

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

The meeting was called to order by Representative Susan Roenbaugh at
Chairperson

9:00 a.m./~~p.m.~~ on February 21, 1990 in room 423-S of the Capitol.

All members were present except: Representative Heinemann, excused

Committee staff present: Raney Gilliland, Legislative Research
Jill Wolters, Revisor of Statutes Office
Pat Brunton, Committee Secretary

Conferees appearing before the committee: Representative Ginger Barr, Legislator
Warren Parker, Assistant Director, Public
Affairs Division, Kansas Farm Bureau
Jerry Slaughter, Executive Director, Kansas
Medical Society
Robert Wunsch, Kansas University Medical
Center
Dr. Jack Riley, Head of Animal Sciences
and Industry Department, Kansas State
University
Mike Beam, Executive Secretary, Cow-Calf/
Stocker Division, Kansas Livestock Assn.
Chris Wilson, Director of Governmental
Relations, Kansas Grain and Feed Assn.
Mike Jensen, Executive Vice President,
Kansas Pork Producers Council
Joe Lieber, Vice President, Committee of
Kansas Farm Organizations
Gina M. Bowman-Morrill, Government Relations,
Farmland Industries, Inc., Kansas City, Mo.

Chairman Roenbaugh opened hearings on HB 2927 - enacting the farm
animal and research facilities protection act.

Representative Ginger Barr testified in support of HB 2927 stating
she had agreed to be the primary sponsor of this bill. She further
stated she does support two amendments that are being provided.
One is a technical amendment and would be placed in Section 3. The
other amendment would be defining a research facility which is
supported by the University of Kansas. (Attachment I).

Warren Parker, Kansas Farm Bureau, testified in favor of HB 2927
stating the actions by specific groups that this bill addresses have
risen almost to a level of unbelievability in this nation. HB 2927
will clearly define many of these illegal acts and protect Kansas
farmers and ranchers as well as important research facilities and
others, from destruction of property, loss of animals, and loss of
animal life. (Attachment II).

Jerry Slaughter, Kansas Medical Society, testified in support of
HB 2927 stating the ability of research facilities, including medical
schools and other organizations, to conduct bona fide animal medical
research is crucial to the advancement of quality care in our country.
(Attachment III).

Bob Wunsch, Kansas University Medical Center, testified in support
of HB 2927 and explained the proposed amendments to the bill.
Attachment IV).

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS,

room 423-S Statehouse, at 9:00 a.m. ~~xxx~~ on February 21, 1990.

Dr. Jack Riley, Kansas State University, testified in support of HB 2927 stating unfortunately, there are individuals so opposed to the use of animals for research that they resort to theft, vandalism, destruction of property and even threats against human life. Dr. Riley would propose striking the phrase "or otherwise exercises control over an animal facility, an animal from an animal facility" and substituting the phrase "release, steal or otherwise intentionally cause the loss of any animal" on page 2 - line 15 and 16. He would also suggest the use of "invertebrates" instead of "insects" on page 1 - line 24.
(Attachment V).

Mike Beam, Kansas Livestock Association, testified in support of HB 2927 stating it seems appropriate to send a signal to individuals and groups with radical actions that Kansas will not tolerate such behavior. (Attachment VI).

Chris Wilson, Kansas Grain and Feed Association, testified in support of HB 2927 stating the Association believes it is important for Kansas to put such language into statute, to serve as a further deterrent to the kinds of activities it addresses. (Attachment VII).

Mike Jensen, Kansas Pork Producers Council, testified in support of HB 2927 stating their state organization, along with their national organization, are actively supportive of this type of legislation, both at the state and national level. (Attachment VIII).

Joe Lieber, Committee of Kansas Farm Organizations, testified in support of HB 2927. He stated the members of the committee unanimously support HB 2927 to protect those who provide important research on animal husbandry and on medical research which benefits humanity from having their work disrupted or destroyed by outsiders, however well intentioned. (Attachment IX).

Gina Bowman-Morrill, Farmland Industries, Inc., testified in support of HB 2927.

A question and answer period followed the testimony.

Hearings were closed on HB 2927.

Chairman Roenbaugh announced that hearings on HB 2785 - Kansas act for filing of effective financing statements would be held on Thursday, February 22 and Friday, February 23 and that a Revised Agenda would be published to that effect. The proponents will be heard on Thursday, February 22 and the opponents will be heard on Friday, February 23.

The meeting adjourned at 9:40 a.m. The next meeting of the House Agriculture and Small Business Committee will be February 22, 1990, at 9:00 a.m. in Room 423-S, State Capitol.

STATE OF KANSAS

GINGER BARR
REPRESENTATIVE, FIFTY-FIRST DISTRICT
SHAWNEE COUNTY
P.O. BOX 58
AUBURN, KANSAS 66402-0058



TOPEKA

HOUSE OF
REPRESENTATIVES

February 21, 1990

COMMITTEE ASSIGNMENTS
CHAIRMAN: FEDERAL AND STATE AFFAIRS
MEMBER: ENERGY AND NATURAL RESOURCES

Chairwoman Roenbaugh and Members of the Agriculture Committee:

I agreed to be the primary sponsor on HB 2927, the Farm Animal and Research Facilities Protection Act, at the encouragement of the Kansas Farm Bureau.

I was happy to sponsor this measure as I agree with the intent of the bill. Much of the language came from proposed federal legislation (H.R. 3270) whose primary sponsor is Congressman Charles Stenholm. Through my research I have found that we currently have laws on the books protecting farm animals and research facilities. Attached to my testimony is a memo from Mary Torrence, Assistant Revisor of Statutes, spelling out current law in regard to these matters. However, it was felt by Farm Bureau that these various statutes needed to be codified and a message sent that Kansas has a policy discouraging any kind of assault on farm animal and animal research facilities.

As the majority of you are aware, I have dealt with other legislation concerning animals. Therefore, I am quite leery of any type of amendment which may be offered to this bill. You will note that the enacting clause deals specifically with farm animals and research facilities. Also under the definition Section 2, (b) "animal facility does not include the premises of any person licensed pursuant to K.S.A. 47-1701 et seq., and amendments thereto". Those particular statutes refer to the Commercial Kennel Bill. Both Farm Bureau and I wanted to make sure that this bill, in no way, would change the policy regarding commercial kennels already addressed by the Legislature.

I do support two amendments that are being provided. One is from the Revisor's Office and would be placed in Section 3. This is a technical amendment. Also, I have another amendment defining a research facility which is supported by the University of Kansas.

I appreciate the Committee's time in hearing this bill and would stand for any questions.

AG. § SB

2-21-90

ATTACHMENT I

NORMAN J. FURSE, ATTORNEY
REVISOR OF STATUTES

ARDEN K. ENSLEY, ATTORNEY
FIRST ASSISTANT REVISOR

JAMES A. WILSON III, ATTORNEY
SENIOR ASSISTANT REVISOR

ASSISTANT REVISORS
AVIS A. SWARTZMAN, ATTORNEY
DON S. HAYWARD, ATTORNEY
MARY ANN TORRENCE, ATTORNEY
WILLIAM L. EDDS, ATTORNEY
BRUCE W. KINZIE, ATTORNEY
THERESA M. KIERNAN, ATTORNEY
GORDON L. SELF, ATTORNEY
JILL A. WOLTERS, ATTORNEY

COMPUTER INFORMATION STAFF
MARY O. CHENG, M.S.
RICHARD M. CHAMPNEY, B.S.



LEGAL CONSULTATION—LEGISLATIVE
COMMITTEES AND LEGISLATORS
LEGISLATIVE BILL DRAFTING
SECRETARY—LEGISLATIVE
COORDINATING COUNCIL
SECRETARY—KANSAS COMMISSION
ON INTERSTATE COOPERATION
KANSAS STATUTES ANNOTATED
EDITING AND PUBLICATION
LEGISLATIVE INFORMATION SYSTEM

OFFICE OF
REVISOR OF STATUTES
STATE HOUSE, THIRD FLOOR
TOPEKA, KANSAS 66612-1592
(913) 296-2321

To: Representative Ginger Barr

From: Mary Torrence, Assistant Revisor of Statutes

Date: February 6, 1990

Re: Protection of Farm Animals and Research Facilities

I have reviewed the proposed federal legislation (H.R. 3270) which you gave me and believe that the crimes spelled out in that legislation are covered by state law as follows:

(1) Section 1484(a) of the federal bill is covered by K.S.A. 21-3705, unlawful deprivation of property. However, the federal maximum sentence is a fine of \$10,000 and/or imprisonment for 3 years. The maximum state penalty is \$2,500 and/or 1 year imprisonment.

(2) Section 1484(b) is covered by K.S.A. 21-3718, arson, and 21-3720, criminal damage to property. The federal penalties are the same as above, but the maximum state penalties are even stiffer than the federal penalties if damage is more than \$500.

(3) Section 1484(c) is covered by K.S.A. 21-3721, criminal trespass, and 21-3301, attempt. Again, the federal maximum penalties are as above but the state maximum for criminal trespass is \$1,000 and/or 6 months in jail. Attempt is one classification lower than the crime attempted.

(4) Section 1484(d) is also covered by K.S.A. 21-3721, criminal trespass. The federal maximum in this case is \$1,000 and/or one year. The state is \$1,000 and/or 6 months.

If you still would like any legislation drafted on this subject, please let me know and I will be happy to get a bill to you.

21-3612. Contributing to a child's misconduct or deprivation. (1) Contributing to a child's misconduct or deprivation is:

(a) Causing or encouraging a child under 15 years of age to become or remain a traffic offender, child in need of care as defined by the Kansas code for care of children or a juvenile offender as defined by the Kansas juvenile offenders code;

(b) causing or encouraging a child under 18 years of age not to attend school as required by law;

(c) causing or encouraging a child under 18 years of age to commit an act which, if committed by an adult, would be a misdemeanor;

(d) failure to reveal, upon inquiry by a uniformed or properly identified law enforcement officer engaged in the performance of such officer's duty, any information one has regarding a runaway, with intent to aid the runaway in avoiding detection or apprehension;

(e) causing or encouraging a child under 18 years of age to commit an act which, if committed by an adult, would be a felony; or

(f) sheltering or concealing a runaway with intent to aid the runaway in avoiding detection or apprehension by law enforcement officers.

Contributing to a child's misconduct or deprivation as described in subsection (1)(a), (b), (c) or (d) is a class A misdemeanor. Contributing to a child's misconduct or deprivation as described in subsection (1)(e) or (f) is a class E felony.

(2) A person may be found guilty of contributing to a child's misconduct or deprivation even though no prosecution of the child whose misconduct or deprivation the defendant caused or encouraged has been commenced pursuant to the Kansas code for care of children, Kansas juvenile offenders code or Kansas criminal code.

(3) As used in this section, "runaway" means a child under 18 years of age who is willfully and voluntarily absent from:

(a) The child's home without the consent of the child's parent or other custodian; or

(b) a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee.

(4) This section shall be part of and supplemental to the Kansas criminal code.

History: L. 1978, ch. 123, § 1; L. 1982,

ch. 182, § 148; L. 1984, ch. 120, § 1; L. 1986, ch. 158, § 1; L. 1987, ch. 246, § 3; July 1.

Law Review and Bar Journal References:

"Survey of Kansas Law: Criminal Law and Procedure," Keith G. Meyer, 27 K.L.R. 391, 392 (1979).

CASE ANNOTATIONS

1. Conviction reversed; evidence not sufficient to sustain conviction. State v. Chance, 4 K.A.2d 283, 286, 604 P.2d 756.

Article 37.—CRIMES AGAINST PROPERTY

21-3701. Theft. Theft is any of the following acts done with intent to deprive the owner permanently of the possession, use or benefit of the owner's property:

(a) Obtaining or exerting unauthorized control over property; or

(b) Obtaining by deception control over property; or

(c) Obtaining by threat control over property; or

(d) Obtaining control over stolen property knowing the property to have been stolen by another.

Theft of property of the value of \$50,000 or more is a class D felony. Theft of property of the value of at least \$500 but less than \$50,000 is a class E felony. Theft of property of the value of less than \$500 is a class A misdemeanor, except that theft of property of the value of less than \$500 is a class E felony if committed by a person who has, within five years immediately preceding commission of the crime, been convicted of theft two or more times.

Nothing herein shall prohibit the removal in a lawful manner, by towing or otherwise, of personal property unlawfully placed or left upon real property.

Conviction of a violation of a municipal ordinance prohibiting acts which constitute theft as defined by this section shall be considered a conviction of theft for the purpose of determining the number of prior convictions and the classification of the crime under this section.

History: L. 1969, ch. 180, § 21-3701; L. 1972, ch. 116, § 1; L. 1978, ch. 120, § 29; L. 1984, ch. 119, § 2; L. 1988, ch. 113, § 2; July 1.

Source or prior law:

21-103, 21-529, 21-532, 21-533, 21-534, 21-535, 21-535a, 21-536, 21-537, 21-539, 21-540, 21-541, 21-542, 21-543, 21-544, 21-545, 21-546, 21-547, 21-548, 21-549, 21-550.

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released =

dealing with value of appearance

21-3729

CRIMES AND PUNISHMENTS

pairing the use of any property in which another has an interest without the consent of such other person; or

(b) Injuring, damaging, mutilating, defacing, destroying, or substantially impairing the use of any property with intent to injure or defraud an insurer or lienholder.

(2) Criminal damage to property is a class D felony if the property is damaged to the extent of \$50,000 or more. Criminal damage to property is a class E felony if the property is damaged to the extent of at least \$500 but less than \$50,000. Criminal damage to property is a class A misdemeanor if the property damaged is of the value of less than \$500 or is of the value of \$500 or more and is damaged to the extent of less than \$500.

History: L. 1969, ch. 180, § 21-3720; L. 1978, ch. 120, § 31; L. 1984, ch. 119, § 7; L. 1989, ch. 92, § 33; July 1.

CASE ANNOTATIONS

20. Discretion to appoint substitute counsel, adequate time to prepare for trial, knowing waiver of counsel examined. State v. Roberts, 13 K.A.2d 485, _____ P.2d _____ (1989).

21-3729. Unlawful use of a financial card. (1) Unlawful use of a financial card is any of the following acts done with intent to defraud and for the purpose of obtaining money, goods, property, services or communication services, other than telecommunication services as defined by K.S.A. 21-3745 and amendments thereto:

(a) Using a financial card without the consent of the cardholder; or

(b) knowingly using a financial card, or the number or description thereof, which has been revoked or canceled; or

(c) using a falsified, mutilated, altered or nonexistent financial card or a number or description thereof.

(2) For the purposes of this section:

(a) "Financial card" means an identification card, plate, instrument, device or number issued by a business organization authorizing the cardholder to purchase, lease or otherwise obtain money, goods, property, services or communication services or to conduct other financial transactions.

(b) "Cardholder" means the person or entity to whom or for whose benefit a financial card is issued.

(3) For the purposes of subsection (1)(b) hereof, a financial card shall be deemed canceled or revoked when notice in writing thereof has been received by the named holder

thereof as shown on such financial card or by the records of the company.

(4) Unlawful use of a financial card is a class D felony if the money, goods, property, services or communication services obtained within any seven-day period are of the value of \$50,000 or more. Unlawful use of a financial card is a class E felony if the money, goods, property, services or communication services obtained within any seven-day period are of the value of at least \$500 but less than \$50,000. Unlawful use of a financial card is a class A misdemeanor if the money, goods, property, services or communication services obtained within a seven-day period are of the value of less than \$500.

History: L. 1969, ch. 180, § 21-3729; L. 1973, ch. 139, § 1; L. 1977, ch. 114, § 1; L. 1984, ch. 119, § 8; L. 1989, ch. 92, § 22; July 1.

21-3732.

CASE ANNOTATIONS

1. Device known as "torpedo" not included within provision of statute. In re D.W.A., 244 K. 114, 116, 765 P.2d 704 (1988).

21-3758. Certificate of titles; failure to show complete chain of title; penalty. (a) It shall be unlawful to transfer ownership to any vehicle or mobile home and fail to show oneself on the transferred certificate of title.

(b) Violation of subsection (a) is a class C misdemeanor.

History: L. 1989, ch. 86, § 1; July 1.

Cross References to Related Sections:

Denial, suspension or revocation of dealer's license for cross-titling, see 8-2410.

Article 38.—CRIMES AFFECTING GOVERNMENTAL FUNCTIONS

21-3805. Perjury. (a) Perjury is willfully, knowingly and falsely swearing, testifying, affirming, declaring or subscribing to any material fact upon any oath or affirmation legally administered in any cause, matter or proceeding before any court, tribunal, public body, notary public or other officer authorized to administer oaths; or

(2) subscribing as true and correct under penalty of perjury any material matter in any declaration, verification, certificate or statement as permitted by K.S.A. 1989 Supp. 53-601.

(b) Perjury is a class D felony if the false statement is made upon the trial of a felony. Perjury is a class E felony if the false statement is made in a cause, matter or proceeding other

than the trial of a under penalty of verification, certified by K.S.A. 198

History: L. 1982, ch. 132, § 4 1.

21-3808.

CASE

19. Cited; Nonresidence caption to suspension examined. State v. Hud (1988).

21-3813.

CASE

2. Cited; right to sp. tending to appeals from examined. City of Elkh 757 P.2d 311 (1988).

Article 39.—C PUB.

21-3901.

CASE

5. Cited; prior conv statutes as barring read In re Russo, 244 K. 3,

21-3904.

Law Review and Bar J "Tort Law: Kansas F By Providing Relief for 242 Kan. 893, 752 P.2 28 W.L.J. 172, 180, 18

CASE

4. Cited in holding 3 fraud charge rather than ing (21-3711). State v. P.2d _____ (1989).

21-3914.

Attorney General's Opi Unlawful use of name 47.

Article 40.—C VIOLATIONS O

21-4009.

Attorney General's Opi Use of tobacco in pi 88-140.

Article 41.—C PUB

21-4113.

CASE

3. Cited; evidence o "phone trap" as admissi examined. State v. Est (1988).

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state specific findings or reversal examined. 621 (1988).
 burglary statute (21-3716) during living quarters A.2d 286, 289, 769

with lights on and pursuit considered as examined. State v. _____ P.2d _____

continuing offense, misrepresentations as Jones, 13 K.A.2d 520, (9).
 for acquittal prior to defendant's evidence examined. P.2d _____

worthless check. (1) In making, drawing, causing or directing or delivering any bank, credit institution or depositor or its equivalent, or at the time of giving or delivering that the maker credits with the funds in, or credits payment of such full upon its

against the maker or draft payment, of the drawee on account of making, drawing such check shall be intended to defraud the funds in, or unless the maker thereof the amount does not exceed seven days after the maker or drawer has not been notified in this section, then notice to the defendant in the United States person to be addressed as it appears.

to a prosecution check, draft or order is based:

(a) Was postdated, or
 (b) was given to a payee who had knowledge or had been informed, when the payee accepted such check, draft or order, that the maker did not have sufficient funds in the hands of the drawee to pay such check, draft or order upon presentation.

(4) Giving a worthless check is a class D felony if the check, draft or order is drawn for \$50,000 or more. Giving a worthless check is a class E felony if the check, draft or order is drawn for at least \$500 but less than \$50,000. Giving a worthless check is a class A misdemeanor if the check, draft or order is drawn for less than \$500.

History: L. 1969, ch. 180, § 21-3707; L. 1972, ch. 117, § 1; L. 1981, ch. 144, § 1; L. 1984, ch. 119, § 4; L. 1986, ch. 223, § 5; L. 1989, ch. 92, § 19; July 1.

21-3708. Habitually giving a worthless check. (1) Habitually giving worthless checks is:

(a) Giving a worthless check, as defined by K.S.A. 21-3707 and amendments thereto, drawn for less than \$500, by a person who has within two years immediately preceding the giving of such worthless check, been twice convicted of giving worthless checks; or

(b) Giving two or more worthless checks, as defined by K.S.A. 21-3707 and amendments thereto, each drawn for less than \$500, if the total amount for which such worthless checks are drawn is \$500 or more and each of such checks was given on the same day.

(2) A complaint, information or indictment charging a violation of subsection (1)(a) shall allege specifically that the defendant has twice been convicted of giving a worthless check and shall allege the dates and places of such convictions and that both of them occurred within a period of two years immediately preceding the crime charged. For the purpose of subsection (1)(b) worthless checks bearing the same date shall be presumed to have been given the same day. Any complaint, information or indictment charging a violation of this section shall allege that the defendant feloniously committed the crime.

(3) Habitually giving worthless checks is a class E felony.

History: L. 1969, ch. 180, § 21-3708; L. 1984, ch. 119, § 5; L. 1989, ch. 92, § 20; July 1.

21-3710.**CASE ANNOTATIONS**

14. Cited; presumption in favor of probation (21-4606a) examined where first convictions are Class E felonies. State v. Knabe, 243 K. 538, 757 P.2d 308 (1988).

21-3711.**CASE ANNOTATIONS**

10. Theft of public assistance as continuing offense, applicability of statute of limitations, misrepresentations as "willfully false" examined. State v. Jones, 13 K.A.2d 520, 521, _____ P.2d _____ (1989).

11. General statute inapplicable when welfare fraud (39-720) charged. State v. Wilcox, 245 K. 76, 78, _____ P.2d _____ (1989).

21-3715. Burglary. Burglary is knowingly and without authority entering into or remaining within any: (1) Building, mobile home, tent or other structure, with intent to commit a felony or theft therein; or (2) motor vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property, with intent to commit a felony or theft therein.

Burglary as described in subsection (1) is a class D felony. Burglary as described in subsection (2) is a class E felony.

History: L. 1969, ch. 180, § 21-3715; L. 1989, ch. 92, § 21; July 1.

CASE ANNOTATIONS

93. Conviction reversed; alternative burglary theories - sufficiency of evidence, underlying felony under 21-3401, in-custody statement where English secondary language examined. State v. Garcia, 243 K. 662, 663, 763 P.2d 585 (1988).

94. Sixth Amendment as shield to defendant's misconduct; admitting statement of deceased eyewitness; admitting prior taped statement of prosecution witness; nonuse of ballistics report examined. State v. Gettings, 244 K. 236, 238, 769 P.2d 25 (1989).

21-3716.**CASE ANNOTATIONS**

71. Application of statute to include multi-unit structures containing living quarters determined. State v. Dorsey, 13 K.A.2d 286, 289, 769 P.2d 38 (1989).

72. Leaving vehicle on golf course with lights on and keys in ignition while police in pursuit considered as "abandonment" permitting search examined. State v. Brunson, 13 K.A.2d 384, 385, _____ P.2d _____ (1989).

21-3719.**CASE ANNOTATIONS**

11. Sixth Amendment as shield to defendant's misconduct; admitting statement of deceased eyewitness; admitting prior taped statement of prosecution witness; nonuse of ballistics report examined. State v. Gettings, 244 K. 236, 238, 769 P.2d 25 (1989).

21-3720. Criminal damage to property. (1) Criminal damage to property is by means other than by fire or explosive:

(a) Willfully injuring, damaging, mutilating, defacing, destroying, or substantially im-

to show clear purpose to violate law = Burglary



PUBLIC POLICY STATEMENT

HOUSE AGRICULTURE AND SMALL BUSINESS COMMITTEE

RE: H.B. 2927 - Farm Animal and Research Facilities Protection Act

February 21, 1990
Topeka, Kansas

Presented by:
Warren A. Parker, Assistant Director
Public Affairs Division
Kansas Farm Bureau

Chairman Roenbaugh and members of the Committee:

My name is Warren Parker. I am the Assistant Director of the Public Affairs Division for Kansas Farm Bureau. We appreciate this opportunity to speak before you on behalf of the farmers and ranchers in each of the 105 County Farm Bureaus in Kansas.

We come before you **strongly supporting H.B 2927**. In recent years, the actions by specific groups that this bill addresses have risen almost to a level of unbelievability in this nation. In many states, fires have been set at farms and ranches, meat processing facilities, and veterinary services buildings. The Animal Rights League, a national organization, took responsibility for fires that destroyed a feed barn and poultry warehouse in California, claiming those that profit from what this group believes is animal exploitation will be driven out of business by economic losses and increased public attention. In another example of how these groups try to achieve their agenda a battle was fought in 1988 over a referendum with national implications

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ATTACHMENT II

which would have set unrealistic standards for livestock and poultry housing, feeding and hauling. During that time, while both forces were acquiring information about the issue, a document was obtained entitled "Action for Animals Part 1", subtitled, "Compiled from first-hand experience and research material." This document outlined how to stop a vehicle by describing the effect of a heavy cable stretched across the road and pulled taut. It also focused on the "how-to's" of breaking and entering without leaving fingerprints or other incriminating evidence. These people are to say the least misguided. They not only threaten the property rights of farmers and ranchers, and delay and destroy life-saving research, they threaten the very economic system of this state and this country. **H.B 2927** will clearly define many of these illegal acts and protect Kansas farmers and ranchers as well as important research facilities and others, from destruction of property, loss of animals, and loss of animal life. Kansas, with animal agriculture playing such a key role in this state's total economy, should be at the forefront of this issue.

One of the main concerns from some animal rights groups is that the health and life of animals on farms and ranches is in extreme danger. As you know, the health and life of that animal is paramount to the profitability of any operation. You don't make much money on an animal that can't produce or gain well because of sickness. The cost of drugs and other medications are not cheap. If the animal is dead, the profit potential is zero, so common sense will tell anyone that proper care and health of

animals used in agriculture is not only necessary but pretty smart. We strongly believe in the compassionate care of an animal as an animal, but we do not believe that animals are raised to the level of humans. We cannot afford to have uneducated groups who do believe that to continue to destroy, steal from, and impede operations that provide food, fiber and life to this state and this country. As said before, **H.B. 2927** is a recognition of the increased occurrences of these specific acts, it defines them, and it applies the punishments these crimes warrant. Kansans may not yet have seen some of the more radical occurrences that can be perpetrated by these groups, but let's not close the barn door after the horses have escaped, Kansas needs this bill now. We strongly urge the Committee to approve **H.B. 2927**. I would be happy to try to respond to any questions.



KANSAS MEDICAL SOCIETY

1300 Topeka Avenue • Topeka, Kansas 66612 • (913) 235-2383
Kansas WATS 800-332-0156 FAX 913-235-5114

February 21, 1990

TO: House Committee on Agriculture
and Small Business

FROM: Jerry Slaughter
Executive Director

SUBJECT: HB 2927; Concerning the Farm Animal and
Research Facilities Protection Act

The Kansas Medical Society appreciates the opportunity to appear today in support of HB 2927, the Farm Animal and Research Facilities Protection Act. The ability of research facilities, including medical schools and other organizations, to conduct bona fide animal medical research is crucial to the advancement of quality care in our country. Nationwide there have been numerous incidents of activist groups who have interfered with, or even damaged the property of bona fide research facilities. In order for science and technology to progress, bona fide research facilities must have protection. It is hoped that the provisions of HB 2927 will discourage acts of vandalism, harassment, and property damage against research facilities.

We support HB 2927, and urge you to report it favorably. Thank you.

JS:nb

*Ag. 5B
2-21-90
ATTACHMENT III*

HOUSE BILL No. 2927

By Representatives Barr, Aylward, Bryant, Chronister, Crumbaker, Eckert, Empson, Ensminger, Flottman, Flower, Freeman, Fry, Fuller, Gatlin, Guldner, Hamm, Heinemann, Jenkins, Lucas, Mead, Mollenkamp, Moomaw, Ramirez, Rezac, Roe, Roenbaugh, Russell, Samuelson, Schauf, Shore, Smith, Sughrue, Teagarden, Wagnon and Wilbert

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Attch. III

14 AN ACT enacting the farm animal and research facilities protection
15 act; prohibiting certain acts with regard to certain animal facilities
16 and providing penalties and remedies therefor.
17

18 *Be it enacted by the Legislature of the State of Kansas:*

19 Section 1. This act shall be known and may be cited as the farm
20 animal and research facilities protection act.

21 Sec. 2. As used in this act:

22 (a) "Animal" means any warm or coldblooded animal used in food
23 or fiber production, agriculture, research, testing or education and
24 includes poultry, fish and insects.

25 (b) "Animal facility" includes any vehicle, building, structure or _____, research facility
26 premises where an animal is kept, handled, housed, exhibited, bred
27 or offered for sale but does not include the premises of any person _____ required to be registered or
28 licensed pursuant to K.S.A. 47-1701 *et seq.*, and amendments
29 thereto.

30 (c) "Consent" means assent in fact, whether express or apparent.

31 (d) "Deprive" means to:

32 (1) Withhold an animal or other property from the owner per-
33 manently or for so extended a period of time that a major portion
34 of the value or enjoyment of the animal or property is lost to the
35 owner;

36 (2) restore the animal or other property only upon payment of
37 reward or other compensation; or

38 (3) dispose of an animal or other property in a manner that makes
39 recovery of the animal or property by the owner unlikely.

40 (e) "Effective consent" includes consent by a person legally au-
41 thorized to act for the owner. Consent is not effective if:

42 (1) Induced by force or threat;

43 (2) given by a person the actor knows is not legally authorized

Ag. SB

2-21-90

ATTACHMENT IV

1 to act for the owner; or

2 (3) given by a person who by reason of youth, mental disease or
3 defect or intoxication is known by the actor to be unable to make
4 reasonable decisions.

5 (f) "Owner" means a person who has title to the property, pos-
6 session of the property, whether lawful or not, or a greater right to
7 possession of the property than the actor.

8 (g) "Person" means any individual, corporation, association, non-
9 profit corporation, joint stock company, firm, trust, partnership, two
10 or more persons having a joint or common interest or other legal
11 entity.

12 (h) "Possession" means actual care, custody, control or
13 management.

14 Sec. 3. (a) No person shall, without the effective consent of the
15 owner, ~~or otherwise exercises control over an animal facility, an~~
16 animal from an animal facility or other property from an animal
17 facility, with the intent to deprive the owner of such facility, animal
18 or property and to damage the enterprise conducted at the animal
19 facility.

20 (b) No person shall, without the effective consent of the owner
21 and with the intent to damage the enterprise conducted at the animal
22 facility, damage or destroy an animal facility or any animal or prop-
23 erty in or on an animal facility.

24 (c) No person shall, without the effective consent of the owner
25 and with the intent to damage the enterprise conducted at the animal
26 facility:

27 (1) Enter an animal facility, not then open to the public, with
28 intent to commit an act prohibited by this section;

29 (2) remain concealed, with intent to commit an act prohibited
30 by this section, in an animal facility; or

31 (3) enter an animal facility and commit or attempt to commit an
32 act prohibited by this section.

33 (d) (1) No person shall, without the effective consent of the owner
34 and with the intent to damage the enterprise conducted at the animal
35 facility, enter or remain on an animal facility if the person:

36 (A) Had notice that the entry was forbidden; or

37 (B) received notice to depart but failed to do so.

38 (2) For purposes of this subsection (d), "notice" means:

39 (A) Oral or written communication by the owner or someone
40 with apparent authority to act for the owner;

41 (B) fencing or other enclosure obviously designed to exclude in-
42 truders or to contain animals; or

43 (C) a sign or signs posted on the property or at the entrance to

(i) "Research facility" means any elementary school, secondary school, college or university, at which any scientific test, experiment or investigation involving the use of any living animal is carried out, conducted or attempted.

acquire or otherwise exercise

11-2

House Committee on Agriculture & Small Business
HB2927: Farm Animal & Research Facilities Protection Act
February 21, 1990

Testimony Prepared by
Dr. Jack Riley, Head
Animal Sciences and Industry Department
Kansas State University

I am Jack Riley, Head of the Animal Sciences and Industry Department at Kansas State University. Prior to becoming an administrator, I was faculty coordinator of the K-State Beef Cattle Research Unit for 16 years and served on the University Animal Care Committee for two years.

Kansas State University has the broadest and most extensive array of animal research facilities in Kansas with scientific studies involving laboratory or farm animals being conducted in five colleges at Manhattan and at four branch experiment stations.

Considering my background, training and experiences, the following comments are primarily directed toward research utilizing farm animals. I am proud of the Animal Science facilities available at K-State and the opportunity to conduct basic and applied research on a wide range of relevant topics. Individual projects are developed by scientists and in most instances submitted to extensive peer review prior to initiation. Significant animal research is being conducted in the Animal Science discipline areas of nutrition, reproductive physiology, breeding/genetics, production-management, and animal products (including food safety). Many of the projects are long term efforts and expensive to conduct.

At Kansas State University research with laboratory animals must meet the strict AAALAC (American Association of Accreditation of Laboratory Animal Care) guidelines while research with farm animals is directed by the nationally adopted "Guide for the Care and Use of Agricultural Animals in Agricultural Research and Teaching." It should be emphasized that animals as well as humans benefit from university research.

Unfortunately, there are individuals so opposed to the use of animals for research that they resort to theft, vandalism, destruction of property and even threats against human life. Crimes attributed to activists on the University of California - Davis, University of Arizona and Texas Tech campuses were not minor, isolated incidences but, potentially, could be encountered at other universities.

Last May, at three of the Animal Science research facilities, gates were opened, experimental animals were turned together and research was disrupted. The damage was minimized by prompt discovery and remedial action.

Ac. SB
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ATTACHMENT V

We do not know who or why these experiments were disrupted. However, regardless of the underlying motive, illegal acts, destruction of property and vandalism are, in all cases, contrary to the public interest.

In summary, I support HB2927 and compliment the committee for introducing the Farm Animal and Research Facilities Protection Act.

Footnote: Page 2 - line 15 and 16. I would propose striking the phrase "or otherwise exercises control over an animal facility, an animal from an animal facility" and substituting the phrase "release, steal or otherwise intentionally cause the loss of any animal".

Page 1 - line 24 Suggest use of "invertebrates" instead of "insects".



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Owns and Publishes The Kansas STOCKMAN magazine and KLA News & Market Report newsletter.

February 21, 1990

To: House Agriculture & Small Business Committee

From: Mike Beam, Executive Secretary of KLA's Cow-Calf/Stocker Division

Re: House Bill 2927, The Farm Animal and Research Facilities Protection Act

The Kansas Livestock Association supports **HB 2927** and applauds the 35 sponsors for introducing the legislation. This proposal is similar to pending legislation in Congress that recognizes a very serious problem that has occurred in several other states.

Radical animal rights groups have shown an increasing tendency towards actual and threatened disruption and violence to agricultural operations, university research activities, and state livestock associations. For example, state cattle associations in California, Utah, Arizona, New Mexico, and Florida have all received actual or threatened damage to their office facilities. Staff members from these four states have also received repeated death threats from such groups.

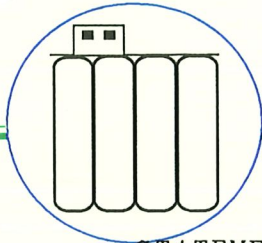
I'm sure our current laws address acts of violence such as these. However, it seems appropriate to send a signal to individuals and groups with radical actions that Kansas will not tolerate such behavior.

Thanks for your support. We stand willing to provide any further information about this issue to members of the legislature.

Ac. SB

2-21-90

ATTACHMENT VI



KANSAS GRAIN AND FEED ASSOCIATION

STATEMENT OF THE KANSAS GRAIN AND FEED ASSOCIATION

TO THE HOUSE AGRICULTURE & SMALL BUSINESS COMMITTEE

REP. SUSAN ROENBAUGH, CHAIRPERSON

REGARDING H.B. 2927

FEBRUARY 21, 1990

Madam Chairman and Members of the Committee, I am Chris Wilson, Director of Governmental Relations of the Kansas Grain and Feed Association (KGFA). Our approximately 1500 members constitute the state's grain and feed handling, storage, merchandising and processing industry. We appreciate the opportunity to comment today in support of H.B. 2927, enacting the farm animal and research facilities protection act.

We believe it is important for Kansas to put such language into statute, to serve as a further deterrent to the kinds of activities it addresses. Unfortunately, break-ins at laboratories, facilities such as auction markets, and even farms, have become an all-too-frequent occurrence. Federal legislation has passed the Senate and is now before the House of Representatives, to add further penalties for these actions. Animal rights activists are being encouraged by their organizations to commit such actions, and it is important that they face serious consequences if they do, or more frequent crimes may be committed. Attached to this statement is a news article quoting the Maryland Attorney General saying it is time to draw the line, because animal rights activists have become

more and more violent.

Also attached are other items of interest regarding the subject of animal rights, including an article from the Wichita Eagle which focuses on one of the animal rights organizations in Kansas. These articles provide information about the animal rights movement in the United States, which includes a proliferation of extremist groups. These groups favor ascribing rights to animals, similar to human rights, as opposed to animal care or welfare. They seek to go far beyond the animal welfare laws already well-established.

The grain and feed industry, of course, has a vital interest in the well-being of the livestock industry. Our national association, the American Feed Industry Association, has been very involved in working on the animal rights issue at the federal level. AFIA has founded the Animal Industry Foundation (AIF) to help provide factual information about animal care and the livestock industry and to counter animal rights groups. Also attached to this statement is a copy of a recent AIF newsletter, which will give you an idea of what it is doing and of the myriad of activities being conducted by animal rights groups, and information about federal legislation.

The animal rights issue is one which must be taken very seriously by American agriculture and to which we must effectively respond. We need to be proactive and have a big educational job to do. We commend Kansas Farm Bureau for the foresight and initiative in requesting this legislation and urge your support for its passage. I will be glad to respond to questions.

3 Animal Rights Activists Charged With Felonies

Government Using Bethesda Demonstration to 'Draw the Line'

By Paul W. Valentine
Washington Post Staff Writer

BALTIMORE, July 25—Three animal rights activists were indicted in federal court today, two accused of assaulting a police officer and one of destroying government property, in connection with an animal rights demonstration at the National Institutes of Health in Bethesda on April 24.

Alexander F. Pacheco, 30, and Carol Lyn Burnett, 37, both of Kensington, were charged with assaulting NIH Officer Timothy Pickett during the demonstration, in which several hundred activists protested the use of animals in medical research.

Edward M. Ashton, 40, of Bea-

con, N.Y., was charged with destroying government property when he broke open the front door of the NIH administration building, according to the indictment.

Maryland U.S. Attorney Breckinridge L. Willcox acknowledged that felony charges such as those filed today mark a new hard line by the government against animal rights demonstrators, who in the past typically were charged with trespass or other misdemeanors when arrested.

"But these [animal rights] people have become more and more violent," Willcox said, "and it is time to draw the line."

Ingrid Newkirk, national director of People for the Ethical Treatment

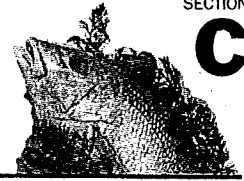
of Animals, a sponsor of the demonstration, said the government's tougher policy will generate more activism by animal rights demonstrators. "It's not going to work," she said. "It's going to backfire."

According to police reports, several hundred demonstrators converged on NIH. Some blocked Wisconsin Avenue and, according to Willcox, 30 charged the administration building and got inside by breaking the door. Twenty-one people were arrested on trespass charges.

Pacheco and Burnett face up to three years in prison and \$250,000 in fines if convicted of assault. Ashton could get up to 10 years and \$250,000 in fines if convicted of property destruction.

DAYBREAK

Treat yourself to a dish that might be served aboard the elegant Queen Elizabeth 2. / 5C



September 6, 1989

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TAKING ISSUE WITH VEAL

Calls for boycotts challenge tradition

By Kathleen Kelly
The Wichita Eagle

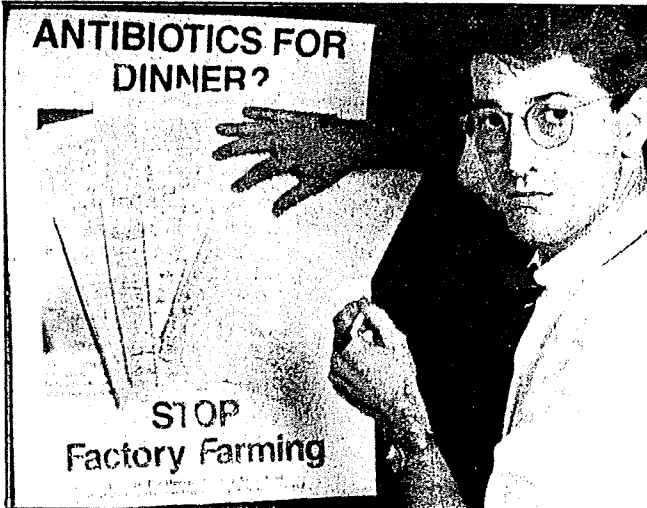
Veal is viewed with wonder and awe. The almost white, tender meat of a very young calf is, to the gourmand, the wondrous beginning of classic culinary creations. Historians generally agree that man has eaten meat since the Flood. One gastronomic encyclopedia describes the dish presented by the biblical Abraham to the angels on the plains of Mamre as identical to one served in Morocco today to distinguished guests — a shoulder of veal well-roasted and covered with butter and milk.

But today, animal rights activists urge the consumer to boycott veal because of the way it is produced. The issue is especially heated on the West Coast, but it is becoming a national issue.

Farm animal-rights organizations, including the Wichita-based Prairie Society, point out that veal calves are chained in stalls that measure 22 to 24 inches wide, too narrow for them to move about. This, say activists, is stressful and inhumane. They charge that calves raised for fancy veal production are denied solid food and exist instead on a diet of water, powdered skim milk and nutrient supplements that induces diarrhea and causes anemia. Diseases fostered by stress and poor dietary conditions force farmers to lace food with antibiotics that could be harmful to humans.

An average American eats about 135 pounds of red meat a year. Only a tiny portion of that, less than 2 pounds, is veal. Kansans probably eat less.

Kansas, among the nation's top beef-producing states, has only limited veal slaughter and consumption. Dave Schafer, animal science specialist at Kansas State University in Manhattan, said that veal most often is a byproduct of the dairy, not beef, industry. Male calves are separated



Jerry Clark/The Wichita Eagle

"Here, we are concerned with preventing all factory or intensive farming — hogs, chickens and cattle — from getting any more widespread in Kansas. The confinement of calves attracts more attention to the abuse."

Chris Brunner
director of media and
public relations, the
Prairie Society, Wichita

"I agree that I don't like the conditions we hear about, but the situation is a lot better than when veal came from unborn calves. Veal is just so delectable that it is important to the finer ends of the cuisine."

Robert Matej,
chef de cuisine
and owner, Sheffs'
restaurant, Wichita



Ken Mantyla/The Wichita Eagle

from their mothers two or three days after birth and fed milk or special formulas until they are 3 to 6 months old.

"We are aware of and concerned by the charges" against the veal industry, said Schafer. "We are not aware of any inhumane treatment, but we keep an eye out."

Said Chris Brunner, director of media and public relations for the Prairie Society, "I have not been there, but I have been told of a place in Kansas that does raise calves in small boxes." The group mustered about 50 protesters at 21st and Rock Road in support of the Humane Farming National Veal Boycott day in June.

"We know the market for veal is small in Kansas, but we don't want it to get any larger," Brunner said. "Here,

we are concerned with preventing all factory or intensive farming — hogs, chickens and cattle — from getting any more widespread in Kansas. The confinement of calves attracts more attention to the abuse" of animals.

Brunner said that Prairie Society members have contacted all restaurants and markets in the Wichita area and asked them to remove veal from menus or shelves. "We only had one response to our letters." The group is circulating petitions that will be sent to restaurants asking them to remove veal from menus, and it plans at least one more protest march.

The lone restaurateur who answered the Prairie Society's letter was Robert Matej, chef de cuisine and owner of Sheffs' restaurant in downtown Wichita. But he didn't go along with its request to stop serving veal.

"I agree that I don't like the conditions we hear about, but the situation is a lot better than when veal came from unborn calves. Veal is just so delectable that it is important to the finer ends of the cuisine," he said.

Veal doesn't have much flavor on its own, so it's the vehicle for many of the world's classic sauces, Matej explained. He buys butt tenderloins for veal and purchases veal bones for creating veal stock, which has other uses besides being an ingredient in veal presentations. "We use the stock for a lot of our glaces," he said.

"We sell quite a lot of veal and offer it because our customers want it. It comes in second behind (entrees based on) chicken breasts," Matej said.

See VEAL, Page 2C

'Free-range veal' controversy embroils farmers

By Broderick Perkins
Knight-Ridder News Service

Despite being the nation's smallest red meat industry, America's 1,500 veal farmers find themselves in the middle of a major controversy over how animals are treated and whether the end result — fork-tender veal — justifies the means.

The San Francisco-based Humane Farming Association and similar groups around the country are urging consumers and restaurants to switch from formula-fed veal to "free-range" veal — veal from calves that are allowed to roam in

"The fact that they cannot turn around or lie on their sides offends some people."

Ken Ellis

fields and are fed mother's milk and grain.

Faced with a consumer boycott, veal farmers say there's another side to the story.

Jerry Martinez, who raises veal on his Santa Rosa, Calif., farm, also

is president of the California Veal Association. He said he would change his farming practices "if somebody can show me a better way." However, Martinez said, "what the Humane Farming Association suggests could spell disaster for farmers and resultant higher prices for the consumer."

Barbara Huffman, president-elect of the American Veal Association, said veal farmers in the Midwest experimented with group pens four years ago.

"Many farmers cleaned out barns and made group pens," Huffman said. "With the exception of one person, everyone lost a great deal of

money because the death loss was higher in the group pens. The calves' health was poor. Disease spread faster."

Ken Ellis, an animal scientist at the University of California, Davis, Department of Animal Science, said stall-raised calves are healthier than those that roam free because there is "less stress on the calves. The fact that they cannot turn around or lie on their sides offends some people, but the normal reclining position for a bovine is on its chest."

The veal industry has conceded that its common practice of including antibiotics in the calves' daily diet promoted more ill will toward

the industry than good health for the calves.

Last year, the USDA's Food Safety Inspection Service found a high incidence of drug residues (primarily tetracycline) in calves raised by cut-fancy veal than in other varieties.

Veal industry response to the federal inspections has been swift. This year, the industry instituted a voluntary "veal quality assurance program" that urges farmers to relax veterinarians who decide when antibiotics should be used. The veterinarians also will conduct drug residue tests before calves are shipped for slaughter, said Ray Dohl of Oconto, Wis., president of the American Veal Association.

VEAL

Demand isn't high in Kansas markets

From Page 1C

Pete DeFazio of DeFazio's Italian Foods restaurant in northwest Wichita offers a more extensive selection

of veal preparations than Matej. They aren't big sellers, probably because they are expensive, DeFazio surmised. Out of 1,500 orders a week, only about 60 are for veal, he said. "I understand we don't want cruelty, but the animals are just raised to slaughter, like chicken."

Gary Clark, director of purchasing for F&E Wholesale Grocery, Wichita, said that the company from which he purchases veal, Provimi Veal of Dallas, responded to the

consumer boycott demand by animal rights activists by providing his firm with positive answers to the negative questions being raised. The material is designed to quiet consumer concerns.

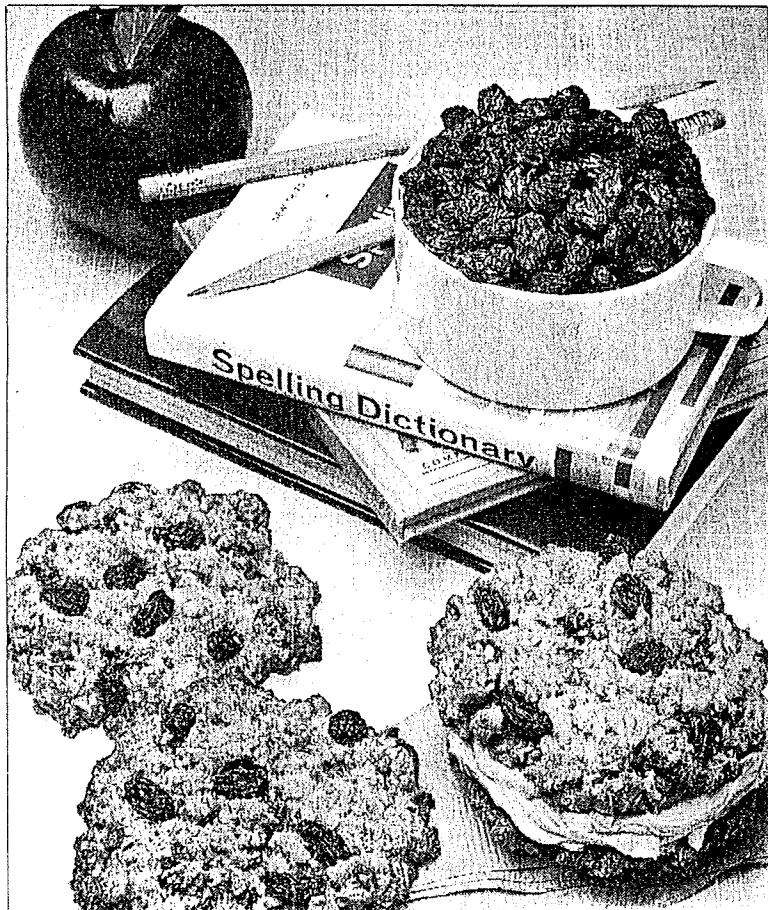
Kenneth A. Keefe, director of advertising and public relations for Dillons, Hutchinson, has similar material from the National Live Stock and Meat Board. Demand is not high for veal in the firm's supermarkets, he said. A supplier in Detroit

supplies fresh shoulders. These are ultra-thin sliced, scaloppine style, for the retail meat counter.

"We know this is a sensitive subject. Kansas don't seem to jump overboard" when consumer boycotts are suggested, he said. Besides the June protest march, which was in the vicinity of a Dillons store, Keefe said the firm has received only a couple of letters requesting that veal be removed from meat cases.

Gilbert Yutzy of Y-B Meats in Yoder said, "We only have a few requests for veal." The small slaughterhouse operates two meat shops in Wichita. When someone requests veal, "We just have to go out and find a farmer that will raise it for us."

"I'm not even sure of a legal definition of veal. Is it age or weight or how it is raised?" Yutzy asked. "There's not a big market, but if you find out, let me know."



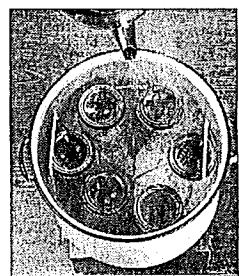
TABLETOP

Peaches, nectarines and pears are similarly canned at home. For up-to-date canning information, contact a county extension office. A variety of liquids may be used: Choose a very light, light or heavy sugar-water syrup, water, apple juice or white grape juice. The hot-pack method makes the best-quality product. Heat the fruit by bringing it to a boil in the liquid. Use a hot water bath canner for quarts. Pints or smaller canning jars may be processed in a large saucepan with rack and lid.

1. With a slotted spoon pack the hot fruit halves into prepared canning jars, cavity side down, layers overlapping. Ladle hot syrup over the fruit to within 1/2-inch of the jar rim. Insert a non-metallic utensil gently between the fruit and the jar to release air bubbles. Add lids and seal according to manufacturer's directions.



2. Place jars on rack in hot water bath canner half full of heated water. Add boiling water to cover jars by 1 or 2 inches. Heat on high until water boils vigorously. Cover, begin timing and process fruit according to USDA recommendations.



3. When processing time is completed, remove jars from canner and stand on clean cloth to cool. Check seal according to manufacturer's directions.



OPINIONS

ANIMAL RIGHTS: THE BIG LIE

by Jane M. Hughes

You see them every day on the streets of New York. They man the small stands plastered with large color photographs of suffering dogs, cats and monkeys. They're animal rights activists. They want you to believe

that your precious Fido's brother is being tortured needlessly by sadistic scientists in white coats. They say they have the best interests of both humans and animals in mind. They want your support — and your money. And some of them will lie to you to get it.

Yes, some animal rights supporters are perfectly innocent. I like, say, the movie stars who sign petitions attacking veal eaters, cosmetics manufacturers and rich ladies with expensive fur coats. That's their business — as long as they don't spray red paint on your mink stole at high noon on Fifth Ave.

But other animal rights activists are dangerously rigid fanatics who are more than willing to endanger the lives of thousands of humans — and, on occasion, of animals — in order to impose their bizarre visions of "animal liberation" on an unwilling public.

Fido's new order

What do animal rights activists want? In the words of one brochure, they believe "that humans are morally obliged to free themselves as fully as possible from all forms of discrimination and oppression [and] struggle for total liberation of planet Earth and its inhabitants. 'Animal Liberation' means the liberation of all animals from exploitation — both humans and non-humans."

Translating that into plain English, it means that the only legitimate relationship between man and beast (sorry, I meant to say "life in the non-human format") is one of love and nurturing, something like what is found between pets and their owners (oops — in a liberated world, "pets" would not be "owned").

Practically speaking, this adds up to no leather clothing (shoes included), no down or fur coats, no meat-eating (including fowl, fish and dairy products), no wool or silk clothing — only cotton and synthetic fibers.

It also means no biomedical research. Organizations like Transpecies and People for the Ethical Treatment of Animals are devoted to stopping the use of animals in biomedical research. Transpecies relies on emotional rhetoric and graphic materials — like those king-size

photos of monkeys with open wounds — in order to grab public attention and mobilize opinion against scientific research.

Look at it this way. If animal rights activists had been successful in the time of Pasteur in eliminating or severely limiting the use of animals in biomedical research, what would life be like today?

■ There would be no polio vaccine.

■ There would be no insulin for diabetics.

■ The U.S. would experience 1.5 million cases of rubella (German measles) annually.

■ 50 million Americans would risk death from complications resulting from high blood pressure.

■ 100,000 more people each year would be confined to wheelchairs without hip replacements.

■ Over 10,000 people would die each year for lack of kidney transplants.

And what about now? What if the animal rights activists get their way? Ongoing research for new surgical techniques to repair congenital heart defects in newborn babies will come to a screaming halt. The search for a cure for diabetes, for an AIDS vaccine, for treatments for such diseases as cystic fibrosis, multiple sclerosis, schizophrenia and Alzheimer's disease — all depend heavily on the

useless and doomed anyway."

Is it fair to judge an entire movement by a single crackpot letter writer? Of course not. So let's hear from Ingrid Newkirk, national director of People for the Ethical Treatment of Animals. Says Newkirk: "It's immoral even if it's essential. You just cannot justify the torture and destruction of innocent animals. If my father had a heart attack, it would give me no solace at all to know his treatment was first tried on a dog."

but the pain is a necessary part of the experiments, which frequently include studies on pain specifically.

The Animal Welfare Act, passed by Congress in 1966 and most recently amended in 1985, stipulates standards for housing, cleaning, feeding, ventilation and veterinary care for lab animals. Oversight at each registered or licensed facility is conducted through an "Animal Care and Use Committee," which includes a veterinarian and a member of the lay public.

An overwhelming majority of labs obey the current laws and regulations concerning the use of animals in biomedical research. Furthermore, these responsible institutions are constantly upgrading their facilities in order to provide better living environments for their animals. It makes sense. After all, animals are expensive to maintain — and their health and well-being are essential for accurate research results.

No, you didn't hear any of that from your neighborhood animal rights freak. And you won't. Activists frequently distort the truth to serve their purposes.

After a successful campaign against Cornell University Medical Center two years ago, Transpecies trained its sights on New York University, where drug addiction experiments are currently being conducted. At a rally held this spring, Transpecies produced several "experts" to explain that the use of animals in those experiments provides no benefit to human health.

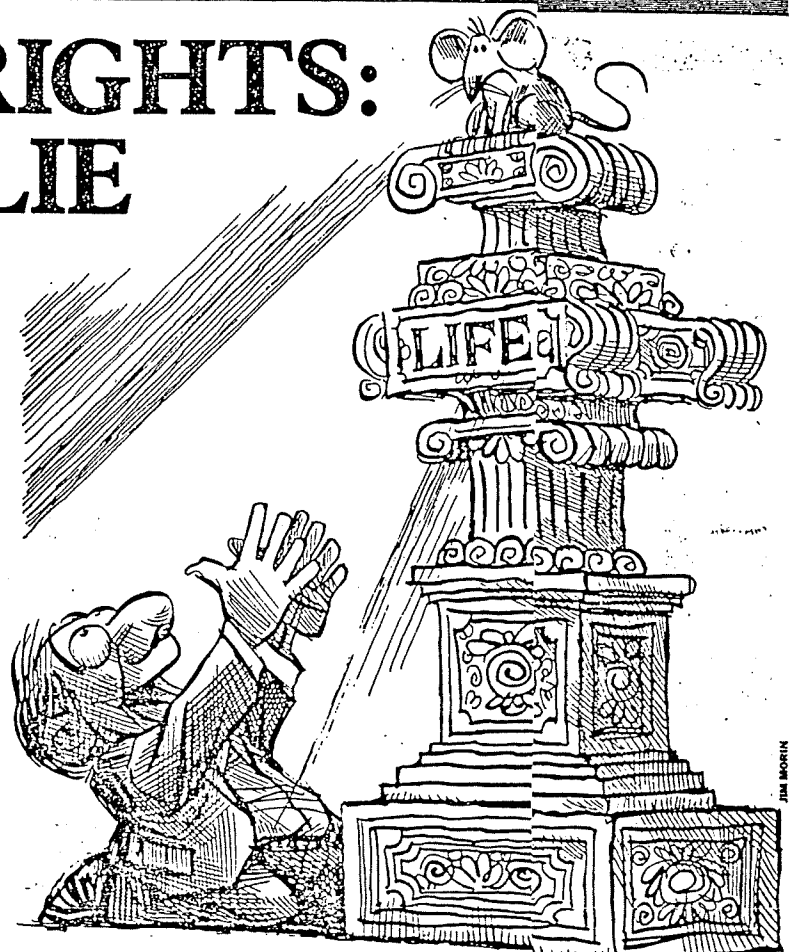
None of the protesters seemed troubled by the fact that their experts included an oncologist, a cancer specialist, two political activists and a plastic sur-

geon. Nobody with direct experience in drug addiction studies was to be found.

Not only are animal rights activists willing to distort the truth, their views are so dogmatic that, in a twisted perversion, they sometimes actually hurt the creatures they intend to help. In 1987, Stanford University spent \$13 million on a state-of-the-art research facility — significantly upgraded to improve the quality of life for lab animals. Says Stanford president Donald Kennedy: "To the university's surprise, the building permit was opposed before the Santa Clara County Board of Supervisors by a coalition headed by the Palo Alto Humane Society."

Think twice

So the next time you walk past a Transpecies display, think twice before contributing your name or time or money to the animal rights cause. You could be lending your support to a movement that "cares" so much for animals that it's willing to let millions of humans suffer.



Some activists are more than willing to endanger the lives of thousands of humans

use of animals. All would stop in a world run by animal rights activists.

Sounds unlikely? Think again. While the activists claim they value human life, at heart they are not concerned with science but with advancing their own peculiar beliefs — a pseudo-theology that puts animal life on an equal footing with human life.

One Los Angeles Times reader put it like this: "It will never be right to slaughter animals on behalf of mankind for any reason. . . . If subjects are needed to render accurate knowledge about the workings of the human organism, there is an endless supply. Take the extreme elderly and senile. . . . They are large,

Even taken on their own terms, are the animal rights activists telling you the truth? No way. Here's the straight story behind those gory posters: Ninety percent of animals used in biomedical research are rats, mice or other rodents. Dogs and cats each make up less than 1% of the animals used. Likewise nonhuman primates like monkeys. The pain these animals suffer is also presented out of context by animal rights activists. Sixty-two percent of the experiments conducted do not cause pain or distress to the animals involved. In another 32%, pain is relieved through painkillers or anesthesia. What about the other 6%? Yes, the animals do feel pain

Jane M. Hughes, who writes about science issues, owned a dog, a cat and a fish at different times during her childhood. The only thing currently standing between her and an apartment full of pets is her husband.

Animal Worship

It's Become A Clear and Present Danger to U.S. Health and Welfare

"NOW an equally gamy campaign of vilification is afoot against the fur trade. While the more discriminating critics have confined their efforts to protection of the Somali leopard, the cheetah and other allegedly threatened species, the elite mob has spread a wider net. 'I go up to people who are wearing seal coats and go blah,' snarled one feminine voice of reason. . . .

"In New York City, which is miles ahead of the rest of the U.S. down the road to serfdom, Mayor John V. Lindsay last week signed an incredible statute which, come July 1, will ban the manufacture and sale of American alligator products in the five boroughs. In the Congressional Record last month, Sen. Gaylord Nelson (D., Wis.), great friend of the anopheles mosquito and gypsy moth, inserted a paean of praise to the timber wolf. How about a society for the succor of the man-eating shark?"

"The true need lies elsewhere. All unwittingly perhaps, Jacques Kaplan, who was largely responsible for launching the flap over fur (and happens to be in the business himself), has come close to the mark. Aghast at what he has wrought, Kaplan recently mused: 'Wouldn't it be funny if we wound up having to protect the furriers?'"

* * *

Kaplan must have had a crystal ball. Since the foregoing comments first appeared nearly 20 years ago on our editorial page, furriers have become an endangered species. During the recent holiday season, one television personality led several thousand followers down New York City's Fifth Avenue to protest the wearing of fur coats. Like-minded folk in Cincinnati destroyed dozens of similar garments—donated by sympathizers—by pouring simulated animal blood on the expensive pelts. Next weekend, with the enthusiastic support of various show biz types, a group known as People for the Ethical Treatment of Animals will stage an extravaganza called Rock Against Fur.

Other forms of protest have been less peaceful. Within the past year, furriers throughout the country have had their windows splattered with paint or shot out by pellets; customers have been harassed as they left the premises; a few merchants have received death threats. In the United Kingdom, where an openly violent (but otherwise covert) group of terrorists called the Animal Liberation Front has thoroughly cowed buyers and sellers alike, fur sales have dwindled to the vanishing point.

Come to think of it, the two political figures cited above, though never in their party's mainstream and doomed to wind up like beached whales, have now begun to loom as simply ahead of their time. For in growing numbers people seem to be swinging around to their once-bizarre point of view. Last December, for example, one group of animal activists spent \$240 to "liberate" seven live lobsters from a Chinese restaurant in Maryland and fly them to a new home off the coast of Maine. The Los Angeles Times, which fell for the stunt, had a field day with the headline: "Ac-

tivists Play Santa Claws. Give A Happy Ending to Lobster Tale."

In California, the Animal Legal Defense Fund and Defenders of Wildlife succeeded in cancelling the state's first officially sanctioned—after reports of attacks on domestic pets and children—mountain lion hunt in many years, while in parts of Los Angeles coddled coyotes have grown commonplace. In Taylor, Texas, a group called Earth First last winter organized a coalition to picket the 16th National Rattlesnake Sacking Championship. "Earth First," said a spokesman, "abhors and protests this obscene tradition of hunting and mass murdering a helpless and ecologically important creature."

Nuts and kooks, one is tempted to say, and turn the page. Not so fast. So-called animal rights groups today number their membership in the millions, and their growth lately has been phenomenal. Nor are they content with harassing wearers of fur coats, protesting rattlesnake hunts and liberating lobsters. On the contrary, they have launched a campaign of disinformation and political harassment against animal husbandry. Specifically, in Massachusetts (where else?) last November they managed to place on the ballot a referendum, supposedly in support of more humane agriculture, that would have put many of the state's dwindling herd of farmers out of business. While Question Three, as it was designated, suffered a crushing defeat, activists have enjoyed far more success at the federal level, where new regulations under the Animal Welfare Act of 1985 will cost the private sector more than a billion dollars.

Most alarmingly, the animal rights movement has launched an assault—using tactics both legal and illegal—against the use of animals in scientific laboratories. Through lawsuits and other kinds of pressure, they have forced several leading universities in California either to delay or halt construction of new research facilities. In an episode which Science said "has sent tremors through the biomedical research community," it has coerced Cornell into terminating a promising project on barbiturate addiction. One of the more rabid types recently was caught planting a radio-controlled pipe bomb outside the corporate headquarters of U.S. Surgical Corp. in Norwalk, Conn., and will soon

stand trial for attempted murder.

Such episodes, so one director of medical research bitterly says, are "anti-intellectual, anti-science and anti-human." He might have added, anti-life. Because of the billions of dollars devoted to research, this country's animal husbandry boasts a productivity second to none; it's not happenstance that only in America can three percent of the population feed—at less and less cost relative to the national income—all the rest.

Owing to the medical progress made possible by research, including the carefully controlled use of animals in biomedical testing, mankind—at least the part of it that's free—has made great strides in everything from antibiotics and anesthetics to the rehabilitation of victims of stroke; that leaves Alzheimer's disease, AIDS, cancer and other latter-day plagues still to go. "Thanks to animal research," proclaims the headline on the first of a new series of ads, in a meaningful reference to the postwar rise in U.S. life expectancy, "they'll be able to protest 20.8 years longer." Time enough to live and learn.

To judge by their recent outrageous behavior, animal rights activists seem determined to do neither. According to The Information Digest, authoritative source of data on radical causes, both domestic and foreign: "Many regard Peter Singer, professor of philosophy and director of the Centre for Human Bioethics at Monash University, Australia, as the philosopher-king of the Animal Liberation Movement. . . . In the academic year 1973-74, Singer accepted a visiting position in the Department of Philosophy at New York University. From this New York base, he was able to promote his theories to students at more than a dozen private and state universities. Subsequently . . . speaking tours were organized in the U.S., and the Singer message was further spread by his lectures and the promotion of his books, *Democracy and Disobedience*, *Animal Liberation*, *In Defense of Animals*, and *Animal Rights and Human Obligations*."

Information Digest continues: "The most extreme advocates of animal rights, often the leadership cadre, are committed to a number of goals, including but not confined to: 1) The total elimination of commercial and sport hunting and trapping; 2) The total dissolution of

commercial 'animal agriculture'; 3) The total abolition of the use of animals in science."

In Canada and the U.S., by one count, there are 219 animal rights groups, ranging from Action For Animals to the World Society For the Protection of Animals, some of which pursue goals more moderate than those cited above. The most openly violent is the Animal Liberation Front, which Scotland Yard has called "an international underground terrorist organization." ALF has claimed credit (if that is the word) for burning a fur store in Santa Rosa, Calif., vandalizing cars and homes of employees of the San Diego Zoo, and torching—total damages ran into millions of dollars—an animal research laboratory on the UCLA campus.

Lawlessness is bad enough (although dealing with animal rights terrorists as common criminals, not social critics, as authorities in many places tend to do, would go a long way toward putting a lid on the violence). Other aspects of the movement strike us as more frightening. Like radicals of every stripe, animal activists make no bones about infiltrating, influencing and sooner or later seizing control of more established, less aggressive groups whose names have grown synonymous with humane treatment for cats, dogs and other household pets.

Furthermore, the movement—to be as kind as possible—is deeply irrational. Thus, while hunting of course is taboo, one spokesman has publicly made an exception for primitive tribes who have no other way of keeping body and soul together. Furthermore, despite one's personal repugnance, hunting seasons do serve to keep animal numbers under control—wild creatures, after all, comprise predators like coyotes and mountain lions, as well as those lovable Bambi-like deer.

And animals (pets especially) also benefit from advances in medical science. We used to share our home with a ginger cat who survived a dozen trips to New York's Animal Medical Center; thanks to its devoted and highly trained personnel, our beloved Yankee lived to the feline equivalent of over 90.

* * *

But as sages millennia ago knew, man is the measure of all things. Without animal research, to quote the Foundation for Biomedical Research, "we couldn't have put an end to polio, smallpox, rubella and diphtheria. Now some would like to put an end to animal research. Obviously, they don't have cancer, heart disease or AIDS."

Small wonder that the American Medical Association has finally mobilized to form a "first line of defense," or that 2,000 victims of AIDS, Alzheimer's, cancer, cystic fibrosis and multiple sclerosis, members of an organization called the Incurably Ill For Animal Research, have lined up alongside. Let's stamp out animal worship before it's too late.

—Robert M. Bleiberg

BARRON'S MAILBAG

A MESSAGE FOR MR. RUDER
 To the Editor:

Thank you for the fine message to SEC Chairman David Ruder from Benjamin J. Stein ("Dear Mr. Ruder," Jan. 23).

Somewhere in fairly recent history, the owners of public corporations (the investors) allowed management (the hired help), to usurp control.

Years ago, I read that when a corporation's board of directors meets, its first

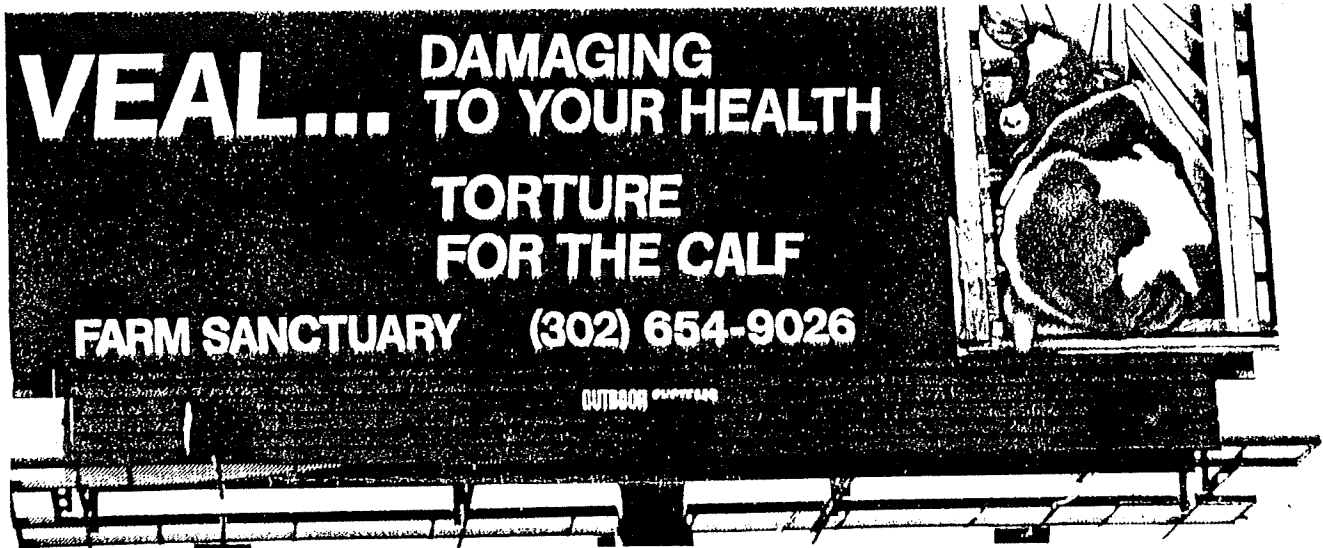
order of business should be to consider this question: "Should we fire the president?" If the answer is no, the next question should be: "What can we do to help him do a better job?"

But when management stacks the board with its cronies, the first order of business never comes up.

Perpetuated in power, management gave us different classes of voting stock and all of the other evils designed to

Continued on Page 30

Editor's Roundup



If you think the American meat and poultry industries aren't heading for some major problems because of consumer misinformation, then just spend a dollar or so and call the number in the photograph above.

We did, pretending to be a city dweller who knows nothing about agriculture who wanted to be informed. Well, if we had really been the uneducated city person we claimed to be, we probably would have been scared right into a vegetarian diet.

Farm Sanctuary, headquartered in Wilmington, DE, is just one of several well-funded "animal rights" organizations operating in the nation. Basically, the majority of these groups share a common goal of attempting to influence people not to eat meat and turn to a vegetarian diet. However, most will deny this is their ultimate goal. Instead, they work toward this behind a smokescreen called animal rights.

Make no mistake about it, there are many well-known people, particularly in the entertainment business, and a lot of money backing these groups. An example is a four-page letter (signed Doris Day) and a petition to the U.S. Congress from the Doris Day Animal League which just arrived in our office. In this instance, the call is for signing a petition asking Congress to pass an animal rights bill. Also, the opportunity is given to contribute \$10, \$15, \$25, \$50 or more to further the goals of the League. In return for your contribution you get a membership card, bumper sticker, autographed color photo of Doris Day and a copy of the newsletter.

But let's get back to our call to Farm

Sanctuary. We were told by the woman answering the phone that the group is an "all-volunteer, non-profit" organization whose members all support themselves with various other jobs.

Their purpose, she told us, is to do "educational work about factory farming" and to show how a lot of animals are abused in those factory farms. She particularly singled out veal calves and caged layers. In addition, she volunteered the fact Farm Sanctuary has a film showing how chickens are abused and a slide presentation on how turkeys are raised "that is good for showing around Thanksgiving."

According to the Farm Sanctuary representative, the group offers sanctuary for abused farm animals and also operates an adoption center for anyone wishing to take over abused animals and chickens. We asked where these animals come from and were told "a lot of them were left for dead at the stockyards." Some of the chickens in the sanctuary purportedly were gathered at a weigh station after escaping from their crates.

At that point in the conversation we shifted the subject to the billboard message. We were told the poor veal calves are "stuffed into crates" for 16-weeks and then slaughtered. All during that time, we were informed, those calves are constantly given antibiotics in the feed. Those antibiotics then build up in the calves and, in turn, the antibiotics build up in the tissues of humans who eat the meat. The result is, we were told, if the person needs to be treated with antibiotics they will be ineffective.

"It is being proven there are a lot of antibiotics in a lot of the meat," she claimed.

"Doesn't the government require a certain amount of time between the time a drug is given and when an animal is slaughtered?" we asked.

"I don't think they have to take them off drugs," was the response. "They feed those drugs right up to the time the animal is slaughtered."

"Isn't the meat inspected by the government?" was our next question.

"Some of it is, but a lot of it isn't," came the reply. The implication came through loud and clear that other red meats are equally laced with drugs and the animals producing them are mistreated.

In view of this, the report of the conference on guaranteed safety of beef on page 45 takes on additional significance.

Also, if the misinformation about beef and other red meats is to be effectively countered and an offensive telling the true story to consumers carried on, then it is essential every beef producer vote yes in the referendum May 10. Since about 20 percent of the total beef supply comes from veal and dairy cattle, urge your neighbors who are dairymen or veal raisers to vote yes, also. It's in their best interest, too.

Incidentally, we took the photo in mid-January during the National Western Stock Show in Denver. It was strategically placed at the intersection of Colorado Boulevard and Colfax Avenue, one of the higher traffic volume areas in the city. □

Animal rights groups flex their political muscle

By RICK MOONEY

■ Livestock producers from around the country will be keeping a close eye on Massachusetts this year. Chances are that voters going to the polls there in November's general election will be casting ballots in a referendum that could give nonfarmers a major say in how livestock producers do business.

The referendum move gathered steam late last year. An animal rights group called CEASE (Coalition to End Animal Suffering and Exploitation) gathered over 70,000 signatures on a petition calling for regulations that would establish humane standards for livestock production.

The petition will go to the state legislature early this year. If both houses approve it, a referendum will be placed on the November ballot. If passed, the referendum would:

- Require livestock producers to use anesthetics whenever they're castrating or dehorning animals.
- Make it illegal to keep veal calves in

crates that prevent calves from lying down, grooming themselves or turning around. It would also govern the use of milk replacer in veal calf rations.

- Set up an animal care advisory board within the state's Department of Food and Agriculture. The board would make recommendations on the care, housing, feeding and transportation of all farm animals. CEASE envisions a five-member board. Four members would be veterinary medicine specialists nominated by "at least two non-profit humane societies." The director of the state's division of animal health would be the fifth member on the board. There would be no farmer representation on the board.

- Establish an indemnity fund that would be used "to assist farmers in the adoption of more humane methods."

"[The referendum] condemns the entire livestock production system as we know it," says Steve Kopperud, spokesman for the Farm Animal Welfare Co-

alition (FAWC), a loose-knit, national organization representing livestock producer groups and related ag businesses on animal rights issues. "What you have is a group of well-meaning, but very ill-informed people," says Kopperud. "They want to control livestock production without knowing anything about it."

The indemnity fund provision is a case in point. "As they see it, farmers could use this money to buy more land for pasture so animals wouldn't have to be raised in confinement," he explains. "Doing that in Massachusetts would be a mean trick. There isn't any land available. It's incredibly naive."

Massachusetts ag leaders are shocked by the wide scope of the CEASE petition. But they aren't surprised animal rights groups picked their state as a potential battleground. Pam Comstock, of the Massachusetts Farm Bureau, points out that Massachusetts is home-base for a number of "large,

wealthy animal rights organizations" including CEASE. Also, Comstock says, the state's ag sector (less than 5,000 farmers) is quite small compared to its urban sector and that means ripe pickings for animal rightists.

"It's probably one of the easiest places to establish this kind of precedent," she says. "Most of the people have been removed from the farm for several generations. They don't have any idea of what farming is all about."

Going head to head with groups like CEASE is a prospect state farm groups don't relish. "We don't know how we're going to fight it," says Comstock. "We don't have the money or the staff. And most of our members don't realize how much money is behind these groups."

One group that plans to sit out the battle is the Department of Food and Agriculture. "We're not taking a negative or positive stand on this," says Mabel Owen, director of the division of animal health. "Our position is we don't need this. We already have laws on the books that give very broad powers to the state's humane organizations."

Ag leaders are worried that a successful effort by CEASE will encourage animal rightists to push for similar legislation in other states.

"This is a test case for the animal rights groups," says FAWC's Kopperud. "They see this as landmark legislation that could serve as a model for other states and the whole country."

Already there are moves in that direction. In California, a bill introduced in the state assembly would set standards for the dimensions of veal crates. "The veal industry is small, so these groups try to take it on first," says Grover Roberts, of California Farm Bureau. "It's just a stepping stone for people who think we shouldn't be raising any animal for human consumption."

Rep. Charles Bennett (D., Fla.) introduced a similar bill in the U.S. House of Representatives last year. Bennett's bill would impose a \$5,000 fine on veal producers who use traditional housing and feeding practices. It also offers half of the fine money to the person or group reporting a violation.

"The bounty aspect of that bill is terrifying," says Russ Weisensel, of the Wisconsin Agri-business Council. "That kind of money would make a nice little nest egg for one of these animal rights groups." Bennett's bill did not make it to committee last year. But the fact that the bill once had 40 cosponsors is unsettling, says Weisensel. "If only one or two people were supporting it, you'd shrug your shoulders and let it go away. That many cosponsors gets your attention." ◀



PHOTO DEAN HOUGHTON

A REFERENDUM PROPOSED in Massachusetts could give more power to animal rights groups like this one, demonstrating in Toronto.

Animal rights groups win 1, lose 2 in 1988

Groups promoting animal rights legislation lost two big battles in the U.S. last year, but scored a knockout punch in Sweden.

Their most ambitious effort in the U.S. was to get a national law passed that would set standards for the content of veal-calf feed, to regulate stall size and to require physical contact with members of the same species for all animals.

National bill dies

The bill, HR2859, was introduced by Representative Charles Bennett, of Florida, but ended up going nowhere.

If it had passed, the penalty would have been a \$5,000-per-violation fine. The real kicker was that any individual could bring an action against another and, if the second person was convicted, the person bringing the action would have been entitled to one-half of the fine.

This bill was drafted with the help of the U.S. Humane Society, the American Society for the Prevention of Cruelty to Animals, and the National Alliance for Animal Legislation.

When they could see that the bill was going to die in committee, some of the same supporters tried to get their agenda passed on a state level. They were successful in getting a Massachusetts referendum on the ballot that would have sought the elimination of confinement livestock practices in that state. The petition called for an end to caging hens and crating veal calves and for the use of anesthetics for routine animal operations.

Massachusetts said no

On November 8, Massachusetts voters defeated the initiative 71% to 29%. The no vote was credited to active support among the state's farmers and farm organizations. A spokesman for the Massachusetts Farm Bureau said that, in the end, the bottom line came down to credibility. The state voters were convinced that the statements by farmers were more accurate than those being made by the animal rights coalition.

The victory didn't come without a price. In addition to man hours it was estimated that farmers and farm groups spent more than \$600,000 to defeat the referendum. CEASE (Coali-

tion to End Animal Suffering and Exploitation) spent approximately \$30,000 in support of the referendum.

Sweden said yes

Led by Astrid Lindgren, an 80-year-old author of children's books, Swedish voters took the plunge. They voted to approve stringent laws affecting how farm animals are housed and raised. The new law, which sailed through Parliament virtually unopposed, mandates that cattle as well as pigs and poultry, are not to be subjected to "factory farming." Cattle are to

be grazed, pigs are not allowed to be tethered or kept in crates, and chickens may not be kept in cages. No drugs can be used except to treat specific diseases.

Despite attempts by Swedish farm organizations to point out the increased costs of production these restrictions would bring about, several public opinion polls showed that Swedish consumers said they would gladly pay the higher price in order to "liberate the animals from the restrictive environments."

By Bill Eftink



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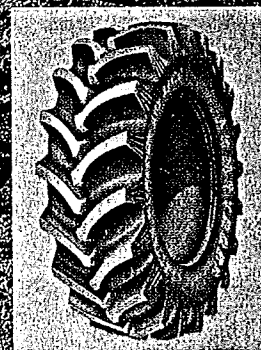
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Out of the Shadows

The Animal Rights Movement Exposed

By Steve Kopperud

During the nearly seven years that I've studied the U.S. animal rights movement, I have spoken to numerous ranchers and farmers about the very real threat from this radical political philosophy. Some of the rumors, "facts" and other misinformation I've encountered regarding the animal rights movement are astounding and sometimes downright comical. It's time to set the record straight. What is the main cast of characters in this movement? Where do they get their money, and how effective are they? Without attempting to list all of the organizations that devote themselves to "animal rights," let's try to get a broader perspective on this movement.

Who Are They?

As with any movement, it is difficult to "type" the average member. From observation, however, we have come to learn that the dedicated animal rightist is generally 25-46 years old, well-educated, a graduate of the 1960s and likely the type of person drawn to a "cause." The female contingent dominates, especially among the leadership of several major groups. The movement is generally white, middle to upper middle class, with the dedication, time and resources to devote to such activity.

This is very much a movement that could only flourish in an affluent society. Only in Western cultures, where the majority of individuals have adequate food, shelter, clothing and leisure time is there the luxury of such philosophy. You don't hear animal rights debates in Latin America or Third World countries in Asia or Africa.

How Big Are They?

As best can be determined by agricultural and biomedical researchers monitoring the animal rights issue, statistics put out by the animal rights movement on the number of groups and how much cash they have to spend are simply not accurate. In total, there are actually about 7,000 *animal protection* groups in the United States today of all stripes, ranging from the mainstream, legitimate animal welfare group to the criminal and fringe animal rights "cell." In total, there are about 400 hard-core animal rights organizations, with combined assets of roughly \$50 million.

What's It All About?

Many of the most prominent activists are vegetarians and likely would not complain if everybody embraced tofu in the next decade. And, while it is true that several of the groups have vegetarianism as a core philosophy, the lifestyle of the leadership and the members is almost secondary to the keenly held philosophy of the movement.

At its most extreme, the movement accuses the agricultural community of "specieism," a philosophy created by Australian academic Peter Singer in

1975. At its most extreme, the animal rights movement contends that animals should be allowed to display whatever behavior they "prefer" and that mankind should then treat them according to that preferred lifestyle.

However, throughout the movement are the underpinnings of anthropomorphism, the vesting of human attributes, such as happiness, in the animals we raise for food. There is also a lack of distinction made among the species and a lack of recognition of the animal's ultimate fate. The movement relies on the urban consumer's willingness to ascribe pet-like qualities to farm animals and to react accordingly.

Where Do They Get The Money?

Contrary to popular myth, there is no identifiable "sugar daddy" bankrolling the animal rights movement. It is *not* funded by the Soviet Union or the Palestine Liberation Organization; it is *not* the darling of corporate largess; it is *not* generally the beneficiary of huge estates left by daft, little old ladies that adore cats. It is extremely good at fundraising and makes use of all of the classic appeals and sophisticated technology available. Most of the dollars raised by these groups are individual contributions brought in by direct mail fundraising campaigns using agendas that attract activists. However, some organizations do enjoy the generosity of very wealthy individual patrons, who fund specific projects independently.

It's been observed that a number of "traditional," old-line welfare groups have picked up the more radical agenda of the animal rights movement in the last couple of years. In some cases, it could be argued that with a limited public base of support, many of these groups may be forced to adopt more dramatic rhetoric in hopes of maintaining a funding base.

What's Next?

Although it depends largely on groups' individual agendas, in general, all animal rights organizations share a common goal, namely a radical shift in livestock and poultry production prac-

tices. That agenda isn't new. What has changed are the tactics and the evolving message of the groups.

Animal rights activists' tactics are becoming increasingly more sophisticated and are being adapted to messages that are not so foreign to a consumer audience. In the beginning, these groups used picket lines and inflammatory news stories to ballyhoo their message of on-farm cruelty to the public. Today, the cruelty accusation is quickly taking a back seat to allegations of unsafe food.

Almost every attack on farm animal production systems states flatly that if animals were not crowded together in inhumane conditions, farmers would not have to "pump" animals full of drugs to keep them from getting sick. The activists' solution is simple; put the animals back out in the field, and they won't get sick. Farmers won't use drugs, and everything will be fine.

The target of food safety concerns has also shifted. Not long ago, it was the consumer that was warned of the dangers of eating meat, milk and eggs from abused animals; today, the message is quite clear in many of the attacks and ads these groups use: It is the nation's children that are at risk from these food products, a much more powerful appeal.

The diet/health issue today is linked very closely to the food safety issue. Many groups contend that even without animal drug use consumers are better off without meat in their diet. And by the way, as one group's message goes, don't you feel better knowing that since you've stopped eating meat, 6 billion farm animals didn't suffer today?

There's a common misconception, especially among elected officials, that the animal rights movement is a gadfly that will go away if we only "give them something." The contrary is actually true: Any kind of win for the movement is a major victory, while losing only steels resolve to push harder and go further with the animal rights agenda.

Animal rights activists are not above putting their own twist on decisions and events, in which they had no part. Witness one national restaurant chain's

decision to downscale its menu and remove veal entrees. Although a purely economic decision, it was painted by animal rights activists as a bow to pressure from the movement.

Due to the effective work of the meat and meat- and feed-related industry lobbies, the animal rights movement has had no legislative or regulatory victories. At both the federal and state level, animal rights initiatives have been derailed at every turn. Perhaps the best known effort to counter the animal rights movement was the defeat of a referendum in Massachusetts last November that would have severely restricted animal production practices. Agriculture's ability to pull together under fire confirmed animal rights activists worst fear that, when mobilized, agricultural interests can present a nearly insurmountable force.

Some groups today appear to be placing less emphasis on legislative activities, which has proven expensive and time consuming. The system grinds very slowly and usually demands compromise. These groups are not prone to compromise. Theirs is very much an "our-way-or-no-way" kind of philosophy.

There also has been a shift towards the use of economic leverage as a means of forcing farmers to change. A common practice among animal rights groups is the purchase of a few shares of stock in a public company as a vehicle for bringing to the annual meeting stockholder resolutions reflecting the no-animal exploitation message. It is not difficult to imagine such a tactic being used by activists to pressure large commercial and institutional buyers of meat and poultry. Under this scenario, farmers would be forced to accept out-moded production practices just to appease activists and avoid negative press. Supermarkets are equally vulnerable to such pressure tactics and are likely to be increasingly targeted. Witness the decision made recently by the Raley's chain in northern California. The company not only removed fancy veal from its meat cases but also held a news conference to announce the decision. The Cincinnati Clarion Hotel made a similar decision.

Perhaps more insidious than the direct assault we've witnessed in recent years is the recent tendency of animal rights groups to position themselves as "moderate" voices by using statements like, "We're not opposed to all farmers, just bad farmers," or "It's not the farmer's fault, he is just a victim of the system," and, even worse, "We have many producers as members of our organization; our differences are not as great as you might think."

Many activists pursuing this "open-minded" approach blame animal agriculture for its alleged unwillingness to "discuss" differences. But on June 6, when 22 national agricultural groups, including the National Cattlemen's Association, testified in Washington against a House bill that would have restricted calf production practices, two of those activists, who constantly call for "dialogue," were witnesses in favor of the bill, painting farmers and ranchers as, at best, dupes of big business.

Agricultural leaders have attempted repeatedly to open discussions with more reasonable elements of the animal rights movement, only to find that discussion amounts to: "So, how soon are you going to change what you're doing now that we've shown you how bad it is?" The message is clear: Beware of the false moderate.

What Can We Do?

So far, the animal rights movement hasn't achieved any legislative victories. Activists have hurt their own case by

making outrageous statements that later proved false or by addressing an audience that is tiring of their message. At the same time, the agricultural community has begun to learn the value of unity. In Massachusetts last November and at the veal calf hearing on June 6, a united agricultural front proved unbeatable.

How can the animal rights movement be defeated? The strategy is simple: Don't talk about animal rights, that's an issue for the other side. Don't argue with the activists. Debates don't work, and, frankly, it's tough to convince someone you're not so bad when the only reason they and their group exist is because they believe you are bad.

If agriculture is to come out on top of the animal rights debate, producers must take the issue back and redefine it in terms of what we do best: animal care.

Associations representing animal agriculture must play straight with the public and with policy makers about what we do and how well we do it. Dollars and effort must be invested in sound research, and the public must be told about production practices and not just about great food products.

Aggressive industry information and education programs on generally accepted industry practices must be pursued, along with producer education on professional, responsible animal drug use and a greater emphasis on quality production practices and quality products. More money must be spent on scientific research, and traditional ideas must give way to new.

The public won't tolerate bad producers, and the industry can't afford to. Cattlemen often pride themselves on their fierce independence, but it's hard to get much more independent than being the last rancher in the state raising cattle for food. And remember this one very basic truth: The consumer is always right.

Steve Kopperud is the vice president of the Animal Feed Industry Association and the executive director of the Animal Industry Foundation. He is a recognized authority on the animal rights movement.

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A Genuine
slaughter product*

*We Do Chickens
DEAD*

WARNING:
*Animal corpses can be
dangerous to your health*

*The murderer
of this animal
has not been caught*

*The price of meat
is SHEER MURDER*

*Steak is
Dead Cow*

ANEMIC BABY COW

*Excrement Fed
Steroid Pumped
Animal Flesh*

*This Animal was
once Alive*

*A steak a day
keeps the cows dead*

WARNING:

*This package contains
DEAD ANIMALS*

*The Price of Meat
is SHEER MURDER*

BEEF
*Real Death
for REAL ANIMALS*

MEAT
*It does your
Conscience Harm*

PORK is PIG
except it's DEAD

WARNING:
*Animal flesh can be
dangerous to your health*

**A STEAK A DAY
KEEPS THE COWS
DEAD**

BEWARE of SALMONELLA

PORK is PIG
except it's DEAD

**MEAT IS A
DECAYING CORPSE**

*A Cow a Day
Keeps the
Rainforest Away*

LOBSTER
*Boiled Alive
Served Dead*

BEEF
*Real Death
for Real Animals*

*Brought to you
courtesy of the
Slaughter House*

MEAT
*It does your
Conscience Harm*

WARNING:
*Dead Animals
served here*

*How many animals
did you eat today?*

DEATH BURGER

McDeath Burger

RONALD MCDEATH

10-6-88

Animal rights activists are off base

DEAR ANN: Although I have been an avid reader of your column for 20 years, I have never written to you.

This morning I received a letter and pictures of animals being tortured in the name of science that made me sick. I cannot believe that such atrocities are being permitted in this country. What can we do to put a stop to it?

When I saw pictures of those adorable monkeys and precious dogs in cages my heart just broke. Animals are God's creatures, too, and we cannot allow this to go on. Please, Ann, use whatever influence you have to put an end to these cruel experiments. — Pauline F., Island Park, N.Y.

DEAR PAULINE: It's madness all right, but it's some of the "animal rights" activists that ought to be looked into.

Extremists have infiltrated laboratories posing as volunteer workers, destroyed records, bombed and vandalized research facilities, damaged computers and poured blood on the files. Research on infant blindness was halted in California for eight months while claims of animal abuse were investigated. The charges were found to be false.

The mischief visited on science has cost millions of dollars. In April 1987, the Animal Liberation Front claimed responsibility for

Ann Landers



the fire that destroyed two-thirds of the veterinary diagnostic laboratory at the University of California at Davis, which resulted in more than \$3 million in damages.

Dr. Michael DeBakey, chancellor of the Baylor College of Medicine in Houston, a world-renowned pioneer in heart surgery, asks these questions: Would animal rights activists refuse to accept a kidney, heart or liver transplant if these alone could save their lives? Such advances would not have been possible without animal research. Would they refuse preventive measures against polio, measles, diphtheria and whooping cough, or treatment for strep throat, ear infections and pneumonia — all made possible through animal research? Do 11 million diabetics deserve the right to life that insulin has given them? Are cancer patients entitled to the benefits they receive from radiation and chemotherapy?

It was in monkeys that the AIDS virus was first identified. Should

we halt all research on this deadly plague because monkeys are "adorable"? There is no way a vaccine or a cure for this devastating disease can be found unless we use animal models for experiments. Computers won't do.

I am an animal lover, too. But when forced to make a choice between rats, mice, monkeys, rabbits, cats and dogs, and humanity, I choose humanity.

Animals in the lab



Ann Landers

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Dear Readers: My good friend Dr. Michael DeBakey, chancellor of Baylor College of Medicine in Houston and chairman of its department of surgery, has written a splendid article that appeared in the *Washington Post*.

His message is of great importance. I would like to share part of it here.

MEDICINE NEEDS THOSE ANIMALS

"As a patient advocate, both in and out of the operating room, I feel a responsibility to protect the rights of patients to reap the benefits of animal research. Had the animal legislation now pending in Congress been enacted when I began my career, it would have prevented me from developing a number of lifesaving procedures in my research laboratory.

"Instead of restoring thousands of patients to a normal life, my colleagues and I would have been helpless to offer many of our patients any real hope. This legislation, known as the Mrazek bill, seeks to ban the use of pound animals for research supported by the National Institutes of Health, the chief source of funds for biomedical research in this country.

"Even with today's technology I could not have developed the roller pump that made open-heart surgery possible, or the artificial artery that restored health to previously doomed patients with blood clots. Nor could we have attempted the first successful coronary artery bypass or implanted the first temporary mechanical heart.

"If scientists abandon cat and dog experiments for other models that are not as suitable or as well understood, many potential medical breakthroughs may be severely crippled or halted.

"Would animal-rights activists have objected to the first kidney,

heart or liver transplant? Would they forgo the protection humanity enjoys today against polio, diphtheria and whooping cough or the treatment for strep throat, ear infections and pneumonia, all products of animal research? Would they have denied the 11 million diabetics the right to life that insulin has given them? Or the additional years made possible because of radiation and chemotherapy?

"It was in monkeys that the deadly AIDS virus was isolated and that isolation is the initial step in the ultimate development of the vaccine.

"According to the American Humane Society, 7 million pet dogs are abandoned to pounds or shelters each year, 5 million of which are killed. Yet some would have you believe that killing animals in a pound is more virtuous than using them to help advance medical knowledge and benefit human and animal health.

"As a physician, I cannot conceive of telling parents that their sick child is doomed because we cannot use all the tools at our disposal. Surely those who object to animals in research laboratories must be equally distressed to see sick children hooked up to tubes. How will those parents feel about a society that legislates the rights of animals above those of their children?

"Self-preservation is a primary instinct of all members of the animal kingdom, and patients with that instinct deserve our compassion as much as other species. The American public must decide. Shall we tell hundreds of thousands of victims of heart attacks, cancer, AIDS and other diseases that the rights of abandoned animals to die in a pound supersedes the patients' rights to relief from suffering and premature death? In making that decision, let us not use anger and hatred but reason and good will."

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Animal rights activists threaten beef industry

The livestock industry is accustomed to so-called "environmentalists" criticizing its grazing practices.

But when a radical group takes credit for burning a California livestock market, "It may mark a new phase in our industry's struggle to continue to be stewards of the land, and in our role as authentic animal welfarists," said John Morken, president of Livestock Marketing Association.

Morken commented following a fire at the Dixon Livestock Auction Company, Dixon, Calif., early the morning of Jan. 29. The fire destroyed approximately half of the market and did about \$250,000 damage, according to owner James F. Schene.

No personal injuries were reported, nor were any livestock injured, although about 750 head of cattle and sheep were in the market at the time.

An anonymous caller told Dixon area news media that an environmental group took credit for the fire.

"We know these groups want publicity for their actions, but we're not going to oblige them by mentioning their name in our public statements," Morken said. "Anyone who feels they must know the name of the group can call our Kansas City office, at 816-891-0502."

Criticism of the industry's grazing practices "is, unfortunately, a fact of life that the industry continues to counter with facts," Morken said. "However, if the battle over this issue now includes the sabotage of producers' marketing outlets, it is regrettable in more ways than one."

"First, arson is a felony and the guilty should be punished to the full extent of the law. Destroying an individual's business is a heinous crime."

"Secondly, a livestock market is a major economic factor in its community, through its volume of business, the people it employs, and the suppliers it uses."

"And finally," Morken said,

"no group can expect to influence livestock producers over the grazing issue when the group decides to eliminate the outlet for their livestock. When it's time to market livestock, the services provided by the competitive marketing system must be there."

Schene noted his customers bombarded him with calls immediately after the fire, asking him when he would be back in business. The answer: "as soon as possible," Schene told them.

"We are determined that this incident will not get us down, and we will not let these persons put us out of business."

Beef sales plan is implemented

A five-point plan to boost retail beef sales is being implemented in over 700 Kansas stores and 32,000 participating supermarkets across the country in conjunction with National Meat Month.

The promotion spotlights beef with the "Enjoy Beef and Foodstyle/Life Style '89" point-of-purchase merchandising kit. A consumer booklet featuring low-calorie, easy-to-prepare recipes and nutrition information, as well as a game offering \$15,000 in prizes, are a part of the plan.

National Meat Month is designed to educate consumers about leaner meats and stimulate meat sales. The month-long event last year increased meat sales 11 to 14%.

The Kansas Beef Council is making an effort to turn Meat Month into Beef Month with special beef messages during February on the 30 affiliated Kansas Information Network stations. Sue Ann Mills gives a variety of messages to listeners on beef's convenience, as well as nutritional information. The meat month campaign is just one example of how cattlemen's checkoff dollars are working to educate consumers and increase the demand for beef.

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THE BIG DIFFERENCE

... the spirit will return to God who gave it. . . . For God will bring every work into judgment. — Eccl. 12:7,14
Many people forget that humans have a different purpose and destiny than animals. They talk as if animal life is just as sacred as human life. But the Bible teaches that man is unique among all living creatures.

As a small boy growing up on a farm, I liked the dog, the cats, the horses — even the chickens, pigs, and cows. It bothered me that cute little chicks, piglets, and calves would one day be killed for food. But my father helped me get the right perspective. He explained that God had put into them the instincts of fight or flight to survive. But they don't reason and make choices as people do. They can't know God, love Him, or choose to obey Him. He also said that animals can't think about death, eternity, or God as we do.

I remember too when my Grandpa Droog died. I watched as the box containing his body was lowered into a hand-dug grave. I hated to think that he was in the cold, dark ground. But Dad told me that Grandpa had left his body and was with God in heaven.

Yes, we will live on after we die. We will all stand before the judgment and spend eternity in either heaven or hell. This is not true of animals.

We must keep this big difference clear in our minds. It will keep us from caring more about animals than we do about people. — H.V.L.

*Of all creation's treasures rare
Not one compares in worth with man;
In God's own image he was made
To fill a place in His great plan. — Branon*

MAN SHOWS THAT HE IS MORE THAN AN ANIMAL
WHEN HE LONGS TO BE MORE LIKE GOD.



animal industry foundation

1701 Ft. Myer Drive/Suite 1200/Arlington, Virginia 22209/703/524-0810

Steven L. Kopperud
Executive Director

October 23, 1989

AIF INVITES CATTLE, PORK, MILK, POULTRY AND FARM BUREAU TO JOIN BOARD OF TRUSTEES, EXPANDS REPRESENTATION OF INDUSTRY

The Animal Industry Foundation Board of Trustees has extended invitations to join the board to the top executives of the National Cattlemen's Assn., the National Pork Producers Council, the National Milk Producers Federation, the Southeastern Poultry & Egg Association and the American Farm Bureau Federation.

"This is why AIF was created," said Executive Director Steve Kopperud. "The Foundation exists to provide a source of solid consumer and public information on livestock and poultry production practices and the inclusion of these groups in the planning and decision-making processes will be invaluable."

The Board has benefitted greatly from the participation over the last year-and-a-half of Orville Sweet, recently retired executive vice president of the National Pork Producers Council. After acceptances are received, an orientation board meeting will be scheduled, Kopperud said.

SHOOTING COMPLETE, EDITING BEGINS ON TWO AIF VIDEOS

With more than eight hours of video tape now shot for AIF's video version of "Myths & Facts," and its educational "Farm Tour Video," the editing process has begun. Shooting took place on Wisconsin veal and egg operations, Minnesota turkey and hog farms and an Iowa cow/calf and feedlot operation. "Iowa Farmer Today" did a story with color photos on the shoot in Iowa.

The "Myths & Facts" video uses farmers and ranchers to tell the story of what they do in raising livestock and poultry, how well they do it and why they do it. It also focuses on changes these farmers have seen over the last 30 years and how these changes have benefitted not only the rancher, but the animal and ultimately, the consumer.

Both videos will be available by late November. For more information on the video projects, contact Steve Kopperud at AIF.

AIF RELEASES PUBLIC POLLING DATA TO NATIONAL MEDIA, INTEREST STRONG

The results of AIF's first-ever national public opinion poll on farming, ranching, animal care and animal rights was released to the national and trade media this month, and interest has been strong. AIF Executive Director Steve Kopperud has done more than a dozen interviews with radio and newspaper reports from Texas to Winnipeg, and has talked with at least half-a-dozen trade press reporters. For a copy of the polling data, please contact Lynette Welshon at AIF.

AFIA ANIMAL WELFARE COMMITTEE TO COMMISSION "CONTINGENCY PACKAGE" ON MEDIA RELATIONS, EMPLOYEE, PLANT SECURITY, ISSUE MANAGEMENT

The American Feed Industry Assn.'s Animal Welfare Committee is looking at commissioning through private security firms the creation of a "contingency package" for its member companies and others to help deal with the animal rights issue from the standpoint of media relations, demonstrations and pickets, and employee and plant security. Other organizations interested in sharing in the development of this project should contact Steve Kopperud at AFIA.

SPIRA, ANIMAL RIGHTS INT'L. RUN NY TIMES AD SLAMMING PERDUE

The Oct. 20 New York Times carries a full-page black and white ad, paid for by Animal Rights International and activist Henry Spira, trashing Frank Perdue specifically and the broiler industry in general. Under the headline: "Frank, Are You Telling the Truth About Your Chickens?" the ad reiterates many of tired accusations by animal rightists against the poultry industry, i.e. not enough space, beak trimming, corporate dominance, use of marigold petals to enhance skin color, etc.

The ad also goes into Perdue's labor problems at some southern plants, and equates his "callousness" towards animals to the way he treats his employees. The ad ends with an offer to any animal rights group in the country to use the un-copyrighted material, and for Perdue to 1) open his contract growing and slaughtering facilities to "unannounced" media access, 2) allow each bird four square feet, and 3) fund research into "more humane" production practices. This last item carries the following statement: "Almost all animals, including calves, pigs and cattle raised for food suffer on factory farms. Your involvement and opinion can change this inhumane system."

Perdue's official statement, in part, said: "The vague and totally groundless charges of animal cruelty being leveled against Perdue Farms, Inc., and the poultry industry by Animal Rights International is nothing more than a self-serving attempt to rouse emotions against the industry and gain support for the group's main goal of achieving a vegetarian, meatless society...It is unfortunate these activists have chosen to attack the American farmer...Anyone who accuses farmers of not being concerned about animal welfare is ignorant of the facts, out of touch with reality and lacking in common sense."

"PORK '89" SEPTEMBER ISSUE MUST READING FOR INSIDE LOOK AT MOVEMENT

Marlys Miller, associate editor of "Pork '89," has gone where few in livestock or poultry production have gone before. She packed up pencil and pad and spent a summer weekend as one of 600 participants in the

National Alliance for Animals' Education Fund's National Seminar '89 in Washington. Her insight is covered in a series of three articles in the September issue that should become the basic primer for anyone seeking an understanding of the animal rights movement's campaign against agriculture and its strategies and methods.

The first article sets the stage for the other two, discussing her overall impression and the movement's agenda for the conference. The second article is a series of short interviews with activists and coverage of several speeches. Particularly illustrative of the motivation--and understanding--of the activists is the following quote from Lorri Bauston, co-founder with her husband of Farm Sanctuary: "We've learned the hard way from trial and error," says Bauston of her lack of knowledge about animal agriculture when she started out. "A lot of it's common sense." And, Bauston admits in her presentation: "As much as anyone, I'd like to see a day when all animals are free from exploitation, yet until we have a vegan world, we're going to have to work on closing down the obvious facilities first.

In addition to about 40 booths at the meeting, Miller writes about a planned Hollywood feature film production on animal rights and animal liberation, and talks about the planned June, 1990 March on Washington which many in the movement hope will galvanize the country to their philosophy by sheer force of numbers.

Farm Journal is planning a similar series, with writer Karen McMillan having attended the World Farm Animal Day demonstrations in Washington in early October, and then observing a Virginia packing plant demonstration later in the month.

For a copy of the series, contact AIF, or "Pork '89," at Vance Publishing, 7950 College Blvd., Shawnee Mission, Kans. 66210.

OCT. 2 'WORLD DAY FOR FARM ANIMALS' EVENTS VARIED

Depending on where you were and who you talked with, the Oct. 2 "World Day for Farm Animals" was either amusing or aggravating. In Aspen, the People for Ethical Treatment of Animals reportedly sought time to tell school kids about endangered species and used the opportunity to push vegetarianism. In Washington, about 100 Farm Sanctuary members tried to cajole pedestrians to "adopt a farm animal", and about 40 protesters at USDA got little if any response. In San Antonio, Tex., NCA reports, about 100 demonstrators showed up at the Union Stock Yards. The demonstrators distributed literature with the old message: "Farm animals account for 95% of all animals who die through human exploitation."

ANIMAL RIGHTISTS APPARENTLY UPSET AFTER VEAL HEARING ROUT

If the fall "Watchdog" newsletter of the Humane Farming Assn. is anything to judge by, then the animal rights witnesses at the June 6 House Ag Committee hearing on federal anti-veal legislation are not happy about the outcome. Featuring a cover photo of a picket line outside a supermarket, the newsletter features an unbylined article on the hearings that blames the poor animal rights showing not on lack of evidence and convincing arguments, but on preferential treatment to the ag witnesses.

"Like the state legislatures, the congressional agriculture committees are stacked in favor of the agribusiness industry...The task of scheduling and selecting witnesses was that of the committee's chair, Congressman Charles Stenholm (D., Texas). He allowed the industry to present 24 witnesses, while limiting (emphasis added) our side to 11.

"A more profound inequity was evident by the end of the day-long hearing. All told, the Committee gave the factory farm lobby more than three times (HFA's emphasis) as much time to testify as supporters of veal calf protection. In addition to being allowed fewer witnesses, we were held to the allotted five minutes each (plus questions), while veal industry witnesses were allowed to ramble on for over twenty minutes at a stretch."

The article also questions Dr. John McGlone, Texas Tech University, and Dr. Stan Curtis, University of Illinois. Referring to Rep. Charlie Rose's (D., N.C.) questioning of the two as to any research funding received or expected from the veal industry, HFA apparently did not believe Curtis when he replied he had received some funding eight years earlier. A Curtis "quote" is also used on HFA's recent fundraising letter, with Curtis identified as "Prof. Stanley Curtis, Veal Industry Testimony."

An interesting note: A small sidebar to the article states the following: "The American Society for the Prevention of Cruelty to Animals was instrumental in the proceedings and was kind enough to cover many of the expenses pertaining to the hearing." Interestingly, ASPCA did not testify.

SMITHFIELD PACKING HIT BY PROTESTS, DEMONSTRATIONS

In a move related to World Farm Animals Day, a group calling itself Virginians Against Cruelty to Animals staged demonstrations and an all-night "vigil" against Smithfield-Carroll Farms. The group contends the demonstrations were against recent fines against Smithfield for State Water Control Board violations. A call for volunteers asked activists to take off time from work, and to be ready to be joined by Dr. Alex Hershaft of the Farm Animal Reform Movement. The flyer also told demonstrators to be ready for "some civil disobedience" by blocking livestock trucks. By all reports, the demonstration was not as large as expected and Smithfield was able to control the event by setting aside an area reserved for the pickets and demonstrators.

"MADEMOISELLE," "VOGUE," DO COLUMNS ON ANIMAL RIGHTS MOVEMENT

Two more national publications have picked up on the animal rights movement--and are not necessarily sympathetic in their coverage. In the July, 1989 issue of "Mademoiselle," a column entitled "What's Wrong with Animal Rights" by Barbara Grizzuti Harrison, takes on the anti-biomedical arm of the movement. The author talks with Gary Francione, professor of law at the University of Pennsylvania, who says that if abrogating the rights of one sewer rat would rid the world of cancer, "it's rights would have, nevertheless to be honored. No experimenting; no cure." Ingrid Newkirk, national director of the People for the Ethical Treatment of Animals, would grant rights to "all those with faces," regarding humans as "just another animal in

the pack." The author also quotes an ethicist: "You can teach a human to care about a pig, but you can't teach a pig to care about a human being, i.e. humans and animals are not entitled to the same rights, in part, because there is no reciprocity of feelings."

In the September issue of "Vogue," the "Politics" column by Fred Barnes details the mainstream move of the animal rights movement. In addition to quoting Ingrid Newkirk--one more time--on "a rat is a pig is a dog is a boy," PETA has apparently gone even further in its philosophy. In a section discussing the need for animal research to find a cure for AIDS, Dr. Anthony Fauci, leader of the AIDS program at the National Institutes for Health, says: "You can't do these studies in man." Says Barnes: "PETA's Newkirk says that even if animal tests produced a cure, "we'd (PETA) be against it."

LEGISLATIVE UPDATE:

STENHOLM/MADIGAN/DE LA GARZA INTRODUCE FACILITY PROTECTION ACT; ROSE DOES SAME, FOLLOWED BY WAXMAN. TOTAL BILLS INTRODUCED: FIVE

Follow this closely, because it can get confusing. When last the American Feed Industry Assn. reported that introduction of the agriculture-supported House version of the employee/facility protection legislation was imminent, it was believed this would round out House and Senate introduction. Not so.

Just before Reps. Stenholm, Madigan and de la Garza put the finishing touches on their bill to make it a federal crime to disrupt the business of a farm, ranch, ag or biomedical research facility, Rep. Charlie Rose (D., N.C.) introduced what he calls a facility protection bill (H.R. 3223). A few major problems with it, says AFIA. The Rose bill 1) amends the Animal Welfare Act, which currently exempts farm animals, 2) does not go far enough in its protection for farms and research facilities, 3) includes the much-opposed Rose language granting animal rights activists legal standing in federal court, and 4) calls for House and Senate leadership to set up a panel of animal welfare groups to investigate biomedical research.

(The National Association for Biomedical Research reports its analysis of the Rose bill showed "the bill does not offer...any protection and in fact may encourage continued break-ins and theft." Two sections are troublesome to NABR. These include one which says it would be unlawful for any person to "intentionally cause the loss of any animal from a research facility, except temporarily, (emphasis added) for the purpose documenting violations of federal regulations..."

At the same time, while the bill would make it unlawful to damage, or steal equipment, or to obtain unauthorized possession of records, data, materials, equipment or animals, the bill also says that a person charged with committing one of these acts shall not be subject to any penalty if a violation of the Animal Welfare Act is proven.)

When it was figured the dust had settled on bill introductions following introduction of the Stenholm bill (H.R. 3270), which carried 44 co-sponsors, most whom sit on the House Ag Committee, Rep. Henry Waxman (D., Cal.) threw in H.R. 3349, to protect biomedical research facilities receiving NIH federal grants.

So, according to AFIA, here's how the bills sort out:

H.R. 3270: Stenholm--Ag supports strongly
S. 1330: Helms --Ag supports strongly
S. 727: Heflin --Biomed protection; AFIA supports
H.R. 3223: Rose --Ag should oppose strongly
H.R. 3349: Waxman --NIH-funded biomed protection; no
position at this time.

AFIA notes that in writing to House members to secure cosponsorship of the Stenholm bill, it is necessary to explain that while the titles of the bills are similar, H.R. 3223 (Rose) is not acceptable and that members should be very careful in how they decide their cosponsorship. No action has been scheduled on any of this legislation at this time.

Word is that in addition to these bills, Rep. Ron Marlenee (R., Mont.) will soon introduce legislation to provide similar protections to "public lands users."

CAL. VEAL BILL, CALF HOUSING STUDY BILL UNDER NEGOTIATION

When last reported, the author of the bill in the California Assembly to ban veal in confinement had pulled his bill off the hearing schedule after the bill's author had visited several veal farms at the invitation of the California industry. At the same time, a bill calling for a University of California-Davis study of calf housing languished for lack of attention. However, now that the study bill has gained momentum, the Humane Farming Assn., which has been pushing the ban bill, is being forced to the table to negotiate. Last word was that it had been proposed the study at UC-Davis be funded half by the state and half by industry. There may not be enough time in this Assembly session for action on either bill. Watch this space for future developments.

AMERICAN HUMANE ASSN. FILES \$10-MILLION SUIT AGAINST BOB BARKER

Game show host and animal rights activist Bob Barker is the subject of a \$10-million lawsuit by the American Humane Assn. and its West Coast Regional Director Betty Denny Smith. The suit, which asks \$5 million for AHA and \$5 million for Smith, charges Barker, the United Activists for Animal Rights and its Executive Director Nancy Burnet with libel, slander, invasion of privacy, trade libel, interference with prospective business, conspiracy, injury to reputation and emotional distress over the past two years.

ANIMAL WELFARE BOOTH DEBUTS AT NEBRASKA STATE FAIR

In an unusual twist, the Nebraska State Fair this year saw its livestock folks sharing fair space with an animal rights booth. While the fair booth strategy is not new, it's a first for Nebraska. According to a news report the Greater Nebraska Animal Welfare Society manned the booth and handed out literature and responded to visitors--including several farmers and ranchers. No one objected to the booth. Said Fair Manager Paul Putens: "Basically people are allowed to speak their minds out here. Different points of view--that's what makes it work, I guess."

"HUMANE EDUCATION" GETTING PUSH FROM ANIMAL RIGHTS MOVEMENT

The latest issue of the "Animal's Agenda" magazine carries an article by Sheila Schwartz, chairperson of the Humane Education Committee, New York City, which details methods by which so-called "humane education" materials can be gotten into the schools. The article begins by talking about how current lesson plans may not only teach a child to read, but also "simultaneously condition to accept" certain messages while "desensitizing" children to the suffering of sentient beings. "Later they will learn that 'people have always hunted and fished' and earn high marks for creating diets using the Dairy Council's 'Basic Four Food Groups.'"

After acknowledging the difficulty and cost of getting materials into schools, the article recommends working with local teachers' unions, lobbying through postcards and letters to get schoolboards to accept materials, and contacting educators through local humane organizations to see if they can lead workshops on teacher training days.

"VEGAN EXPRESS" HEADS OFF ACROSS THE U.S.

Long-time animal activist Chas Chiodo and his dog Ram Dass will begin a national "Vegan Express" tour across the country in November in a bus loaded "with educational materials and cookbooks." The tour is being "launched" from Washington, D.C. Look for it in your town soon.

ITEMS OF INTEREST...

- o DC Comics now has "Animal Man," created by cartoonist Grant Morrison. Activists are urged to write and support this pro-animal comic, which may have inspired Marvel Comics to do similar stories.
- o The U.S. Supreme Court has upheld a Connecticut court decision which threw out that state's hunter protection law. The lower court said the law was overly broad and a threat to free speech.
- o Action for Animals and the Benecia-Vallejo Humane Society are taking credit for forcing the Solano, Cal. County Fair Rodeo to drop greased pig chases, sheep riding and use of electric prods in holding chutes. It is also reported, however, that pig racing is a new hot attraction at Disneyland.
- o Bob Barker, long-time host of "The Price is Right" refused to appear with Vanna White in "Wheel of Fortune" ads until CBS agreed the show will stop giving furs as prizes.
- o There's a California group out there called "The Write Cause," which it is reported will write two personal letters on animal issues per month for you for \$35 per year.
- o Canadian animal researchers have reportedly found that cattle destined for slaughter handle stress better when given a Gatorade-type electrolyte drink.
- o A 15-year-old Malibu, Cal., youth drowned when he became tangled in cables while trying to free lobsters from traps, Agenda reports.
- o Animal's Agenda reports that cattle in Louisiana contribute as much pollution to Lake Pontchartrain as 525,000 people.

o And one last note: Agenda reports a Minot, N.D., woman was awarded \$18,000 after a rodeo bull attacked her in a restroom where she was hiding to avoiding watching bull riding.

SHOT COULD CREATE STEER WITHOUT CASTRATION: U/NEB.

A hormone-protein shot creating an "immunological block" in a bull's brain may eliminate the need for castration, according to research done at the U.S. Meat Animal Research Center at the University of Nebraska. The vaccination technique could be used to sterilize male cattle, sheep and hogs without the surgical technique currently used. Bruce Schanbacher, endocrinologist at the center, said the use of this technique raises the prospect of leaving bulls intact until they are ready for the feedlot, taking advantage of a young bull's growth rate and leaner, more muscled carcass. Schanbacher acknowledges that the vaccine, about to move to the field testing stage, is 100% effective in sheep and hogs, but "a little less effective on cattle." The advantages include the fact it's less stressful, simpler and can used at both pre-puberal and sexually mature stages of the animal's life. Still at question is the ultimate cost, and whether it should be available over the counter or through vets only.

MINN. RESEARCH SHOWS KIDS MAY NOT BE NICER IF THEY OWN PETS

Recent research into the relationship with and the value children place upon pets may shake conventional wisdom that holds a child raising a pet is more altruistic than those who don't, according to an article in "Minnesota Science," published by the University of Minnesota Colleges of Agriculture, Forestry and Home Economics. Following a local newspaper's essay contest in which kids responded to what one thing they would save in case of a fire, social science researcher Geraldine Gage, using a computer model, found that children who wrote about their pets generally considered them important, but not for necessarily altruistic reasons. Children apparently talked about their pets in the same sense they discussed a "sort of big three-dimensional toy," Gage said in the article, calling the attitude "hedonistic utility."

"I am not persuaded that kids are learning much at all from pets," Gage said. "The way children described their pets in the essays was very the same as older adolescents talk about their car. If parents want their children to be more altruistic and to have more empathy, it may be more effective if they themselves modelled that behavior."

ANIMAL RIGHTS GROUP SEEKS TO HALT FUNDING FOR U/GA. LAB

The Atlanta-based League for Environmental & Animal Protection (LEAP) has sent Sen. Wyche Fowler (D., Ga.), a petition with 1,200 signatures asking that federal funding be stopped for a proposed facility at the University of Georgia at Athens until public hearings are held and independent environmental impact studies are conducted. LEAP says the lab "is potentially dangerous" and that the goal is not to stop the lab but to inform the public. The proposed \$13 million facility would do research to eliminate animal diseases, with facilities for research on toxic chemicals, infectious agents and recombinant DNA technology. The facility would also utilize safety features, including physical

barriers, controlled air flow, restricted traffic, a central monitoring station, animal isolation "suites", decontamination areas and its own centralized incinerator and heat-treatment waste system.

FARM LETS FED EMPLOYEES KNOW ITS PART OF FED CHARITY DRIVE

Members of the Farm Animal Reform Movement (FARM) received an interesting announcement in the mail last week, when a postcard arrived announcing that FARM "has joined the current "Combined Federal Campaign," the combined fundraising effort of the federal government for various charities. The card asks "Are You a Federal Employee?" and then asks that you designate FARM to receive contributions. It also asks that you contact FARM to get leaflets, etc., to "encourage your fellow employees to designate FARM as their charity on the CFC Gift Form."

THIS FROM "THE NEW YORKER:"

"We Don't Want to Hear
About it Department"

"_____ gets its food from around the world; special pastas from Japan, bottled milk from Vermont, eggs from Maine, beef from Colorado, and chickens from Connecticut. He said, "There are no drugs in our meat and our fish has never been dipped in chlorine. You will never find any preservatives, drugs or additives in our foods."

"You will also never find any product that involved the cruel killing of animals. "We don't allow any product that is tested on animals. However, we do have a line of European products that is tested on nuns," he said."

TO OUR READERS:

Please send any and all references to the animal rights movement you come across in the national media, your local newspapers and in your trade association or professional society newsletters. It doesn't matter whether it relates to farm animals, biomedical research, rodeo or entertainment, fur, fishing, whatever. We will include them in this newsletter. Also, if your group wishes to publicize the creation of a coalition, development of materials or projects, drop us a line and we'll make sure you get the deserved credit.

YES! I WANT TO SUPPORT AIF AND ITS WORK!

_____ Enclosed is a tax-deductible contribution to the Animal Industry Foundation to help AIF continue its education and research efforts. (Checks should be made payable to "AIF.")

_____ I am interested in helping AIF. Please send me further information on AIF and its projects.

_____ Enclosed is a tax-deductible contribution. Please direct this support to aid the following specific projects:

_____ "Farm & Food Bytes: Animal Agriculture"

_____ Distribution of "Animal Agriculture: Myths & Facts"

_____ The national public opinion poll on animal care

_____ Production of "This is the Farm" video and/or a video version of "Myths & Facts."

PLEASE SEND YOUR CONTRIBUTION WITH THIS FORM TO:

Ms. Lynette Welshon
Animal Industry Foundation
1701 Ft. Myer Drive, Suite 1200
Arlington, Va. 22209

NAME _____

ORGANIZATION _____



KANSAS PORK PRODUCERS COUNCIL

2601 Farm Bureau Road • Manhattan, Kansas 66502 • 913/776-0442

Testimony on HB 2927

presented to the

House Committee on Agriculture and Small Business
Susan Roenbaugh, Chairman

presented by

Mike Jensen, Executive Vice President
Kansas Pork Producers Council

Mrs. Chairman and Members of the Committee:

I am pleased to be here before you today in support of HB 2927. My name is Mike Jensen, and I am the Executive Vice President of the Kansas Pork Producers Council, who represents the Kansas pork industry.

Our state organization, along with our national organization, are actively supportive of this type of legislation, both at the state and national level. Our industry is constantly working towards insuring the safe, clean and healthy environments in which our animals also perform to their utmost. To this end, our organization has developed a Swine Care Guidelines handbook, for environmentally controlled buildings, which outlines guidelines for the humane production of swine. While our industry pursues these positive steps, it is extremely important to be offered protection from individuals or groups which might hinder these positive efforts through harassment, trespassing or the release or destruction of animals.

As a representative of the Pork Producers Council, I appreciate your consideration of our industry as we strive to provide the American consumer with a balanced diet including pork, while working to insure that we maintain a healthful and humane environment for the well-being of our animals. Your help in making sure that we have the statutes in place to protect these goals will be to the assistance of all agriculture and the public.

Ag. SB
2-21-90
ATTACHMENT VIII

STATEMENT OF POSITION OF THE COMMITTEE OF
KANSAS FARM ORGANIZATIONS

RE: HB 2927

House Committee on Agriculture and Small Business

February 21, 1990

Madam Chairman, Members of the Committee: I am Joe Lieber, Vice President of the Committee of Kansas Farm Organizations. The Committee, or CKFO, is comprised of 22 of the major farm organizations and agribusiness associations in the State. Our membership list is attached.

The members of the committee unanimously support HB 2927 to protect those who provide important research on animal husbandry and on medical research which benefits humanity from having their work disrupted or destroyed by outsiders, however well intentioned.

This bill provides important protection for the above mentioned facilities and we urge your support.

Respectfully submitted,

Joe Lieber, Vice President

Ac. SB
2-21-90
ATTACHMENT IX

MEMBERSHIP LIST
COMMITTEE OF KANSAS FARM ORGANIZATIONS
1990

KANSAS AGRI-WOMEN
KANSAS ASSOCIATION OF SOIL CONSERVATION DISTRICTS
KANSAS ASSOCIATION OF WHEAT GROWERS
KANSAS COOPERATIVE COUNCIL
KANSAS CORN GROWERS ASSOCIATION
KANSAS ELECTRIC COOPERATIVES
KANSAS ETHANOL ASSOCIATION
KANSAS FARM BUREAU
KANSAS FERTILIZER AND CHEMICAL ASSOCIATION
KANSAS GRAIN AND FEED DEALERS ASSOCIATION
KANSAS LIVESTOCK ASSOCIATION
KANSAS MEAT PROCESSORS ASSOCIATION
KANSAS MILK PRODUCERS ASSOCIATION
KANSAS PORK PRODUCERS COUNCIL
KANSAS RURAL WATER DISTRICTS ASSOCIATION
KANSAS SEED DEALERS ASSOCIATION
KANSAS SOYBEAN ASSOCIATION
KANSAS STATE GRANGE
KANSAS VETERINARY MEDICAL ASSOCIATION
KANSAS WATER WELL ASSOCIATION
MID AMERICA DAIRYMEN, INC.
WESTERN RETAIL IMPLEMENT AND HARDWARE ASSOCIATION