spokesman for one militant group did not rule it out. The vehicle was parked on a steep hill and police said the brake lines and the cable for the emergency brake had been cut, Santa Cruz Deputy Police Chief Rick Martinez told ABCNews.com.

The researcher's wife discovered the damage to the car on Sunday when she spotted a pool of brake fluid beneath the vehicle when she about to drive it.

"Luckily the spouse spotted the damage and didn't operate the vehicle," Martinez said. "Upon full inspection we discovered the entire brake system had been disabled," said Martinez. He said the Santa Cruz police have brought in the FBI.

The officer said animal rights groups have been involved in other attacks on researchers in the Santa Cruz area in recent years. Martinez said that police believe that one of those organizations may be involved in cutting the researcher's brakes due to his work in the biology field.

Dr. Jerry Vlasak is the press officer for the North American Animal Liberation Front and said he didn't know whether the group was involved in the incident, but didn't rule it out. "We haven't received any sort of communiqué. We may receive it later. Sometimes it appears a week or two, a month or two later," Vlasak told ABC News. Vlasak said he is not involved in the activities of the underground members of ALF, but simply a spokesperson to communicate their activities.

"If this guy had done animal research, I would say this was a justified action," Vlasak said. Martinez said the researcher whose car was sabotaged did not use animals in his work, but Vlasak was not convinced.

"The researcher is fairly known for positive work in environmental conservation, so I don't really understand why... A lot of people know who he is and they are now angry because they know the legitimate work the researcher does to help environment," he said.

On the North American Animal Liberation Front's Website, the group takes responsibility for recently burning down a sheepskin factory in Denver, Colo., as well as placing an "incendiary device" in the exhaust pipe of a car belonging to a primate researcher in La Jolla, Calif.

Vlasak said the fight for animal liberation is comparable to any past liberation attempts by humans and the violence seen at times is a moral and necessary step to get results.

"It just happens to be a different species this time rather than a different race or people," Vlasak said.

Source: <http://abcnews.go.com/TheLaw/police-suspect-animal-rights-group-cut-brake-lines/story?id=10740962&page=3>

Update SB 460 Commercial Dog Breeding Regulation

It has come to our attention that the NC Association of County Commissioners (NCACC) has supported and agreed to intervene at the legislature on behalf of SB460 Commercial Dog Breeding Regulation, commonly referred to as the 'Puppy Mill' bill. It has also become apparent, via discussion with their lobbyist, that the organization did not seek input regarding this bill from dog fanciers/clubs/breeders. It is outrageous to think that any organization would give a blanket approval to proposed legislation without thorough investigation into the ramifications on the citizens they plan to regulate.

SB460 has also garnered the misguided support of the North Carolina Sheriff's Association (NCSA). Spokesman, Eddie Caldwell, refused to explain NCSA's position.

Not only the financial issues, but the life style changes will be enormous if SB460 is allowed to become law. Many counties have zoning restrictions which do not allow in-home businesses; registering breeders as commercial kennels because of the number of breeding age dogs owned will end many hobby kennels throughout the state. Facility standards and regulations, yet to be written, are certain to eliminate the ability to home-raise puppies.

The very idea that these associations would take a limited amount of data and inflict another unfunded mandate on any County at this time of significant financial difficulty is irresponsible and unacceptable.

Do your county commissioners and sheriff approve of the positions of NCACC and NCSA? If not request they contact these organizations and request that support be withdrawn.

ORGANIZATIONS OPPOSED TO SB 460

Alabama Canine Coalition	Lincoln County Coon Club
American Dog Owners Association	Mississippi Canine Coalition, Inc.
American Kennel Club	Mountain Coon Hunters Association
American Dog Breeders Association	National Rifle Association
American Miniature Schnauzer Club	North Carolina Responsible Animal Owners Alliance (NCRAOA)
American Rottweiler Club	North Carolina Federation of Dog Clubs
American Shetland Sheepdog Association	North Carolina Sporting Dog Association
Appalachian Houndsmen Association	North Carolina State Coonhunters Association
Beautiful Cats Forever	North Carolina Bear Hunters
Blazin Beagle Kennels	North Carolina Running Hounds Association
Blueridge Schnauzers	Piedmont Coon Club
Carolina Afghan Hound Club	Piedmont Kennel Club
Central Carolina Cat Fanciers	Lhasa Apso Southern Rescue Inc
Central Carolina Dachshund club	South Carolina Federation of Dog Clubs
Dalmatian Club of the Piedmont	Sportsmen's and Animal Owners' Voting Alliance (SAOVA)
Dachshund Club of America	Staffordshire Bull Terrier Club of America
Duplin-Onslow Hunter's Association	Tarheel Coon Club
Field Spaniel Society of America	The Crafty Cat
Golden Triangle Coon Club	The Humane Society of Granville County
Greater Charlotte Shetland Sheepdog Club	The Sedgefield Hunt
Hanover Kennel Club	Twin Creeks Hunting Club
Jacksonville NC Kennel Club, Inc.	Yadkin River Coon Club
Kudzu Kat Club	
Little River Coon Club	

States Propose Animal Abuser Registries

In February the California-based Animal Legal Defense Fund (ALDF) launched an effort to establish public registries of anyone convicted of animal abuse. ALDF claims the registries would protect animals and communities by preventing repeat offenses from anyone with a known history of abusing animals. This could include violence (torture, mutilation, intentional killings, etc.), sexual abuse, and animal fighting as well as neglect (such as hoarding).

The registries would function much like sexual offender registries, requiring convicted animal abusers to register personal information with local law enforcement.

Animal Abuser Registry bills have been introduced in Rhode Island, Colorado, Tennessee, Louisiana, and California.

The Rhode Island bill would require the chief of police to notify every residence, school, humane society, shelter and business within a half-mile of the abuser's residence of their previous offense and description. Louisiana and California versions require the states to maintain a public database.

The cost of building registries or mandating new reporting requirements is a great concern. According to a report issued by the Tennessee General Assembly in 2009, a registry there would cost the state \$26,200 per year. Colorado conducted a similar analysis in 2002, which found the costs for developing and maintaining an abuser registry at \$18,514 the first year and \$10,994 for subsequent years.

Louisiana Fiscal Office concluded the registry would cost \$46,000 to implement and \$126,000 over five years for very few offenders. The Fiscal Office added that only 5 offenders were currently incarcerated at state facilities for crimes against animals included in the proposed legislation.

Opponents of the bill raise interesting points for consideration. Would the registry violate privacy rights of listed offenders? Should someone who's been convicted of an animal cruelty felony be branded permanently in society? Might the registry encourage offenders to plead to lesser offenses to avoid being included on the registry? Would the registry spawn a vigilante mindset against registered offenders? Where might Big Brother turn next to impose another registry?

The 2008 Tennessee bill failed in the House after passing the Senate; currently proposed bills in Rhode Island and California have been placed on hold. ■

Protecting your right to responsibly own and breed animals.

Join NCRAOA. See our home page for membership information and application

For more information on animal health, training, reports on pet issues, animal sheltering, or to learn the difference between animal welfare and animal rights – visit our website at www.ncraoa.com

North Carolina Responsible Animal Owners Alliance, Inc. (NCRAOA) is a statewide organization of animal owners and professionals dedicated to animal welfare, responsible animal ownership, and maintaining the rights of responsible citizens to breed and own animals. NCRAOA, a 501(c)3 organization, provides education and information to the public and supports reasonable and humane animal welfare laws. Permission granted to copy and distribute NCRAOA News and Views in its entirety as is.