

Animal Welfare Assurance in the United States



Gail C. Golab, PhD, DVM, MACVSc (Animal Welfare)
Director, Animal Welfare Division

What We'll Look At



- Overview of animal welfare assurance and “gaps”
- How voluntary approaches help fill “gaps”
- Voluntary assurance versus regulatory standards
- A model and some drivers for when/why voluntary → regulatory
- Likely future directions for regulatory and voluntary assurance
- Some current hot topics in the US

US Animal Welfare Regulatory Assurance



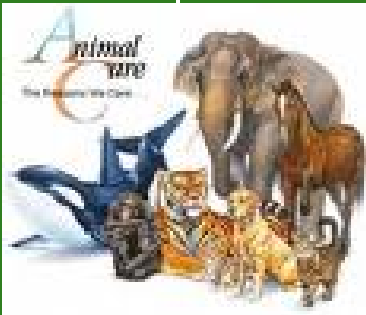
- Distribution of authority
 - Federal
 - Import/export/international agreements
 - Animal uses involving interstate commerce
 - State
 - Prevention of cruelty to (or humane care for) animals acts
 - Licensing (people and facilities)
 - Local
 - Animal control
- Consistency in what happens where, but no central coordinating agency/strategy

US Federal Animal Welfare Laws



Animal Welfare Act (1966, last amended in 2007)

- Covered entities
 - Research, testing, and teaching (post-secondary) facilities
 - Exhibitors (circuses, zoos)
 - Transporters (carriers, intermediate handlers)
 - Dealers (commercial breeders/wholesalers; auction operators)
 - Not retail pet shops (except those selling wild/exotic animals)
 - Not animal shelters (unless they engage in a covered activity)
- Covered animals = warm-blooded animals, alive or dead (including parts)
 - Not animals for food and fiber or agricultural research
 - Not birds, rats, or mice bred for use in research
 - Only horses used for biomedical research
- Plus...interstate activities associated with animal fighting (dog fighting, bear or raccoon baiting)



US Federal Animal Welfare Laws



- Horse Protection Act (1970, last amended 1976)—bans horses subjected to ‘soring’ from exhibitions, shows, or auctions
- Transport of horses to slaughter (1996 Farm Bill)
 - Suitability for shipment, traceback
 - Feed/water before and during shipment
 - Conveyances, specifically no double-deck trailers
- Twenty-eight Hour Law (1877, clarified 2006)—If > 28 h transport unload for 5 hours’ rest, water and food (not poultry)
- Humane Methods of Slaughter Act (1958, last amended 2002)
 - Insensibility, exemptions for ritual slaughter, nonambulatory livestock (latter also addressed via Federal Meat Inspection Act)
 - Cattle, pigs, sheep, horses
 - Not poultry (9 billion annually), ratites (emu, ostrich, rhea), rabbits



US Federal Animal Welfare Laws



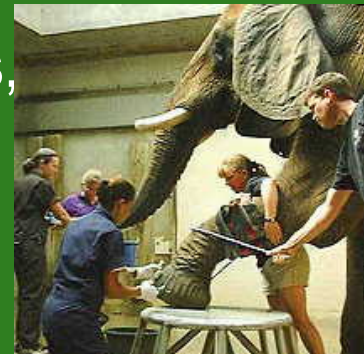
- Environmental/Conservation Acts
 - Endangered Species Act (1973)
 - Marine Mammal Protection Act (1972, last amended 1994)—Regulates the taking of marine mammals in US waters and the importation of marine mammals and marine mammal products
 - Lacey Acts (1900, major rework 1981; amended 1988)—Prohibit transport of illegally obtained wildlife across state lines



US State Animal Welfare Laws



- Prevention of Cruelty to Animals Acts
 - Provide basic animal care expectations
 - Identify unacceptable practices
 - Assign inspection/regulatory responsibilities and penalties
 - Generally exempt research, agricultural practices, and veterinarians/veterinary procedures
 - Euthanasia requirements
- Animal entertainment (horse and greyhound racing; circuses, carnivals, zoos, rodeos)
- Retail pet stores, boarding/grooming facilities, veterinary clinics
- Veterinary practice acts
- Vaccination requirements (rabies), health certificates



US Local Animal Welfare Laws



- Licensing/registration
- Nuisance (e.g., maximum kept, roaming, barking)
- Mandatory spay/neuter (also state)
- Vaccination (also state)
- Overlaps = Can be more stringent, but not more lenient, than state laws



“Gaps”



- Retail sales, shelters
- Agricultural animals
 - Few federal laws
 - May be exempted from many state/local laws (esp. certain management practices)
 - “Right to Farm” laws—Address nuisance issues and protect farmer, but may also provide animal care guidance
- Regulatory resources
 - Personnel (e.g., availability of trained individuals)
 - Budgets
- Inconsistencies
 - Regulatory guidance varies (e.g., resource-based vs animal-based)
 - Enforcement (e.g., animal type, frequency of inspection, penalties)

Voluntary Programs



- Have emerged to fill gaps
- Drivers and players

- Animal protection organizations
- Retailers (public demand)
- Industry
 - Meet retailer/consumer demands
 - Supplement/mitigate/avoid regulation
 - Preparation for regulation

- Usual approach

- Expert input → guidelines/standards
- Assurance process
- Consumer awareness/education



Benefits and Challenges for Voluntary Programs



■ Benefits

- Flexibility—Can respond more easily to new information
- Consumer choice—Responsive to societal expectations
- Can be less costly than regulatory programs
- Potential to promote more rapid improvements in animal care

■ Challenges

- Quality
 - Robustness—Details versus “must be treated humanely”
 - Bias toward perspectives of those creating; number of people involved small
- Verification
 - Type (first- through third-party audits)
 - Multiple audits if supplying multiple customers
- Consumer awareness and understanding; label consistency

When Voluntary Becomes Regulatory



- 'Freedom to operate' depends on public trust¹

High trust →
Complete autonomy

Low trust →
Regulation

Similar ethics, values, and
expectations =
Self-regulation

Legislation, regulations,
litigation =
Forced compliance



¹Arnot C. CMA Consulting Services

- US attitude(s)/philosophies
 - Priority on freedom to operate
 - Republican (conservative) versus Democrat (liberal)

Drivers—Voluntary to Regulatory



High trust →
Complete autonomy

Tipping Point

Low trust →
Regulation

■ Activism

- Raises awareness
- Creates different expectations

■ Political champions

■ Bad actors/incidents, industry failure to condemn

■ Economics

- Consumer affluence
- High use/production costs

Cumulative impacts
Single triggering event



Examples of Triggers



■ Historically

- *Sports Illustrated*: Pepper the Dalmatian } Animal Welfare Act
- *Life*: “Concentration Camps for Dogs” }
- Dog fighting videos (1976 AWA amendments)
- Silver spring monkeys (PeTA, 1985 amendments)



■ More recently

- Euthanasia
 - Wood chipper for poultry
 - Hanging of pigs
- Chino slaughterhouse video
- “Puppy mill” raids (e.g., Pennsylvania, Tennessee)



Future Directions for Regulatory and Voluntary Assurance



■ Expansion of regulation

- Response to bad actors/incidents
- Focus on state and local levels; opportunities for direct public control (ballot initiatives)
- Court actions
 - Interpretation of laws/regulations
 - Punishment



■ Push for consistency

- Labels, consumer education
- Enforcement (e.g., credentials for auditors)



■ Expansion of voluntary and regulatory efforts to move from meeting animals' physical needs to meeting mental needs

Some Current Hot Topics in the US



■ Teaching

- Animal acquisition, including cadavers
- Alternatives

■ Food animals

- Space allocations in intensive production systems
- Nonambulatory animals
- Poultry under Humane Methods of Slaughter Act
- Euthanasia/depopulation

■ Horses

- Slaughter
- Racing (age, drugs, surfaces)
- Three-day events

Some Current Hot Topics in the US



- Companion animals
 - Mandatory spay/neuter
 - Substandard facilities
 - Hoarding
 - Abuse/domestic violence relationships and forensics
 - Dog fighting
 - Owner versus guardian
 - Euthanasia (use of gas chambers)
- Zoo/wildlife
 - Guides/tethers for elephants (protected versus free contact)
 - Trapping

Thank You For Your Time and Attention



Questions?

ggolab@avma.org

Two of the greatest
qualities in life are...
Patience and Wisdom

www.avma.org/animalwelfare