

## AWI URGES MORATORIUM ON KILLING OF WHALES

At the annual convention of the National Science Teachers Association, Washington, D.C., March 26-29, 1971, the Animal Welfare Institute presented a booth exhibit to focus attention on the plight of the whales. Many species of whales are heading for extinction. Included in the exhibit was the graph reproduced on page 3 which demonstrates the move toward so-called "commercial extinction" on the part of one species of baleen whale after another.

The Humpback Whale, whose voice has recently been heard nationwide, including audiences at the New York Philharmonic and folk concerts alike, has now become the best known species because of the undersea recordings made by Dr. Roger Payne of the Rockefeller University. Yet it has been hunted to the point that there is a question as to whether this species can survive even if no further Humpbacks are killed.

A recording of "The Song of the Humpback Whale" played throughout the duration of the National Science Teachers Association convention at the Animal Welfare Institute booth where earphones were available for six listeners at one time.

A Moratorium on the killing of whales has been proposed by the Animal Welfare Institute, the International Society for the Protection of Animals, and the Society for Animal Protective Legislation. A rest period of at least ten years is needed to save the great whales. Whaling ships are catching more small whales now because of the scarcity of the large ones; however, when large ones can be had, they, too, are killed, even in some instances members of species which are theoretically protected by agreement of the International Whaling Commission.

This June the International Whaling Commission is scheduled to meet in Washington, D.C. The Commission was formed in 1937 and sets quotas on the killing of whales each year; however, the scientific committee's recommendations are regularly exceeded when the members of the Commission vote behind closed doors. The result is the steady decline of the whales, with disastrous losses in the population of many species.

Two major whale-protective actions have been taken by the United States government in recent months: first, the inclusion of the sperm and baleen whales on the Endangered Species List by then Secretary of the Interior, Walter Hickel; second, an order by Secretary of Commerce, Maurice Stans which effectively ends whaling by United States concerns. The Stans order carried out the intent of the Hickel listing. In issuing the order Secretary Stans said, "In the past, thoughtlessness and irresponsibility have removed no fewer than 120 different species of wild life from our planet." The United States is now in the strongest possible position to urge the needed moratorium on

(Continued on page 3)

## BASIC CARE OF EXPERIMENTAL ANIMALS PUBLISHED IN GREEK

Through the efforts of Dr. T. G. Antikatzides, the AWI manual, *Basic Care of Experimental Animals*, has been translated and published in the Greek language. It is now being distributed in research institutions and hospitals in Greece where experimental animals are used.

The manual has previously been translated and published in Japanese, adapted and published in German, and translated into Spanish.

Funds are needed to print the Spanish edition, and readers of the Information Report are urged to assist with this badly needed project by making contributions to the Animal Welfare Institute for the purpose. Donations are deductible in computing income tax.

## SENATOR PERCY PRESENTS SCHWEITZER MEDAL TO BOB CROMIE

Bob Cromie, 1970 Schweitzer Medallist, had written no less than 25 columns against cruelty to animals when Senator Charles Percy, Illinois' senior Senator, presented the medal to him December sixteenth at the annual meeting of the Animal Welfare Institute.

A powerful writer, Mr. Cromie's indignation is expressed in terms which frequently get results. The week before the Schweitzer ceremony, *The Chicago Tribune* was running a Cromie column beginning: "The Indianapolis Jaycees have quit shooting that town's pigeons. Instead, with the approval of Humane Society officers and the cooperation of G.D. Searle & Co. of Skokie, they will feed the pigeons corn impregnated with a chemosterilant that inhibits the laying of fertile eggs but does not harm the adult birds." This happy ending came after a series of columns on the subject.

Most impressive is Mr. Cromie's masterful criticism of cruel experiments on animals by high school students. "Unless you have a tolerance, an indifference to suffering and the inability to recognize idiocy solemnly posing as research, I suggest that you stay away from the so-called science fairs which seem to have proliferated in the past few years." After listing some of the projects displayed in the 1970 International Science Fair, he ended with the question: "Do you suppose they now give high school credits in beginning and advanced sadism?" (The 1971 International Science Fair will be held May 10-15, in Kansas City, Missouri).

Readers of the *Information Report* are aware of the columns Mr. Cromie wrote criticizing cruelty by contestants in the Westinghouse Talent Search. In the end he was able to write: "Here is a bit of information which will interest all who wrote protesting letters to the Westinghouse Electric corporation after reading in this column a few months ago about awards made for animal experimentation by high school students competing in the Westinghouse science talent search.

"One of those protesters has forwarded a reply from a Westinghouse vice president which says:

"In view of the concern you expressed to us regarding experimentation involving animals, you will be interested to know that I have been advised by Science Service in Washington of its plans to prohibit use of animals in experiments and projects for the Westinghouse Science Talent Search, beginning with the 1970-71 competition."

"Congratulations to Westinghouse, and thanks to all whose letters undoubtedly played a major part in this decision."

In a running battle against "turkey shoots" in which a fee is paid to shoot at tethered turkeys, Mr. Cromie noted: "A man who identifies himself as a member of the Illinois State Rifle association, the Loyal Order of Moose Rod and Gun club, the National Rifle association, and the McHenry Sportsmen's club, has written to defend the live turkey shoot held annually by the Kiwanis club of Kewaskum, Wis.

"His thesis is that since turkeys sometimes are killed by having their necks wrung or heads chopped off with hatchets it is foolish to object to the Kiwanians of Kewaskum tying their turkeys up and inviting the neighbors in to have fun by shooting them.

"My only reply is that my definition of sport and that of the writer, a resident of Park Ridge, somehow fail to coincide. I did not realize it was sporting to shoot at a live target which was tied down. I am happy to be enlightened in the matter." The Kewaskum turkey shoot is now a thing of the past.

Mr. Cromie, who is host of two television shows, entertained those present at the ceremony with a ready

wit, matched only by Senator Percy who, unavoidably delayed, made his presentation speech at the end of the meeting and inspired his listeners with the firm expression of his belief in the progress and future of animal welfare. He said he owns two busts: one of Abraham Lincoln, the other of Albert Schweitzer.

### THE NATURE PROTECTION ACT

Senator Alan Cranston (D., Calif.) again introduced The Nature Protection Act, S. 249, on January 26, 1971. His statement in introducing the bill is of interest to conservationists and humanitarians and substantial excerpts from it follow:

"I would like to explain the purpose and philosophy of the act.

"Mr. President, the sallow air of our cities, the blackened sands of our seashores, our lakes and harbors reeking of sewage and depleted of oxygen are but a part of the sad legacy of the idea that nature can be treated as a servant, blindly obedient to every want, whim or pleasure of man.

"In his quest to conquer nature, man has been the only animal to remove himself from his natural ecosystem, and to try to survive in an environment changed and shaped to suit his own convenience. The whole earth has been altered in the process.

"For generations, our civilization thought the battle was won. Our sole vision was of a shining road ever ascending in the infinite progress and perfectability of man and his society. Only in the past few years have we begun to realize that our vision has been inverted—that in fact we have been descending into a sewer where air, earth, and water threaten to smother us in our own excrements.

"Only recently have we begun to understand that we are and have been transmuting the world ecosystem—upon which all life depends—without even the most elemental ecological knowledge to direct our actions..."

"Direct human alteration of the environment is the leading reason species are threatened. Farmers cultivated and irrigated land and destroyed the habitat of many species like the San Joaquin kit fox and the northern greater prairie chicken. Agriculture, pollution, logging, and dozens of other forms of direct human encroachment into natural habitats have threatened the survival of many species.

"Excessive hunting and fishing are the second largest threat to animals. Species have been killed for food, skins, sport or as pests. Animals threatened with extinction because of excessive hunting and fishing range from the American ivory-billed woodpecker to the American alligator to the Florida panther..."

"Not only will my proposal make it illegal to kill an animal threatened by extinction but it will encourage State game management officials to take steps to provide habitats where rare and endangered species can survive, as I shall explain later.

"Time is growing short for many forms of life. Here on just the threshold of understanding the need for diversity in nature, we can see species after species slipping away. This list of American animals which have become extinct within the last years is alarmingly long. Yet with each new compilation the Department of the Interior's list of rare and endangered species grows longer and longer.

"A second area where I believe the extinction of species has serious implications has nothing directly to do with the science or the economics of survival, but rather concerns the ethics of man's relationship with other life forms and with nature.

"Does man's moral responsibility extend to other life forms?

"Animals kill other animals as part of the natural system—and they did so long before man appeared on earth. The foxes, owls, bobcats, snakes, and other predators are an indispensable part of the ecosystem. When they are eliminated, as man has often unwisely done, the populations of their prey, such as rabbits or deer, often explode, with disastrous consequences to the plant life they feed on. Under these circumstances, the human hunter becomes a substitute predator, fulfilling a role in the ecosystem. In turn, we have game laws to make sure he does not overplay the part.

"Furthermore, animals became extinct, species vanished for a variety of reasons, and new species appeared, long before man, another new species, walked the planet.

"But none of this, it seems to me, in any way justifies or gives us any moral right to ignore the consequences of our tampering with the environment, par-

ticularly when such tampering dooms a distinct life form to extinction. We seem to have the attitude that because it is not convenient or economically profitable for us to make the effort to save endangered animals, we are justified in letting them die out.

"One of the most profound thinkers of our age, Dr. Albert Schweitzer said of this question:

"At the same time the man who has become a thinking being feels a compulsion to give to every will-to-live the same reverence for life that he gives to his own. He experiences that other life in his own. He accepts as being good: to preserve life, to promote life, to raise to its highest value life which is capable of development; and as being evil: to destroy life, to injure life, to repress life which is capable of development. This is the absolute, fundamental principle of the moral, and it is a necessity of thought.

"The great fault of all ethics hitherto has been that they believed themselves to have to deal only with the relations of man to man. In reality, however, the question is what is his attitude to the world and all life that comes within his reach. A man is ethical only when life, as such, is sacred to him, that of plants and animals as that of his fellowman, and when he develops himself helpfully to all life that is in need of help. Only the universal ethic of the feeling of responsibility in an ever-widening sphere for all that lives—only that ethic can be found in thought. The ethic of the relation of man to man is not something apart by itself; it is only a particular relation which results from the universal one.'

"I can think of no ethic which is more appropriate to the ills of our age than Dr. Schweitzer's ethic of reverence for life, be it human life or the animal and plant life about us.

"But, you may say, the wolf kills and so indeed must man if he is to survive. What then of this ethic?

"And I must agree, thinking back to last evening's prime rib or rack of lamb, that while I might wish no killing were necessary, our society's institutions will continue to include the slaughterhouse. However, when the wolf kills, he is but an agent in the continuing cycle of life and death. His act, if performed in nature, is part of the ecosystem which enables both the wolf and the deer to survive. Nature undergoes no basic change when an individual animal dies.

"But the death of a species is profound, for it means nature has lost one of its components, which played a role in the interrelationship of life on earth.

"Here the cycle of birth and death ends. Here there is no life, no chance to begin again—simply a void.

"To cause the extinction of a species, whether by commission or omission, is unqualifiedly evil. The prevention of this extinction, thus, must be a tenet among man's moral responsibilities.

"Furthermore, in obeisance to the pragmatism of our age, I suspect that the acceptance of the ethic of reverence for life may be crucial in terms of our own survival.

"Lynn White, Jr., in an article entitled 'The Historical Roots of Our Ecologic Crisis,' suggested that Western man needs to revise the Judeo-Christian credo of man's domination over nature and nature's subservience to man's purposes.

"What we do about ecology depends on our ideas of the man-nature relationship. More science and more technology are not going to get us out of the present ecologic crisis until we find a new religion, or rethink our old one.'

"As a model for this new ethic, White suggests that we review the teachings of St. Francis of Assisi:

"The greatest spiritual revolutionary in Western history, Saint Francis, proposed what he thought was an alternative Christian view of nature and man's relation to it; he tried to substitute the idea of man's limitless rule of creation... Since the roots of our trouble are so largely religious, the remedy must also be essentially religious, whether we call it that or not. We must rethink and refeel our nature and density. The profoundly religious, but heretical, sense of the primitive Franciscans for the spiritual autonomy of all parts of nature may point a direction. I propose Francis as a patron saint for ecologists.'

"Thus, I suggest that Dr. Schweitzer's ethic of Reverence for Life may be the ethic for mankind's survival.

"My final contention about the preservation of rare and endangered species deals with neither science nor ethics—but is ultimately practical. Simply put, man's own survival is at stake; the actions he must take to assure the animals' survival will also be his own

salvation. . ."

"We cannot preserve wildlife and fish by protecting them from their environment. Instead, we must preserve their environment in a liveable form and we must keep our contaminants from degrading their ecosystems. And in the process, we will preserve at least some of our environment in a condition where we know that we and our children can survive.

"These are my reasons for believing that the preservation of our rare and endangered species should be given high priority in our national system of values."

### AWI Urges Moratorium on Killing of Whales

(Cont. from page 1)

the killing of whales, since it has done its utmost within the past year to provide the protection which is essential if all species of whales are to survive.

Studies of these highly intelligent and remarkably gentle animals should be instituted during the moratorium. There are vast differences between the different species. For example, while the Humpback Whale produces music which sounds like that of a gifted modern composer, there are other whales whose communication is carried on in a series of clicks, so far not decoded by human observers. Funds are needed to record the sounds of the Bowhead Whale. The audience created by the recording of the Humpback Whales' extraordinary songs—songs sung without vocal cords—awaits the next scientifically recorded message from the deep.

Species listed in the Survival Service Commission Red Data Book of the International Union for the Conservation of Nature include: Fin Whale, *Balaenoptera physalus* (Linnaeus, 1758); Southern Right Whale, *Eubalaena australis* (Desmoulins, 1822); Humpback Whale, *Megaptera novaeangliae* (Borowski, 1781); North Pacific Right Whale, *Eubalaena sieboldii* (Gray, 1864); Pigmy Blue Whale, *Balaenoptera musculus breviceuda* (Zemsky & Boronin, 1964); Greenland Right Whale, *Balaena mysticetus* (Linnaeus, 1758); Blue Whale, *Balaenoptera musculus musculus* (Linnaeus, 1758). Secretary Hickel explained clearly why he placed on the Endangered Species List, whales which do not appear in the Red Data Book. In an article in *Sports Illustrated*, December 14, 1970, he said, ". . . in view of the existing evidence on the status of whales, I made this decision for the following reasons. First, it appeared that the whaling nations still viewed whale resources on a short-term basis. Many scientists have told me that if present trends continue, all large whales will be driven to the point of possible extinction within a few years . . . during the peak year of 1930-31 whalers took almost 30,000 blue whales—the mightiest creature ever to live on the face of the earth. Today some estimates of the number surviving are as low as 600, the highest 3,000. They have been protected since 1965, but the question is: Are there enough animals left for males to find females across the great oceans? The numbers are so low that the death rate from natural causes and from occasional 'accidental' harpooning may be much greater than the birth rate. It would be a crime beyond belief if in the same decade that we walked on the moon we also destroyed the largest animal that ever was. The humpback whale, a playful monster renowned for its unearthly songs and foam-spattering leaps, has also been reduced to the point of possible extinction. The bowhead and two right whale species, almost exterminated by early

hunters, have never really recovered. Only the California gray whale, after decades of complete protection, has made a partial recovery.

"Now the 80-foot finback is being pursued down the same path. From a peak Antarctic harvest of over 30,000 in the early 60's these waters now yield only some 2,500 whales a year. Just a few years ago an annual harvest of 10,000 fins could have been carried out indefinitely, but the 'pattern of predation,' as Scott McVay, Chairman of the Environmental Defense Fund, calls it, continues. With the fins on the way out, the whalers are now concentrating on the smaller sei and sperm whales. As they go down the line, they must kill more whales, and even porpoises, to make the business barely pay. In 1930-31 some 43,000 whales yielded 3.5 million barrels of oil. In 1966-67, 52,000 whales yielded a mere 1.5 million barrels.

"But consider that the International Whaling Commission's present kill quotas for baleen whales in the Antarctic are 20% higher than those recommended by its own scientific committee and that the male sperm-whale catch in the North Pacific is a shocking 2½ times the sustainable yield estimated by Japanese scientists. The IWC agreed to reduce its sperm whale quota by a meager 10%, but the whaling nations still refuse to allow international observers to supervise the regulations on quotas, size and species. On this basis cetologists contend that these species will be commercially extinct within 10 years.

"The second reason I took this action was that all whale products, with the exception of the meat, can be produced by other means. After we killed off the buffalo we found replacements for its meat and hide. Must we kill off the great whales before we use the replacements for its products? Soap, margarine, beauty cream, machine oil and pet food are hardly a justifiable reason to destroy the world's mightiest creature. Substitutes can be used for all of these products—even the sperm oil so prized in industry. . . .

"Melville would be surprised to learn whaling reached its height in the last decade. The lookouts have been replaced with radar and helicopters, the longboats with 20-knot whale catchers. A factory ship can dispose of an 80-ton carcass in 30 minutes. No animal can endure such a massive technological onslaught."

Readers of the Information Report who wish to register their support for a ten-year moratorium on the killing of whales by all nations of the world should write to the Secretary of State, Hon. William Rogers, Department of State, Washington, D.C., and to the Secretary of the Interior, Hon. Rogers Morton, Department of the Interior, Washington, D.C.

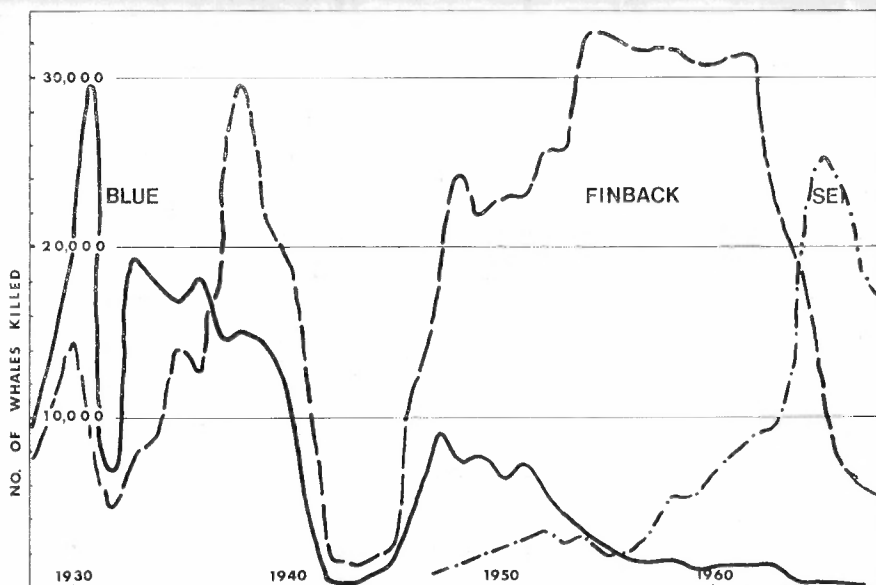
### ANIMAL DEALERS AND SHIPPERS INDICTED BY JUSTICE DEPARTMENT

A press release issued by the U.S. Department of Justice, February 23, 1971, states: "A federal grand jury today indicted a New York shipping line and five other defendants on charges of bringing wild animals from Africa to the United States under inhumane conditions.

"Twenty-one of the 80 animals died during the 33 day voyage, the indictment said. The animals were destined for zoos in Chicago, St. Louis, San Francisco, Milwaukee, Louisville, Tampa and Omaha.

"Attorney General John N. Mitchell said the eight count indictment was returned in Federal District Court in New York.

"Named as defendants were: States Marine Lines,



WORLD CATCH OF BALAENOPTERA WHALES



Inc. of New York; States Marine Isthmian Agency, Inc., the chartering agent; T. Carr Hartley and Sons, Ltd., of Kenya, East Africa, and the Kenya Farmers Association (Co-op) Ltd., of Nairobi, Kenya, two companies which ship wild animals to the United States: James S. Murray, captain of the ship 'New Westminster City' which was chartered to States Marine; Reardon Smith Lines, Ltd., owner of the ship...."

An editorial in The New York Times, March 3, 1971, commented, "The importer of these animals is not named in the indictment, but this individual or firm would also seem to bear a heavy responsibility for allowing the shipper to treat animals in this cruel and reckless fashion. Apparently it makes commercial sense to skimp on the food and care, and to gamble that enough animals will survive to make the transaction profitable."

"Putting the profits ahead of animal care has long been the rule in this doleful trade."

Under the headline, "Outrage at Sea," Life magazine, March 19, 1971 ran three pages of pictures taken by a crewman, James Cassidy, showing the elegant and friendly giraffes gazing quietly out to sea at the beginning of the voyage. Later photos show the crew's favorite giraffe, Humperdinck, collapsed, dead in his cramped crate and then being thrown overboard.

Another photograph was described as follows: "A zebra that died early in the trip is shoved and kicked to the edge of the ship to be pushed overboard. Before it died, it had thrashed around in its tiny cage, cutting itself badly on the legs and belly with its own hooves."

This is the first indictment under P.L. 80-818, passed in 1948, to "prohibit the importation of foreign wild animals and birds under conditions other than humane."

#### ANIMAL DEALER'S LICENSE REVOKED BY U.S.D.A.

The license of a Cincinnati, Ohio, laboratory animal dealer was revoked by the U.S. Department of Agriculture after the dealer admitted at a hearing conducted by U.S.D.A.'s Hearing Examiner, that the allegations set forth in the complaint were correct. Frank H. Maxfield of Maxfield Animal Supply had previously denied 30 separate charges of violating the regulations of the Laboratory Animal Welfare Act, requiring humane handling of animals, maintaining sanitary premises and providing adequate food and water.

Revocation of the license followed a consent order issued by U.S.D.A.'s Agricultural Research Service for that purpose, December 14, 1970.

According to a U.S.D.A. release dated March 18, 1971, two other animal dealers have been charged with violating the new Animal Welfare Act of 1970: Paul Jackson of Baltimore, Maryland, a laboratory cat dealer, charged with wilful violation, and Mrs. William Packer of Wood River, Nebraska, who sells dogs and cats for research purposes.

#### HEARING HELD ON BILL TO PROHIBIT SHOOTING AT ANIMALS FROM AIRPLANES

Congressman John P. Saylor (R., Pa.) with twenty-three co-sponsors has reintroduced a strong bill to prohibit shooting at or harassing animals, birds or fish while airborne in an aircraft. Hearings were held March 23rd before the Subcommittee on Fisheries and Wildlife of the House Merchant Marine and Fisheries Committee to which the bill, H.R. 5060, was referred.

A similar, though not identical bill, S. 78, was introduced in the Senate by Senator Gaylord Nelson, and seventeen Senators joined him as co-sponsors.

The House of Representatives passed this legislation by unanimous consent in the closing days of the 91st Congress. In introducing the bill, Congressman Saylor said, "It is pathetic in this sophisticated day and age to note that there are human beings so devoid of compassion, so unsportsmanlike, so eager for killing, that they must use a vehicle designed for transportation in order to prey on the Nation's wildlife. . . . I am sure you recall the poignant television docu-

mentary, 'The Wolf Men,' wherein the practice was dramatically presented. That program was responsible for the introduction of our bill in the 91st Congress, H.R. 15188, which would have outlawed the incredible practice. The program was also responsible for the greatest outpouring of public sentiment for a conservation bill that I have witnessed in my years in Congress."

The government of the State of Alaska, however, still continues to pay bounties on wolves in three sections of the State. It continues to issue "aerial permits" to fly about and shoot animals. Despite the overwhelming revulsion so widely expressed against the practice, the Commissioner of the Alaska Fish and Game Department, Wallace H. Noerenberg, seems to have felt that an adequate response was to issue "new policies" under which "the bag limit will be 10 wolves for residents with aerial permits." According to the *Anchorage Times*, January 26, 1971, "These new policies are designed to reduce the harvest of wolves," Noerenberg said."

#### HEARING SCHEDULED ON BILLS FOR PROTECTION OF WILD HORSES

On April 20th hearings will be held by the Interior and Insular Affairs Committee of the United States Senate on the bills now pending before it for the protection of wild horses. Senator Henry M. Jackson (D., Wash.), Chairman of the Committee, is the author of S. 1116. Senator Mark O. Hatfield (R., Oregon), a member of the Committee, is a co-sponsor. Senate Majority Leader, Mike Mansfield (D., Mont.) introduced S. 1090, co-sponsored by Senator Frank Church (D., Idaho) who is also a member of the Interior Committee. Senator Gaylord Nelson (D., Wis.) introduced S. 862.

There is widespread support for the legislation. Nearly one hundred members of Congress are sponsoring the different bills including H.R. 795, H.R. 4220, H.R. 4221, H.R. 4222, H.R. 5684, H.R. 5750, all introduced by Congressman Gilbert Gude (R., Md.) with a total of 85 co-sponsors; H.R. 4633 introduced by Congressman Lester Wolff (D., N.Y.); H.R. 5375 introduced by Congressman Walter Baring (D., Nev.) author of the Wild Horse Act which was passed in 1959 and H.R. 6524 introduced by Congressman Thomas Foley (D., Wash.).

All of the pending bills are designed to protect the wild horses through provision of sanctuaries and restrictions against killing the animals. The strongest are H.R. 6524 and S. 1116. In introducing his bill, Senator Jackson said: "During this century, the wild horse and burro population, now scattered throughout 11 Western States, has been reduced from over 2 million to less than 17,000 in number. They have been cruelly captured and slain and their carcasses used in the production of pet food and fertilizer. They have been used for target practice and harassed for 'sport' and profit. It is the purpose of my bill to end this senseless slaughter and to provide these descendants of the animals which played such a major role in the exploration and settlement of the Great Plains and the Far West with the refuges and sanctuaries they need, and to place these animals under the protection of the Secretary of the Interior."

Outlining the provisions of the bill, Senator Jackson said, "My bill requires the Secretary of the Interior to establish and maintain a minimum of 12 refuges with the advice of a board of qualified scientists. Precedent has already been set with the appointment of the Special Wild Horse Advisory Committee for the Pryor Mountain Range. . . . The bill stipulates a fine of not more than \$2,000 or imprisonment for not more than a year, or both, for violations of this act.

"Time is running out for the vanishing free-roaming horses which inhabit our public land—land which belongs to all the American people—a large segment of whom have responded to the continuing plight of these majestic animals. The voices of many in this country have become loud and increasingly impatient in their demand for strong Federal legislation to protect these wild creatures from certain extinction. I earnestly hope that Congress will act without delay."

#### ANIMAL WELFARE INSTITUTE

*Scientific Committee on Humane Standards for Research Animals*

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## SPANISH TRANSLATION OF "BASIC CARE OF EXPERIMENTAL ANIMALS" PUBLISHED

As this issue of the Information Report goes to press, it is expected that copies of the Spanish version of the Animal Welfare Institute manual, *Basic Care of Experimental Animals* will be received from the printer in time to provide copies at the convention of the American Veterinary Medical Association in Detroit, July 18-24, where the A.W.I. will have a booth exhibit.

Dorothy Dyce, Laboratory Animal Consultant of the Animal Welfare Institute, has long been concerned that Spanish speaking animal caretakers who work in New York and other large city laboratories, should have available to them the information on humane care and handling which is contained in *Basic Care of Experimental Animals*. Her experience in visiting laboratories throughout the country brought home to her the great need for the Spanish version. It is through her efforts that this edition is to be available.

Mrs. Dyce will represent the Animal Welfare Institute at the International Veterinary Congress to be held in Mexico City in August. Copies of the Spanish *Basic Care of Experimental Animals* will be available to veterinarians associated with scientific institutions in Latin America so the manuals can be distributed to animal caretakers in their laboratories.

Owing to limitation of funds, the number of copies has had to be correspondingly limited, and it is hoped that humanitarians who wish to help experimental animals in Spanish-speaking countries will contribute as generously as possible to provide enough copies for general distribution to animal caretakers and students.

## RESPONSE FROM GREEK LABORATORIES TO "BASIC CARE OF EXPERIMENTAL ANIMALS"

The Greek translation of the Animal Welfare Institute manual *Basic Care of Experimental Animals* has been distributed to scientific institutions throughout Greece. The response indicates how much this publication was needed—"a pioneer effort in an unknown field" as one Greek scientist put it. Following are a few of the comments received:

"...Your translation of *Basic Care of Experimental Animals* is a precious help for many Greek animal technicians, as well as ourselves, since there is no such publication in existence in Greece..." Professor Alex. Spais, Pathology Department & Clinics, Veterinary College, Aristotelian University of Salonica.

"... I would like to thank you for sending me your booklet concerning the basic care of experimental animals, and to congratulate you at the same time for your effort to cover a gap existing in the Greek bibliography on the matter..." Professor G. A. Tsatsas, Pharmacological Chemistry Department, National University of Athens.

"... Thank you very much for the copy of *Basic Care of Experimental Animals*; it is of immense help for ourselves and for our laboratory technicians..." Dr. (Mrs.) C. Uadena-Pyrgaki, Assistant Professor of Physiology, Aristotelian University of Salonica.

"... Thank you very much for your book on Experimental Animals; it covers a big gap in Greek bibliography, and, I am sure, it will be of great help for our Laboratory since we breed animals..." Dr. Loucas Eustathiou, D.V.M., Director, Laboratory for the Physiopathology of Breeding, Aghia Paraskevi, Attica.

"... Together with my thanks please accept my best congratulations for your pioneer effort in an unknown field..." Dr. B. Katsouyannopoulos, Assistant, Laboratory of Hygiene, University of Salonica.

## U.S. SENATE ACTS ON WHALING MORATORIUM PROPOSAL

### *International Whaling Commission Meets for the First Time in Washington*

While the International Whaling Commission was meeting at the State Department, June 21-25, the Senate Foreign Relations Committee was discussing Senator Hugh Scott's (R., Pa.) Joint Resolution on a ten-year international moratorium on the killing of all species of whales. The Committee, under the chairmanship of Senator William Fulbright (D., Ark.) approved the Resolution on June 23rd and sent it to the Senate where it was passed by unanimous consent on June 29.

In bringing the Resolution to the Senate Floor for the vote, Senator Mike Mansfield (D., Mont.), Majority Leader, placed an excerpt from the Committee's report on the bill in the Congressional Record explaining the purpose of the measure:

#### *Purpose*

For the purpose of focusing attention on the serious depletion of whale stocks, Senate Joint Resolution 115, as amended, requests the Secretary of State to call for an international moratorium of ten years on the killing of all species of whales.

#### *Background*

Senate Joint Resolution 115 was introduced by Senator Scott on June 15, 1971. On introducing the resolution Senator Scott pointed out, 'In the last decade more whales were killed than ever before in the history of the world—so many that species after species have been reduced to a pathetic remnant of once great numbers.' The full text of Senator Scott's remarks is included in the appendix to this report.

Although international efforts recognized the seriousness of this problem as early as the 1930's, there is little evidence that these efforts have produced the desired results. The most determined effort in this regard has been the 1946 International Convention of the Regulation of Whaling which has as one of its primary objectives the creation of '... a system of international regulation for whale fisheries to ensure proper and effective conservation and development of whale stocks...' This objective was entrusted to an International Whaling Commission which the Convention established. While the Commission has taken some very positive steps, particularly in recent years, to protect several of the more endangered species, there is nevertheless a growing feeling that much more needs to be done and done quickly—if further irreparable damage is to be prevented. This feeling of urgency was expressed by the Administration itself when Under Secretary of State for Political Affairs U. Alexis Johnson told the Whaling Commission on June 21, 1971, 'Public opinion around the world clearly is growing impatient with what most people view as a failure by this Commission to move quickly enough to prevent destruction of a unique natural resource.'

The full text of the Johnson statement is included in the appendix to this report.

#### *Committee Action*

The Foreign Relations Committee considered S.J. Res. 115 in executive session on June 22 and again, on June 23, when it reported it out, as amended, by unanimous voice vote.

The Committee's quick action on the resolution came as a result of the urgency which it attached to the problem and the hope that such action would have a favorable impact on the proceedings of the International Whaling Commission which was engaged in its 23rd annual meeting in Washington.

In its consideration of S.J. Res. 115, the Committee gave particular attention to the fact that no formal opposition to the resolution had been brought to the Members' attention. On the other hand, there were a number of personal appeals made in support of the resolution, plus the Committee received a considerable amount of mail—all of it urging positive action on S.J. Res. 115. A sample of the Committee's mail on the matter is included in the appendix to this report.

### Amendment

As originally introduced, S.J. Res. 115 'instructed' the Secretary of State to call for a ten-year moratorium on the killing of all species of whales. The Committee felt that the use of this term might be viewed by the Executive Branch and the Secretary of State in particular as being somewhat abrasive. Mindful of this kind of sensitivity, the Members of the Committee voted unanimously to replace the terms 'instructing' and 'instructed' with 'requesting' and 'requested.' The Committee felt that this change in terminology would still convey its strong sentiments on the whole issue.

Speaking on the Senate Floor in behalf of the resolution Senator Frank Church (D., Idaho) placed the supporting article from *The Boston Globe*, June 20th, in the Record. Editorials appearing on June 19th in *The Washington Post*, and on June 21st in *The New York Times* and *The Washington Star*, all urged approval of the resolution by the Congress and its adoption by the International Whaling Commission. *The Times* editorialized again July 6th. (see page 3).

### F.O.E. and I.S.P.A. Call for Moratorium

As observer organizations at the International Whaling Commission meetings, Friends of the Earth and the International Society for the Protection of Animals supported the ten-year international moratorium. Friends of the Earth is circulating a petition internationally urging such a moratorium. Signed by many distinguished scientists and artists, it emphasizes how essential it is to prevent ecological extinction of the whales. It points out that "by and large, our efforts to prevent extinction are impoverished and shortsighted. We wait until a population attracts our attention because of its rarity, then make elaborate and often futile efforts to preserve some pitiful remnants; animals which are doomed to be zoological curiosities or museum pieces, but who have already lost their strong and rightful place in the integrity of a diverse ecosystem. We may have prevented biological extinction—for a while—but all too often ecological extinction has already taken place. . . . We the undersigned propose a ten year moratorium on world wide commercial whaling. We feel this, and no less than this, can guarantee man the company of the whales for his long term future."

In a paper on the history of whales and whaling, Tom Garrett of Friends of the Earth wrote, "Early human literature contains frequent, often awed reference to the leviathans. The prophet Jeremiah, a good naturalist, understood that the 'monsters of the sea' suckled their young. Early Norse woodprints often show the long ships accompanied by frolicking groups of whales.

"A friendly, partially symbiotic relationship has often in the past existed between the human species and whales, and in a few cases still does. Aboriginal tribes of the Queensland coast of Australia have a long standing fishing culture which relies on the cooperation of friendly dolphins who drive fish into their nets. Similar cultures exist along the New Zealand coast, up the Irawaddy River, and at several points in the Mediterranean. In the Amazon basin, some tribes cultivate the friendship of fresh water dolphins (*Inia geoffrensis*) called 'bouto' to protect them against piranha, and reportedly refuse to enter the water without first calling a friendly bouto by knocking on the sides of their boat. There are complaints in the accounts of early naturalists concerning the violent reactions of various local people to attempts to 'obtain specimens' of dolphins. . . ."

After detailing early whaling under King Alfred about 890 A.D. through the beginnings of modern whaling and antarctic whaling, Mr. Garrett notes: "As early as 1928, Norwegian interests, benefiting from the center for whaling statistics established at Sandefjord in 1920, clearly saw and predicted the annihilation of Antarctic stocks if the prevalent kill rate continued,

and began to press for control." The formation and activities of the International Whaling Commission having been described, he continues: "Only after the near extinction of species, their complete 'commercial extinction' in the jargon of the whalers, has the Commission acted to establish nominal protection. One population of whales, the California Greys, shielded by U.S. and Mexican authorities while within the territorial waters of these countries has made a gratifying recovery. But how little the Commission's 'protection' has often meant elsewhere may be seen in the fact that the Asiatic Grey Whale population, during the period of recovery of the California stocks, has entirely disappeared. The largest known remnant of the almost extinct southern Right Whale was completely annihilated, to the last mother and infant, by a passing whaling fleet off Tristan da Cunha in 1962.

"The implacable pattern of the past 25 years emerges clearly from the statistics compiled at the Sandefjord center. The kill has risen steadily: 20,000 in 1946 to 58,000 in 1951, when under the aegis of the Commission it exceeded the maximum (1938) kill of laissez-faire whaling. In 1958 the kill reached almost 65,000 and in 1962, 67,000.

"As each species has become scarce the pressure has been passed on. With the commercial extinction of the Blue Whale in the early 1950's, the whalers turned on the Finback to meet quotas. Having in a decade eliminated over 250,000 Finbacks from the stock, and reduced this once very common whale to little more than remnant status, the industry has focused its attack on the smaller Seis, and engaged in a relentless pursuit of the Sperm Whale. The Japanese whaling industry took 20,000 dolphins and porpoises in 1967, and in the past season is estimated to have murdered as many as 200,000 dolphins and porpoises. . . .

"The Japanese and Russians, ever since entering whaling, have been notably rapacious and intractable. Yet it is a striking fact that other major whaling interests (even within months of going out of business) have sided with these nations in insisting on impossibly high quotas. Given the proven, often almost uncanny accuracy of the projections based on Sandefjord data, it is not possible that the whaling industry did not understand fully what was happening to the whale stocks. The conclusion seems inescapable that the whaling industry has done what it has done deliberately, that the decision was somewhere made that it would be more profitable to whale on a very large scale for a few years until the whales are exterminated, than to whale on a limited scale, based on sustainable yield, into the indefinite future. Observers have pointed out that the insistence of those interests who were quitting on continued high quotas could not have been unrelated to the fact that the passing on of these quotas permitted them to sell their equipment at a profit to a still burgeoning industry.

"Every product for which whales are being destroyed is readily available from other, more abundant sources. Whale oil is presently used for paints, soaps, margarine, and various cosmetics. The overwhelming bulk of the flesh (which until recently was simply thrown overboard) is used in pet foods, or fed to fur-bearing animals such as fox and mink being raised for their pelts. Some whale products are used for fertilizer. A small amount of whale flesh is eaten by humans in Europe and Japan.

"The whales are not dying to 'feed the world's hungry millions' as some apologists for whaling have tried to imply. Their extermination eliminates any possibility that they can ever fulfill such a 'role.' The economic disruption following an end to whaling (which must in any case occur) will be negligible. The total 'take' in dollars during the past season was less than the City of New York spends to remove its garbage. . . .

"For the overwhelming bulk of humans the loss of the whales is a total loss, unrelieved by the slightest gain. . . ."

Mr. Garrett then discusses what little is known about the brains and mental powers of whales, noting that scientific research in the Soviet Union has "led the Soviet minister of fisheries, A. Ishkov, to declare a moratorium on Soviet hunting of dolphins, which he described as a 'marine brother to man.' Colin Taylor, at the Port Elizabeth Oceanarium in South Africa, believes that he has obtained a real insight into dolphin language through observing adult dolphins teaching their infants, and at last report had learned close to 1,000 'words.'



"It has often been asserted that the huge brains of the great whales are not significant because of the immense body weight, marked human 'superiority' being claimed on the basis of a simple arithmetical ratio between brain weight and body weight. By this really absurd criterion, the most 'intelligent' mammal would evidently be the elephant shrew....

"In whatever case, it is an indisputable fact that brains of Sperm Whales, ground for fertilizer in the bowels of the factory ships, are the largest which ever existed, or now perhaps ever will: the most complex and developed structures to have emerged from 2,000 million years of evolution. And what man can listen to Dr. Roger Payne's recording of the Humpback Whale, to its great living song, spanning six octaves, carrying through the background dissonance with a purity which our ears can only begin to appreciate, without glimpsing the very great significance of the awareness which produced it?

"When Shackleton visited the Bay of Whales 65 years ago, he saw immense numbers of playfully disporting cetaceans. Now this Bay, long anchorage for factory ships, is desolate and empty. Thor Heyerdal, only 25 years ago during the Kon Tiki voyage, reported many pleasant encounters with friendly and curious leviathans. Yet Charles Chichester, during the round-the-world voyage of the Gypsy Moth in the late 1960's saw but one solitary whale.

"The hour is late. No action short of an international moratorium on all whaling can now be counted upon to save the whale. Not only have the numbers of some species been reduced to a desperately critical level, but migratory patterns and breeding patterns, and probably numerous cultural adaptations necessary to survival, have been grossly disrupted.

"Reduced quota' proposals do not take into account such disruption, and fail to consider the sadly increased attrition which must now be expected from pollution (as heavy metal poisoning) and the wide genetic variability which will be needed if such threats are to be met. A reduced quota would probably serve merely to defuse the now mounting concern of conservationists while the tragedy continued, though perhaps more slowly, to its macabre finale—to the irreversible stage when the last of the great whales disappear, one by one, and are irrevocably gone."

### *1971 Meeting of the International Whaling Commission*

The International Whaling Commission did not even consider a moratorium. They did not even reduce quotas significantly (the biggest reduction was 20% in the North Pacific). They put off for another year the elimination of the so-called "Blue Whale Unit" which conservation forces have been urging them to eliminate for years. (In the 1972-73 season it will, at last, be dropped.) According to their press release, they "amended the Schedule to provide for member countries to place observers on factory ships and land stations... of other member countries." The most optimistic of the IWC-watchers hope that this may lead to a version of the International Observer Scheme, another point that conservationists had raised without result year after year in the hope that cheating might be stopped. In short, the pressures for saving the whales did have the effect of pushing the Commission to begin to do some of the things which, had they done them fifteen or even ten years ago, might have been genuinely helpful. Now, they are too little and too late.

Under Secretary of State U. Alexis Johnson was quoted in the June 28th press release issued by the International Whaling Commission itself as saying "that in many respects this was the most critical meeting ever held by the Commission, the whole concept of the multilateral international commission as an effective means of dealing with the conservation of major living marine resources was on trial. The placing of eight species of whales on the Endangered Species List by the United States Government and the announcement that after December 31, 1971 it would issue no more licenses to kill whales expressed the view of the people of the United States that the Commission had acted neither soon enough nor forcefully enough to prevent destruction of a valuable international resource."

That so emphatic a statement from the host nation brought so modest a responding gesture from the nations who make up the Commission shows how much work must be done on an international basis to rouse public opinion against the business-as-usual whaling industry thinking which has had its way for so many years in the Commission.

## EDITORIALS CALLING FOR A MORATORIUM AND REPORTING ON THE IWC MEETING

THE WASHINGTON EVENING STAR, June 21, 1971

### MORATORIUM ON EXTINCTION

A while back, man ascended from the caves and proclaimed his domination over the earth. Man has changed somewhat in the intervening years, growing weaker of body and, perhaps, stronger of intellect. But the arrogant assumption of superiority has persisted, unaffected by mounting evidence that all life is interdependent, that man's ability to rid the earth of other living things constitutes a growing threat to his own survival.

For every year since the turn of the century, one animal species has vanished forever, victims, for the most part, of man's careless violation of the environment or of his increased efficiency as a killer. When realization comes too late to halt the irreplaceable loss, man can do no more than stand by in sorrow and shame. But when the warning comes in time, when restraint is all that is required to save a creature from extinction, and when the slaughter goes on, shame is not enough. Constructive anger and effective action are demanded.

No one should be surprised to learn that the whale is threatened with annihilation. Herman Melville foresaw the tragedy a century ago, questioning "whether Leviathan can long endure a chase so wide and so remorseless a havoc; whether he must not at last be exterminated from the waters." Man's continuing greed and his improving technology have provided the answer. Today the whale—not one species but the entire order of Cetacea—is vanishing. In 1930, 30,000 blue whales were killed; today, approximately 1,000 blue whales survive. With the extinction of the largest creature that has ever existed on the earth virtually assured, the hunters have turned to the smaller whales, upping the slaughter to meet the demand.

There is no justification for the extermination of these huge, intelligent, benign creatures. Whale products are useful. But they are not necessary to man's survival. The system of voluntary international controls has failed to provide protection. Drastic and immediate action is required.

There is now pending in Congress a joint House-Senate resolution instructing the secretary of state to call for an international moratorium of 10 years on the killing of all whales. The resolution should be acted on without delay.

The International Whaling Commission meets in Washington today. The United States is in a good position to exercise leadership; over the last year, it has voluntarily ended all whaling by American citizens. Every effort should be made to persuade other nations—and particularly Japan and Russia which together account for some 85 percent of the annual kill—to observe the moratorium, if only in order to assure themselves of whales for future controlled slaughter.

Perhaps, if that breathing-spell is granted, the whales will survive. Perhaps, too, during that decade men will come to understand that the power to dominate carries with it an obligation for restraint and compassion.

THE NEW YORK TIMES, July 6, 1971

### CATFOOD AND COSMETICS

The recent annual meeting of the International Whaling Commission in Washington was a dismal fiasco. At a time when whales are being depleted at an alarming rate and some species are teetering on the edge of extinction, the commission calmly set quotas for 1972 for all but one of the world's oceans at the same high level as prevailed in 1970-71.

Only in the North Pacific did the commission reduce the allowable catch by 20 per cent but even there the new levels—nearly 4,000 sei whales and more than 10,000 sperm whales, for example—are far above the rate at which nature is replenishing these species. Judged in terms of the facts about the whaling crisis, the commission's actions seem almost grotesque, rather like telling a firefighter to pour on slightly less kerosene.

Yet there is a rationale behind this grotesquerie. It is to be found in the greed and ruthlessness of the Japanese and Russian whaling interests who between them now catch more than four-fifths of all whales. Financially, it makes more sense for them to use their whaling fleets to full capacity until all whales have been exterminated, and then scratch the equipment than it does to cut back whaling to the small operation which nature can sustain. Whale products are used largely for catfood and cosmetics.

By its callous performance, the Whaling Commis-

sion stands self-exposed as a cartel dominated by its two largest members rather than a responsible international agency for the regulation of a diminishing natural resource. The other member nations which have reduced their whaling or—like the United States—have ceased altogether now face a serious decision. They cannot much longer continue as acquiescent partners while the Russians and Japanese pursue their extermination policy to its logical end.

Since the commission is showing no sign of responding realistically to this crisis, the United States and other responsible nations ought to consider withdrawing from this farce and seeking other means of focusing the concern of the world community on the imminent extinction of one of the world's most interesting mammals.

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### ARMY CHANGES TRAINING METHODS FOR MEDICS

In response to an inquiry from a United States Senator, the Army provided information on the elimination of the use of dogs as laboratory animals in the training of the Vietnam Special Forces Medical Specialists, commonly known as "medics." These men provide first aid and care of the sick and wounded when no medical doctor is immediately available.

For the past several years their training included the shooting of dogs' legs, treatment of the wound over a period of time, and, finally, amputation of the leg under anesthesia from which the dogs were not permitted to recover. Questions were repeatedly raised in the press concerning the necessity for this training method.

In April the Army issued a statement which concluded as follows: "In view of recent events, to include the phasedown in the number of Special Forces personnel in Southeast Asia, a new method of conducting this critical training has been developed and approved by the Army. This new method will result in the elimination of the use of dogs as laboratory animals and will provide increased on-the-job training in Army hospitals. Instructions have been issued to the field to effect this transition on an orderly and expedited basis."

### TRAPPING

#### British Columbia Government Gives Grant for Humane Trap Development

The Canadian Association for Humane Trapping has announced that a grant of one thousand dollars will be given by the Government of British Columbia toward the Humane Trap Development Programme. All provincial governments have been asked to support the effort by granting at least 2% of their annual fur royalties for this purpose. British Columbia is the first to act.

#### New Jersey Legislature Votes Trapping Regulation Bills

Despite opposition by trappers who sought to delay action until the New Jersey Assembly could no longer act on Senate-passed humane trapping bills, S. 706 and S. 708 were passed by an overwhelming majority of the Assembly in a night session June 14th. The bills provide for separate licenses for trappers and total prohibition of use of leg-hold traps in first and second-class counties—about one-half the State.

#### Trapping Bills Introduced in United States' Congress

Bills to ban from interstate commerce trapped furs from states or nations that have not outlawed the leg-hold trap were introduced on June 1st by Congressman William Broomfield (R., Mich.) and June 17th by Senator Birch Bayh (D., Ind.)

#### California Bill to Ban the Leg-hold Trap

California law now prohibits the trapping of bears with leg-hold traps. This year, an amendment to the existing law has been offered by Assemblyman Leo J. Ryan to substitute the word "mammals" for the word "bears." As amended, the bill reads: "No per-

son, including employees of the state, federal or county government, shall take mammals with iron or steel-jawed or any type of metal-jawed traps, and no provisions of this code or any other law shall be construed to authorize or to permit the authorizing of, the use of iron or steel-jawed or any type of metal-jawed traps to take mammals."

### U.S. HOUSE OF REPRESENTATIVES PASSES BILL AGAINST

#### SHOOTING ANIMALS FROM AIRCRAFT

H.R. 5060 passed the House of Representatives on May 17th and was sent to the Senate Commerce Committee where a similar but not identical bill, S. 78, is pending. The purpose of the legislation is to stop the gunning down of animals and birds from aircraft and to protect them from aerial harassment.

Congressman Dingell, Chairman of the Subcommittee which held hearings on the bill, managed the bill on the House Floor. He began by stating that "in November of 1969, the NBC television network showed a documentary film entitled 'The Wolf Men.' Several scenes from the film depicted the hunting of wolves from aircraft and presented an interesting account of the status of the North American wolf. The film generated a deluge of mail from concerned citizens in support of legislation that would prohibit hunting of fish and wildlife from aircraft." Summarizing the provisions of the bill he said, "Section 2 of the bill would amend the Federal Aviation Act of 1958 to authorize the Federal Aviation Administrator to issue an order amending, modifying, suspending, or revoking any airman certificate upon the conviction of the holder of such certificate of any violation enumerated in Section 1 of the bill, regarding the use or operation of an aircraft. Incidentally, the term 'aircraft' would include any contrivance used for flight in the air such as, but not limited to, airplanes and helicopters." Congressman Dingell concluded his comments on the bill by saying, "I sincerely feel that the best way to put an end to this unsportsmanlike conduct of hunting from aircraft is to get at the pilot of the aircraft, and the legislation under consideration today, H.R. 5060, is the best means to accomplish this purpose. Naturally, it is going to take the cooperation of the Justice Department to achieve this goal and as pointed out in the committee report on this legislation, we expect the Department of Justice to be most vigorous in its enforcement of this legislation."

Congressman John Saylor (R., Penn.) author of the bill spoke strongly in its favor on the Floor of the House, giving the history of its House passage last year and of the thorough Committee work done to meet all objections. He said in part:

"Objections to the bill have been met and surmounted. Provision is made for States not now having licensing and permit authority required in the bill, to acquire such authority. Provision is made for the legitimate use of aircraft in the proper management of livestock, domesticated animals, or privately owned and managed wildlife. The 'constitutional question' raised by the Department of Justice is answered in full and with legal incontestability. The 'reporting requirements' are inclusive leaving no room for Federal, State, or local bureaucrats to 'disinterpret' the letter and spirit of the act and thus perpetuate a practice which should never have been allowed to start had such officials been truly concerned with the existence of American wildlife.

Passage of the bill by this House will establish an environmental signpost for all future Congresses; that sign might read—"During the 92nd Congress, Man turned against men who turn against Nature."

### SENATE PASSES WILD HORSE ACT

The United States Senate on June 29th passed S. 1116 to protect wild horses and burros from capture, branding, harassment, or unlawful death. Senator Henry M. Jackson (D., Wash.) was principal sponsor of the bill which attracted many co-sponsors in both the Senate and the House of Representatives where a number of different bills were introduced. The House Interior Committee approved a similar but not identical bill on July 14th.

### ANIMAL WELFARE INSTITUTE

#### Scientific Committee on Humane Standards for Research Animals

Marjorie Anchel, Ph.D.

Bennett Derby, M.D.

Lee R. Dice, Ph.D.

Paul Kiernan, M.D.

F. Barbara Orlans, Ph.D.

Samuel Peacock, M.D.

Richard G. Pearce, D.V.M.

John Walsh, M.D.

#### International Committee

T. G. Antikatzides, D.V.M.—Greece

Major C. W. Hume, O.B.E., M.C., B.Sc., M.I. Biol.—United Kingdom

Sydney Jennings, M.R.C.V.S., D.V.A.—Mexico

David Ricardo—Canada

P. Rousset-Blanc, D.V.—France

N. E. Wernberg—Denmark

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## HEARINGS ON BILLS TO PROTECT SEA MAMMALS

Four days of hearings September 9, 13, 17 and 23, 1971 were conducted by the Hon. John Dingell (D., Mich.) Chairman of The Fisheries and Wildlife Conservation Subcommittee of the House Committee on Merchant Marine and Fisheries. These are the most extensive hearings held on animal protective legislation to date, and thorough examination which the Chairman and several members of the Subcommittee gave to the claims of some of the government witnesses demonstrated the seriousness with which the many problems are being approached.

Congressman Dingell stated at the beginning of the hearings, that the Committee was "interested to learn from witnesses just what they feel the level of funding should be if we are to develop the knowledge that we must have in order to deal fairly and adequately with these animals, some of whom may be at least as intelligent as man—and what should be done to protect them in the interval before this research has been completed."

Congressman Edward A. Garmatz (D., Md.) Chairman of the full Committee appeared to make a statement at the hearings. He said in part, "Man has already wasted too much time, and he has squandered too much of his heritage; his brutality and stupidity and greed have left a sorry record, and resulted in the total elimination of many species."

Chief critics of the proposed legislation were the tuna fish industry, the fur trade, and the Alaska Game and Fish Commission, the latter backed up by the International Association of Game, Fish and Conservation Commissioners whose Counsel under questioning by Hon. Peter N. Kyros (D., Maine) stated that his firm is also retained by the Fouke Fur Company which holds the exclusive contract for processing the skins of the fur seals annually killed on the Pribilof Islands by the federal government.

No representative from Fouke appeared to testify concerning its large government contracts.

### *Tuna Industry Kills Hundreds of Thousands of Porpoises*

Nor did any representative of the tuna canners take the stand where he would have been subjected to public questioning on the record; however, August Felando, the General Manager of the American Tunaboat Association, One Tuna Lane, San Diego, California appeared with the captain of one of the tuna boats, Joe Medina, and they assured the Subcommittee that everything would be taken care of without any legislation owing to a smaller-mesh net that Mr. Medina's cousin developed recently. For years, the tuna industry had been secretive about the millions of porpoises they have drowned for the sake of a more efficient method of catching tuna fish. With the bills to protect sea mammals pending, however, they seem to have decided that a study of a year or more might be the way to head off any serious action. To quote Mr. Felando, "Preliminary views seem to indicate that this program will be substantially completed by the end of 1972. It is our opinion that upon the completion of this program the industry and the Government will be in a better position to evaluate the apparent problem associated with porpoise and tuna fishing."

Since the National Marine Fisheries Service is now a part of the Department of Commerce, this obvious commercial ploy could be very effective if the Congress were willing to swallow it in all its obvious crudity.

However, an illustrated article in *Newsweek*, September 6, 1971, "Pity the Poor Porpoise", threw the spotlight on the industry in such a way that the bald exemption for the industry is not expected to be accepted by the Subcommittee, though it appears in a bill co-sponsored by several of its members.

(Cont. on pg. 2)

## EXPERIMENTAL ANIMALS IN MEXICO

AWI Laboratory Animal Consultant, Dorothy Dyce, attended the International Veterinary Congress held in Mexico City in August. While there she visited seven institutions that use research animals. The Instituto Mexicano del Seguro Social, situated on the grounds where the Congress was held, is an imposing modern structure whose Department of Scientific Investigation is fully equipped with the latest instrumentation. As shown in a profusely illustrated and lavishly produced brochure, the gleaming tile walls and up-to-the-minute design give no hint of the filth and primitive conditions in the animal rooms one of which has an enormous un-repaired hole in the roof.

A few of the photographs which Mrs. Dyce obtained during her visits to this establishment will give an idea of the contrast between expensive equipment, broad corridors and impressive architectural details of that part of the Institute which is normally seen, and the sickening situation behind the doors of the animal quarters.

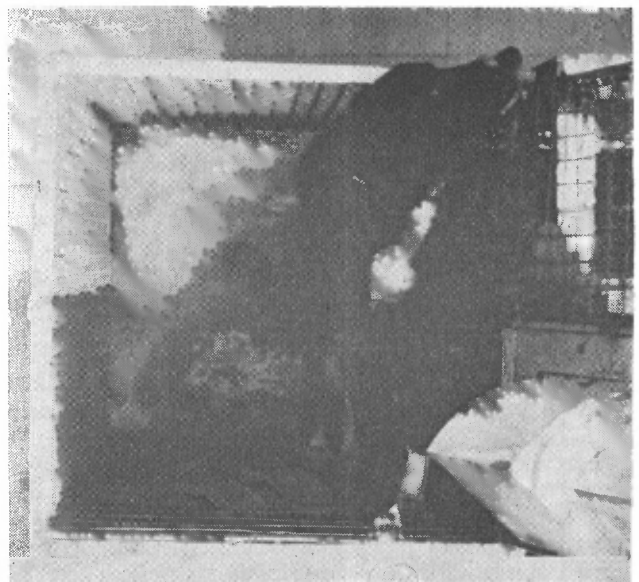
Dogs, cats, monkeys, rabbits, chickens, rats and mice are used. Organ transplants are a major activity. The dogs are purchased for 10 pesos (about 80 cents) from anyone who brings them in.

In the main dog room, the rows of rusty cages are so close together there is barely enough room to walk between. There are no windows. Mrs. Dyce described the stench as unbearable. In the second room there was a slightly wider aisle, and on the dirty floor lay a small dog whose right rear leg had been amputated. The heat was overpowering.

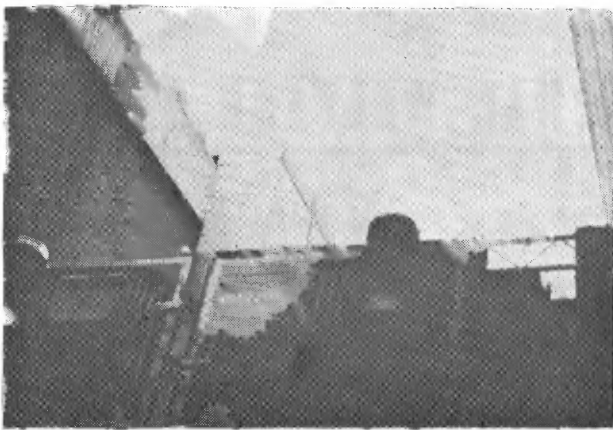
In a third room, rabbits were piled in small cages, five or six to a cage, so that some were forced to stand on the others. Chickens were in cages against the wall. Above this area the roof was missing, and many insects had congregated. Mrs. Dyce was informed that this part of the roof had been missing for a considerable period of time. Cats and kittens were so closely crowded in some of the small cages that it was almost impossible to see into them.

On a second visit, Mrs. Dyce arrived to hear a dog crying pitifully. A six-month-old toy poodle, donated to the laboratory because of a deformity in its back legs, was undergoing unanesthetized probing and injection into an open cut. Each time the wound was probed, the puppy screamed. After about half an hour of this, the wound was sutured. This was the fifth time the procedure had been done on one leg. The other leg was due for the same the following week.

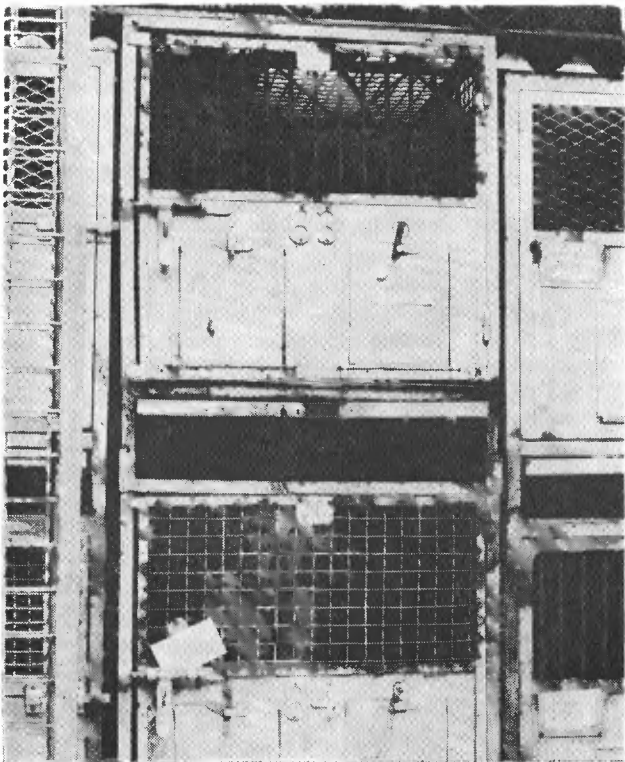
At the Facultad de Medicina Veterinaria, full grown hens are housed in the chick brooders they started out in. They crouch as best they can, and as there are no other cages for them, only death can end this cruel confinement.



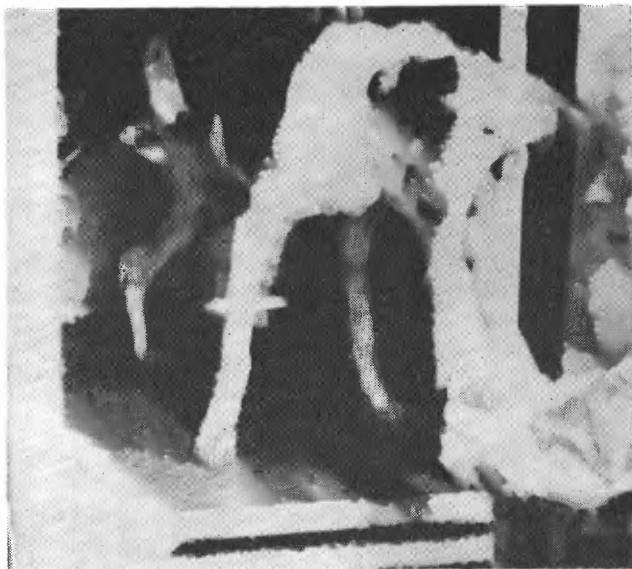
A dog gratefully raises his head when the door of his cramped cage is opened. He cannot stand normally when the door is shut.



Animal room in the Mexican Social Security Institute from which roof has been missing for some time.



Dogs in the Division of Experimental Surgery.



Dog whose hind leg has been amputated.

Cats, too, were in cages too low for them to stand normally. Some had electrodes implanted in their skulls making a bump on the cage ceiling a serious matter. They thrust their heads through holes in the front of the cages to avoid this suffering as best they could. The majority of the experimental dogs and rabbits were in cages too small for them, and there are no runways. The animals are perpetually cramped.

Rats and mice in both institutions where the larger animals were in such extreme distress, were quite adequately housed. There was active interest in the laboratories visited by Mrs. Dyce in obtaining copies of the new Spanish translation of the AWI manual, "Basic Care of Experimental Animals." During her visits, Mrs. Dyce voiced strong criticism of bad housing, care and treatment of the animals, giving advice on how to rectify the conditions.

A full report on the Social Security Institute's experimental animal quarters has been submitted to the Ford Foundation which provides funds to it. The AWI requested that the Ford Foundation either withdraw

its support entirely or grant sufficient funds to provide decently for the experimental animals and stop the massive, completely needless suffering now being inflicted on them.

Other laboratories in the area visited by Mrs. Dyce maintained better standards, notably the Department of Physiology in the Medical School at University City in which new animal quarters of an excellent design have been almost completed for research in biochemistry, pharmacology and physiology.

Readers of this article who wish to help the animals at the Mexican Social Security Institute should write to the Chairman of the Board of the Ford Foundation, Mr. Julius A. Stratton, 320 East 43rd Street, New York, N.Y. 10017, urging the Foundation to take the necessary actions to stop cruel mistreatment of dogs, cats, and rabbits by their grantee.

## Hearings on Bills to Protect Sea Mammals

(Cont. from pg. 1)

The testimony showed that a number of other nations are using the purse seine invented by the American tuna industry. The terrible toll of porpoises has thus been compounded.

For the \$80,000,000 a year pet food industry tuna fish is also being caught and sold in our country. An estimated quarter of a million porpoises are being drowned each year as a result of the purse-seining for the canned tuna industry. There are no estimates for France, Mexico, Spain, Panama and other countries.

In response to questioning by the Hon. Thomas Pelly (R., Washington) Dr. Kenneth Norris, of the University of California and Oceanic Institute in Hawaii, a world authority on porpoises and dolphins, stated that the numbers are greatly reduced in the schools and that the schools are smaller and harder to approach than they were prior to their decimation by purse-seining. Dr. Norris emphasized that a solution to the problem is "utterly mandatory," and pointed out that statistical evidence does not bear out the "rosy conclusion" the tuna boat Captain Medina presented to the Committee.

Dr. Norris also told the Subcommittee that it is important that we preserve not only a species but a population as well. He emphasized that we are dealing with global programs.

Porpoises are deeply attached to one another. Congressman Ogden Reid (R., N.Y.) stated in the *Congressional Record*, August 4, 1971.

"Porpoises normally exercise nurturant and succorant behavior similar to human beings, and as Aristotle has stated —

'This creature is remarkable for the strength of its parental affection.'

"Females exhibit great care for their young, nursing them until they are about 18 months old, and the mother-young relationship lasts an impressively long time. At around 4 to 6 years of age, young dolphins born in captivity have been known to seek out their mothers from the group when they become tired, sleepy or alarmed. A pertinent example of their succorant behavior was recorded by Drs. J.B. Siebenaler and D.K. Caldwell in 1956:

'When a charge of dynamite was exploded in the neighborhood of a school of dolphins, one of the school was stunned by the shock. Two adults immediately swam to its assistance and supported the injured animal. When the two assisting dolphins left to breathe, they were relieved by what apparently were different animals. The supporting behavior continued until the injured animal recovered completely, then the entire school left the area. Again it is note worthy that the school remained intact and stayed in the danger area until the disabled animal had recovered, instead of obeying what must have been a strong impulse to leave the area of the explosion. Such a quick mass departure occurred on another occasion when dynamite was exploded and none of the dolphins was injured.'

"There are no accurate figures available as to the number of porpoises and dolphins in our oceans;... until studies now underway on porpoise feeding, mating habits, life expectancies, and travel habits are completed, a moratorium is the only way to insure that disaster does not await the porpoise and dolphin in the future."

## Moratorium Called For

Spokesmen for the International Society for the Protection of Animals, Friends of the Earth, Sea Mammal Motivational Institute, and the Society for Animal

Protective Legislation called for a moratorium in the killing of all sea mammals and a thorough study of their status with respect to population size and hazards from pollution, disease, death from motorboats and other factors affecting them.

Scientists with special knowledge of particular species provided the Subcommittee with information which showed how vitally in need of protection are the particular sea mammals they have studied.

Daniel Hartman, Ph.D. whose research was sponsored by The National Geographic Society and presented as a doctoral dissertation to Cornell University noted: "The sirenians are docile, harmless, unobtrusive creatures with no defense but flight, no enemies but man. . . ." Indicating their great need for help he said, "There are but four species of sirenians. All are immediately threatened with extinction, a fate which has already befallen their cousin, Stellar's Sea Cow. Discovered in 1741 off two islands in the Bering Sea, this toothless 25-foot leviathan was ruthlessly killed for meat by fur sealers. The last one was harpooned and clubbed to death a mere 27 years after their discovery." Dr. Hartman testified that "The chief source of manatee mortality are the whirling propellers of speeding power craft. . . ."

Testifying on Sea Otters, Judson Vandevere, Biological Investigator, Hopkins Marine Station of Stanford University stated: "The California Department of Fish and Game has counted only 1,040 in the Southern Sea Otter's very limited 160-mile range; the only naturally occurring sea otter population in the Western hemisphere South of Alaska. Only 33 years after its exciting rediscovery, the rare Southern Sea Otter opening its polluted shellfish with pop bottle, rock or beer can for tool, is faced with new threats to its survival. From my analysis of the data concerning 111 recovered carcasses, fatal boating accident injuries appear to be the greatest single cause of death.

"One of the sea otters killed by the three commercial abalone divers, who were sentenced last year, contained in its fat 33 ppm total DDT residues. . . ."

"Recent public health awareness of chlorinated hydrocarbons (such as DDT) and heavy metals (such as cadmium and mercury) appearing in many species of marine life has resulted in great economic losses to some affected commercial fisheries. For example, the jack mackerel fishery in Southern California was condemned in 1969 because of high DDT levels and 89% of the swordfish were condemned this year because of high mercury levels, as well as approximately 2% of the tuna. . . ."

"The accumulation of toxic levels of pesticides and other environmental poisons may eventually cause such a reduction in the number of sea otters as to make the efforts of Alaska's sea otter harvesting program and attempts in California to set limits on their population seem ludicrous. . . ."

"Strong legislation is essential to the survival of these animals."

Dr. Theodore J. Walker, recently retired Research Oceanographer, Scripps Institution of Oceanography, and the leading authority on the California Gray Whale, an endangered species, stated in part: "It is evident that in the 20th Century, whaling has become so efficient that all whales will reach near-extinction in a few more years. Population experts will quibble over when this will happen. It is more important to stop short of catastrophe. . . . The whaling companies have invested a small percentage of their profits and made available their facilities to whaling scientists who were and are charged with judging what the catch should be. These scientists owe their livelihood to the whaling companies, and it should not be embarrassing to them to acknowledge their bias toward whaling. They have achieved a tremendous body of whaling statistics which is derived primarily from measurements and observations of whale carcasses. Virtually all of our knowledge of the biology of whales has been derived by these scientists; however, these studies do not encompass the living whale."

Dr. Walker noted that his findings from studies of living whales, free in the ocean, are in many respects contradictory with the conclusions of the whaling scientists.

After commenting on the failures of the International Whaling Commission, Dr. Walker wrote: "I would like to go on record as pointing out that the population scientist, the International Whaling Commission, and those employed in various governmental agencies throughout the world have beautifully mir-

rored the decline of whaling stocks and have hastened the eventual ill health of the whaling industry by rapid finding, killing, and butchering of whales. They have also pursued these limited researches to the point of absurdity. Such studies would not gain or warrant publication in truly competitive scientific journals."

Robert L. Horstman, Director of the Sea Mammal Motivational Institute, Key Largo, Florida described and illustrated with a film the free-release training of sea lions and seals. "Three of our animals, for instance," he said, "have been taught the rudimentary elements of a banking system, which employs plastic discs as the medium of exchange. Rewarded underwater with a disc, Tinkerbell, Vicki or Rocky will swim to the surface and cash this currency for fish. We devised this system to skirt the dangers of carrying chopped fish in shark trafficked waters. The animals have adapted to this method quite well. They've even been persuaded to deposit their discs in a savings account for short periods of time."

Speaking for inclusion of a moratorium on the killing of sea mammals, Mr. Horstman said, "Initially, the moratorium is necessary to allow certain species near depletion to regain strength and to allow the necessary work of animal population counts and behavioral studies to proceed."

Mr. Horstman invited the Committee to visit the project underway at SEAMAMM so they could witness at firsthand "how successfully men can win the companionship and assistance of these animals." He emphasized the important role pinnipeds and other marine mammals can play in assisting men in the sea. "...policies of national industrial carnage and commercial exploitation have dictated the first critical encounters between man and sea mammals. A review of the history and current affairs in this slaughter and abuse of almost every species of sea mammal, creates an absolutely sickening feeling in those of us who have enjoyed the close companionship of these animals. When we see the approaching extinction under current policies of the great whales or the Pacific porpoises unconscionable destruction as a happenstance to the tuna industry, we can only ask what fools are these men who pretend to harvest the oceans while destroying the source of their bounty?"

#### **Government Witnesses**

Congressman Dingell expressed considerable interest in the operation of the National Marine Fisheries Service and the National Oceanic and Atmospheric Administration, Department of Commerce whose placement in the Government scheme he described during the hearings as execrable.

Howard W. Pollock, Deputy Administrator, National Oceanic and Atmospheric Administration, a polar bear hunter with a strong bias toward state rather than federal control of wildlife, attempted with the aid of five staff members to defend the activities of NOAA under questioning. However, the result was anything but reassuring with respect to the competence or the intent of the agency when charged with protection and management of marine mammals. In every instance, Mr. Pollock took the side of the commercial exploiters rather than that of the animals, whether the creatures in question were whales, porpoises, seals or sea lions—all regulated, according to Mr. Pollock, by his Agency under the Whaling Convention Act of 1929 and the Fur Seal Act of 1911. "I want to emphasize that the yellowfin tuna fishermen love and protect the porpoises," said Mr. Pollock despite their killing, by his own admission, approximately 250,000 every year in the course of their fishing. He did his best to whitewash antiquated Alaskan management activities such as the bounty on seals including the rare Ribbon Seal and the total lack of a closed season or limit on killing the beluga whale or any kind of seal.

When asked by the Chairman to name a species of marine mammals on which any State has data on such matters as population levels, age groups, mortality and length of life, Mr. Pollock said the State of Alaska is second only to the National Marine Fisheries Service in the number of biologists it employs. When Congressman Dingell asked for such information on any species besides the fur seal there was a long pause. Mr. Pollock then said, "Mr. Terry says whales."

Congressman Dingell asked that any whale be named on which population figures could be given within 500. Mr. Terry said he was not sure. Congressman Dingell then asked, "What is the magnitude of plus or minus error on whale population then?"



Mr. Terry said he was not prepared to say, but "We're satisfied with the information we have that a number of these whales are in a very dangerous condition."

Congressman Dingell then read estimated population sizes of several species of whales and asked how NOAA could tell whether regulations are adequate or appropriate if they did not know the population.

Attempting to generalize about the effectiveness of regulations if "the animals are available," Mr. Pollock drew the Chairman's wrath. "Is that the way the folks down at Commerce regulate these marine species?" asked Mr. Dingell, "If that be so, maybe that's why we're in trouble."

Turning to the management of the Pribilof fur seals, Mr. Frank Potter, Subcommittee Counsel, noted, "It has been alleged that the Fouke Company advertising budget is very substantial. Does that come out of the Fouke share of the proceeds or the Government's share?"

Mr. Kirkness stated that it is part of the contract negotiated with the U.S. government that Fouke will advertise. Congressman Dingell expressed his inability to understand how advertising seal skins contributes to the conservation of the fur seal.

"They're sold at auction are they not?" said Congressman Pelly. He suggested that sending out a letter to all the fur buyers would be adequate.

Congressman Dingell emphasized that the advertising was "not in the best interest of the seals" and that the quarter million dollars could be better spent by the natives than by the Fouke Company or by Madison Avenue.

Congressman Pelly asked if it were not true that the price of seal skins has gone down since the Department started advertising.

Mr. Pollock rising quickly to the bait, denied this saying it was since the *conservationists* started advertising. He said "if we harvested 50,000 or 60,000 skins and there was no market for them, obviously there would be no purpose in doing this."

Employment of the Aleuts received some searching questions and less than satisfactory answers, then Congressman Dingell asked, "Are you taking females?"

"Normally we do not," said Mr. Pollock—But he could not contradict the figures in the possession of the Chair showing that 10,000 to as many as 43,000 females had been taken annually in many recent years. Pollock then asserted that they took the females to reduce the size of the herd.

Congressman Dingell pointed out that the number of births has declined since the killing of females. "The statement is made that the population was too large. On what basis," he asked, "do you make that statement?"

Mr. Terry stated that scientists in four countries decided that the population was above the point of maximum sustainable yield. However, he admitted that they had since found that "992,000 was an exaggeration of the true facts." The true number was about 560,000.

Asked how such an enormous mistake could have been made, Mr. Terry said it was discovered that "the method of tagging with a clip on the flipper was causing additional mortality, and because of that, you get an inflated population estimate."

Congressman Dingell asked when this happened and, on being told that it was 1960 or 61, he noted, "you adjusted for your error by increasing the number of females killed." He asked that the pelt price be submitted, commenting that since the biological judgment was not sound, it might have been influenced by the price of the pelt. Mr. Kirkness stated that there was no market for female pelts at that time. Mr. Potter asked, "Did you just throw them in the sea?" and Mr. Kirkness answered, "That's right."

Congressman Dingell read from the report which showed a population of 438,000 in 1961. "That's under your optimum level," he said, "but you killed 43,000 females. How do you claim this is good management?"

Dr. Lee Talbot, presented the testimony for the Chairman of the Council on Environmental Quality,

Russell E. Train. Congressman Dingell asked him to submit an amendment to the Committee (without going through the Office of Management and Budget) which would accomplish the purpose stated in his testimony that the objective of management should *not* be commercial gain. Dr. Talbot pointed out that it is possible to manage a species for maximum sustained yield and damage the environment thereby.

### Commercial Exploitation

Underlining this viewpoint, Tom Garrett, testifying for Friends of the Earth, recommended against the funding of research projects "deliberately adjunctive to commercial exploitation of marine mammals, such as the killing and butchering of 316 nominally protected Grey Whales by the Del Monte Co. of Richmond, California under 'special scientific permit,' or the killing at sea of 824 fur seals by the Department of the Interior in 1968. . . ." Mr. Garrett emphasized, "we consider it imperative that research funded under this legislation be pure research, not applied research subordinate to commercial exploitation. Imaginative work, aimed at understanding living animals, is needed."

Concerning permits for the capture of sea mammals for oceanaria Mr. Garrett suggested, "1. That the animals be provided with conditions which permit full exercise of motor patterns characteristic of the species, 2. That social animals not be deprived of social contact, 3. That institutions be obliged to keep close records of illnesses and mortality and that in cases where mortality significantly exceeds the mortality which might be expected under natural conditions, the institutions be denied further permits for the taking and incarceration of affected species."

Mr. Garrett further stated, "It should be noted that despite the fact that eight great whales have been put on the endangered list, products from these species continue to enter the country under 37 endangered species permits, most of which are scheduled to expire December 1st of this year. By our calculations, over 30,000 tons of sperm oil have entered, or will enter this country this year. KalKan has additionally imported 11.5 million lbs. of sperm and baleen whale meat under ES permit 24."

Despite such use for pet food, Mr. Garrett made clear the enormous development of the brains of sea mammals. "The paleontological record," he said, "demonstrates that the brain cases of mammals returning to an aquatic and marine environment tend, over a period of millions of years to dramatically enlarge; to become foreshortened and to widen transversely to accommodate enlarged auditory association areas. . . ."

"The California sea lion has a brain of about 380 grams, which approaches the size and complexity of a chimpanzee. The walrus has a brain of about 1,000 grams, close to a human brain in size. Cetacean brains range from about 1 lb. in the common porpoise to 19 lbs. in the sperm whale. The brain of the bottlenosed dolphin has been investigated with particular care by both U.S. and Russian scientists. This dolphin's brain weighs close to four lbs., being both larger and more convoluted than our own. . . ."

John Walsh, Field Officer for the International Society for the Protection of Animals testified on behalf of that organization. He said, in part, "I recently received word that Norway has banned polar bear hunting safaris, effective January 1, 1972. The Union of Soviet Socialist Republics issued a Special Act in 1955 entitled 'Measures of Arctic Animals Conservation' which prohibits polar bear hunting in that country. During the first International Scientific Meeting on the Polar Bear held in Fairbanks, Alaska, in 1965, the USSR delegation proposed the following: 'In view of the fact that the polar bear is found in the territory of several countries, and that its numbers have decreased throughout its range, necessitating effective measures for its conservation, it is desirable that all nations having possessions in the Arctic prohibit the harvesting of polar bears. As a minimum measure to prohibit the harvesting of this species for a period of five years beginning January 1966, and subsequently to limit it.' Needless to say, this proposal was not implemented."

## ANIMAL WELFARE INSTITUTE

### Scientific Committee on Humane Standards for Research Animals

Marjorie Anchel, Ph.D.

Bennett Derby, M.D.

Lee R. Dice, Ph.D.

Paul Kiernan, M.D.

F. Barbara Orlans, Ph.D.

Samuel Peacock, M.D.

Richard G. Pearce, D.V.M.

John Walsh, M.D.

### International Committee

T. G. Antikatzides, D.V.M.—Greece

Major C. W. Hume, O.B.E., M.C., B.Sc., M.I. Biol.—United Kingdom

Sydney Jennings, M.R.C.V.S., D.V.A.—Mexico

David Ricardo—Canada

P. Rousselet-Blanc, D.V.—France

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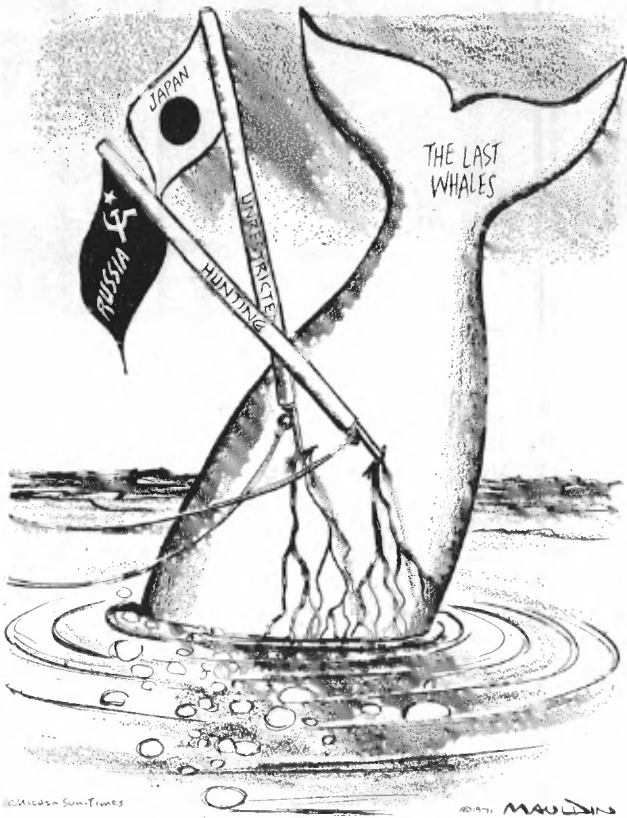
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UNDER TWO FLAGS

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## MORATORIUM ON WHALING

From The Congressional Record  
HON. JOHN D. DINGELL  
of Michigan

In The House of Representatives  
Tuesday, December 14, 1971

Mr. DINGELL. Mr. Speaker, Secretary of Interior Rogers C. B. Morton, in a statement released by his office on December 12, 1971, called for a moratorium on whaling.

So that my colleagues will have an opportunity to be aware of the Secretary's views on this matter, I insert the text of the statement at this point in the Congressional Record:

### *Secretary Morton Calls for Moratorium on Whaling*

"We must accelerate the worldwide fight to preserve the great whales," Secretary of the Interior Rogers C. B. Morton said today while commenting on the fact that after 200 years the United States has now stopped all commercial exploitation of whales.

The Department of the Interior's ban on the importation of whale products, including oil, meat, teeth and ambergris, went into final effect last week. Even the import of foreign cars containing whale oil additive in their transmissions will be affected. In line with Interior's stand, the Department of Commerce will issue no licenses after December 31 to U.S. commercial fishermen to take whales on the Endangered Species list.

"The whales are an international resource belonging to the many and must not be exterminated for the few," he said. "This Administration, acting on principle and despite the unfortunate economic hardship it has brought to some firms, has set an example that hopefully other nations will follow."

"We have done everything we can unilaterally. We must now concentrate our efforts on getting the International Whaling Commission to enforce their own regulations and to set realistic catch quotas by individual species and area in order to allow a maximum rebuilding of all whale populations."

At its annual meeting last June, the Commission had agreed unanimously that all member nations should implement the international observer scheme for the 1971-72 whaling season. "I was keenly disappointed that the Soviet and Japanese whaling fleets sailed for

## MARINE MAMMALS LEGISLATION

On November 17, 1971 Senator Harrison Williams (D., N. J.) introduced S. 2871 to protect marine mammals. In introducing the bill he stated that "while creating a most stringent limitation upon the taking of these animals, [it] also provides the Secretary of the Interior with the authority to issue permits for the taking of marine mammals, if proven to his satisfaction to be necessary. One exception to this provision is that in order to permit appropriate study for a period of 10 years following enactment, no permits shall be issued for commercial taking of any marine mammal except in accordance with sections 103 (e) and 110 of the act.

"The bill also establishes an independent three-man Marine Mammal Commission composed of persons who have not been nor are in a position to profit from the taking, processing or sale of marine mammals.

"A major provision of my bill deals with the protection of porpoises and dolphins taken in the course of American tuna fleet operations. There is evidence that porpoises and dolphins are being decimated because of commercial fishing practices. Many commercial fishermen use highly efficient purse seines—nets—to catch schools of tuna which swim behind and underneath the porpoise schools. The seines trap porpoises as well, and many die before they can be released. Our country is responsible for the invention of the purse seine. It is therefore up to us to take affirmative action to stop purse seining in its present form.

"The bill I am introducing today provides that no method of commercial fishing shall be employed which is not certified by the Secretary of the Interior as being consistent with the goal of eliminating the injury or killing of porpoises or dolphins incident to the capture of the fish. It further stipulates that the Secretary shall promulgate and regularly update regulations implementing this provision and shall cooperate with other Federal agencies to assist in the development of new technological means of capturing fish in such a way as to eliminate injury or death to porpoises or dolphins."

In the House, an amended version of H.R. 10420, considerably strengthened in the course of subcommittee consideration of the bill under the Chairmanship of John Dingell (D., Mich.), was favorably reported by the Committee on Merchant Marine and Fisheries and brought up for a vote on the floor of the House on the suspension calendar. Although the bill received a majority vote, it lacked the two-thirds majority required under suspension of the rules owing to opposition led by the Committee on Humane Legislation. CHL urged Members of Congress to vote against H.R. 10420 on the suspension calendar in the hopes that it will be brought up under a rule in 1972 with the opportunity for debate and amendment.

the Antarctic in October with no international observers on board," Morton said. "It is clear that time is running out for the whales."

"If the Commission cannot move quickly and surely to meet its international obligations, a moratorium on all whaling is the only solution. Both houses of Congress have passed a resolution calling for a 10-year moratorium and we support it," Morton said.

"As long as man views these magnificent creatures as solely an economic product, we are in grave danger of destroying the complex web of life of which man is an inextricable part."

"In this environmental decade, it would be barbarous to stand idly by while the last of earth's largest and—next to man—most intelligent creatures are reduced to pet food, face creams and lubricating oils," said Morton. "All whale products have synthetic substitutes and are no longer essential to man's well-being. Yet the rate of killing in recent years has already driven some species to the brink of extinction and now threatens those few remaining species whose populations are still large enough to be commercially exploitable."

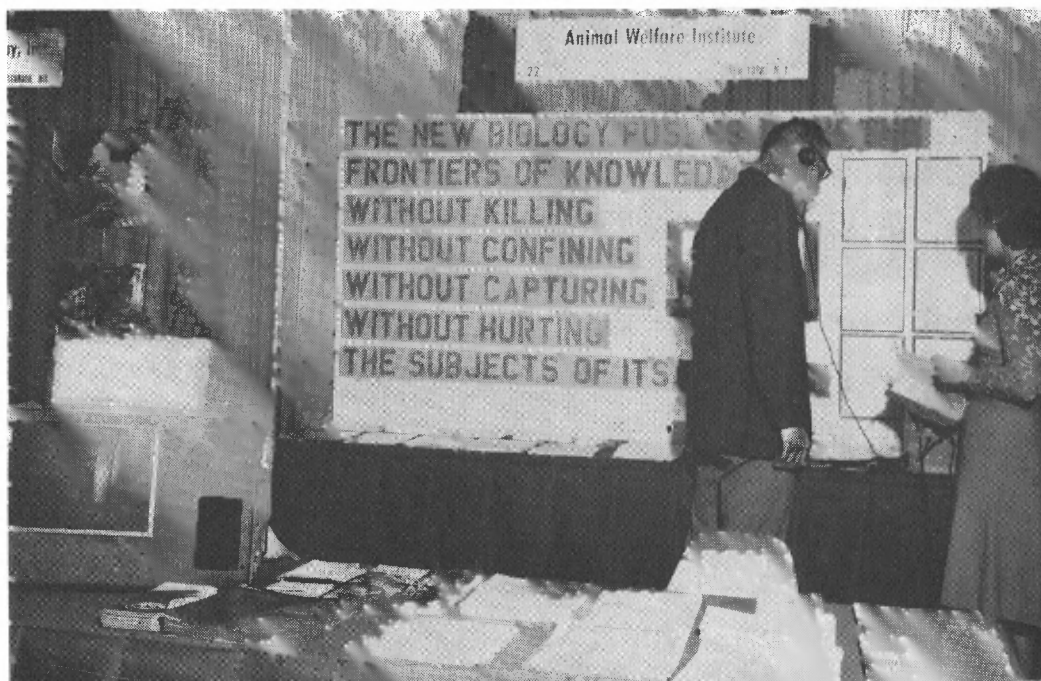
(Continued on page 4)

## NEW BIOLOGY AT NATIONAL ASSOCIATION OF BIOLOGY TEACHERS CONVENTION

At the National Association of Biology Teachers Convention held in Chicago October 12-16, 1971, the Animal Welfare Institute presented a booth exhibit featuring films from the Seammammal Institute (SEAMAMM) and a recording of the songs of the humpback whale. The photograph above shows an educator listening to the whale by means of one of the eight earphones available at the booth. Mrs. Robert Gould, Publications Secretary, is giving him background information.

Study of free-living animals was emphasized in the display which states: "The new biology pushes back the frontiers of knowledge without killing, without confining, without capturing, without hurting, the subjects of its studies." The recent article in *Science* "Songs of Humpback Whales" illustrated this method of study. (See "*Science Reports on Whale Songs*," page 3 of this Information Report).

Documentary films of the seals and sea lions, who work on a free release basis with the staff of Seammamm, were shown in the viewer (front, left) and demonstrate the friendly relationship between the pin-



nipeds and people in the ocean and aboard Explorer II, a 68-foot steel-hulled vessel. As described by Seammamm, "This fully equipped ship serves as an at-sea research station in our program. Underwater viewpoints facilitate observation of our animals, and a ramp system permits them easy access to and from the sea."

Robert Horstman, one of the directors, who swims with the animals, states: "I want to point out clearly that all of the Seammamm animals are capable of feeding themselves and, in general, swimming in the wild. The Cay Sal project [the first full-scale free release] and others like it will serve to prove that man need not cage or restrain sea mammals in order to enjoy their company and to cooperate with them, free in their own environment."

## NIXON SIGNS BILL AGAINST SHOOTING ANIMALS FROM AIRCRAFT

H.R. 5060, to provide a criminal penalty for shooting at or harassing animals and birds from an aircraft, was approved by the President, November 18th. The urgent need for the new law, P.L. 92-159, was underlined in the Reports from the House Committee on Merchant Marine and Fisheries and the Senate Commerce Committee.

"Testimony presented at the hearings," the House Report states, "indicated that in the State of Alaska alone, over 1,000 wolves have been killed in each of the past 4 years. In the last year for which statistics are available, 1968, over one-third of them were killed by airborne bounty hunters.

"Many States have already enacted laws to regulate the use of aircraft for hunting. No State now permits the shooting of game animals from airplanes, and 35 States have extended the prohibition to include non-game animals as well.

"Your committee feels it is most unsportsmanlike to hunt from aircraft and that the reported bill, H.R. 5060, would supplement State laws in this regard and hopefully put an end to this abominable practice. Not only would the bill prohibit the hunting from aircraft of endangered species, but all species of fish, birds, or other animals."

The Senate Report, dated November 2, 1971, noted, "This year the killing of over 500 eagles from helicopters in Wyoming and Colorado indicated the need to curb this practice."

Violators are subject to a fine of \$5,000 or one year imprisonment, or both. Further, the Federal Aviation Act of 1958 was amended by the new law to give the Administrator the authority to amend, modify, suspend, or revoke any airman certificate upon the conviction of such holder of a violation.

Exceptions are made for federal and State employees, agents, or permittees authorized to administer or protect land, water, wildlife, livestock, domesticated animals, human life, or crops. Reporting procedures include quarterly reports from anyone receiving a permit, and an annual report by state agencies to the Secretary of the Interior for the purpose of oversight and evaluation of the administration of the Act.

## INTERNATIONAL PROGRESS IN ANIMAL PROTECTION

The International Society for the Protection of Animals reports considerable encouraging news of specific progress which has been achieved for animals round the world. Excerpts from the reports of field officers indicate the practical advances.

*Greece*: The use of strychnine to poison stray dogs has been prohibited.

An existing law regulating transportation of animals by sea is now being enforced, and unsuitable vessels have had their licenses revoked. (This action followed presentation of documented evidence of high mortality of animals shipped.)

The majority of abattoirs in Greece are now using humane killing implements for large animals.

*Norway*: All polar bear safaris have been banned as from January, 1972. This includes those from the United States to Spitzbergen.

## STATE ENDANGERED SPECIES LAWS

Delaware recently passed a law prohibiting sale of any animal or part thereof designated as endangered by the Secretary of the Interior and in addition, leopard, snow leopard, clouded leopard, tiger, cheetah, alligators, crocodiles or caiman, vicuna, red wolf and polar bear.

Massachusetts prohibits sale of any of the following animals or parts thereof: leopard, snow leopard, clouded leopard, tiger, cheetah, alligators, gaviel, tomistoma, caiman, crocodile, vicuna, red wolf, polar bear, mountain lion, jaguar, ocelot or margay. (Approved October 13, 1971)

Connecticut, California, Pennsylvania and New York have all passed endangered species laws. Michigan is considering a bill similar to the one passed in Massachusetts.

## NEW AWI DIRECTOR

Miss Cynthia Wilson was elected to the Board of Directors of the Animal Welfare Institute in November. Miss Wilson who joined the National Audubon Society staff as Washington Representative in 1969, is a phi beta kappa who earned her B.A. in English at St. Lawrence University in 1962 and M.A. in Journalism from the University of Texas in 1964. She spent four years working for Mrs. Lyndon B. Johnson on the beautification program.

Miss Wilson's interest in animals has been life-long, and she grew up with pet dogs, rabbits, guinea pigs, and cats, one of whom lived to be 19 years of age.



The lead article in the August 13, 1971 issue of *Science*, (Vol. 173, No. 3997, pp. 585-597) is entitled, "Songs of Humpback Whales," and subtitled "Humpbacks emit sounds in long, predictable patterns ranging over frequencies audible to humans." The authors, Roger S. Payne, Assistant Professor of Physiology and Animal Behavior at Rockefeller University, and Scott McVay, an administrator at Princeton University analyse both long (half an hour or more) and short (seven minutes) songs describing the variations sung by individuals and the categories or song types into which they fall. The authors state that the number of these categories is still unclear.

A quotation from a description of Theme 3 (one of six in song type A) will give an idea of the complexity: "The phrases in theme 3 have as their first unit a loud, ascending frequency sweep, which is emitted from one to three times and is followed by several fainter, high-frequency harmonic arpeggios. In some cases, the arpeggios become more elaborate with each repetition of this phrase, until, by the end of the theme, the component notes become more sustained (See Fig. 10 for an expanded scale view of arpeggios from the songs of whale II and whale IV.) The loud, ascending frequency sweep, marking the beginning of each phrase 3, usually occurs twice (only once in case of whale III) at the outset, but in the course of the theme changes to three repetitions and stays at three. When there is a transition from two to three it is as irreversible as the basic sequence of phrases in a song."

The authors indicate that they do not yet know certainly the beginning of a song. Noting several possibilities, they write, "It is also possible that what we have designated a 'song' may, in fact, be a long segment of a still longer song, but that possibility must await further analysis. . . . It is clear, however, that regardless of where a song may begin, the whale continues the sequence of themes in the same irreversible order (that is, 3, 4, 5, 6, 1, 2, 3, 4, 5 . . .)." Song sessions may continue for several hours, but the function of the songs and the sex of the performers of any of the songs is, so far, unknown.

Much remains to be learned through observation, using modern instrumentation, of free-roaming whales—humpbacks and others. The work of Payne and McVay and of Frank Watlington, whose many recordings helped make their analysis possible, should be continued and emulated so that the vacuum of knowledge which surrounds cetaceans can be filled, and the cruel decimation of their numbers prevented through understanding and appreciation, before it is too late.

#### SEA OTTER DEATHS

The *Anchorage, Alaska, Daily News* reported severe mortality of sea otters as a result of "Cannikin." According to an article by Allan Frank reprinted in the November 23, 1971 *Congressional Record* at the request of Senator Gravel, "The Atomic Energy Commission said Friday that its five-megaton Cannikin bomb shook Amchitka more severely than AEC scientists had predicted.

"AEC public information officer Henry G. Vermillion said, 'Preliminary indications are that the beach and ocean floor (Bering Sea) in the near vicinity of the Cannikin site has been lifted permanently by several feet. Cliff falls along the Bering Sea for a two-mile stretch were greater than had been predicted.'

"The AEC also said helicopter surveys 'have indicated a lessened number of sea otters in the Bering Sea near the Cannikin site as compared with before the test.'

"Alaska Fish and Game officials have charged that the AEC blast killed 'hundreds' of sea otters and the corpses floated out to sea. But Vermillion said, 'Searches of the shores of Amchitka have located 14 dead sea otters . . . and two additional injured otters and two abandoned otter pups were observed by helicopter. It is assumed these died.' AEC officials say that 16 of the 18 otters were sighted on the Pacific Ocean side, but Alaska Fish and Game officials say the 'mass kill' was on the Bering sea side.

"'Of the 14 recovered sea otters' bodies, 12 underwent autopsies. Deaths of seven appeared to be from overpressure in water. Two died from rockfalls and three apparently were fatally injured by vertical acceleration (upthrust of the ground)' the AEC said.

"Earlier this week, Fish and Game officials said that '300-800 otters' had died and that AEC scientists had left Amchitka too early to make any meaningful evaluation of the kill. . . .'\*

\*The estimate has now risen to 900-1,100 otters killed.

A Symposium entitled "The Rational Use of Living Systems in Bio-Medical Research," was held by the Universities Federation for Animal Welfare, October 7-8, 1971 at the Zoological Society of London. Papers on tissue cultures included "The Rational Use of Tissue Cultures for Drug Testing," by Dr. Mary Dawson, F.P.S., Department of Pharmaceutical Technology, University of Strathclyde, and "The Use of Tissue Cultures and Animals in Vaccine Production," by Dr. F. T. Perkins, M.Sc., National Institute for Medical Research, London.

Dr. Dawson referred to the tissue culture tests conducted by the Cancer Chemotherapy National Service Center. "The reports of the CCNSC screening laboratories," she said, "leave one in awe. About 1,000-1,500 substances a month — and not now random as were earlier reports but relating structure/action." The whole of Dr. Dawson's remarks will make interesting reading for everyone interested in making the fullest possible use of tissue culture tests. Commenting on toxicity testing, she said, "Cells grown in media lacking various amino acids were also more damaged than controls, indicating that a relation between toxicity and nutritional deficiency was reflected in the vitro state, too, as was a relation between anesthesia and immunosuppression."

The sessions were chaired by Professor J. A. Laing, B.Sc., Ph.D., M.R.C.V.S., Royal Veterinary College; Lady Weipers, M.A., M.R.C.V.S., The Veterinary School of the University of Glasgow; and the Lord Bishop of Kingston, The Rt. Rev. Hugh Montefiore.

Following the presentation of opposing views by the Hon. Secretary of the Research Defense Society, Professor A.D. Macdonald, M.A., M.Sc., M.D. and Miss Brigid Brophy, who opposes experiments on animals, UFAW's point of view was summed up by Major W.N. Scott, F.R.S.H., M.I.Biol., Scientific Director of UFAW, who emphasized the need for serious consideration of the feasibility of practical reforms. He criticized the use of the LD50 test as required by regulation regardless of the nature of the substance. He noted, too, that there is a great deal of duplication of toxicity testing in the pharmaceutical industry because of the competition between companies.

#### FLORIDA LAW PERMITTING BULLFIGHTS RESCINDED

The Florida legislature reversed itself on the law passed last year under pressure from bullfight promoters permitting so-called bloodless bullfights to take place in Florida. After an enterprising bull broke a flimsy fence and charged towards a group of spectators including the Spanish Ambassador (*The Tampa Tribune*, March 21, 1971) the legislature thought better of its decision to exempt "simulated or bloodless bullfights" from the State anti-cruelty laws. The Legislative Service Bureau summary of the new legislative action is as follows: "Amends Section 548.03 F.S., relating to cruelty to animals, by deleting simulated or bloodless bullfights from the exceptions to each chapter and by further limiting the exceptions to those in which neither the man nor the animals is intentionally tortured or tormented."

The sturdy bull whose death made front page headlines (he was shot by a policeman) deserves the credit for putting an end to Florida bullfighting. According to *The Tampa Tribune*, "The body of the slain bull ended only eight feet from where afficianados of the bloodless bullfight sat frozen in their seats." Crowning irony in this tale of tawdry animal abuse: the bull had been dehorned! He succeeded, nevertheless, in frightening everyone present. Eric McFail who wrote the *Tribune* article described the final moments this way, "After the shooting, a shaky public address announcer took the microphone and said, 'Don't worry folks . . . the brave bull has merely been tranquilized and will awaken and get to his feet within a couple of hours.'"

"After two minutes had passed . . . and the blood obviously flowing from the head of the dying animal became mixed with the dust raised by his twitching legs, the announcer came back with the announcement that 'the bull was indeed shot to protect the lives of the spectators. Officials of the DeSoto Celebration regret the necessity of the act but praise the quick thinking of the two policemen in their actions.'"

Although he lost his life doing it, the bull won the battle against the tormentors of his kind.

## THE APPALLING ACTIVITIES OF MASSIMO MARIOTTI

*This case history is based largely on information supplied by Anne Wright, the WWF representative in eastern India.*

It was nearing midnight on 27 January this year when customs officials at Calcutta's Dum Dum airport intercepted departing Lufthansa passenger Massimo Mariotti. When they opened his hand baggage it was found to contain two live clouded leopard cubs, heavily drugged, and squeezed into two small compartments. The size of the case was only 12 inches by 20 inches by 6 inches. One of the cubs was already dead, but the second, though in a bad way, soon revived and was sent to Calcutta Zoo. However, it died later.

The customs officials then confiscated Mariotti's two suitcases—whose contents proved to be even more incredible. Inside there were 4 tiger skins, 15 leopard skins, 2 black panther skins, and 1 clouded leopard skin. Also found were a tiger's skull and jaw, 118 cobra and lizard skins, and 3 python skins.

Mariotti's passport showed that he had visited India frequently for short periods during 1969 and 1970. The 1970 entries revealed visits of 5 days in April, 12 days in November/December, and a further visit of unknown duration starting only a week after his departure.

During interrogation Mariotti (who is a 24-year-old Italian, and whose home address is Piazza dell Emporio in Rome) claimed that he had recently been to Assam and Orissa. He had been to Orissa with an Italian friend, Stephano Fabri of Bologna. Fabri apparently had a permit to shoot a gaur near Narsinghpur, which had been obtained for him by a man in Calcutta named Sausman. Mariotti added that it was from Sausman that he had obtained the clouded leopard cubs.

Readers will be glad to know that Mariotti was not let off lightly by the Indian courts. He was fined 1000 rupees (about £55) under Section 135 of the Customs Act and a further 175,000 rupees (nearly £10,000) under Section 114. The latter was the maximum fine for 'goods attempted to be improperly exported.'

Unfortunately, however, Mariotti has not been seen in India for some time. The Additional Collector of Customs in Calcutta holds his passport and papers, and presumed that he had gone to Delhi to appeal against the fine. But then Customs heard a strong rumour that Mariotti had shaved off his beard, obtained a false passport, and left India on 5 May.

We made our own inquiries—and discovered that he has indeed left India, and is living quite openly in his father's flat in Rome. Mariotti told us that he had gone to India for his 'personal satisfaction' because he is 'much interested in wildlife'. But he added that he didn't want to talk about his experiences there as he found them too upsetting.

Mariotti said he considered himself the victim in the Indian incident, 'for reasons which are too complicated to go into'. He described his months there as the nastiest of his life, and he said vehemently that he had no intention of returning.

To which we would add that we are not surprised—as he would surely be put in jail for leaving the coun-

try without paying his fine! Who is this rascal, and what does he do? He obviously travels a good deal, as he told the Indian officials in January that he visited Ecuador, Switzerland, Thailand and Austria on business. He apparently was a part owner of a fur shop in Rome, though he told us in our recent interview that this was now 'finished'. He is quite well known in Rome because a leopard which he kept on his terrace last year attacked and killed his butler.

This appalling story has one particular point of interest to conservationists. We must applaud the fact that he was apprehended, but he was only stopped because he had declared that he was taking 'two cats' out of the country. As anyone who travels by air knows, the *departing* traveller is seldom scrutinised. And so, even though it is against Indian law to export tiger and leopard skins, had Mariotti managed to get aboard his aircraft he would have been in the clear. No European country (including Britain) forbids the entry of such merchandise.

The moral, then, is surely crystal clear. All the 'receiving' countries must, they absolutely *must* introduce legislation to prohibit the import of these endangered animals' skins. There is no question about it, and the sooner the better.

The above article is reprinted with the kind permission of *Animals* magazine of 21/22 Great Castle Street, London W1N 8LT, England (annual subscription, \$9.00) which recently launched a campaign to help introduce legislation to protect rare mammals endangered by the activities of the fur trade.

## Moratorium on Whaling

(Continued from page 1)

It was in an effort to halt this slaughter that Interior last December placed all eight species of great whales on its list of endangered foreign wildlife. This move cut off a U.S. market which had consumed more than 20 percent of the world's whale products.

However, a "hardship clause" in the Endangered Species Conservation Act of 1969 allowed 12 months in which firms that import and use such products could fulfill existing contracts. All special permits issued for this purpose during the past year by Interior's Fish and Wildlife Service expired on midnight of December 1, 1971. The last import permits for whale oil was issued in August and the last for meat products in December 1970.

In September this year the Fish and Wildlife Service denied a request by a major importer for an additional 3,000 long tons of sperm whale oil. Officials said they felt that granting such a request, well above the firm's previous importation levels, could only result in more endangered whales being killed.

"Another valid reason to stop whaling," Morton said, "is the recent discovery by the Food and Drug Administration of excess mercury in whale meat." More than a million pounds of contaminated meat destined for pet food have been seized.

Morton concluded, "Now that the U.S. no longer has any commercial interest in whales, either as harvester or as consumer, we are in a position to provide leadership in the worldwide drive to preserve the whale as a vital part of the marine ecosystem."

All readers of the Information Report are cordially invited to become members.

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