



## Courts dismiss chimp personhood case

The Nonhuman Rights Project (NhRP) filed three lawsuits in New York claiming chimpanzee plaintiffs are legal persons with the fundamental right to bodily liberty, based on their level of complex cognition, self-awareness and autonomy, rather than simply pieces of property. Suits were filed in Fulton, Suffolk, and Niagara County courts. The suits which demanded that judges issue a writ of habeas corpus ended with judges refusing to issue the writs on the grounds that chimpanzees were not legal persons. The suits will now advance to the New York Intermediate Appellate Courts. NhRP president, Steven Wise commented, "All nonhuman animals have been legal things for centuries. That is not going to change easily." NhRP also plans to file more lawsuits across the country on behalf of captive great apes, elephants, dolphins and whales.

## House Bill 930 Dog Breeding Standards – Irreparably Flawed

HB930 is eligible for consideration in the short session, May 2014, and continues to be championed in a misguided effort by the First Lady and Governor McCrory. We believe it is important to address the flawed structure of this legislation that was strong-armed through the House by Speaker Tillis.

Foremost, HB 930 is an arbitrary law that only applies to "large commercial dog breeders," defined as those who own 10 or more females capable of breeding regardless of whether any are actually bred or any puppies are sold. Improperly labeling dog owners as commercial businesses could cause them to be in violation of local ordinances.

HB 930 creates crimes, not "standards" as we would expect to find them in dog ownership or breeding regulation. The sections of the bill are based on what should be a correctable checklist, instead making any violation of these items stand-alone offenses. The bill places inappropriate material directly into criminal law, i.e., failure to provide a regular lighting cycle, failure to document even routine veterinary treatment or make an undefined daily assessment of the dog's health. There are criminal laws in NC just as in other states with basic provisions but not the kind that can harmlessly vary from day to day or criteria that is subjective and arbitrary.

If animal welfare regulations need to be further developed, they belong in the Animal Welfare Act not criminal law.

The penalty for failure to comply with any of HB 930's so-called standards is more severe than the existing penalty for operating a pet shop, boarding kennel, or auction, or acting as a dealer without a valid license.

# Misperceptions vs. Reality

By Barbara Axel

For many years after I was introduced to the dog game my peers advised me to keep away from a certain breed of dog. People who should have known better told me that breed started out just fine, but as it grew to adulthood the brain did not stop enlarging, and when it broke through the skull the dog "turned" and attacked the first person who approached. I had never seen this happen and asked all the informants whether they had witnessed such behavior themselves. They had not, but they told me that everyone knew it was true.

Haven't you heard similar unsubstantiated facts about other breeds too? Entire countries seem to catch the misperception disease since German Shepherd Dogs, for instance were renamed Alsatians in Britain during the world war. Different dog? No. It is just a different name for the same dog because the original name had a bad connotation. So too it is with any dog that currently has bull as part of its name. The dog that was the greatest family dog of the past is now the breed most feared. Because of this it is imperative to review some history.

And that is not all. Below is some information gleaned from my research on the web:

"Buster Brown, his sister Mary Jane, and his dog Tige, an American Pit Bull Terrier, were well known to the American public in the early 20th century. Tige is thought to be the first talking pet to appear in American comics, and, like that of many of his successors, his speech goes unnoticed by adults.

A series of live-action short subjects were produced in the mid-to-late 1920s by the Stern Bros. Pete the Pup (who played Tige) and director Gus Meins were both later associated with the popular Our Gang (Little Rascals) comedies. The original Pete (sired by Earl Tudor's "Black Jack") was an American Pit Bull Terrier named "Pal the Wonder Dog", and had a natural ring almost completely around his eye; dye was used to finish it off.

Trainer and owner Lt. Harry Lucenay used one of Pal's offspring as Pete in the series after Pal died. This dog, named "Lucenay's Peter", was registered as an AKC American Staffordshire Terrier.[2] Lucenay's Peter was born September 6, 1929 in New York City, bred by A. A. Keller. A few other dogs played Petey, but Lucenay's Peter was the best known.

After being fired from the Our Gang series in 1932, Harry Lucenay retired Peter to Atlantic City, where he was photographed with children at the Steel Pier. Roach used a number of unrelated Pit Bulls to portray Pete in Our Gang until 1938. [2] Pete became as recognizable and popular as the kids in the gang. Pal the Wonder Dog appeared in Our Gang comedies until he died in 1930. Lucenay's Peter continued on and died of old age, not poison, on January 28, 1946 in Los Angeles, California at aged 16, two years after the Our Gang series ended. [3]



In the 1994 remake of The Little Rascals, the new Pete is an American Bulldog." Buster Brown and Pete's photos are readily available by clicking on the websites."



FORAGING.—[SEE "A BOY'S TOWN," ON PAGE 610.]

My group, Council on Pet Education sponsored C.O.P.E.'s Canine Capers to promote responsible ownership and training by demonstrating with our dogs prior to a question and answer period and petting session. The dogs attending had to be friendly, unflappable, experienced in crowds and eager to meet and greet audiences of all ages before they would be considered qualified to participate. Dogs of many breeds and some all-Americans worked with their owners.

One of the "Capers" dogs was a darling Bull Terrier named Bandit, who came in costume and introduced our program by encouraging the audience to guess her name. Subsequent to the correct guess she was disrobed and continued with the rest of our gang to enthuse and amuse the spectators with especially planned obedience routines.

So why has the dog who was the best family dog become the most feared in the nation? Misperception again.

But this time it is worse, because the past has been forgotten and misperception once again rules. The danger is that misperception has created ordinances that threaten the very life of special breeds of dogs. Not only bully breeds are involved. Across the United States multiple breeds are being identified as dangerous. They and cross breeds that might resemble them are being banned and killed because of rumors attached to their names.

Misperception is becoming an epidemic. We can stop this nonsense by challenging the rumors every time we hear or read them.

The statement, "It is the deed, not the breed," should become our mantra.

*Barbara Axel, breeder/trainer/exhibitor, Board Member of North Carolina Responsible Animal Owners Alliance (NCRAOA), has organized and participated in programs promoting responsible pet ownership since the late '60's. Positive interactions between dogs and children under the supervision of adults has been a primary goal.*

## **Service dog protects girl during anesthetic procedure**

JJ, a service dog trained to detect allergic reactions at the molecular level, helped safeguard 7-year-old Kaelyn Krawczyk during a procedure under anesthesia at Duke University Medical Center. Kaelyn has mastocytosis, a rare condition in which mast cells release histamines and other signals in response to almost any external stimulus such as heat or cold. JJ was trained to alert Kaelyn and her parents at the onset of a problem, and the dog is so sensitive to triggers that she can detect a reaction long before any overt signs occur. "It sounds silly, in this age of technology, when we have millions of dollars worth of equipment beeping around me, that we had a little dog who was more sensitive than all the machines," said anesthesiologist Brad Taicher.

View full article at News & Observer <http://tinyurl.com/kzffgwx>

## Brain Development – Human is not Monkey

December 30, 2013. Researchers at Yale have done a large scale genetic analysis of early brain development. In humans, the area of the brain that deals with perception, behavior and cognition (neo-cortex) develops in distinct stages; from pregnancy to adulthood. What is important in the study is the fact that there are huge surges of genetic energy in the first 6 months of pregnancy. During the third trimester, there is a lull where energy is focused on the connections between areas in the neo-cortex. In late childhood and early teenage years, there is another flurry of activity that prepares the brain for higher level thought and goes into adulthood. They call it an “hourglass effect”—flurries on each end with a lull in the middle.

What’s more – when they looked at monkey brain development, this pattern did not exist, leading them to conclude that this pattern is unique and specific to human development.

Why is it important? It gives researchers and doctors more information on development, brain connections during pregnancy and early childhood development, and can also give information about lack of brain connections that occur in autism and other neurological disorders. *Source: Foundation for Biomedical Research* <http://fbresearch.org/brain-development-human-is-not-monkey/>

## Eliminating Dog-Transmitted Rabies

### *End of human deaths in Americas from dog-transmitted rabies targeted for 2015*

By Greg Cima - December 4, 2013. Global health organizations hope to eliminate rabies transmission from dogs to humans in the Americas within the next two years.

The World Health Organization and the Pan American Health Organization, which serves as a regional office for the WHO, hope to accomplish that goal by the end of 2015.

Dr. Victor J. del Rio Vilas, zoonosis coordinator in Panaftosa, a scientific section of the PAHO, said the rabies case load has declined, but rabies remains a neglected disease and a “morally unacceptable” presence in the current level of global development. The 2013 report of the WHO Expert Consultation on Rabies indicates canine rabies control programs reduced dog-transmitted cases of human rabies in Latin America and the Caribbean from 250 in 1990 to fewer than 10 in 2010. Dr. del Rio said in early November that his organization had received nine reports of humans infected with rabies in Latin America and the Caribbean during 2013, and not all those infections were transmitted by dogs.

People in the Western Hemisphere now contract rabies from bats more often than they do from dogs, he said. *Full article JAVMA News, December 15, 2013:* <https://www.avma.org/News/JAVMANews/Pages/131215n.aspx>

## Wildlife Commissioners Appointed by Governor

RALEIGH, N.C. (Dec. 19, 2013) — Gov. Pat McCrory has appointed three men as district commissioners to the 19-member governing board of the N.C. Wildlife Resources Commission.

Brian White, of Manteo, will represent District 1, which includes Hertford, Gates, Currituck, Camden, Pasquotank, Perquimans, Chowan, Bertie, Martin, Washington, Tyrrell, Dare and Hyde counties. He is on the board of the Dare County Boat Builders Foundation, and enjoys fishing and boating.

Joseph R. Budd, of Winston-Salem, will represent District 7, which includes Ashe, Watauga, Wilkes, Alleghany, Alexander, Iredell, Yadkin, Davie, Forsyth, Stokes and Surry counties. He belongs to the Winston-Salem Rotary Club. He enjoys quail hunting, fishing and sporting clays.

Albert L. Sneed, of Asheville, will represent District 9, which includes Cherokee, Clay, Graham, Swain, Macon, Jackson, Haywood, Transylvania, Madison, Buncombe, Polk and Henderson counties. He is previous chairman of the Buncombe County Land Conservation Advisory Board. He enjoys fishing, upland game bird hunting and windsurfing.

Wildlife commissioners establish policies and regulations governing hunting, fishing, boating, and wildlife-conservation activities in North Carolina. Appointments to the Commission are made by the Governor, the Speaker of the State House and the President Pro Tempore of the State Senate. Wildlife commissioners serve until reappointed or replaced.

<http://www.ncwildlife.org/News/NewsArticle/tabid/416/IndexID/9465/Default.aspx>

## Young Farmers & Ranchers

NC Farm Bureau's Young Farmer & Rancher Conference will be held January 25 – 26, 2014 at the Sheraton Greensboro Hotel at Four Seasons. The State YF&R Committee has planned a program reflecting the interests and concerns of North Carolina's young farm families. The YF&R Program is for young women and men between 18 and 35 years of age. It provides opportunities to develop leadership traits, public speaking skills and exposure to current issues in agriculture from state and national leaders. YF&Rs support a strong agriculture by serving on special Farm Bureau committees, county Farm Bureau Boards of Directors, and testifying as experts addressing concerns of the farmers and ranchers at public hearings. *More at <http://ncfb.org>*

## Winn Feline Foundation Grant

MT13-010: 9 Lives Cat Genome Sequencing Initiative, \$30,552.00

*Leslie Lyons, PhD; University of Missouri–Columbia*

Recent genetic tools for the cat, namely a DNA array with 63,000 genetic tests that could be assayed at one time, has created a leap forward for studying genetic diseases. Within months, instead of years, using 20 – 40 cats instead of large extended families, several diseases and their causative mutations have been identified within highly inbred cats. For example, recently four studies led to identifying important mutations causing hypokalemic polymyopathy, craniofacial defect, and orofacial pain syndrome - all in Burmese, and the curly coat phenotype in Selkirk Rex. Although the present DNA array assisted in mutation detection in inbred cats, a much higher density DNA array is needed to perform studies in less inbred cats, such as the normal housecat. This application proposes to whole genome sequence 9 cats (9 Lives) that have genetic disease traits previously identified, and will be the first step in providing a denser array and more accurate assembly of the cat genome. The data will make other genome studies more efficient and cost effective than to study each trait and disease of interest individually. It is hoped that this 9 Lives project will kick start a bigger, more ambitious effort to sequence 99 genomes of the cat – The 99 Lives Cat Genome Initiative. *Source: <http://www.winnfelinehealth.org/>*

## APHIS Pet Seller Rule Updates

The new rule went into effect November 18, 2013. APHIS held three webinars trying to explain the rule and who must be licensed. APHIS posted slides at their website with the major talking points.

<http://tinyurl.com/l2tycvo> The full webinars were recorded and transcribed by the Sportsmen's & Animal Owners' Voting Alliance (SAOVA) and posted for reading at [http://saova.org/APHIS\\_rulemaking.html](http://saova.org/APHIS_rulemaking.html) Scroll down the page to the links for transcriptions of the webinars under the heading: *Files and Resources on new APHIS Rule*. If you have not read the transcripts, we urge you to do so.

In general, all pet breeders who sell animals sight unseen and who maintain more than 4 breeding females (combined species) must be licensed by the USDA. This includes the following list of pets: Dogs, cats, rabbits, guinea pigs, hamsters, gerbils, gophers, chinchilla, domestic ferrets, mice, rats. Anyone who maintains four or less breeding females (combined species) and sells only the offspring of those females may sell pets at retail or wholesale and may either ship or sell face-to-face without a license.

Of major concern is the interpretive definition of a breeding female. APHIS states it must be assumed that any intact female or any female capable of breeding may be bred. Determination of whether or not a female on your property counts as a breeding female is solely at the discretion of APHIS inspectors. Any female maintained on your premises can be counted if the inspector chooses.

APHIS created a new, online form in December for the public to submit their concerns about animals that are covered under the Animal Welfare Act (AWA), submit complaints against pet breeders, and report pet breeders they think should be licensed. Anonymous complaints are accepted and all complaints are investigated.

Dogs sold for hunting, security, or for breeding purposes are exempt from regulation. APHIS claims they will investigate if too many pets are sold while claiming the above exemption. Dogs sold for agility are considered to be pets. Some rescue organizations may be licensed.

Associated Dog Clubs of New York State (ADCNYS) is an AKC Federation of Dog Clubs with 56 member clubs in New York State. On December 16, 2013 ADCNYS filed a lawsuit in the Federal District Court in Washington DC that asks the Court to declare that the Retail Pet Store Rule is "arbitrary, capricious and inconsistent" with law, and to remand the Rule back to the USDA. The lawsuit also seeks an injunction that would bar the USDA from enforcing the Retail Pet Store Rule. The "Complaint" in the lawsuit was filed on behalf of 42 Plaintiffs that consisted of dog and cat clubs, associations and a registry. Those 42 Plaintiffs included nearly 19,000 breeders who potentially would be adversely affected by the Rule. Those 42 Plaintiffs represent less than 1% of the more than 5,500 Dog and Cat Clubs in the U.S., which supports the assertion that the Rule potentially affects far more than the 4,640 breeders that APHIS stated was the maximum number of breeders who potentially would be affected by the Rule. One of the cornerstone assertions in the Complaint is the fact that APHIS failed to document how it arrived at its figure of 4,640 breeders, which figure is exponentially below the number of hobby breeders who potentially could be affected by the Rule. The complaint is posted and can be viewed here: <http://tinyurl.com/mqltngb>

NCRAOA made a donation to assist with the cost of filing the federal injunction. The initial filing is only the first step and more funds will be needed as the effort to push back against the APHIS Pet Rule continues. If you or your organization have not contributed and would like to do so, follow this link <http://tinyurl.com/mjqaxx7> to *Keep Our Domestic Animals* website for mailing or PayPal instructions.

On December 30, 2013, HSUS formally filed a Motion to Intervene in the case, and its Motion and accompanying exhibits totaled over 100 pages. The HSUS complaint can be viewed here: <http://tinyurl.com/p5jb4d7> In the motion, HSUS states, "The Final Rule is the culmination of years of effort on the part of The HSUS to bring about meaningful change to existing law. If Plaintiffs are successful in their efforts to set aside the Final Rule, The HSUS will suffer immediate and concrete harm."

On January 7 HSUS posted notice of a complaint filed with USDA requesting that the agency take enforcement action against more than 50 commercial dog breeders who **appear** to be operating in violation of federal law. The breeders appear to have illegally sold puppies to middleman Purebred Breeders, LLC, without a USDA license. The complaint filed by HSUS also urges the USDA to take enforcement action against Purebred Breeders for failing to obtain a license in light of recent changes to federal regulations that require retailers who sell puppies to consumers sight-unseen to obtain a federal license. HSUS is wasting no time reporting breeders even though APHIS not had time to answer all questions or issue new licenses.

# Greene County Horses

In December the former owner of 16 horses in Greene County was arrested and charged with 2 counts of felony animal cruelty and 14 counts of misdemeanor animal cruelty.

After receiving a call about a dead horse from a neighbor, authorities found the horses in a pasture with no food or water. Sheriff Lemmie Smith found two horses dead and the remaining 14 in poor condition. The dead horses appeared to have been deceased for several days according to Greene County Health Director. The 16 horses hadn't been fed and watered for more than a month although another horse in an adjoining pasture was being fed daily.

The 14 horses were signed over to the county and are currently under the care of a veterinarian until they can be adopted.

The Greene County animal shelter was closed in September so there is currently no staff and the budget is depleted. The Sheriff's office is handling animal control duties.

NCRAOA spoke with Officer Joe Smith who thanked us for our donation. They have had some hay and feed donated as well and the horses are starting to improve. The horses will probably be available for adoption soon but will have to be Coggins tested which means incurring more vet bills.

To donate money or inquire about adoption call the Greene County Health Department at 252-747-8181.

## No Frostbite for Dogs

*Blood vessels in dog paws keep their temperature just right*

If people go barehanded and barefooted in such cold places, their skin may freeze in a painful condition called frostbite. Dogs frolic without fear of frostbite, and scientists from Japan say they've figured out why.

Mammals like arctic foxes and wolves regularly trod on ice, and other scientists had shown that the animals' pads stay warm thanks to a boost in blood flow. Dr. Hiroysho Ninomiya and colleagues at Tokyo's Yamazaki Gakuen wanted to find out if the same process helped dog paws keep warm.

Dog paws don't freeze because the arrangement of blood vessels beneath the animals' skin keeps the temperature just right, the scientists report. The arrangement helps the animal hold on to body heat, which might otherwise be easily lost through their hairless paws. Scientists call this kind of system a counter-current heat exchanger. Similar systems are found in penguins, seals, and whales.

Further reading: Ninomiya, H. et al. 2011. [Functional anatomy of the footpad vasculature of dogs: scanning electron microscopy of vascular corrosion casts](#). *Veterinary Dermatology*. 22 (6): 475-481.

Source: *Science News for Students* <https://student.societyforscience.org/sciencenews-students>

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.

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