California Introduces First Bill to Ban Forced Molting

Assembleman Ted Lempert Introduces Assembly Bill 2141

California Assemblyman Ted Lempert has introduced the first bill in the United States that would make it "Unlawful to intentionally deprive any bird used for egg-laying purposes of water or food or both on a daily basis or otherwise cause an induced or forced molt that results in harm to the bird."

Short Background
Forced molting, which is outlawed in the United Kingdom on welfare grounds, is the standard method used by the US egg industry to manipulate egg production and cut costs by depriving hens of all food for an average of 10 straight days. Many US companies deprive their hens of food for 14 full days. Forced molting is so stressful it increases bone breakage and impairs the hens' immune system, predisposing the birds and their eggs to Salmonella infection. Many hens die during and after the molt, including choking to death when food is returned to them, due to crop impaction. An article in Applied Animal Behaviour Science, 1990, Vol 25:97-105, states that during the molt, "most parts of their [the hens'] skin are bare with no feathers."

Picture the hens in their wire cages (typically 8 to 9 hens per cage with 48 to 64 square inches of living space per hen). Imagine these hens deprived of all food. Imagine the seconds of each day ticking by.

What Can I Do?
• California residents: Please urge your Assembly Member immediately to co-sponsor and support AB 2141, the bill to ban forced molting in CA. Assembly Members can be reached by writing to them at the State Capitol, Sacramento, CA 95814.
• All people throughout the US and the world: Please contact Assemblyman Ted Lempert and thank him for introducing this groundbreaking bill that, if passed into law, will improve the wellbeing of millions of hens in California and set a precedent for other states to follow. Tell him you support this bill. Mr. Lempert can be reached as follows:
  The Honorable Ted Lempert
  State Capitol, Room 2188
  Sacramento, CA 95814
  Fax: 916-319-2121
  Email: ted.lempert@asm.ca.gov.

Please send written statements of support, for the record and for Mr. Lempert's further use. For updates call Mr. Lempert's office at 916-319-2021. The Web Page address is: www.assembly.ca.gov/lempert. Or you may call Teri Barnato, Association of Veterinarians for Animal Rights at 530-759-8106. Or you may call Karen Davis, United Poultry Concerns at 757-678-7875 (check our website at www.upc-online.org). United Poultry Concerns and the Association of Veterinarians for Animal Rights are proud to be organizational sponsors of AB 2141.
United Poultry Concerns is pleased and deeply honored to announce that the November 14, 1999 Washington Post article, "For The Birds," by Tamara Jones, has won the Fourteenth Annual Genesis Award for Outstanding National Newspaper Feature. Ark Trust President Gretchen Wyler wrote to Tamara Jones in a letter announcing her achievement, "Having monitored the attention given to the many subjects of animal abuse over these fourteen years, we feel there is no doubt that "For The Birds" is unprecedented in its prominence, the space afforded and the dynamics of the writing. Having chosen to profile the courage and commitment of Karen Davis as the focal point of your article, you exposed the reader to the truth about this rapidly expanding cruel big business."

For 14 years, the Genesis Awards have acknowledged select members of the news and entertainment media for exemplary accomplishment in spotlighting animal issues with creativity and integrity. The Fourteenth Annual Genesis Awards, for works released in 1999, will be presented at a star-studded ceremony hosted by The Ark Trust, in the International Ballroom of The Beverly Hilton hotel in Beverly Hills, California on Saturday evening, March 18. The nation's premiere consciousness-raiser on animal issues, this year's awards will be bestowed by a host of celebrity presenters, and taped for television. For 8 years the Genesis Awards ceremony has aired as a 90-minute special on the Discovery Channel and is now shown on Discovery's Animal Planet.

United Poultry Concerns wishes to take this opportunity to congratulate and to thank Tamara Jones of The Washington Post and to thank Gretchen Wyler and The Ark Trust for this great tribute and honor. Thank you.

Order From UPC

HUMANE SLAUGHTER?

HUMANE SLAUGHTER takes the viewer into poultry slaughterhouses to witness the horrendous suffering endured by chickens and turkeys. The video contains undercover footage obtained by Farm Sanctuary investigators of standard poultry slaughter operations, where terrified chickens and turkeys are slowly bled to death - sometimes on the slaughterhouse floor.

Scenes from HUMANE SLAUGHTER have prompted thousands of people to eliminate poultry from their diets. When you see this video you'll see why:

"Undercover footage [HUMANE SLAUGHTER] of a poultry slaughterhouse in Los Angeles shows chickens having their throats manually cut... and then being stuffed alive into bleeding holes in an idle manner by the employees. Blood-soaked chickens with partially cut throats try vainly to lift themselves out of the troughs into which more bleeding and writhing birds are casually flung before being picked up and shackled. Bleeding, flapping chickens fall off the line onto the floor - no one pays any attention." - Karen Davis, "The Death," Prioned Chickens, Poisoned Eggs: An Inside Look at the Modern Poultry Industry, p. 114.
United Poultry Concerns upset plans by Perdue Farms of Salisbury, MD to hold a "Masterpieces in Chicken" children's art show on January 12th in New York City. The show would have awarded prizes to children between the ages of 3 and 12 for drawing pictures of chicken nuggets to assist a Perdue marketing scheme. Film star Danny Glover was slated as co-host.

United Poultry Concerns launched a nationwide campaign to stop the show, which led the David Beitzel Gallery in New York City to cancel the event. Gallery owner David Beitzel told The New York Times, United Poultry Concerns "caused such a ruckus" that he "put an end to it" (James Barron, "They Say Perdue is Bad to the Bone," NYT, Dec. 21, 1999).

UPC members blitzed actor Danny Glover with messages urging him to divorce himself from Perdue and the poultry industry. Wrote one member, "At the very least, it is in very poor taste to encourage children to create images of animals who are being slaughtered. This is the Perdue legacy. Our legacy to the young should rise far above this."

More on "nuggets," chicken suffering, and child abuse

Feb. 2000 – School children in [at least] 31 states are being fed chicken nuggets made from diseased birds, according to federal food-safety inspectors in Alabama. Gold Kist's inspector Ellen Dingler said, "The skin's got sores and bruises and things on it. I won't eat a chicken nugget or a pressed patty or anything because of that – because that skin is mixed in with it, and it's got sores."

Other inspectors described chickens with tumors or coated with pus [later hidden beneath barbecue sauce, crunchies, and grease] knowingly turned into nuggets or other products. John McCutchen, who oversees the US Agriculture Department's food-safety inspectors, said nuggets and patties are approved even though [at least] half the bodies have sores, scabs, or infection [meaning the birds suffered, were sick, and were physically abused]. "If the question is, 'Are birds with sores and scabs being passed and getting the mark of inspection,' the answer is yes," McCutchen said, adding that even with "100 percent inspection," diseased birds would still be sold.
Support Anti-Cockfighting Legislation

"The cockfighting legislation is hot!" — Wayne Pacelle, The Humane Society of the US

Congress has two bills that would clamp down on cockfighting by banning the transport of birds bred for fighting over state lines. Senate Bill 345 has 39 co-sponsors and House Bill 1275 has over 100 cosponsors — strong support!

Help close down the Crow-Magnons! Please contact your two Senators and ask them to support S 345. Write to them at US Senate, Washington DC 20510. Please ask your Congressperson to support HR 1275.

Write to him/her at US House of Representatives, Washington DC 20515.

Oklahoma Cockamaniacs vs. Oklahoma Coalition Against Cockfighting’s Voter Initiative to Ban Cockfighting: The petition drive to ban cockfighting in Oklahoma is a success! The secretary of state certified 99,309 petition signatures in January, well over the 69,997 needed to put the question on the ballot in November. For updates, e-mail Jamie Massey, OCAC head, at OCAC2000@aol.com.

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EDITOR: Karen Davis
DESIGNER: Craig Mummey
WEBSITE ADMINISTRATOR: Franklin Wade

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Welcome Spring on March 20 by kicking the meat habit and exploring a less violent, more ecological, more wholesome diet.

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MEATOUT 2000
For a free Action Kit, contact us at www.1-800-MEATOUT.org
Special Mothers

SUNDAY, THE ROOSTER AND GRACIE, THE HEN

These illuminating stories were sent to UPC by two of our California members, Valerie Tibbett and Melody Wall.

Gracie

Three chicks joined us and it was wonderful to watch them receive such loving help to grow and learn from their mother, Maxine, and their aunts. What was startling, however, was the way my polish hen, Gracie, responded to Beulah, Viola, and Dorothy Lee.

Gracie has always been something of a bully. She always wants to be first to eat and chases the other girls away when their food is first put out. She will go up to another hen who is not behaving as she sees fit, stretch her wing out and do a sort of voodoo rattle thing with it to show her displeasure. Much to my surprise, her entire nature changed when the chicks were born. She became a co-mother with Maxine, and the two mothers and three babies were inseparable. Here's Gracie, who ordinarily won't let anyone else eat when she's around, and all of a sudden she's picking up morsels of food and making these wonderful "cluck, cluck, cluck, chook, chook" sounds which the babies respond to, running up to snatch a morsel from her beak. Or else she puts it down right in front of them. What a change! Gracie, the former "bully," now uses her physical presence to protect Beulah, Viola and Dorothy Lee, and stands aside while the youngsters run and take the best pieces for themselves!

That includes apples, cucumbers, corn, tomatoes, lettuce, pasta, rice, and thanksgiving dressing, plus every new shoot that comes up in our yard. What do I care? They give me such joy, I figure, "If they eat my plants it's a fair exchange." — Valerie Tibbett

Sunday and Alison

Our area has many "wild" peafowl (really they are quite tame). Unfortunately, my cat got one of the babies. She was unhurt, but was now an orphan. I drove around and found her family, but the mother kept running away and the baby would charge to the nearest bush. Clearly this reunion was not going to happen.

So I brought the little one I named Alison home to my hens, but again, no luck. Then I noticed Sunday, our rescued rooster, watching. I thought, "With Sunday's crossed beak [a birth deformity], he can't hurt the little peahen, so I'll put them together." As it got dark, the baby peahen crawled under Sunday's wing, and Sunday didn't move away. That was the beginning. Sunday, the rooster, became a devoted mother hen. Every night he got into his "mother hen" posture and waited for his baby to settle in. Then he gently lay down and off to sleepy land they went. As you can tell, I spied on them!

When they dustbathed together it was quite comical since Sunday is rather big and the baby peahen was very, very small. Did they kick up the dust! Alison followed Sunday everywhere. She dearly loved that big rooster. — Melody Ann Wall

Goosie's Story

We are proud to introduce Goosie's Story, a wonderful new illustrated children's book by Louise Van Der Merwe. Goosie's Story is about a "battery" hen who is given a chance to lead a normal life — a happy life. Goosie tells her own story in her own words! We share her discovery of the world outside the battery prison and realize that, far from being a mere unit of production, she has a robust ability to live life to the full. This moving book will be warmly welcomed and shared by children, parents and teachers, highlighting as it does the concern and compassion we ought to feel for all our feathered friends on this earth. Order from United Poultry Concerns, P.O. Box 150, Machipongo, VA 23405. $4.95.
Dear Friends,

Several of our members have recently made financial contributions in the form of stock to United Poultry Concerns through our securities account. We are deeply grateful for these gifts, and anticipate more in the future. There are two obvious benefits in making stock contributions. Please consider these advantages in making your future gifts to United Poultry Concerns.

Donors may give stock up to and including $10,000 to a nonprofit organization without impinging upon their estate. By giving this way, they avoid paying a capital gains tax on their assets, because they are gifting their assets. The benefits to the nonprofit are obvious. In giving a gift of stock, you enable the nonprofit of your choice to grow and do more. It’s as simple and important as that. Everyone wins.

United Poultry Concerns has opened a securities account with Paine-Webber. For information on how you can donate to us this way, please call our financial advisor, Claudia Puopolo, at Paine-Webber at 757-490-5639 or 800-368-4070.

From United Poultry Concerns and all our Feathered Friends, we thank you for helping to ensure our future.

Sincerely,
Karen Davis, PhD
President

A LEGACY OF COMPASSION FOR THE BIRDS

Have you thought about remembering United Poultry Concerns through a provision in your will? Please consider an enduring gift on behalf of the birds.

A legal bequest may be worded as follows:

I give, devise and bequeath to United Poultry Concerns, Inc., a not-for-profit corporation incorporated in the state of Maryland and located in the state of Virginia, the sum of $_________ and/or (specifically designated property and/or stock contribution).

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UPC’s brochure, Live Poultry Markets, is available in Spanish as well as English. We wish to thank Marion Zinowski for her translation and Patricia Vandenbergh (the illustrator of A Home for Henny) for her artwork. If you are in an area that has a live animal/poultry market, please order our brochures and distribute them. Live poultry markets are cruel and a major source of avian influenza virus.

Call 757-678-7875 for Info
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"Karen Davis's brilliant essay ... rightly should disturb feminists and animal advocates alike."
Review by Deborah Tanzer, Ph.D. in The Animals' Agenda, Vol. 16, No. 2
Boris and Florence, the turkeys, are having a fabulous time for the first time, thanks to Terry Cleeman and Marie Gleason, who arranged for them to be released to UPC from a poultry slaughter plant in Baltimore.

Clockwise from above: Florence, the turkey, in cabbage and snow; these rescued battery hens are now ballerinas dancing through the snow; Boris in the snow; Boris; happy turkey tracks; chickens and Florence eat their greens in the snow; Chester Field, who fell off a Perdue truck in Maryland, was rescued by Edith Benham and her two children, Gus and Sophia, and brought to UPC where he lives happily ever after!

All photos by UPC.
On Saturday, June 24th, United Poultry Concerns will hold our Tenth Annual Mourning Vigil for Chickens, in Ocean City Maryland. Those long metal buildings on the way to the beach are filled with thousands of young birds who will never see a blade of grass or stretch their wings in the warm sunlight or feel the soft feathers of a mother hen, or hear a rooster crow. The poor parent birds are locked up inside another prison.

Please join us in speaking out for these birds on the boardwalk at the beach. We will display banners and posters and distribute thousands of leaflets to boardwalkers. We will hold mounted color photos illustrating a six-week old chicken’s life from the chicken house through the slaughter house. We need you!

Directions: In Ocean City, Md turn onto North Baltimore Street. Go 5 blocks and make a right onto 5th Street. 5th Street runs straight to the boardwalk. That’s where we’ll be. Plan to car pool from your area. For information about car pooling from Washington DC, call Franklin at 301-564-9164 or email franklin@smart.net.

The Mourning Vigil For Chickens Is An Annual Event Sponsored By United Poultry Concerns Promoting The Compassionate and Respectful Treatment Of Chickens And Other Domestic Fowl.
BEYOND THE LAW: AGRIBUSINESS AND THE SYSTEMIC ABUSE OF ANIMALS RAISED FOR FOOD OR FOOD PRODUCTION
By David J. Wolfson
Farm Sanctuary, 1999
Softcover. Includes Photos. 61 pages.
ISBN: 0-9656377-1-9
To order send check or money order payable to United Poultry Concerns. $4.50.

Reviewed by Karen Davis, PhD

"The essential point of this booklet is to demonstrate the absence of a presumed presence of law."

The author, David J. Wolfson, is a Wall Street attorney and an animal advocate. In Beyond the Law, Wolfson reveals the discrepancy between how the laws of the United States define "cruelty to animals" and how these laws define and interpret cruelty to farmed animals — those unfortunate beings cursed with being raised for their flesh, milk, and eggs. If a practice, however inhumane, can be economically defended as a standard agricultural practice, such as the debeaking of chickens and turkeys, then it isn't deemed "cruel" under the current system. The federal Animal Welfare Act excludes farmed animals from oversight, and the federal "Humane Methods of Slaughter Act," which applies to cattle, pigs, sheep and horses, is not enforced by the Department of Agriculture; moreover, it excludes all birds, so that 98 percent of all animal slaughtered in the United States are not even mentioned. So much for the federal government.

This leaves the states, and indeed, every state in the Union has an anticruelty statute, allowing misdemeanors fines and minimal jail time to be imposed on convicted animal abusers. In view of the lack of protection for farmed animals at the federal level, these state criminal statutes, Wolfson points out, are "the sole protection from unnecessary suffering and cruel treatment for animals raised for food or food production."

For this very reason, however, over the past two decades many states have quietly amended their anticruelty statutes to exclude all animals raised for food and to exempt practices affecting these animals from regulation or even investigation by a licensed cruelty investigator, thereby ensuring that 95 percent of all animals in this country have no legal protection of any kind. "Farmers" can do whatever they want to animals raised for food without fear of legal intervention. According to Wolfson, "Specifically, 30 states have enacted laws that create a legal realm whereby certain acts, no matter how cruel, are outside the reach of anticruelty statutes as long as the acts are deemed 'accepted,' 'common,' 'customary,' or 'normal' farming practices. These statutes have given the farming community the power to define continued on page 11 →
cruey to animals in their care.

Protected farming practices include not only the range of current routine abuses - debeaking, claw removal, food withdrawal, castration, electric prods, lack of sunlight, fresh air and space to turn around in for starters - but any new abuses that the agribusiness community chooses to inflict on animals in the future. Exemption from state anticult laws is an acknowledged that modern farming practices are so cruel and inhuman that they can only be conducted outside the legal framework. In 1997, when two Texas medical doctors clubbed to death 22 emus with metal baseball bats because the birds weren’t profitable, I urged the prosecuting attorney of Tarrant County, Texas to prosecute these men for what they had done. He said, “If we prosecuted these guys, we’d have to prosecute people all over the state for doing the same thing.”

Which is exactly why such people are all “doing the same thing.” Because, in addition to their personal obliquity, which the absence of law sanctions and encourages, they’re immune from prosecution, either because the law has granted them this immunity or because, as in this case, the prosecuting attorney doesn’t care about such crimes, or because, as also in this case, prosecutors who don’t give a damn can invoke the argument that “there’s no proof that the alleged offender’s conduct was motivated by cruelty.” (There was plenty of proof in this particular episode.) The farmed animal production system in the United States relies on government and public collusion in the “motivation” argument, which runs: “We’re not being deliberately cruel, like setting cats on fire for fun; we’re acting in the interest of business, increasing our company’s wealth and that of the nation, while saving consumers money.” As Wolfson rightly says on page 45, “at the heart of this subject lies a simple conflict - the humane treatment of animals versus profit.” In reality, this conflict isn’t only simple; it is insurmountable.

Beyond the Law is divided into four parts. Part I introduces the subject, focusing on the fact that “Today, the majority of U.S. states prohibit, at least in part, the application of their anticult laws to farm animals.” Part II shows how these animals receive “absolutely no federal protection while on the farm and extremely limited federal protection during transport and slaughter.” Part III briefly discusses “acceptable,” “common,” “customary,” or “normal” farming practices. Part IV documents how amendments to state anticult laws “place animals raised for food or food production beyond the law’s reach in the majority of states.” Part V compares the abysmal situation in the United States with the slightly better one, at the discussion level at least, in Western Europe. Part VI concludes with an outline for reform, noting, however, that “The main purpose of this booklet is not remedial, but rather to present the realities of the current system,” including “the reality that more such animals are now being abused than ever before in the history of the United States.”

Beyond the Law is an invaluable resource for people who want an overview as well as a specific account of the current federal and state legal system as it pertains to animal farming practices and the status of farmed animals in the United States. The booklet is both analytical and practical, yet short, readable, and to the point; it places the modern situation in a condensed historical perspective, showing that far from achieving progress on behalf of farmed animals in the United States, this country has regressed. Specific states such as Idaho, Iowa, Wisconsin, and Tennessee are chosen to look at how these and other states have amended the wording of their anticult laws from having offered farmed animals some protection of sorts to having purposely abandoned these animals to those who “exploit animals without regard to moral or ethical considerations.” An Appendix lists each state, in alphabetical order from Arizona to Wyoming, that currently exempts “customary farming practices” from its anticult statute and quotes the wording of the statute.

Beyond the Law is so good, useful and informative, I only wish that the Victorian-style postscript about the “protection of dumb brutes” were not there. Such talk is insulting even as an historical reference; the discussion should not, in any case, end with such an image, even if this happens to be the language of a well-meaning judge writing in 1888. Nonhuman animals are not “brutes,” and cloying Victorian maxims about the “benevolence of men” do not comport with the reality glimpsed in this booklet. We owe our fellow creatures respect, including a language and a set of laws that promote justice.
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The Role of Farmed Animal Sanctuaries in Promoting Animal Rights & Vegetarianism

SEPTEMBER 16-17, 2000

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Speakers: Lorri Bauston, Co-director, Farm Sanctuary
Jim Brewer & Dale Riffle, Directors, PIGS, a Sanctuary
Terry Cummings, Co-Director, Poplar Spring Animal Sanctuary
Karen Davis, Director, United Poultry Concerns
Jim Mason, Director, Two Mauds, Inc.
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Where: September 16 — Hilton Norfolk Airport
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Rooms: single & double $89.00 plus tax

September 17 — United Poultry Concerns
12325 Seaside Road, Machipongo, VA 23405
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When: Saturday September 16, 8 AM — 4:30 PM
Sunday September 17, 9 AM — 2 PM

Registration fee: $50.00 per person, pre-paid
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Send check or money order payable to United Poultry Concerns and a self-addressed stamped envelope to: United Poultry Concerns, PO Box 150, Machipongo, VA 23405. Payment for registration must be received by Tuesday, September 12, 2000.

Meals: Registration includes morning coffee service and two vegan luncheon buffets

Merchandise and Literature Will Be Available Throughout the Day on September 16

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