

11

SPRING 2011

30.1



2

Launch of ALDF's Animal Law Institute

3

Neglected Horses — Victims, Not "Property"

8

Ending the Tragedy of Puppy Mills

THE ANIMALS'

A NEWSLETTER FOR SUPPORTERS OF THE ANIMAL LEGAL DEFENSE FUND



Isolated and suffering, Tony paces in his cage at the Tiger Truck Stop.

PHOTO BY BIG CAT RESCUE

# Truck Stop Sideshow

*ALDF fights to free Tony the tiger from a life of misery*

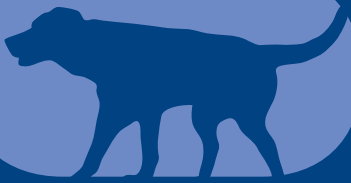
**THE STENCH OF FUEL.** The deafening sound of diesel engines. The fumes of gasoline. Such are the conditions in which Tony, a 10-year-old Siberian-Bengal tiger, has spent nearly every day and night of the last decade at the Tiger Truck Stop in Grosse Tete, La. It's no life for a tiger, or any other animal, and as Tony's suffering has prompted a groundswell of calls for the truck stop's owner, Michael Sandlin, to relinquish him to a sanctuary for big cats, ALDF has been taking legal action. In November, we petitioned the Louisiana Department of Wildlife and Fisheries (LDWF) to deny the renewal of the annual permit allowing Sandlin to exhibit Tony. Regrettably, the LDWF granted a permit to display Tony throughout 2011—but ALDF continues to fight on his behalf.

That's why, as this issue goes to press,

we are considering additional legal options to force the LDWF to revoke the permit, which ALDF contends was unlawfully issued. "Without a permit, Sandlin could no longer keep Tony, and he would have to relinquish him," says ALDF staff attorney Matthew Liebman. "Our hope is that Tony will one day be able to live out the rest of his life at a reputable sanctuary, free from the noise and fumes that cloud his life at the Tiger Truck Stop."

Tony's enclosure is without any of the enrichment, such as trees, a large water feature or complex vegetation, that would simulate his natural environment and allow him to perform innate behaviors. Confined to a cage in the parking lot, Tony—who in nature would be roaming as much as 1,500 square miles of territory—paces the con-

*continued on page 4*



# LETTER FROM THE EXECUTIVE DIRECTOR

## Another First For ALDF



**MOST PEOPLE ARE FAMILIAR** with the Animal Legal Defense Fund as the law firm for the animals. Our team of the world's foremost experts in animal law fights every day to stop animal cruelty by assisting cruelty investigations and prosecutions and filing strategic lawsuits. But ALDF has also been the driving force in developing animal law as a field of legal study and practice, and we have just reached another exciting milestone.

You may recall that in 2008, ALDF developed the Center for Animal Law Studies, a groundbreaking collaboration with Lewis & Clark Law School. With a full-time staff of three the Center provides law students at Lewis & Clark with unprecedented opportunities to study animal law and even work on cases through a legal clinic program. Through the Center, ALDF supports the annual animal law conference at Lewis & Clark and animal law moot court competition at Harvard Law School.

And this year, ALDF has reached another milestone in the growth of animal law. In January, ALDF launched a new program we call the Animal Law Institute. The Institute will provide opportunities for top notch law graduates to work directly with ALDF's attorneys on ALDF animal protection lawsuits and research. Graduates who have proven their desire to advance animal protection law will come to work at ALDF in two-year fellow positions.

Prior to the launch of ALDF's Animal Law Institute, there has been no organization fulfilling the vital role of teaching new lawyers the full range of techniques and strategies required to successfully litigate on behalf of animals. The historic Institute is bridging the gap between law school and a successful career as an animal protection litigator.

The program provides a win-win for ALDF and aspiring young lawyers. The fellows will enable ALDF to file more lawsuits to protect animals, while these dedicated and talented attorneys will gain experience working under ALDF's top-notch animal law litigators. And the big winners, as always with ALDF, are the animals themselves.

For the animals,

Stephen Wells  
Executive Director



Animal Legal  
Defense Fund

Stephen  
Wells  
Executive  
Director

### NEWSLETTER STAFF

Lisa Franzetta *Editor*

Mark Hawthorne  
*Contributing Writer*

Stephen Farley Design  
*Newsletter Design*

### BOARD OF DIRECTORS

Sarah H. Luick  
*Chair*

Joshua K. Marquis  
*Vice Chair*

*Directors*

Darcy Alamuddin • David Cassuto

Susann "Sunny" MacLachlan

Tracy A. Miller

Marilyn Forbes  
*Secretary*

Jim Rockenbach  
*Treasurer*

The Animal Legal Defense Fund is a nonprofit organization funded almost entirely by individual, tax-deductible contributions. For donation, membership and change of address inquiries, please email us at [membership@aldf.org](mailto:membership@aldf.org), or call 707-795-2533. For information about our work and programs, email us at [info@aldf.org](mailto:info@aldf.org). Please see "copyright" link on [aldf.org](http://aldf.org) for trademark information.

FOR THE RECORD

"Violence is not a First Amendment issue; it is a law enforcement issue."

— Rep. Elton Gallegly (R-California), as his bill banning the sale of "crush" videos that depict the torture of small animals was signed into federal law by President Obama this past December

# Let the Punishment Fit

*ALDF files amicus brief after court rules abused animals are not victims*

**WHEN AN ANIMAL SUFFERS EXTREME NEGLECT**, we expect the abuser to answer for it. When the abuser neglects multiple animals, we assume justice will match the crimes.

Not so, according to a Umatilla County, Ore., court, which ruled that a defendant recently convicted of neglecting 20 horses was only liable for a single count of animal cruelty. The judge presiding over the sentencing of Arnold Weldon Nix agreed with the defendant that only people, corporations, and governments can be victims of a crime. In Nix's case, said Judge Jeffrey Wallace, the state of Oregon was the legal victim, even after a jury found Nix guilty of 20 counts of second-degree animal neglect—one count for each of 20 neglected horses. At sentencing, the trial court merged 19 of the 20 counts into one formal conviction, accepting the defendant's argument that the 20 individual horses subject to the jury's verdict were not "victims."

"That's just plain wrong, legally and morally," says Assistant Attorney General Jamie Contreras, who filed an appeal to overturn the court's ruling. "Twenty horses suffered terribly because of the defendant's crimes, and the defendant should face the consequences for harming each one. If this ruling were to take hold around the state, it wouldn't matter if a person neglected one animal or a hundred... the penalty would be the same—and very minor."

According to the *amicus* brief filed by ALDF, the court's ruling was legally incorrect. "When considering this issue of who or what qualifies as a 'victim' or a 'person' under Oregon law, the analysis necessarily hinges on one key fact: that animals are sentient beings," states the brief. "While once ignored, denied or rationalized away, there is now a compelling (and ever-growing) body of evidence that animals possess the capacity to experience pain, stress and even basic emotions such as fear.... This reality—sentientcy—necessarily explains why it is that animals have substantial legal protections in Oregon and evidences a clear legislative intent that animals shall be treated as something other than inanimate property."

"When a court fails to recognize animals as the victims of the crimes of animal abuse and neglect, it ignores the fundamental reality that those animals are the beings who suffered the harm that is the essence of the crime," says Scott Heiser, director of ALDF's Criminal Justice Program. "This result is even

more offensive when one considers that a person who steals from 200 corporations will be sentenced for 200 separate thefts, but a person who kills his 200 dogs would be sentenced for only one act of abuse."

A ruling in the appeal is expected this summer. "But even if we lose this case, we will expose a huge loophole in the animal neglect statutes that can be fixed legislatively," says Contreras. 🐕

## BECOME A PARTNER IN PROTECTION!

**A LAWSUIT FILED AGAINST** a Kentucky shelter taken to task for neglecting animals. Three Texas agencies taken to court for not administering state laws protecting animals and public health. Cities nationwide banning the sale of dogs from puppy mills. These are just a few of the recent cases the Animal Legal Defense Fund has put its experts to work on ... and none of it would have been possible without our dedicated members.

The Partners in Protection program gives you a simple and convenient way to make monthly contributions to ALDF via your credit card or electronic funds transfer. As a Partner in Protection, your gifts will provide a reliable, ongoing source of funding that is critical to our work on behalf animals like Hercules, Harriett, and 14 other dogs who were rescued from a dogfighting ring in Kansas last year.

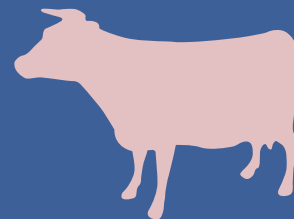
Whether your monthly donation is \$10 or \$1,000, every single dollar counts in the fight against animal abuse—and you'll have the knowledge that your dollars go a long way:

- ▶ \$25 will provide medicine to a dog rescued from a filthy shelter sued by ALDF for substandard conditions
- ▶ \$100 will help pay for DNA testing necessary to put together an airtight case against a serial cat killer
- ▶ \$1,000 will provide food for horses saved from starvation thanks to ALDF's close work with law enforcement

The Animal Legal Defense Fund is committed to using the legal system to help animals—but we can't do it without you. To become a Partner in Protection, visit us online at [aldf.org/partners](http://aldf.org/partners) or call 707-795-2533 ext. 1011. Thank you! 🐕

THE ANIMALS' ADVOCATE

PAGE 3



**"Becoming a Partner in Protection made it so easy for me to support ALDF. I love knowing that each month the animals will have the protection they need and can count on!"**

— Cathy from Washington, DC

The Animal Legal Defense Fund is proud to be a four-star charity on Charity Navigator, a Better Business Bureau Accredited Charity and to have been awarded the Independent Charities Seal of Excellence, ensuring that we meet the highest standards of public accountability, program effectiveness and cost effectiveness.





# Tony the Tiger

*continued from front page*

crete floor, a sign that he is experiencing extreme stress. “He is gawked at by visitors and, frankly, bored to death,” says Liebman. “It is simply wrong to confine a wild animal as a sideshow spectacle.” Conditions are so bad at the Tiger Truck Stop that employees had to post a sign near Tony asking the public not to throw rocks and other objects at him.

## ALDF’S ARGUMENT

At the heart of ALDF’s position is the fact that Sandlin’s current housing of Tony violates state and local laws. Moreover, in 2006, the Louisiana state legislature unanimously passed Act 715, prohibiting citizens from keeping a tiger as a pet or exhibiting a tiger in the state. In passing the act, the state declared that possession of big cats and certain other exotic animals poses significant hazards to public safety and health and is detrimental to the welfare of the animals. The legislature provided an exception, however: individuals who legally owned big cats as of August 15, 2006, were grandfathered in. These owners would need to apply for an annual permit from the LDWF. An ordinance passed in Sandlin’s parish of Iberville in 1993 made it illegal for anyone to keep a tiger or other large exotic cat on his or her premises for exhibition. In other words, Sandlin did not qualify for the Act 715 exception because he was not in legal possession of Tony.


But Sandlin, who has had three other tigers seized by the U.S. Department of Agriculture due to violations of the federal Animal Welfare Act, urged the Iberville Parish Council to amend its ordinance specifically to allow for his ownership and exhibition of Tony until the tiger’s death. After the council granted Sandlin’s wish, the LDWF issued him a grandfather permit to keep Tony. “The LDWF has more or less turned its decision-making authority over to Michael

Sandlin and the Iberville Parish, rather than doing its job,” says Carter Dillard, ALDF’s director of litigation. The agency lacked authority to grant Sandlin a permit because he did not legally possess Tony on the date that the state banned the private possession of tigers, regardless of what Iberville Parish chose to do after that date.

Finally, there are two other reasons why the LDWF broke the law when it issued the permit. The first is that Sandlin is ineligible for the state’s grandfathering provision because he does not live on the premises where Tony is kept, contrary to regulations. The second is that Sandlin’s employees at the Tiger Truck Stop do not have adequate training to meet the minimum requirements of the LDWF’s regulations, i.e., they lack sufficient knowledge of an escape plan, their responsibilities in the event of Tony’s escape, use of firearms, or proper care of an exotic cat.

## EXPERTS WEIGH IN

Year after year of living at the Tiger Truck Stop have taken their toll on Tony’s health. The ambient noise from the nearby freeway and the idling trucks, their diesel engines spewing noxious fumes directly into his enclosure, is painful and obtrusive to an animal with such sensitive hearing and an acute sense of smell, says veterinarian Jennifer Conrad, who has 16 years of experience with captive large cats and has visited Tony. Being frequently taunted and harassed by tourists—who try to wake Tony by throwing rocks and cigarette butts at him—has also exacerbated the stress he suffers, says Dr. Conrad. “Based on what I have observed of Tony’s enclosure at the Tiger Truck Stop and his behavior from video and photographs, it is my professional opinion that this tiger is in poor condition and needs intervention on his behalf,” she says.

Marc Bekoff, Professor Emeritus of Ecology and Evolutionary Biology at the University of Colorado, Boulder, agrees that Tony’s living conditions are both inadequate and inhumane. He is also concerned that a big cat threatens public safety, noting that it is difficult, if not impossible, to predict what would trigger violent behavior in a tiger. Tragic consequences are unfortunately all too common when humans keep wild animals in captivity, and ALDF is working hard to ensure that Tony is finally released into the care of a rescue sanctuary that will provide for his physical and psychological needs. A secure haven is the best way to grant Tony the life he deserves—and prevent a member of the public from being harmed. 

## THE ANIMALS’

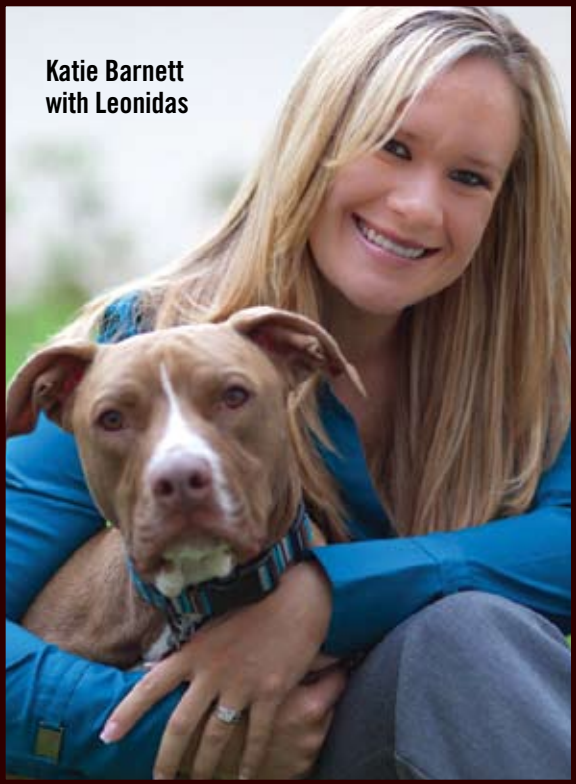
Conditions are so bad at the Tiger Truck Stop that employees had to post a sign near Tony asking the public not to throw rocks and other objects at him.



*For more information on Tony the tiger, including updates on our continued efforts to free him, please visit [aldf.org/tony](http://aldf.org/tony)*

# Hope for Animals in the Heartland

Katie Barnett  
with Leonidas



**LIKE SO MANY OTHER POSITIVE SOCIAL CHANGES,** Katie Bray Barnett's road to animal law began in the aftermath of crisis. Barnett, who has devoted much of the last decade to animal protection work, volunteered to help rescue animals affected by the Hurricane Katrina disaster in New Orleans in 2005. "I witnessed myriad legal issues with companion animals, including the fact that the animals were not allowed to evacuate with their families," she says. "My dogs are family, and I was incredibly frustrated by all the animals who were left behind, and equally as frustrated that people were forced to put their lives in jeopardy to stay with their animals. To a layperson, it didn't make sense."


While in New Orleans, Barnett adopted a pit bull mix, whom she named Katrina, but was shocked to discover that her Missouri town had legislation prohibiting the breed. "I had to either surrender Katrina or move." She found a new city and began speaking out against breed-discrimination laws. "As a litigation paralegal, I was increasingly interested in being a more effective advocate for dogs and finally got up the nerve to apply to law school."

Now in her second year at the University of Kansas School of Law, Barnett recently founded the school's Student Animal Legal Defense Fund (SALDF) chapter and serves as its first president. The group—one of 163 student

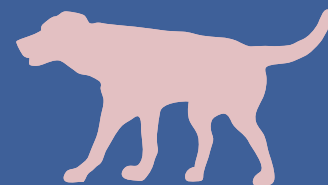
chapters across the United States and Canada—is affiliated with ALDF and provides a forum for education, advocacy, and scholarship aimed at understanding this area of law and the impact it has on animals. SALDF chapters are in a unique position to advocate for changing laws to better protect animals.

Even before founding the country's newest SALDF chapter, Barnett enjoyed a number of noteworthy achievements in animal law. She conducted research for ALDF's *amicus curiae* brief in the landmark *U.S. v Stevens* case involving dogfighting videos and attended the oral arguments at the U.S. Supreme Court in October of 2009. She authored an academic paper published in the *Animal Law & Ethics* law journal titled "Breed Discriminatory Legislation: How DNA Will Remedy the Unfairness" and presented the canine DNA paper at the University of Baltimore's Animal Symposium in April of 2010. And last year, Katie was the recipient of an ALDF Advancement of Animal Law Scholarship.

"I've also worked on founding our law school's first extension of our criminal prosecution clinic: the animal cruelty prosecution clinic," Katie explains. "It should be ready for student enrollment for the fall 2011 semester." The clinic's student intern will work as a case manager for both misdemeanor and felony animal cruelty cases in Douglas County, home to the University of Kansas, and will work with the humane society and the municipal and county prosecutor's office. "This will give the student practical experience, and it gives the consistently underfunded and understaffed governmental prosecution offices a free resource to help manage their caseload," says Barnett. "If successful, we hope to spread it to other counties in the state."

"Katie represents all that can be accomplished by one motivated student," says Nicole Pallotta, ALDF's student liaison. "She is a wonderful example of all that our dedicated SALDF members are doing to help animals while simultaneously juggling hectic law school schedules. We are so proud of our SALDF members. With committed animal advocates like Katie poised to become the next generation of animal-friendly attorneys, judges, and legislators, the future looks bright for the animals." 

*If you are a law student interested in joining or forming a SALDF chapter, please contact Nicole Pallotta at [npallotta@aldf.org](mailto:npallotta@aldf.org). You may also visit our SALDF website at [SALDF.org](http://SALDF.org).*



**"As a litigation paralegal, I was increasingly interested in being a more effective advocate for dogs, and finally got up the nerve to apply to law school."**

**—Katie Bray Barnett**



# A Law for the Birds?

*Texas consumers sue to stop horrific abuse at egg facility*

PAGE  
**6**

**CONSUMERS WHO EAT EGGS ASK A LOT** of the hens who produce those eggs. In return, the very least we owe the animals is a clean environment. Dirty, overcrowded conditions in egg farms are not only cruel for the hens—they can also be a serious threat to human health. That's why ALDF is representing three Texas egg consumers in their lawsuit against several Texas agencies for failing to administer the state's laws protecting confined birds at a large Texas egg production facility.

The lawsuit was prompted by a Humane Society of the United States undercover investigation revealing disturbing conditions at a chicken-raising and egg production facility in Waelder, Texas, which is owned by Cal-Maine, the largest producer and distributor of eggs for human consumption in the nation. The investigator captured graphic video of hens tightly confined in cages with the rotting corpses of other birds, dead and decaying hens trapped under feeders near eggs, hens suffering from severe and bloody uterine prolapses, hens covered in feces from birds in cages above them, and decaying bodies of dead hens left throughout the coop on floors, cage ledges and tops, and on carts.


ALDF's lawsuit is asking the Texas Agriculture Department, the Texas Department of State Health Services, and the Texas Animal Health Commission to protect public health, public safety, and animal welfare in accordance with Texas law.

Carter Dillard, ALDF's director of litigation, says the Texas Health and Safety Code provides that persons who receive live birds for confinement must keep coops, crates or cages clean,

must not overcrowd chickens confined in a cage, and must immediately remove all injured, diseased, or dead birds from coops, crates, or cages. "A lot of states prohibit what we see at Cal-Maine through their cruelty codes, but prosecutors just don't pursue charges when they ought to," explains Dillard. "This case is unique because the law is part of the state health and safety code. That's a little unusual, and it's specific, and to my knowledge this is the first time it's being used in a lawsuit in this way."

The lawsuit seeks to end immediately the abusive practices at the Waelder egg production facility, which Dillard describes as overcrowding of animals, unsanitary conditions, and dead, injured, and ill birds left totally unattended in cages along with live birds. "That's obviously cruel, but it's also a threat to human health and safety, because it means increased risk of various diseases like salmonella. There's a reason that the FDA's recall of eggs based on salmonella poisoning last summer was traced back to factory farms in Iowa — farms that look just like Cal-Maine's facility."

All three of the plaintiffs ALDF is representing consume eggs and are therefore in danger of contracting diseases that can be generated at dirty and improperly regulated egg production facilities.

"We want the agencies responsible for administering the law to do so," says Dillard. "The Texas law is a good law, and insisting that it actually be upheld is a reasonable request. What you see at Cal-Maine is the product of factory farming; it's inherent in the system. It's not just in Texas—it's everywhere those systems exist. And it's cruel." 

A dying hen lay trapped under her cage.

**"What you see at Cal-Maine is the product of factory farming; it's inherent in the system."**

— *Carter Dillard, ALDF's director of litigation*

Hens are caked with feces from birds above.

## Ban Wagon

*continued from page 8*

tragedy of puppy mills and kitten factories."

ALDF doesn't believe there is one type of system that is best for every jurisdiction. "In fact," says Otto, "I've drafted three different ways to regulate sales at the retail level. It's really dependent upon the city or county and their attitudes when it comes to choosing the type of approach that will best suit them." Otto notes that research and investigative work by the Companion Animal Protection Society was instrumental in helping ALDF





# ASK JOYCE

## Dear ALDF Members:

The following excerpt comes from a letter that ALDF received in response to our last newsletter, in which we wrote about the need for labeling eggs due to the terrible conditions that chickens are kept in by the egg industry:

*"...The article confirmed the horror of egg production practices – and doubled my own frustration in attempting to respond personally to the issue... It's easy to say, as your article does, 'simply avoid eggs altogether.' My request is that you help ALDF supporters give up eggs or reduce the use of them by writing a piece about how to do that."* —Jim from Michigan

## Dear Jim:

What a great question! You are grappling with a challenge that many of us face: a food that has been a central part of our diet conflicts with our ethical concerns about the industry's horrific treatment of animals. Happily, cooking without eggs has become remarkably easy and tasty, in addition to being better for your health and far kinder to those beleaguered chickens. All health food stores and an increasing number of mainstream grocery stores carry many products without eggs, including delicious mayonnaise, such as Nayonnaise and Vegenaïse, eggless breads, pies, cookies, pastas and other products. Plan an exploratory trip to the grocery store when you can take some time to read the labels.

There has been an absolute explosion of cookbooks with eggless recipes. For example, *Vegan Planet* has 559 pages of recipes, plus a list of

draft the model law.


Early results suggest bans on retail sales do have a positive impact. "The Albuquerque ordinance reports a substantial improvement in adoption and euthanasia rates," says Otto. According to Animal Humane New Mexico, since the ban began, animal adoptions in Albuquerque have increased by 23 percent and euthanasia at the city's shelters has dropped by 35 percent.

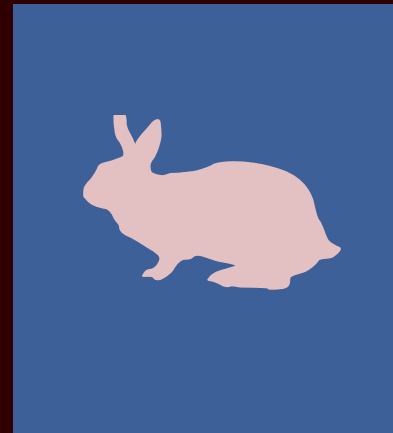
"Some jurisdictions are even considering a ban on the retail sales of all animals," says Otto, "but to date, most bans have been focused on dogs. I hope this is a trend toward a decrease in the number of animals who are

resources; *Skinny Bitch in the Kitch* is on many peoples' "A" list; and the oddly-titled *Veganomicon* is the most dog-eared cookbook in my kitchen. *The Joy of Vegan Baking* by Colleen Patrick-Goudreau has seven pages of suggestions for replacing eggs in your homemade baked goods. Among the options are two commercial "egg replacers:" Ener-G and Bob's Red Mill. Both are made from potato starch; they have a long shelf life and work beautifully. You can also replace eggs with bananas: 1/2 mashed banana equals one egg. Or, try applesauce: ¼ cup of unsweetened applesauce equals one egg. Silken tofu whipped in a blender helps make a rich, moist cake (1/4 cup equals one egg). I have tried many of the recipes in this book and I challenge anyone to make better lemon bars or crepes — my daughter and her friends swear by them.

Restaurants pose a challenge to diners with any sort of different diet — ask anyone who is a Weight Watcher, or is allergic to wheat or nuts. Be prepared to ask questions. Remember that, as a paying customer, you have the right to get what you want, and waiting staff are usually eager to please the diner. Plus, try out some of the vegetarian and vegan restaurants in your community. Remember that you aren't alone; there are many resources on the web and in the stores. I applaud your willingness to consider going eggless and hope you enjoy the process of finding delicious and healthful new foods. *For the animals —Joyce*

*If you have a question you would like to see answered in The Animals' Advocate newsletter, email Joyce Tischler, ALDF's Founder and General Counsel, at: askjoyce@aldf.org, or write to "Ask Joyce," Animal Legal Defense Fund, 170 East Cotati Avenue, Cotati, CA 94931. We regret that we are unable to publish answers to all questions. This column provides general information only. Each state and, in some cases, each county has its own rules and procedures, so please consult a local attorney to assure that you receive advice specific to your jurisdiction.*

marketed and sold in stores." Otto emphasizes that it is not ALDF's objective to entirely ban the sale of dogs from retail stores. "Some locales may opt for a system whereby a pet store can sell a dog, as long as the dog is obtained through a shelter or rescue organization," he explains. "If the store can come up with some sort of arrangement with a shelter or legitimate rescue organization, and there's still some financial incentive for them, that's fine. We're not saying no to all commerce. We're just saying we need to make sure that the sourcing of the animals is of the type that eliminates animals obtained from puppy mills and kitten factories." 



**Cooking without eggs has become remarkably easy and tasty, in addition to being better for your health and far kinder to those beleaguered chickens.**

**Many dogs sold in stores come from puppy mills like this one.**








Nonprofit Org.  
U.S. Postage  
**PAID**  
Tucson, AZ  
Permit No. 3341

170 E. COTATI AVE.  
COTATI, CA 94931  
www.aldf.org



CleanWatts Energy  
Green-e CERTIFIED

Printed with 100% New Wind Energy



printed on recycled paper

## INSIDE



**3** | Become a Partner in Protection!



**6** | ALDF Sues to Stop Egg Farm Abuse

# Getting On the Ban Wagon

*Cities pass ordinances banning sales of dogs and cats in pet stores*

**WEST HOLLYWOOD PASSED ONE IN 2010**, as did El Paso. Albuquerque passed theirs back in 2006, and the results have been spectacular. It's clear that cities across the country are committed to adopting ordinances that will reduce pet euthanasia rates and animal cruelty by regulating local pet stores.

With the assistance of the Animal Legal Defense Fund, municipalities from coast to coast are exploring ways to prohibit the sale of dogs and cats obtained from large-scale commercial breeding operations. Known as puppy mills and kitten factories, these enterprises put profit above animal welfare, producing cats and dogs with little regard for their health or genetic quality. The result is generation after generation of animals with congenital conditions and health problems, including musculoskeletal disorders (hip dysplasia, luxating patellas, etc.), epilepsy, feline leukemia, eye problems (cataracts, glaucoma, progressive retinal atrophy, etc.), heart disease, and kidney disease. "Breeding" animals are kept in overcrowded wire cages for their entire lives with little, if any, human contact or veterinary care.

Unfortunately, despite the shameful conditions, most are perfectly legal businesses, and they are major contributors to pet overpopulation and suffering. According to published studies, more than 90 percent of dogs and cats sold in pet stores come from puppy mills and kitten factories, with millions of these animals bred annually. Meanwhile, an estimated 3 to 4 million dogs and cats are euthanized in shelters every year.

Working to end this cycle of abuse, ALDF has drafted a model law used by cities to ban the sale of animals from enterprises that churn out puppies and kittens. "We helped draft the retail sales ban in West Hollywood and have also advised El Paso on their ban, as well as others under consideration," says Stephan Otto, ALDF's legislative affairs director. "The goal of these bans isn't to keep people from having companion animals. But one of the main conduits for puppy mill dogs is retail stores. So by having stronger regulations with retail sales, we can help stop the

*continued on page 6*