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HUMANE METHODS OF SLAUGHTER ACT OF 1977

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HEARING

BEFORE THE

SUBCOMMITTEE ON LIVESTOCK AND GRAINS

OF THE

COMMITTEE ON AGRICULTURE

HOUSE OF REPRESENTATIVES

NINETY-FIFTH CONGRESS

SECOND SESSION

ON

H.R. 1464

APRIL 25, 1978

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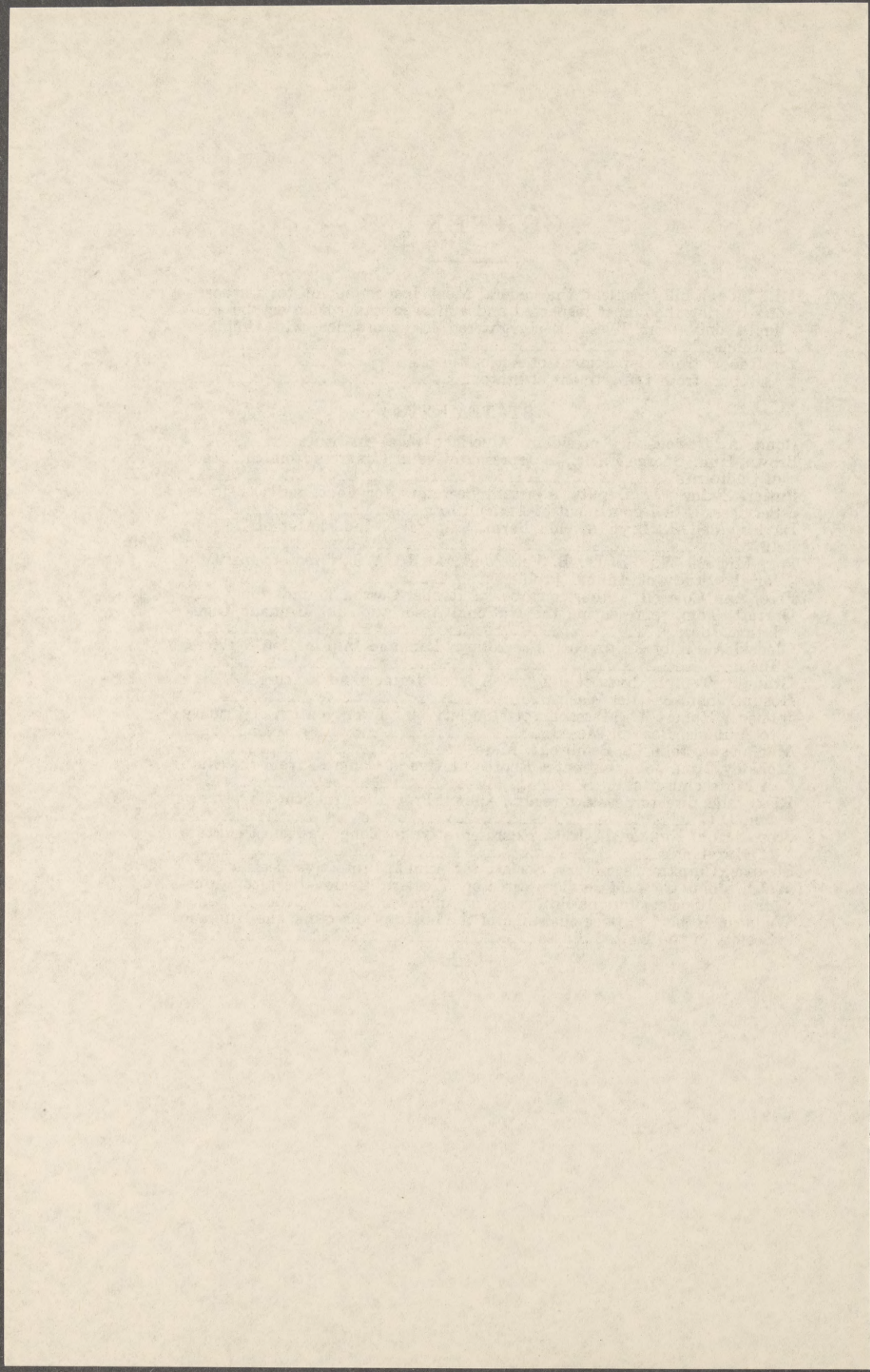
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HUMANE METHODS OF SLAUGHTER ACT OF 1977

TUESDAY, APRIL 25, 1978

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON LIVESTOCK AND GRAINS
OF THE COMMITTEE ON AGRICULTURE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 2:05 p.m., in room 1301, Longworth House Office Building, Hon. W. R. Poage (chairman of the subcommittee) presiding.

Present: Representatives English, Skelton, Glickman, Sebelius, Johnson, and Coleman.

Also present: Representative George E. Brown, Jr., member of the full committee.

Staff present: Eleanor S. Walsh, clerk; John C. Baize, E. Lee Musil, and Linda J. Miller.

Mr. POAGE. The subcommittee will come to order.

We meet today to hear testimony on the Brown bill, H.R. 1464, relating to humane methods of slaughter.

[The bill, H.R. 1464 follows:]

[H.R. 1464, 95th Cong., 1st sess.]

A BILL To amend the Federal Meat Inspection Act for purposes of requiring that meat inspected and approved under such Act be produced only from livestock slaughtered in accordance with humane methods

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Humane Methods of Slaughter Act of 1977".

SEC. 2. (a) Section 3 of the Federal Meat Inspection Act (21 U.S.C. 303) is amended—

(1) by inserting "(a)" immediately before the first sentence; and

(2) by adding the following new subsection at the end thereof:

"(b) For the purpose of preventing the inhumane slaughtering of livestock, the Secretary shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of the method by which cattle, sheep, swine, goats, horses, mules, and other equines are slaughtered and handled in connection with such slaughter in the slaughtering establishments inspected under this Act. All carcasses and parts thereof which are not slaughtered and handled in connection with such slaughter in accordance with a humane method of slaughter described in section 2 or designated under section 4(b) of the Act entitled 'An Act to establish the use of humane methods of slaughter of livestock as a policy of the United States and for other purposes,' approved August 27, 1958, as amended, shall be labeled 'Inspected and Condemned' and disposed of pursuant to section 4."

(b) Section 4 of such Act (21 U.S.C. 604) is amended by inserting the following immediately before the third semicolon therein: "and all carcasses and parts thereof of animals which were not slaughtered, or not handled in connection with such slaughter, in accordance with a humane method of slaughter as described in section 3(b)".

SEC. 3. Section 20(a) of the Federal Meat Inspection Act (21 U.S.C. 620) is amended by adding the following new sentence immediately after the first sentence thereof: "As part of the regulations described in the preceding sentence, the Secretary shall provide that no carcass, part of a carcass, meat, or meat food

product described in such sentence shall be imported into the United States after the ninety-day period immediately following the date of enactment of the Humane Methods of Slaughter Act of 1977, unless the livestock from which it was produced was slaughtered, and handled in connection with such slaughtering, in accordance with the methods described in section 2, or designated as humane under section 4(b), of the Act entitled 'An Act to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes', approved August 27, 1958, as amended."

SEC. 4. The amendment made by section 2 shall become effective ninety days after the date of enactment of this Act, and the amendment made by section 3 shall become effective on such date of enactment.

Mr. POAGE. Our first witness, Mr. Brown, is a colleague and member of the full committee.

Mr. Brown, we will be delighted to hear from you. We are applying a rule of 5 minutes to each witness, but because you are going to explain the bill we will understand if you run over.

STATEMENT OF HON. GEORGE E. BROWN, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. BROWN. Mr. Chairman and members of the committee.

It is an honor to be able to come before you today in support of H.R. 1464. This legislation seeks to broaden the scope of the Humane Slaughter Act of 1958, an excellent law sponsored by Chairman Poage.

This 1958 Humane Slaughter Act propelled the cause of animal protection many steps forward. Its strong provisions clarified humane methods of slaughter to be those methods which render all livestock "insensible to pain by a single blow or gunshot or an electrical, chemical, or other means that is rapid and effective before being shackled, hoisted, thrown, cast, or cut" or by slaughtering in accordance with the requirements of a religious faith. (Regulations increased the specificity of this act by narrowing these methods to : (1) gunshot, (2) captive bolt, (3) electrical stunner, or (4) carbon dioxide.) The 1958 act also specified, that these methods must be used by those meat slaughtering and processing plants which sell meat to the Federal Government.

The legislation being considered today, the Humane Methods of Slaughter Act, H.R. 1464, simply extends requirements for humane slaughtering methods to all federally inspected plants in the United States and all meat slaughtering and packing plants in other countries which export meat to this country.

This is accomplished by amending the Federal Meat Inspection Act. All Federal meat inspectors, both here and abroad, are required to check for application of humane methods of slaughter when carrying out their routine health inspections. If such methods are nonexistent, the meat will receive no stamp of USDA approval.

According to the U.S. Department of Agriculture, there are a total of 1,614 federally inspected plants of which approximately 150 do not use humane slaughter methods. Of the 32 States which have State inspection there are a total of 2,293 plants of which 126 do not use humane methods of slaughter. These 2,293 State-inspected plants would be covered by H.R. 1464 due to a law passed in 1967. This law required all States opting for State meat inspection over Federal inspection to match the Federal standards. In carrying this out,

Federal inspectors make periodic examinations of State-inspected plants to make sure that the State plants are meeting Federal standards. At the time of this Federal inspection, humane slaughter methods will also be one of the check points if H.R. 1464 is signed into law.

This brings me to the point that about 276 meat slaughterhouses in the United States will be affected by this bill, according to a telephone survey by the USDA. Though most plants have not been required to change to humane methods of slaughter I have been informed that many have done so for economic reasons. Less meat is lost due to bruising resulting from poor treatment.

About 99 percent of foreign meat packing plants which export meat to the United States are now using humane slaughterhouses. The single real exception is in Australia and New Zealand in the case of sheep slaughter, where throat-cutting is still the predominant method.

Under H.R. 1464, where inhumane methods are found, our foreign meat inspectors will not approve the meat. The Secretary of Agriculture shall refuse importation of such meat or meat product until humane methods of slaughter are implemented in the plant in question.

Basically, that is a summary of the bill's provisions. Other witnesses who will appear before you can address the status of humane slaughter both here and globally far better than I. Still I do wish to comment that it is my firm belief that any torture of animals during handling for slaughter and in the slaughter itself is needless and indefensible.

We have opened up new vistas in the production of food, both domestically and globally. Animal raising and slaughter is an enormous operation now as a response to increasing technological resources. It seems to me that steps should be taken to insure that animals which are raised and killed solely for our consumption are protected from unnecessary discomfort, pain, and terror. This legislation, if passed, will achieve that purpose. I urge the members of the committee to support this legislation.

I will close with a brief acknowledgement to Dr. Frederick Thomsen, president of Humane Information Services, who spent many years endeavoring to have this legislation become law. He recently passed away; but, in his usual unending devotion to the issue, dictated testimony on the bill which his assistant Ms. Gleockler will submit to the committee today. I just wanted to state for public record that Dr. Thomsen worked his entire life for improving animal protection. His tireless dedication has not gone unnoticed.

That concludes my remarks.

Mr. POAGE. We will not impose upon you, Mr. Brown, but we will be delighted to have you stay.

Mr. BROWN. I will do that, if it meets with your approval.

Mr. POAGE. We're glad to have you join in any questions.

Mr. BROWN. Thank you very much.

Mr. POAGE. Our next witness will be Mr. Sydney J. Butler, Deputy Assistant Secretary for Food and Consumer Services, U.S. Department of Agriculture.

Mr. Butler, we will be pleased to hear from you for 5 minutes.

STATEMENT OF SYDNEY J. BUTLER, DEPUTY ASSISTANT SECRETARY FOR FOOD AND CONSUMER SERVICES, U.S. DEPARTMENT OF AGRICULTURE, ACCOMPANIED BY DR. CALVIN H. PALS, STAFF OFFICER, INSPECTION STANDARDS AND REGULATIONS STAFF, TECHNICAL SERVICES, MEAT AND POULTRY INSPECTION PROGRAM; AND DR. WILLIAM DUBBERT, ACTING DIRECTOR, TECHNICAL SERVICES, MEAT AND POULTRY INSPECTION PROGRAM

Mr. BUTLER. Thank you, Mr. Chairman.

My name is Sydney J. Butler, I am speaking on the Department of Agriculture's Food and Consumer Services Division, the Food Safety and Quality Service.

On my right is Dr. William Dubbert, who is the acting director of the technical services within the Food Safety and Quality Services, and on my left is Dr. Calvin H. Pals, staff officer in the technical services branch.

I am here today to testify for the Department on H.R. 1464, a bill "To amend the Federal Meat Inspection Act for purposes of requiring that meat inspected and approved under the act be produced only from livestock slaughtered in accordance with humane methods."

H.R. 1464 would amend sections 3 and 4 of the Federal Meat Inspection Act to require that all plants operating under Federal meat inspection to adopt humane livestock handling and slaughter practices, in accordance with the provisions of the Humane Slaughter Act of 1958, within 90 days of enactment. Livestock not handled and slaughtered in accordance with humane methods would be condemned and destroyed.

States operating cooperative meat inspection programs would also be required to adopt humane methods of handling and slaughtering livestock. H.R. 1464 amends title I of the Federal Meat Inspection Act, and States are now required to operate their inspection programs in a manner at least equal to the requirement of title I.

H.R. 1464 would, in addition, require foreign countries to adopt humane methods of handling and slaughtering livestock. Foreign countries would have 90 days to adopt humane methods, and countries or individual plants failing to do so would no longer be permitted to export meat products to the United States.

The Department strongly favors measures which will lead to more humane methods of handling all animals. As the subcommittee is aware, the Department has responsibility for enforcing the provisions of the 1958 Humane Slaughter Act and other animal welfare acts.

However, we feel H.R. 1464 should be amended in the following areas:

First, this Department is troubled with the provisions which would require foreign countries to accept our values with respect to humane methods of handling and slaughtering livestock. Although almost all foreign countries exporting to the United States have already adopted humane methods, those few who do not might well view H.R. 1464 as an unwarranted intrusion in their internal affairs.

More importantly, however, the requirements of H.R. 1464 with respect to foreign plants are a nontariff trade barrier. Thus, the bill is inconsistent with this country's efforts to reduce such barriers to trade.

Second, the penalty provision of the bill—to destroy for food purposes the carcasses of animals not handled or slaughtered in a humane manner—is inconsistent with a basic mission of the Department. That mission is to encourage the greater production of wholesome food in a world chronically short of such food.

We believe that a more appropriate penalty would be to permit the Department to withdraw inspection from a violator firm or assess a monetary fine until the firm agreed to conduct livestock handling and slaughter humanely.

Three, most slaughtering firms would be able to adjust their operations and facilities in order to comply with the new requirements within 90 days of enactment. A few firms, however, could not because of the need to make major adjustments in plant construction. Equipment manufacturers might also have difficulty filling all orders within 90 days.

States operating inspection programs would also need time to amend their laws and regulations. In some cases, this could take 2 to 3 years. For these reasons, we believe H.R. 1464 should be amended to provide the Secretary with authority to grant, with good cause, extensions of time.

In conclusion, the Department supports H.R. 1464, but believes it should be amended for the reasons outlined above. Because of our commitment to humane slaughter, however, we look forward to working with the sponsors of the bill, this subcommittee, and the bill's supporters from the community at large with the hope of developing a consensus of this important topic with which the administration can concur.

Thank you.

Mr. POAGE. Thank you very much for your statement. We appreciate it.

Our next witness will be Mr. Dewey Bond, vice president of the American Meat Institute, Washington, D.C. Mr. Bond has been with us many times, and we're glad to have you.

STATEMENT OF A. DEWEY BOND, VICE PRESIDENT, AMERICAN MEAT INSTITUTE

Mr. BOND. My name is A. Dewey Bond. I am vice president of the American Meat Institute, national trade association of the meatpacking industry. Our membership includes about 350 meatpackers and processors doing business in all 50 States.

The American Meat Institute supports H.R. 1464, the Humane Methods of Slaughter Act of 1977. This legislation would extend the requirements of the present law, enacted in 1958, so that all meatpackers operating under Federal meat inspection would be required to use humane methods of slaughter.

The present law provides that only those slaughterers using humane methods are qualified to supply livestock products to agencies of the Federal Government and must provide a certification that the firm is qualified. The Secretary of Agriculture is required to identify animals humanely slaughtered in accordance with the statute. The method the Secretary has chosen to do this is through periodic publication in the Federal Register of establishments that are in compliance for each species of livestock.

The American Meat Institute urges approval of this legislation for the following reasons:

We believe a universal requirement of humane treatment should be adopted because it is the right thing to do.

The great majority of the industry is already in compliance in order to qualify to sell to Federal agencies, and it would, therefore, not represent a significant burden to the total industry to make humane slaughter a universal requirement.

The experience of our members has been that humane slaughter methods are efficient methods. They result in improved productivity, and the formerly held beliefs that product quality would suffer have been proved to be without foundation.

The Department of Agriculture would be relieved of the costly procedure and paperwork involved in identifying complying establishments.

The Department of Agriculture would be relieved of the costly procedure and paperwork involved in identifying complying establishment

If this legislation is enacted, all slaughterers would be required to use methods designated in regulations issued by the Secretary of Agriculture. These methods currently require rendering an animal insensitive through the use of carbon dioxide gas or stunning with electricity or mechanical stunning devices.

The bill specifically requires that all imported meat and meat products be derived from humanely slaughtered animals. Ninety days are provided for both domestic and foreign firms not now in compliance to adopt approved methods.

According to information supplied by the Food Safety and Quality Service at the U.S. Department of Agriculture, there were on February 14, 1978, 197 establishments out of 1,771 federally inspected slaughtering establishments which were not on the certified list of plants using humane methods for slaughter. The division of these plants by species were: cattle, 19; calves, 74; goats, 74; swine, 104; and sheep, 123. This would add to more than 197 because an establishment generally slaughters more than one species. The effect of this legislation would be greater on the smaller packer who slaughters several species of livestock.

Compliance with this legislation results in a problem greater than simply purchasing a captive bolt gun to stun cattle. Hog slaughterers must redesign their present lay-out and by added equipment such as bleeding tables. Therefore, the institute recommends that H.R. 1464 be amended to provide 1 year for domestic and foreign plants to come into compliance.

Since passage of the Wholesome Meat Act in 1967, all State inspection programs in the United States are required to be at least equal to requirements under the Federal act. Since this bill, in effect, amends the definition of adulteration, it is our view that the State inspection programs would automatically have to conform to the new requirement of universal humane slaughter.

Congressman Brown in his statement did clarify one point with me, and that is on page 2, section b, line 5 of the bill. He indicates in the bill "For the purpose of preventing inhumane slaughtering of livestock, the Secretary shall cause to be made, by inspectors appointed for that purpose." We don't believe it is Mr. Brown's intent to have

another layer of inspectors just called inhumane inspectors. We think he meant—at least he said so in his statement—that Government meat inspectors would do this. Is that right Congressman Brown?

Mr. BROWN. Yes, that's correct.

Mr. BOND. Good; thank you.

In conclusion, the American Meat Institute endorses this legislation, but requests that the 90-day period for compliance be extended to 1 year.

Mr. POAGE. We thank you very much. I want to commend our witnesses for staying within the 5-minute time limit. I want to call attention to the fact that we would be pleased if you could stay until all the witnesses have been heard and then possibly give members an opportunity to question the witnesses. We're not trying to work a hardship on anyone. So if you cannot stay, we understand.

Our next witness is the mother of this whole idea of humane slaughter, Mrs. Christine Stevens. She talked to me about this longer ago than you would judge from looking at her. You can see what has happened to me over the years, and you will know that it was a long time ago that she started working on this humane slaughter law. We thought we had a good law, but we realize that as times change the need for legislation changes.

We're very happy to have you Mrs. Stevens. She is the president of the Society for Animal Protective Legislation in Washington, D.C. We would be delighted to hear from you.

Mrs. STEVENS. Thank you very much. I wanted to mention this in the record that when you took the members of the committee to see the slaughterhouses back in 1956, that is the basic reason that we have a Federal humane slaughter bill. Naturally, it was a long, hard fight that you so successfully waged, but that was the beginning of it.

We are eternally grateful to you for having done that.

I think everybody really does know that you are the creator of the humane slaughter bill. I would like to have my testimony placed in the record.

Mr. POAGE. The Chair will state that all witnesses may have their statement placed in the record, if they care to.

[The prepared statement submitted by Mrs. Stevens follows:]

SOCIETY FOR ANIMAL PROTECTIVE LEGISLATION

P. O. Box 3719

Georgetown Station

Washington, D. C. 20007

STATEMENT IN SUPPORT OF H. R. 1464 TO EXPAND THE
SCOPE OF HUMANE SLAUGHTER ACTBefore the Subcommittee on Livestock and Grains
House Agriculture Committee, April 24, 1978

by Christine Stevens, Secretary

On behalf of the Society for Animal Protective Legislation, I wish to express strong support for H. R. 1464 introduced by Representative George Brown. This is legislation which is long overdue. In 1956, through the leadership of Chairman Poage, several members of this Committee visited slaughterhouses en route to the Democratic Convention in Chicago. They did this to see firsthand whether the complaints by humane organizations concerning slaughterhouse cruelty were well founded. This trip did more than any other single thing to bring about passage of the third federal law to protect animals. The horrors of the 1956 packing house floors gave the evidence in the strongest possible way of the need for the Federal Humane Slaughter Act which became law in 1958 and went into effect in 1960.

The public demand for the law was so overwhelming that President Eisenhower was reported in the press as saying that if he went by his mail, he would think the main interest of Americans was humane slaughter. There was a general revulsion against eating meat from animals that died in pain and fear. A large proportion of that pain and fear was prevented when the law went into effect in 1960; however, the question of killing methods in foreign slaughterhouses from which meat is exported to the United States was not addressed. The Brown bill wisely requires foreign packers who wish to use the U. S. market to adhere to humane standards equivalent to those we require from our packers.

Without this requirement, the consumer may unwittingly support cruel slaughtering methods in other nations by purchasing inhumanely killed meat.

Adherence to sanitary standards is already required with regard to foreign meat. Humane standards should be mandatory, too. We should

not accept the meat from animals rendered helpless by the nape-stab, for this does not cause unconsciousness, only inability to move. Instant stunning or anesthetization humanely accomplishes the same purpose, and it should be substituted wherever the nape-stab is still used.

Abuses, such as the hideous practice of putting out the eyes of cattle to make them easier to handle, should be discouraged by eliminating any possibility that the meat from these tortured creatures reaches U. S. dinner tables.

Fortunately, many of the countries from which we import meat have humane slaughter laws of their own. Danish law on this subject is excellent, and Carbon Dioxide anesthetizing devices for hogs have been sold all over the world from Denmark.

Various types of legislation are in effect in the different Australian states and New Zealand so that, with certain modifications, there should be little difficulty for these nations to meet the requirements of H. R. 1464.

According to information compiled by the International Society for the Protection of Animals and the World Federation for the Protection of Animals, the following nations have both general anti-cruelty laws and humane slaughter laws (in addition to the countries already mentioned): Argentina, Austria, Belgium, Canada, Eire, Finland, France, Federal Republic of Germany, Gibraltar, Greece, Hong Kong, Italy, Japan, Kenya, Luxembourg, Malta, Netherlands, Norway, Rhodesia, Sweden, South Africa, Switzerland, Tanzania, Tasmania, United Kingdom, and U.S.S.R. Spain also has a humane slaughter law, but it is inadequately enforced. These laws, of course, are not uniform. However, any country with a basic law could readily bring it into conformance with the requirements of H. R. 1464 if it desired to sell meat or meat products in the United States.

The provisions in H. R. 1464 which would tighten enforcement of our domestic legislation are well thought out and welcome. We support the entire bill.

We would support a further strengthening amendment, a provision which passed the House of Representatives in 1958 but which failed to get through the seven-hour floor fight in the Senate when the

meat packing industry pulled out all the stops in an effort to defeat the bill. That is, the requirement that pre-slaughter handling of kosher slaughtered animals meet the same humane standards as those required for all other livestock. The actual religious ritual is not in question. The schochet's skilled cut with a long and perfectly sharp knife is nearly the equivalent of beheading, and the extremely rapid loss of blood in the brain which it causes brings unconsciousness in seconds. Kosher slaughter can properly be designated as a humane method. Unfortunately, the method of pre-slaughter handling for kosher slaughter often is not humane, because U. S. Department of Agriculture sanitary standards do not allow the traditional method of casting large animals on to the floor. Thus these heavy steers are, in some cases, hauled up by one leg where they may struggle for a considerable time, which may result in broken or dislocated legs or split pelvises.

In the past twenty years, several different pens and other devices have been developed to substitute for the shackling of conscious animals before kosher slaughter. The ASPCA pen has been installed in some slaughterhouses. Another system has been researched at the University of Connecticut's College of Agriculture and Natural Resources. The newest method of all was developed by Temple Grandin who is testifying today and can describe how the system works.

We believe that the provision that conscious animals not be shackled and hoisted (as required for non-kosher-killed animals in existing law) should now be extended to all slaughtering covered by H. R. 1464. This is of the greatest importance as it applies to heavy animals. Such a requirement will in no way prevent religious practices from continuing. In fact, it will complement and assist them. For we understand that kosher beef killed in this country was, in at least one instance, refused entry to Israel because of injuries the animals had suffered through shackling and hoisting. It must be remembered that kosher slaughter represented an important humane as well as hygienic advance in the ancient world. Animals must not be injured prior to killing. If they are, the meat does not meet religious standards. It is thus desirable from every standpoint to use a harmless, painless way of positioning animals for kosher slaughter.

Humane pens have been in use in Britain and many European countries for decades. I would submit for the use of the Subcommittee a copy of The Council of the European Communities directive on the subject of humane slaughter.

We have a duty, too, to the birds which supply so much meat and so many eggs to nourish us. They are not covered under the existing law, nor in H. R. 1464. Most poultry are electrically stunned prior to slaughter; therefore, it would not be difficult for the industry to comply with a humane slaughtering requirement. Although I am not familiar with kosher slaughter of poultry, the problem of positioning as in pre-slaughter handling of heavy animals would not occur since birds are so light. We hope that the inclusion of poultry might prove to be acceptable to all, for it would indeed be wise for this Subcommittee to complete the task it began twenty-two years ago, and ensure that the principles laid down in existing law extend to all kinds of creatures used by Americans for food.

H. R. 1464 would make the Federal Humane Slaughter Act more effective by increasing coverage in this country and extending it abroad by providing stronger incentives for strict compliance, and by providing daily inspection of slaughtering practices. It would be highly economic because USDA inspectors are already in the plants, thus there is no need to increase personnel. We urge its prompt enactment.

Mr. POAGE. Thank you very much Mrs. Stevens. We appreciate your statement.

Speaking only for myself, I think you have touched upon the most misunderstood and overlooked feature of humane slaughtering and that is the religious exemption. I was for and I am for the religious exemption. I believe all people ought to have a right to handle their food in the manner that their religion teaches it should be handled.

If I understand anything about the religion, the positioning is not a part of the religious ritual at all, but it is simply for the convenience of those who are conducting the slaughtering. Unquestionably, the use of the hoisting wheel is the most painful and the most inhumane practice now carried on in American slaughterhouses. It is only carried on in those houses that are professing to try to meet religious ritual. I know that other countries prohibit it. I know that there is no outcry that it is a violation of religious rights. So I know of no reason why it should be in the United States if it isn't in England. I appreciate your frankness in talking about it.

Too often, witnesses here have been reluctant to even discuss this subject. But it is a matter of real importance, as I see it. I congratulate you.

Mrs. STEVENS. Thank you very much.

Mr. POAGE. Our next witness is Ms. Temple Grandin, the livestock editor of the Arizona Farmer and Rancher.

[The prepared statement and attachment thereto submitted by Ms. Grandin follows:]

STATEMENT OF MS. TEMPLE GRANDIN, LIVESTOCK EDITOR, ARIZONA
FARMER AND RANCHER

My name is Temple Grandin, Grandin Livestock Handling Systems, Tempe, Arizona. I am a designer of slaughtering and livestock handling facilities for meat packing plants, feedlots, ranches, and auctions. I have served as a consultant on livestock handling and slaughtering equipment for packing plants throughout the United States. I am chairman of the Livestock Handling & Services Committee for Livestock Conservation and I have written papers on livestock handling and slaughter equipment design for the American Society of Animal Science and the American Society of Agricultural Engineers. My publications on animal handling have appeared in livestock magazines throughout the U.S. and in foreign countries.

I am testifying today in favor of H.R.1464 to amend the Federal Meat Inspection Act for the purpose of requiring that meat inspected and approved under such act be produced from livestock slaughtered in accordance with humane methods.

The use of the proper equipment is essential for humane slaughter. It is also of the utmost importance that this equipment is operated correctly. I have seen some people do some terrible things to animals in Federally inspected plants. One day I walked around the corner of a plant and caught a person in the act of ramming an electric prod 12 inches down a steer's throat, because the animal refused to enter the stunning pen. The animal was lying on the floor of the leadup chute and the man just kept shoving the prod deeper down its throat.

In order to prove that the humane way is the profitable and economical way I worked as the stunner operator in this plant for six, ten-hour shifts. The employees were amazed that I could get the animals into the chute much faster by treating them gently. At the end of the week I had reduced their bruise losses, and down time losses by about 50%.

At another large Federally inspected plant the stunner operator took a sadistic delight in shooting both the animal's eyes out with the stunner before he killed it. He thought it was funny and he would jump up and down and laugh. Several other employees were shocked by his behavior and wanted to have him removed. I have also seen people poke an electric prod up into an animal's rectum and I have seen hogs beaten and kicked.

I have also witnessed Federally inspected plants which did not use approved slaughter methods. In one plant calves were shackled and hoisted live and their throats were cut without stunning. These calves were being processed for the NON Kosher trade. In State in-

spected plants the shackling and hoisting of live pigs is a common occurrence. One of these plants was located in a state which has its own humane slaughter law.

Humane slaughter should include the entire process from when the animal gets off the truck in the packer's yards until it is dead. The humane way is the profitable and economical way. Bruises caused by rough handling are costing the beef industry 45 dollars to 49 dollars per 100 head of cattle slaughtered. These figures are from a January-February 1978 survey conducted by Livestock Conservation Institute. Bruised meat has to be trimmed off and sent to rendering. It can not be used for human food. One rough handler in the yards or a careless stunner operator who slams the stunning pen door on the backs of cattle can cost a packer hundreds of dollars each day. Rough treatment and kicking hogs can destroy the hams. 66% of all hog bruises occur in the hams.

I have seen stunner operators turn live cattle loose in the plant just for fun. In one instance a terrified animal ran around the plant, and wrecked over \$1000 worth of equipment, and employees were injured. Loose animals in the plant create a highly dangerous situation for the employees. I could go on and on with examples of people being deliberately cruel to livestock.

Another big problem in many plants is poorly designed equipment. Improperly designed chutes make it difficult to persuade the animals to enter the stunning area and the employees will often react by getting angry at the animals. In some large beef plants two or three steers are placed in a single stunning pen compartment. After the first animal is shot with the stunner the others will step on it. The trampling causes severe bruising and the two animals which are still alive will sometimes panic. At one plant replacement of this old style stunning pen with a modern restrainer system made it more humane for the cattle and safer for the employees. With the old stunning pen the plant had a record of one or two serious accidents to the shacklers such as broken arms every year. The new system practically eliminated the accidents, and it paid for itself in a little over a year by reducing bruising.

The humane slaughter of livestock requires the use of the proper equipment by skilled conscientious operators. In order to insure that the live animals are handled in a humane manner the Federal Meat Inspectors should inspect the slaughtering operation and the handling of livestock in the corrals daily. Inspectors should report abuses and offending plants should be punished. This could be accomplished without any additional personnel!

Improper stunning can often be detected by the inspector at the head rail, when he examines the heads for signs of disease. When cruel animal slaughtering practices occur in a plant the inspector usually knows about it. He just needs to have the authority to stop it.

I would now like to discuss Kosher slaughter. The shackling

and hoisting of large heavy steers is a common occurrence in Kosher plants. Much of the Kosher beef is now produced in large high speed plants which are located in the midwest. In one of these plants up to five live steers would be shackled at once and sometimes they hung for five to ten minutes bellowing and kicking before being slaughtered. The frantic bellows of the animals could even be heard in the office and from the parking lot. Shackling and hoisting is a common practice in midwestern Kosher plants.

I am not condemning shehita. I am directing my comments to the PRESlaughter handling of large heavy cattle. The practice of shackling and hoisting should be eliminated. There is already a restraining chute available for the plants which handle under 50 head per hour and I have developed a new restraining chute for Kosher slaughter which could handle up to 100 head per hour. This new chute is an improvement over existing restraining chute technology for humane preslaughter handling for Kosher slaughter. The technology is now available for humane preslaughter handling for Kosher slaughter and it should be used.

I have discussed the problem of shackling and hoisting of large beef animals with rabbis and shochets who work in the Kosher plants. They were most receptive to the development of a better method of restraining large cattle. One shochet stated shackling and hoisting was cruel. Another problem with shackling and hoisting is the extreme safety hazard to the shochet and the plant employees. In one plant the employees had to wear football helmets to prevent themselves from being kicked in the head by cattle. After the animal is hoisted on the shackle a pincer is placed in its nose and the nose is jerked when an air cylinder attached to a pulley stretches the animal's neck.

Kindness and humaneness to animals is referred to in both the Bible and the Talmud. The Talmud contains specific instructions concerning the throat cut to insure that the throat cut is painless. Even though the actual slaughter itself causes little or no pain, the preslaughter handling of large beef cattle by shackling and hoisting is very painful.

The Babylonian Talmud contains a direct reference to the importance of kindness to animals both during and prior to slaughter. Below is a quote from the Talmud. "A calf was being taken to slaughter, when it broke away, hid his head under rabbi's skirts, and lowed (in terror). The rabbi said, 'for this thou was created', Thereupon they said (in Heaven) 'Since he has no pity, let us bring suffering to him.'" It was decreed in Heaven that the rabbi had no compassion and he was punished.

The rabbinical scholar Epstein who edited the English translation of the Babylonian Talmud notes, "Great importance is attached to the humane treatment of animals, so much so that it is declared to be as fundamental as human righteousness." For more information on Kosher slaughter an article I wrote entitled "Kosher Beef Kill" which appeared in Meat Industry Magazine has been included in the

record.

Requiring plants which slaughter Kosher beef to use a restraining chute for large steers will insure that Kosher beef is produced in accordance with the principles of kindness and humaneness which are specified in the Bible and Talmud. Kosher plants which slaughter heavy cattle could convert to restraining chutes within two years since the technology is available. In most instances the restrainers would pay for themselves quickly by reducing labor requirements and reducing accidents. Plants handling calves and sheep could convert from shackling and hoisting when restraining equipment becomes available. Improvement in the preslaughter handling of large cattle in Kosher plants will insure that the beef obtained from these animals is really Kosher.

I also support the provision in the bill to amend Sec. 3 Section 20(q) of the Federal Meat Inspection Act (21 U.S.C. 620) to require foreign meat which is imported into the United States to be slaughtered by humane methods.

In conclusion I would like to state that the humane treatment of animals is a moral necessity. This fact was vividly shown when a blind friend of mine visited a meat packing plant. She touched the animals as they walked up the ramp to die and stated, "We through respect for these animals can come to respect our fellow man as well."

(The article, "Kosher beef kill," from Meat Industry, May 1977, is held in the subcommittee file.)

Ms. GRANDIN. I'd like to add that I agree with the USDA that the meat should not be thrown away. That's ridiculous. A plant could be fined or their name publicized on some list, or some other method of punishment. Throwing the meat away is unacceptable.

You might say that it would be a lot of work for the inspectors to detect improper slaughter methods, but really it's pretty easy.

Mr. POAGE. Our next witness will be Mr. John Walsh from the International Society for the Protection of Animals.

Mr. Walsh, we're pleased to have you with us.

[The prepared statement submitted by Mr. Walsh follows:]

STATEMENT
John C. Walsh
Field Services Director
International Society for the Protection of Animals
Western Regional Office
Boston, Massachusetts

Mr. Chairman and Members of the Subcommittee:

Our organization was incorporated in the United States in 1959 and currently our membership includes 148 animal protection and conservation organizations in 50 countries. The humane transport and slaughter of livestock has been one of our goals since the Society's inception. To accomplish these goals, field teams from our Boston and London offices have carried out an on-going program of humane slaughter demonstrations in many countries of Africa, Asia, Europe as well as Central and South America.

Our organization is in support of H.R. 1464. Due to the limitation of time on statements presented today, I will address my remarks only to that section of the Bill which extends coverage to foreign plants that export meat to the United States. In the future, I am hopeful that discussions will include some of the problems inherent in the transport of certain forms of livestock destined for slaughter.

The most recent information available to our organization indicates that more than 30 countries are authorized to export meat to the United States. Many of these countries do not have regulations requiring humane slaughter methods, however, humane slaughter methods are practised in most of those foreign plants authorized to export to the United States. Currently, the most notable exception is the slaughter of lambs and sheep in Australia, although Australian export abattoir requirements adequately cover other forms of livestock.

Whereas some members of the Subcommittee may not be totally familiar with some of the current stunning methods, I have with me a short film depicting these stunning methods including captive bolt, explosive concussion, electricity and carbon dioxide. I will make this film available to members of this Subcommittee as I believe this film will demonstrate the ease with which slaughter plants can employ modern stunning methods over the traditional devices formerly used. I have also brought several of these stunning devices with me which adequately demonstrate the concussion and captive penetrating bolt methods.

Evidence indicates that authorized export plants using humane slaughter methods have set an example for other plants in their respective countries. This has resulted in a wider humane ethic toward livestock. In a practical sense, the overall economic picture is improved.

By employing humane slaughter methods;

- a) production is increased due to greater efficiency through accuracy
- b) there is less loss of meat due to bruising, which results from the improperly stunned animals falling and thrashing about, and
- c) greater safety is afforded the workers by immediately immobilizing the animals.

This improved production and resulting increase in protein availability is the goal of your Subcommittee.

In my opinion, the passage of H.R. 1464 would cause no undue hardships on foreign establishments as a variety of humane stunning instruments are available to those establishments not now using them for lambs and sheep. Effective as of October of last year, the government of New Zealand required humane slaughter for all livestock. Some individuals who have watched the situation in New Zealand feel that this may be directly as a result of the proposed legislation we are discussing today.

Public law 85-765, also known as the Humane Slaughter Act, establishes "the use of humane methods of slaughter of livestock as a policy of the United States" (and other purposes). The United States Government's concern for the humane treatment of animals is not unknown to the governments of other nations.

Public law 818, passed by the 80th Congress, prohibits the importation of foreign wild animals and birds under conditions other than humane. Recently enacted public laws provide for the humane taking and importation of marine mammals. The Endangered Species Conservation Act provides for safeguards as well.

The United States Government has taken a world leadership role in conducting research to find a more humane method to be employed in the taking of fur seals and has expressed concern about the cruel methods employed by certain nations taking whales. We have seen new federal laws providing greater protection for animals within the United States. This lends evidence of increasing public concern about the welfare of animals, both wild and domestic.

Almost 18 years have passed since the Humane Slaughter Act became effective. Hopefully, through the enactment of H.R. 1464, greater protection will be provided for all forms of livestock. I would like to take this opportunity to thank the members of this Subcommittee for conducting these hearings.

Thank you.

Mr. POAGE. Mr. Walsh, we thank you for an interesting discussion. For all those who would like to see your film I would suggest that we might show it in this room or in the other hearing room after we have completed the hearing. We are glad that you brought it. I think we often get more information from one picture than we do from a great deal of discussion.

So, we thank you for bringing that.

The next witness is Mr. John C. Macfarlane from Pembroke, Mass.

STATEMENT OF JOHN C. MACFARLANE OF PEMBROKE, MASS.

Mr. MACFARLANE. Thank you Mr. Chairman, My name is John Macfarlane. I have worked with livestock producers, transportation agencies, stockyards, auction markets, and packers, since 1923. I am a past president of the Livestock Conservation Institute, a present member of its board of directors, and I am serving the National Office of the American Humane Association as its livestock handling consultant.

After the passage of Public Law 85-765, known as the Humane Slaughter Act, I was appointed by the Secretary of Agriculture to the advisory committee that was one of the act's mandates, and I served on that committee until it was discharged and its responsibilities fulfilled. The 1958 act answered many questions, and it gave assurance to the general public that livestock dressed in plants doing business with agencies of the Federal Government would be handled and slaughtered in accordance with our Federal policy. It did, however, leave many questions unanswered. Inasmuch as the 1958 act did not include all packers, it became incumbent upon the various States to enact laws of their own, if all animals slaughtered for humane needs were to be handled and killed in a humane manner.

Since 1958, only 26 States have seen fit to do so. In this enlightened moment in our history, when we are becoming more and more involved with human rights, hundreds of thousands of cattle, calves, sheep, swine, and other food animals are being handled and slaughtered in plants, many of which have never heard of a humane slaughter act. Let me, at this moment, pay tribute to an old friend, Dr. Fred Thomson, who passed away earlier this month. A very sincere and dedicated man who devoted many years of his life to animal welfare. If he could be with us today, he would speak most eloquently in favor of H.R. 1464.

Section 2 of the 1958 act is quite clear. It spells out that policy of our Government relative to the humane handling and slaughtering of livestock. Nothing has been written since to alter that policy. I suggest, however, that we have not succeeded in fully complying with it. Passage of H.R. 1464 would go a long way toward implementing the 1958 act and correct some of its weaknesses.

We purchase meat and meat byproducts today from more than 30 countries around the world. While it is true that some of the packers involved do comply with our Federal humane policy, it is also true that many do not. It is difficult for me to equate foreign livestock handling, preslaughter stunning and slaughtering, with our own.

We physically handle and process more cattle, calves, sheep, swine and other food animals per hour than any other country on earth. We are also the most careless and most wasteful. Passage of the bill we are

addressing ourselves to today would correct many of our own costly and unnecessary shortcomings. After all, what does it serve for us to demand that American packers handle their livestock in compliance with our Federal policy, and at the same time, permit foreign packers to use handling and killing methods that would turn many people into vegetarians. As a matter of fact, some of the killing methods I have witnessed in this country and in foreign lands would scare a gangster. For the most part, food animals handled in foreign countries are subjected to much less stress than our own. Perhaps the greatest benefit to animals that would result from passage of H.R. 1464, would be right here in the United States. Certainly all packers would have to review their systems of handling, preslaughter stunning, and methods of exsanguination, and that would be a long step in the right direction.

I have studied livestock housing, transportation, handling and slaughtering in 35 countries throughout Europe, the U.S.S.R., Asia, and Africa, and while it is true that animals in foreign lands are handled more quietly and with less stress than they are here, methods of the kill often leave much to be desired. We cannot, and must not, compare all foreign packers with our own. We are geared up for mass production, and we are constantly trying to increase the speed of our chains. This is not necessarily true in foreign countries, at least not yet. As the need increases for foreign packers to increase their production, they too will increase their killing speeds, and this bill will serve to act as a steadying influence when such changes do occur. They will; it is only a matter of time.

In my opinion, the cost of implementing H.R. 1464 would be minimal. We have inspectors in the foreign plants from which meat and meat byproducts are exported to our country. It should not be necessary to increase our meat inspection personnel to any large degree. Having discussed this bill with several Federal inspectors, I believe they can live with it quite well. Certainly our Federal Department of Agriculture can handle the job and do it well. I have worked closely with our USDA and, in my opinion, there is no other service organization in the United States that is more dedicated and more capable.

I would, however, like to recommend one change in the text of H.R. 1464. In section 4, which reads as follows, "The amendment made by section 2 shall become effective ninety days after the date of enactment" should be changed to read as follows, "The amendment made by section 2 shall become effective six months after the date of enactment." In my opinion, 90 days does not give packers enough time to comply. It may even be necessary to extend the time to 1 year, as was done in 1958-59. Mr. Chairman, I am very grateful for this opportunity to say a few words in favor of H.R. 1464. Personally, I miss the strong support of the late Senator Hubert Humphrey. It was just about 20 years ago that I testified in favor of the 1958 act, and I shall always remember his strong support, and the support we received from another strong supporter who is still with us, Mr. Poage himself.

I trust that this subcommittee will give H.R. 1464 a favorable report. I'd like to add one other thing, Mr. Chairman, as Temple Grandin brought out, no method of humane handling is any more humane than its human counterpart will permit it to be. Thank you.

Mr. POAGE. Thank you very much Mr. Macfarlane. Our next witness is Robert A. Johnson from the Massachusetts Society for the Prevention of Cruelty to Animals.

Mr. Johnson, we'll be pleased to hear from you.

**STATEMENT OF ROBERT A. JOHNSON, MASSACHUSETTS SOCIETY
FOR THE PREVENTION OF CRUELTY TO ANIMALS, BOSTON, MASS.**

Mr. JOHNSON. Mr. Chairman, my name is Robert A. Johnson. I am employed by the Massachusetts Society for the Prevention of Cruelty to Animals as director of agricultural education.

I will be brief in my remarks, for I simply wish to convey our strong support for H.R. 1464.

By way of a brief description, the Massachusetts SPCA is the largest humane organization in the United States today, employing approximately 300 people. It consists of a headquarters in Boston, eight branch shelters, a farm, law enforcement department, animalport, four separate veterinary facilities, and an educational department for national distribution of humane information.

Our history of involvement with livestock dates back over 100 years. We are actively involved with local youth groups such as 4-H and FFA, as well as local and national agricultural and livestock groups, land-grant colleges and others who deal with the livestock industry.

Like others in this room, we were active participants during the 1939's, 1940's, and 1950's gathering and disseminating information and research data that yielded incontrovertible evidence that certain practices, then employed by the slaughter industry, were intolerably painful, resulted in excessive carcass losses due to injury, lowered product quality, and jeopardized the safety of plant employees. We all know that the end result of this intensive and exhaustive investigation was the introduction and ultimate passage of the Federal Humane Slaughter Act of 1958.

We also know that at the time there was a great deal of opposition to that bill. So here we are, 20 years later seeking to protect even more animals by expanding the provisions of the original bill. There has been 20 years of practical, "in-the-plant" experience which has proven the viability of the Federal Humane Slaughter Act to minimize animal suffering, reduce livestock losses, enhance product quality, and safeguard the well-being of plant workers.

In view of the overwhelming evidence favoring humane slaughter practices, as attested to by the industry's acceptance of humane slaughter, and by the fact that the 24 States have already adopted humane slaughter laws, there is no doubt that the expansion of the original bill as proposed—by H.R. 1464—is in the best interest of all concerned.

To that end, we convey our very strongest endorsement of H.R. 1464 and urge the subcommittee to give favorable action to the bill.

Thank you.

Mr. POAGE. Thank you very much, Mr. Johnson. We appreciate that statement.

Our next witness will be Mr. Robert F. Welborn, vice chairman of the board of directors of the Humane Society of the United States, Washington, D.C.

[The prepared statements and attachment thereto submitted by Mr. Welborn and Mr. Fox follow:]

Testimony of Robert F. Welborn
Vice-Chairman of the Board of Directors of
The Humane Society of the United States

Thank you Mr. Chairman. I am Robert F. Welborn, Vice-Chairman of the Board of Directors of The Humane Society of the United States, a national non-profit organization dedicated to the relief of fear, pain and suffering of all animals, and to the concept of respect for all life. We are, with regard to staff, program and constituents, the largest animal welfare organization in the country. I come from Colorado where I am a lawyer by profession and a farmer by avocation. I grew up on a farm in Colorado, so I've been involved with farm livestock most of my life.

Accompanying me are Dr. Michael W. Fox, Director of the Institute for the Study of Animal Problems, a division of The HSUS and Margaret Morrison, Legislative Associate for The HSUS.

I am appearing here today on behalf of our 70,000 HSUS constituents to voice support for H.R. 1464, The Humane Methods of Slaughter Act. Our members have committed our organization to work for the adoption and enforcement of legislation that will insure that meat that is purchased in this country comes from animals that have been slaughtered humanely. I would like to submit for the record a resolution which was overwhelmingly passed by The HSUS members at our Annual Conference in 1977 which speaks of their concern about humane slaughter practices.

We are all greatly troubled about this problem, not only because of the severity of suffering in

slaughterhouses, but also because of the numbers of animals involved. In 1976 alone, 38,991,000 cattle, 4,437,000 calves, 70,457,000 swine and 6,474,000 sheep were slaughtered in plants under federal inspection. In terms of potential animal hours of pain and torment, these figures are massive.

At the outset, Mr. Chairman, I would like to express our appreciation to you for your strong support of animal welfare legislation throughout your distinguished career. Many persons present here today recall your efforts twenty years ago to enact the first humane slaughter law and accordingly, we are appealing to you to report this bill favorably to the full Agriculture Committee.

As you recall, when the Humane Slaughter Act was passed in 1958, the use of humane stunning methods in the United States was minimal. Some of the procedures and equipment commonly used today had not been invented or were not commercially available. Slaughterhouses objected to the original proposal to cover all slaughterhouses under federal jurisdiction on grounds that adoption of humane slaughter methods was economically prohibitive. The United States Department of Agriculture was also less than enthusiastic at the prospect of administering the law.

At that time, to pass the bill through Congress, it was deemed necessary to restrict the bill's coverage to slaughterhouses selling meat to the federal government so as to encourage but not force compliance. In 1978, the

impediments to nationwide adoption of humane slaughter methods no longer exist. Humane methods have proven to be safer and more effective for both man and animal and are regarded as the best available technology.

Although many slaughterhouses have voluntarily adopted humane slaughter methods and reportedly most cattle are humanely slaughtered, it is certain that millions of animals still suffer in slaughterhouses. Far too often the killing of pigs, sheep and calves is being conducted in a cruel fashion, particularly in small plants. These animals are either being shackled and hoisted fully conscious and are bled out without benefit of any stunning or are being improperly stunned. Humane methods of stunning are available and viable for all livestock.

The 1958 law served two useful purposes: to encourage both the development of humane slaughter methods and their adoption by slaughterhouses. Congress must now act to broaden the law via H.R. 1464 to cover all slaughterhouses under the jurisdiction of the Federal Meat Inspection Act. We must eradicate the last vestiges of inhumane slaughter to make sure that all species of livestock are guaranteed a humane death.

The current law requires compliance by those selling to the federal government. We are pleased that H.R. 1464 will extend that coverage to nearly all slaughterhouses in this country. It has been estimated that approximately

125 to 250 federally inspected slaughterhouses have yet to comply with the law. Currently, less than half the states have humane slaughter laws. We believe that the Brown bill will provide, for the first time, universal and uniform compliance with humane standards.

With regard to state plants, however, we believe that the language contained in H.R. 1464 may not be sufficiently clear. To insure the compliance of state plants with humane standards, we recommend that H.R. 1464 be amended. On page 2 after line 18 the following language should be added which will create a new subsection (c).

"(c) The requirements for Federal and State cooperation as set forth in Section 61 of such Act (21 U.S.C. 661) shall be fully applicable to the humane slaughter requirements herein above set forth."

We completely support the provisions of H.R. 1464, guaranteeing that meat imported into the United States will also be humanely slaughtered. Most nations presently certified to export meat into the United States employ humane stunning methods. For example, the 1974 European Economic Council Directive on Stunning of Animals Before Slaughter is binding on all nine member states (Belgium, Denmark, Federal Republic of Germany, France, Ireland, Italy, Luxembourg, The Netherlands and the United Kingdom). It is inexcusable that the United States should lag behind other countries in having a strong national humane slaughter law.

Enactment of H.R. 1464 will not create an administrative burden for the USDA and additional costs will be minimal. Inspectors are already in the slaughterhouses and the increased demand on their time will be negligible. Meat and Poultry Inspection forms already contain a question on humane slaughter.

We must call to your attention, however, that the current law has not functioned well in many respects. Enforcement of the current law has been non-existent. From USDA's own records, it is impossible to determine which methods a slaughterhouse is using. In the summer of 1977, The HSUS obtained two lists from USDA which contained the names of slaughterhouses, the species slaughtered and whether each species was slaughtered humanely, non-humanely or ritually. Discrepancies between the February 1977 and the June 1977 lists were rampant. It would appear (and we believe incorrectly) that many slaughterhouses were switching back and forth from humane to non-humane and from non-humane to humane methods.

Currently federal purchasing agents rely solely on certification from vendors that the meat comes from humanely slaughtered animals. But there is no reliable way to determine what is actually occurring, at least not from the lists we obtained. We have been advised of one instance where a slaughterhouse is listed as selling humanely but the slaughterhouse is actually hoisting

and shackling live pigs without prestunning them as the Act requires.

We understand why there are no records of violations of the humane slaughter law: there is no enforcement of the humane slaughter law. Towards that end, we strongly urge this subcommittee to direct The USDA to implement the law by thorough and vigorous enforcement and by correcting its recordkeeping. Hopefully, by including humane slaughter methods as part of the federal meat inspection standards, a more meaningful enforcement procedure will be created and we will see violators closed down if not corrected. The great difference is that humane standards will be raised to the level of wholesome meat standards.

H.R. 1464 and the 1958 Act specifically cover not only slaughter, but also handling in connection with slaughter. We recommend that this subcommittee consider adding language either to the bill itself or to the committee report making it clear that the law requires humane methods in the handling of livestock prior to slaughter. One possible approach would be to require that the federal inspectors look to the handling throughout the route from off loading through to the actual slaughter.

We feel it is important to address this issue because there is clear evidence that cruelties to livestock occur not only in the slaughter process, but also in pre-slaughter handling. To require more humane handling and transportation

for livestock at every stage will be economical as well as humane. \$46 million in meat is lost annually as a direct result of bruising caused by poor handling and outright abuse by some livestock handlers.

The HSUS has other concerns not covered by H.R. 1464. Research funds should be allocated for the design of better handling, holding facilities, and transportation vehicles. Funding should also be considered to encourage research for improving ritual slaughter holding pens to ultimately eliminate the practice of shackling and hoisting fully conscious animals.

In conclusion, may I reiterate to the Subcommittee the strong support of The Humane Society of the United States for the passage of H.R. 1464. We urge you to report this bill favorably to the full Agriculture Committee. We earnestly request that during your remaining months in Congress you lend your assistance to a continuation of efforts to enact H.R. 1464 into law.

I would be happy to answer any questions.

(The attachment follows.)

HUMANE SLAUGHTER RESOLUTION ADOPTED BY THE ANNUAL CONFERENCE
OF THE HSUS IN OCTOBER 1977

Whereas, existing federal and state humane slaughter laws have not resulted in the exclusive use of humane slaughter methods; and

Whereas, enforcement of existing laws has been sporadic and in some cases non-existent; and

Whereas, existing federal law requires humane slaughter practices be used only by those slaughter houses selling to the Federal Government; and

Whereas, proposed federal legislation would require expansion of humane slaughter practices to all slaughter houses presently covered by the Federal Meat Inspection Act as well as all imported meat and meat products, therefore be it

RESOLVED, that The Humane Society of the United States work vigorously for the enactment and enforcement of this legislation.

STATEMENT OF MICHAEL W. FOX, D. Sc., Ph.D., B. Vet. Med.,
M.R.C.V.S., DIRECTOR, INSTITUTE FOR THE STUDY OF ANIMAL
PROBLEMS

There is a strong economic imperative to improving the humaneness of livestock handling and slaughter. An estimated \$46 million per year is lost to the beef industry alone from injuries, deaths and downgrading and loss of carcasses from bruising associated with transportation and pre-slaughter handling.

Injuries and loss of carcass quality ("dark cutter beef" and "slimy" pork) due to rough handling and excessive use of electrical prods or hot shots can be minimized. Optimal design of ramps, chutes and holding pens, careful off-loading procedures and humane handling at the packing plant prior to slaughter can greatly reduce economic losses to the industry and also reduce animal suffering. Handlers should be inspected, instructed and supervised regularly, since humane equipment in insensitive hands will not guarantee animal welfare. Where knocking boxes are used, no more than one animal should be confined; where two animals are boxed together, pre-slaughter injuries are more prevalent.

Special consideration should be given to more animals that are sick or injured prior to transportation for slaughter. A veterinary certificate stating that the animal is well enough to be transported should be given prior to receipt of the animal at the slaughterhouse. Only too often, animals with severe injuries such as broken legs and backs, are transported without any supportive first aid. Provisions should be made for such animals to be either heavily sedated with an analgesic-tranquilizer prior to transportation, or to be humanely destroyed on the farm prior to shipment to the rendering plant.

Mr. WELBORN. With regard to ritual slaughter, Mr. Chairman, I would like to make a personal comment. Section 6 of the 1958 act speaks of the freedom of religion. My religion is respect for living things. I believe this to be a dictate of God, just as the Jewish people believe that their religion dictates that an animal must be conscious to the time of the cartoid section.

Mr. POAGE. Thank you, Mr. Welborn and Dr. Fox, for your excellent suggestions. Ms. Morrison, we don't want to deny you the right to say anything.

Ms. MORRISON. That's quite all right. I was not going to speak.

Mr. POAGE. Thank you. Our next witness will be Jane Risk of the Animal Protection Institute of Washington. I believe Ms. Risk has been with us before.

**STATEMENT OF JANE RISK, ANIMAL PROTECTION INSTITUTE,
WASHINGTON, D.C.**

Ms. RISK. Thank you, Mr. Chairman. I am Jane Risk, director of the eastern region for the Animal Protection Institute. The API is a nonprofit humane education organization with a national membership of 100,000.

I am happy to appear today before this subcommittee to enthusiastically support H.R. 1464. Humane slaughter is an issue of vital concern to API members, and I am sure this subcommittee has received many letters from our membership in this regard.

Since our time is limited, I will not detail the incredible suffering food animals experience when humane slaughter methods are not used. It is encouraging to note that many plants, not now required to do so, already use stunning devices, not only because this method is more humane, but also because it is more efficient and less expensive.

It is imperative, however, that all inspected plants be required to utilize humane slaughter methods. We are also strongly in favor of the provision which would require that imported meat be derived only from humanely slaughtered animals. It should be noted, also, that ritual slaughter for the kosher trade would not be affected by this bill.

I agree with Mrs. Stevens' earlier remark that the handling treatment before slaughter should be investigated.

I thank you so much for having this hearing on this very important bill, and will be glad to answer any questions.

Mr. POAGE. Thank you, Ms. Risk, glad to have you with us. We appreciate that statement.

The next witness is Miss Emily F. Gleockler of the Humane Information Services of St. Petersburg, Fla.

Miss Gleockler, glad to have you with us, please proceed.

[The prepared statement submitted by Miss Gleockler follows:]

STATEMENT OF
EMILY F. GLEOCKLER, EXECUTIVE SECRETARY
HUMANE INFORMATION SERVICES, INC.
4495 NINTH AVENUE NORTH
ST. PETERSBURG, FLORIDA 33713

H.R. 1464
Honorable George E. Brown, Jr.

Hearing by the
Subcommittee on Livestock and Grains
Committee on Agriculture
United States House of Representatives
April 25, 1978

Mr. Chairman and members of the Committee. My name is Emily F. Gleockler, and I am executive secretary of Humane Information Services, Inc., a national non-profit humane society headquartered in St. Petersburg, Florida. We appreciate the opportunity to testify in support of H.R. 1464. Humane Information Services has been the most active of all humane societies in explaining the need for and the terms of this bill and has received countless letters in support of it.

The founder and president of our society, Dr. Frederick L. Thomsen, because of his background in animal husbandry and as a former official of the United States Department of Agriculture, probably was as familiar as anyone in the country with the slaughter of livestock and with the nature and probable consequences of this bill. Of all problems facing the humane movement today, this was of most concern to him. Dr. Thomsen had looked forward to presenting his testimony at this hearing, but I very sadly report that he died of cancer just three weeks ago.

I also have had a close historical association with efforts to obtain humane slaughter. In 1960 I was one of a working group of three persons, including Dr. Thomsen, which obtained passage of a state humane slaughter law in Florida. At first we had great difficulty finding even one legislator willing to introduce the bill. When the bill eventually became law, it had passed both houses almost unanimously.

We had the endorsement of practically every state church and civic group and every

humane society. The meat packers, who at first were opposed to the bill, eventually supported it fully. Cattlemen in the state--and cattle represent a big industry in Florida--actively supported the measure. So far as we were able to ascertain, every important group having an interest in that measure was in favor of it. Since then we understand that Florida's intra-state meat packers have found humane slaughter practices more efficient in labor utilization and resulting in lower costs. There is plenty of evidence that the same may be said now of this national humane slaughter bill.

Despite diligent search for opponents of the bill, for the purpose of having an opportunity to dissipate any misunderstanding which might exist regarding its terms, we have been unable to find any. So far as we know, there is not a single organization, business firm, meat-packing firm or farm organization opposed to the bill. But there are in this country many thousands of members of humane societies and individuals who care about animals actively for the bill, and we believe we could obtain the endorsement of many church, civic and other groups. But not much has been done to promote the bill. Such activities seem so unnecessary, and we knew from talking with the secretary of this Committee that you have received plenty of mail in behalf of H.R. 1464 without such an effort.

In short, this act will benefit everybody and harm nobody, is approved by virtually everyone, and opposed by virtually no one, and then only because of ignorance or misunderstanding of its provisions. It is a good bill. It will not impose any significant financial burden on the government which enforces it, on the livestock industry, the meat-packing industry, or consumers.

This is not a bill designed to benefit some particular group at the expense of others. It is not a bill to increase the burdens of government by business. It is not a bill which will add to inflation by increasing costs and prices for consumers. It is not a bill which will affect any religious group.

It is a bill to do one thing, and one thing only: insure that the meat we eat in the United States is from animals that have been killed as nearly as possible without

pain and suffering.

In 1958, the 85th Congress, in passing Public Law 85-765, established the use of humane methods of slaughter of livestock as a policy of the United States. We sincerely hope that the present 95th Congress will act in accordance with that policy established 20 years ago by passing H.R. 1464 into law.

The written testimony I have submitted includes additional information which may be helpful to the Committee.

Thank you.

Testimony by Humane Information Services, Inc., regarding H.R. 1464

Bill H.R. 1464 would make all packing plants now under federal inspection, or "equal-to" state inspection, subject to the humane slaughter act of 1958. This means that under the Brown bill practically all commercial meat packing plants in the United States would be required to use humane methods as defined in the 1958 law. And foreign plants exporting meat products to the United States, which also come under the meat inspection provisions, would be required to observe the same humane slaughter provisions that apply to United States plants.

Under the present 1958 federal act only meat packing establishments owned by firms which sell meat to federal government agencies are affected. Any such packing firm must submit a statement that it is in compliance with the law, which means for all species (cattle, hogs, sheep) in all of its plants. But there is no convenient way for the purchasing agency to check up on that statement. The results of inspections are reported separately for different species. It would require a staff of purchasing agents with a computer to keep track of all these reports and determine, for any firm bidding on a meat contract, whether or not it is in compliance. So far as we have been able to determine, this is not done. The simple statement by the supplier is accepted at face value.

What would people think of crime enforcement that accepted a signed statement from a suspected criminal that he had not violated the law?

As a result, a veterinarian who is very well informed about administration of the federal law states: "We know of no charges of non-compliance having been made in the 18 years the law has been in effect."

Despite this non-enforcement, Humane Information Services believes that most interstate plants under federal inspection have instituted methods which comply at least technically with the act's requirements. A principal reason for this is that packers have found humane methods to be more efficient, and less given to injuries to personnel, than the old-fashioned inhumane methods which they formerly objected to giving up because of cost considerations. Many packers thought the new methods would put them at a cost

Testimony by Humane Information Services, Inc., regarding H.R. 1464

disadvantage, until they were required by the law to use them. As soon as some of the plants that wanted to abide by the law tried the humane methods, and found them to be good business, many others fell into line. Probably about 95 percent of plants directly under federal inspection have come into line.

Many intrastate plants which fall under state-administered meat inspection, however, have not adopted humane methods unless a state humane slaughter law similar to the federal act has been passed by the state legislature. About half of the states have passed such laws. These will be unnecessary, however, when the Brown bill passes.

The brown bill would extend the provisions of the federal law to all of the state plants which are inspected either by USDA inspectors, or by state inspection services "equal-to" and affiliated with the USDA service, which means practically all commercial plants.

The USDA personnel now charged with the task of inspecting the slaughtering methods have made a valiant effort to do a good job. But there are too many ways in which these efforts may be thwarted.

A plant may have a captive-bolt pistol on hand, and use it for stunning cattle when the inspector shows up. In between, however, they may prefer to go back to the old inhumane sledgehammer, not permitted, of course, under the 1958 act. We have observed such a case.

If the electrical method of stunning is used for hogs or sheep, the slaughtermen may be careful to place the device properly if the inspector is present, but get very careless at other times. Unless the electric current passes through the brain prior to going through the body, it can be as painful as the former method, still used in some plants, of shackling, hoisting and cutting the conscious animal. The worker does not care whether the current first passes through the brain; in either case the animal becomes immobile, equally easy to handle.

Likewise, the carbon dioxide tunnel used for hogs in some plants must be kept

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properly adjusted or the animals may never fully lose consciousness, or regain it before being hoisted and stuck. Who is to care if no inspector is around?

Under bill H.R. 1464 the inspection of slaughtering methods would be done by the USDA meat inspectors assigned to the plant, where they work daily.

The present federal humane slaughter act has no criminal penalties, and does not identify those who are not in compliance. The reports made by the slaughter inspectors identify only those who are in compliance. The only penalty for non-compliance is possible loss of the privilege of selling to a federal agency. But this is a theoretical matter, since, for reasons that have been explained, there is no feasible way the purchasing agency can check on compliance. Under H.R. 1464 the packer would be told of any violation immediately, and if the violation did not cease, the inspector would not pass the carcasses for human food. The packer stands to lose big money.

Thus, the Brown bill changes the penalty for violation of the act from a virtual slap on the wrist to a financial loss sufficient, if the violation continues, to close the plant. This is a big improvement.

If the plant hires a new worker to apply the electric tongs, without giving him adequate training and warnings, and the meat inspector discovers him using the device in a way that results in an inhumane death, he could condemn all of the carcasses coming from the line during the time the offending worker was doing the stunning. Of course, he would be very unlikely to do any such thing. The inspectors are not unreasonable. Probably he would give a stern warning to the plant management, which would take immediate steps to correct the deficiency. Under the present system, it might be a year before the deficiency was discovered and corrected.

Because existing personnel now continuously employed as meat inspectors in all of these plants would be utilized also for the inspection of slaughtering methods, H.R. 1464 would not appreciably increase the costs of enforcing the act. In short, it would provide something much better than what we now have, without significant additional expense

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to the government.

Our imported meat comes from about two dozen countries scattered throughout the world. The principal countries are Australia (mostly beef), New Zealand (lamb), South America (canned meat products), and Europe, mostly Denmark (canned hams).

Many of these plants producing for export are using what are claimed to be humane methods, but there are reasons to doubt that they would pass USDA requirements in many cases. One reason is that the latter encompass the ways in which the livestock is handled prior to slaughter as well as the actual method of causing the animal to be insensitive to pain (unconscious) before being shackled, hoisted and cut. In South America, particularly, this pre-slaughter handling in the past has been said to involve extreme stress and suffering. For example, the eyes of cattle may be punched out before the animals are unloaded from barges at the packing plant, to keep them from wandering after unloading.

Reports reaching humane societies in this country indicate that, possibly in anticipation of legislative action by the United States Congress and other countries such as represented by bills introduced in previous Congresses, many plants exporting meat products to the United States have overhauled their methods, which they now believe to meet humane requirements. If these reports are true, then the indicated plants and countries have nothing to fear from passage of H.R. 1464.

If the improved methods do not now fully meet the United States requirements for humane slaughter, it would be a relatively simple matter for the affected plants to introduce the necessary changes. The principal objection to introducing humane methods in foreign plants has been that their use requires a somewhat higher type of laborer in the packing plants than the uneducated, low-paid workers that have been commonly used. That means that products produced by American packing house workers must compete against a lower grade of labor going into the imported products.

However, passage of H.R. 1464 almost certainly would result in compliance with the

Testimony by Humane Information Services, Inc., regarding H.R. 1464

humane slaughter requirements by plants now exporting to the United States, and hence would not appreciably affect the supplies of foreign meat products reaching this country.

The Meat Inspection Service of the USDA maintains inspectors in foreign plants exporting meat products to the United States, who could additionally certify compliance with P.L. 85-765 without substantial additional expense.

Thus the bill would protect consumers, as does the Imported Meat Act and the Meat Inspection Act. Not all meat consumers are concerned with how the animals are slaughtered, just as not all are concerned over sanitary measures. But to very many compassionate people in the United States, the avoidance of unnecessary suffering by the animals is just as essential to their enjoyment of meat consumption as the knowledge that the meat has been processed sanitarily. Lack of such assurances is one reason for the growing number of people who are becoming vegetarians. Consumers have just as much right to demand that the meat they buy be from humanely-slaughtered animals as from sanitariously-slaughtered animals.

The slaughter methods defined as humane in the humane slaughter act of 1958 include ritual (kosher) slaughter. Hence, the bill H.R. 1464 would not in any way affect ritual slaughter.

Some large packing plants, including one in Iowa, do a large amount of business in both kosher and non-kosher meats. They are under federal inspection, and also sell meat products to federal government agencies. The ritual and non-ritual slaughter is kept entirely separate, with the former unaffected by the federal humane slaughter act of 1958, which exempts all phases of ritual slaughter from the provisions of the act. The non-kosher slaughter at this plant, however, must conform to the act in exactly the same way and for exactly the same reasons as the operations of a similar plant that sells meat to the federal government but does no ritual slaughtering. The Brown bill, when passed, will not affect the operations of this plant, with respect to either ritual or non-ritual slaughter.

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A smaller plant located in a Northeastern state also sells meat to both kosher and non-kosher trades, but not to any federal government agency, hence does not now come under the provisions of the 1958 federal act. It runs all of the animals slaughtered through the same slaughtering line, shackling and hoisting the conscious animals whether they be for ritual or non-ritual slaughter. The only difference is that when the animals for ritual slaughter reach the point where they are to be cut and bled out, the cut is made by the shochet, and the carcasses are processed in accordance with the kashrut ritual. For the non-kosher part of the slaughter there is substituted for the shochet a slaughterman with no religious qualifications, since the shochet can slaughter only animals to be treated as kosher. The remaining, expensive operations of the kashrut, involving several workers under the supervision of the "mashgihim," are dispensed with.

When H.R. 1464 becomes law, the ritual slaughtering operations of this plant will not be affected in any way. The animals will continue to be shackled and hoisted while conscious. But for the non-kosher portion of the plant's slaughter the use of some approved device for rendering the animals unconscious before shackling and hoisting will be required.

This additional operation, it is believed, can be done without additional help, by the same worker who does the shackling. This might require the use of an inexpensive enclosure making it easy for the worker to use the captive bolt pistol or other stunning device. However, it must be kept in mind that the actual shackling of the animal will be made easier and less time consuming when the animal is unconscious. But even if an additional worker is required to do the stunning, this plant would be on an even competitive footing in its non-kosher sales with non-kosher plants, which also would be required to stun the animals before shackling and hoisting.

Some small kosher plants may put all of the animals through the ritual slaughter process, including the cut by the shochet and the ministrations of the kashrut, then later sell a few of the carcasses into the gentile trade, together with carcasses

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rejected for the kosher trade as "trafe" for various reasons such as prior injury to the animal, and with portions of the kosher carcasses consisting of those parts that are not deveined or otherwise processed through the full kashrut because of cost considerations. Ordinarily, the rear half of the kosher carcass goes into the gentile trade.

Presumably bill H.R. 1464 would have no effect on such a plant so far as the carcasses, or portions of carcasses, of animals killed by the ritual cut but rejected for the kosher trade and which therefore cannot carry the kosher marking. These would continue to flow into the non-kosher trade as at present. H.R. 1464 is designed to extend coverage of the 1958 act to non-kosher slaughter in inspected (state as well as federal) plants which do not sell meat to the federal government, and to provide for much more effective and efficient enforcement. It also would cover imported meat, not now covered. Ritual slaughter is not affected. Since, at present, in plants which already come under the 1958 act, the "trafe" carcasses or portions of carcasses resulting from ritual slaughter are not condemned for human consumption, but pass into the gentile trade, there is nothing in H.R. 1464 which would change this.

However, any animals intended for the non-kosher trade, with the whole carcasses going into the gentile trade, would under H.R. 1464 have to be slaughtered under the requirements of the 1958 act. It would be profitable for the plant management to stun the animals before shackling and hoisting, use a non-shochet at a lower hourly wage to make the cut, and also avoid the other expenses of the kashrut which follow the cut. In fact, the cost advantages of using humane non-ritual methods for all slaughter not intended for the kosher trade are so great, and the religious restrictions prohibiting the shochet from slaughtering animals not intended for the kosher trade would be so strong, that we doubt the existence of any plant where ritually-slaughtered whole carcasses go into the non-kosher trade, unless it is an occasional animal.

To summarize, passage of the Brown bill will not affect any meat packing plants with respect to ritual slaughtering methods, whether or not it be in conjunction with

Testimony by Humane Information Services, Inc., regarding H.R. 1464

slaughter of additional animals for the non-kosher trade. It would require stunning of the animals intended for the gentile trade. This would add little if any additional cost to the operation, and probably would lower costs appreciably. There is ample evidence of this in the fact that many plants which do not sell meat products to federal government agencies already have adopted the appropriate stunning procedures for all non-kosher slaughter, even though not required to do so. This is because such procedures are not only humane, but also are more efficient, less costly, and more conducive of labor satisfaction.

It would be hard to find any other kind of legislation that is less controversial among humanitarians and humane societies than humane slaughter. Organizations that fight "like cats and dogs" over other matters have been of one mind about eliminating the cruelties of slaughter.

There is no real difference of opinion over what methods of slaughter are humane and what are not.

The basic principle, upon which all agree, is to eliminate the shackling and hoisting of conscious animals before cutting their throats. In the case of non-ritual slaughter, this is accomplished by using some humane method of stunning the animal. For ritual slaughter, it involves the use of some kind of holding device so the animal is positioned for the shochet's knife without prior shackling and hoisting.

Livestock producers and meat packers also support such legislation. Producers understandably feel that they should not be subject to humane slaughter requirements that their competitors in foreign countries do not have to observe. And packers would be relieved of the necessity for making hundreds of useless reports now required which are compiled and the results published in the *Federal Register*. The principal organizations of both the livestock producers and the meat packers have assured us that they have no objections to H.R. 1464. And consumers, although they have not been active in supporting the bill, could only benefit from its passage.

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Mr. POAGE. Our next witness will be Mr. Tom Garrett, representing the National Association for Humane Legislation, Inc.

Mr. Garrett, we will be pleased to hear from you.

STATEMENT OF TOM GARRETT, REPRESENTING THE NATIONAL ASSOCIATION FOR HUMANE LEGISLATION, INC.

Mr. GARRETT. Mr. Chairman, I'm Tom Garrett, the legislative coordinator for the Defenders of Wildlife here in Washington, D.C. I'm delivering this testimony on behalf of the National Association for Humane Legislation at the request of my friend, Dr. Thomsen, who passed away recently. Dr. Thomsen was surely one of the pioneers of the humane movement, and, of course, worked on this bill.

The bill before you, sir, will harm no one. It is an unusually well-written and effective bill. It will benefit all of those in the livestock industry and in the commercial meat trade as well as millions of consumers and animal lovers who believe we owe the animals furnishing us with meat the benefit of a decent death.

When enacted, the bill will also shift the whole method of enforcement of the 1958 Federal Humane Slaughter Act. I am sure that meatpackers as well as others who know the situation will agree that enforcement of the present act has been almost entirely by virtue of voluntary action by meatpackers. For most packers conformance with the law will continue on this basis whether or not H.R. 1464 is passed, but there are great deficiencies in the present law in terms of enforcement, and the new act will remedy these without adding to the burdens of meatpackers or costs of meatpacking or prices of meat to the public.

Economists of the USDA who have been interviewed about the possible effects of the bill on consumer prices of meat products in this country are naturally loath to be quoted directly on a matter potentially affecting department policy.

However, it is highly doubtful that any competent economist, Government or private, testifying on the stand would disagree with the following conclusion: Although it is impossible to measure quantitatively the price effects of minor changes in costs or methods of packinghouse operation, it would appear that the extension of the requirements for humane slaughter would have no appreciable effect on meat prices.

Rarely does the Congress consider a bill whose passage would benefit everybody and harm nobody, but this bill is such a phenomenon.

The general consuming public would benefit by having available higher quality meat. Studies have shown that meat from animals stressed by rough handling during transportation and slaughter yield meat of inferior quality. Some of these effects have been measured quantitatively, such as the increase in the amount of the harmful salmonella bacteria in stools of hogs subjected to simulated stressful transportation conditions. There is convincing evidence that a substantial part of the consuming public objects to eating meat produced under inhumane conditions, aside from matters of taste or health, because of moral and esthetic considerations. The public wants, and has a right to, meat from humanely slaughtered animals.

Livestock producers would benefit by any change which makes meat a more desirable product to actual or potential consumers, and because the bill would end a source of potential discrimination against them from low-grade foreign labor.

Domestic meatpackers would benefit because the extension of humane slaughtering methods to the relatively few commercial plants which do not now abide by the terms of Public Law 85-765 would lower the cost of operations, as indicated by statements made by packers who already have made the changeover.

Packinghouse labor would benefit because humane slaughter methods are safer and conducive of less stressful working conditions, not to mention the avoidance of morally and esthetically displeasing working conditions.

Foreign meatpackers would benefit because those which have not already made the shift and would be forced to change would discover the advantages which domestic packers encountered when the Federal Humane Slaughter Act of 1958 was passed. There seems little doubt that as an eventual result of this bill many foreign plants not engaged in export operations would emulate those making the change now. This would save millions of animals from unnecessary suffering.

As a result, foreign meat consumers would benefit by having available more humanely slaughtered meat of higher quality.

Foreign livestock producers would benefit by any development which introduces more modern and efficient methods into the marketing system.

The animals would benefit from the removal of conditions which give rise to acute suffering by millions of them each year.

The Members of Congress would benefit by pleasing the millions of animal lovers, thousands of active humanitarians, and members of more than 1,000 humane societies in the United States, who certainly encompass a significant part of the voting population.

I thank you.

Mr. POAGE. I want to thank you very much, Mr. Garrett. We appreciate your statement.

Our last witness is Ms. Ann Cottrell Free, an author and a member of the Rachel Carson Foundation.

Ms. Free, we're glad to have you.

STATEMENT OF ANN COTTRELL FREE, AUTHOR, RACHEL CARSON FOUNDATION

Ms. FREE. My name is Ann Cottrell Free. I am a writer and Washington correspondent and columnist for several newspapers and magazines. I have some familiarity with the general livestock-meat picture in the USA, having researched—in the field and in the literature—for several years material for a forthcoming book that deals with many aspects of this general subject. I wrote countless articles for a variety of publications on the congressional struggle to obtain passage of the humane slaughter law. In addition to my articles in the animal welfare, food, environmental fields, I have served as an adviser to the council of livestock protection and as a member of the board of the Rachel Carson Trust for the Living Environment; currently, I serve on the board of the Albert Schweitzer fellowship. I believe that H.R. 1464 would carry out the ethic to which Miss Carson and Dr. Schweitzer so heartily subscribed.

Twenty-one years ago, in the course of coverage of the fierce battle over passage of the humane slaughter law, I wrote an article that used the line from the great Elizabethan tragic writer, John Webster. The line, in part: "Death hath ten thousand several doors . . ."

In the 1950's many of us were seeking for the meat animals, exits from this life that were not so fearful, so painful, so brutalizing of the luckless creature, but of man himself—from the man with the poleaxe to the meatpacker in the front office.

We could not understand why the Congress, the packers, the public had not demanded improvement after the publication of Upton Sinclair's "The Jungle." In 1906 the meat inspection act was passed due to his revelations—but glossed over were his descriptions of the slaughtering processes. It was, he wrote, "like some horrible crime committed in a dungeon, all unseen and unheard, buried out of sight and memory."

But oddly the packers didn't quite feel that way. Many of them had visitors galleries for the public to come and watch the killings.

This insensitivity continued until practical-minded, politically smart humanitarians pulled together the solution and showed that humane slaughter was economically profitable, technologically possible and ethically necessary.

Too much time has elapsed in bringing in the plants not covered by the law. But in the meantime, a new discipline has emerged that can be added to the solution: it is called ethology, the science of animal behavior. Ethologists are learning how animals react, communicate, how it feels about the life it shares with us.

So now when we look at humane slaughter we should not only look at the so-called moment of truth (that interval of death and transfiguration that goes on constantly in the slaughterhouses) but to the hours and days—indeed, the entire lifetime, leading up to that moment.

A distinguished New Zealand animal scientist-ethologist, Dr. Ron Kilgour, explains it this way:

Humane consideration for the animal to be slaughtered must start before and continue throughout the complete pre-slaughter process from the farm until death at the meat packing plant. The term "humane" should not be reserved for the treatment during the small interval of a few seconds in this lengthy and often distressing processes . . .

As an observer in a number of packing plants, I could not agree with him more. The stress—particularly hogs—prior to slaughter is dreadful. They know all is not well as they are kicked, slapped, driven. Of all the meat animals, the hogs resemble man the most.

This would be an appropriate moment to bring up the preslaughter handling of some animals that undergo ritual slaughter specifically the all too prevalent custom of shackling and hoisting of beef cattle, sheep, lambs and calves. This is not required, as we all know, by the religious books. Technology is available or under development to eliminate this cruel preslaughter convenience method. Ms. Grandin has addressed herself to the various pens that can be used for this operation.

With this somewhat lengthy preface and look to the past, I now think it well to address the future. The meat revolution since World War II—antibiotics, confinement, and other labor saving methodology—is not the only discovery.

The major discovery is that the ethologists are learning about animals from the animals themselves: thresholds of fear, stress-induced disease, and so forth. We are discovering that these post World War II animal machines don't really work. Rachel Carson knew this, so did Dr. Schweitzer. Miss Carson wrote a forceful preface to Ruth Harrison's "Animal Machines."

In short, we need not just an extension of hardware to uncovered plants, we need to instill in the U.S. Department of Agriculture the need to look at the whole animal, ethologically.

To be specific in regard to this legislation before you, the USDA must be instructed to write regulations that educate its inspectors on the problems of slaughter and preslaughter. Is not this the major way the Congress can extend the ethic that motivates the legislation? In short, the man is as important as the tool he uses so far as results are concerned.

When there is mishandling of the kind Ms. Temple Grandin describes, that plant should be fined with a stiff penalty. USDA inspectors and plant operators should be given courses in ethology, so that that they might better understand the animals to be killed. USDA inspectors should be required to report, on their regular report sheets, slaughter and preslaughter infractions. Chronic offender plants should be listed, just as are those that constantly break various sanitation rules. This is in line with the Madison Avenue phrase: "We thought you'd like to know." (Indeed, we would.)

Also, as Dr. Michael Fox reminds us, there is great unattended unrelieved suffering among the crippled and sick animals brought to the stockyards and slaughterhouses. I have seen such animals, left in great agony, over most of a weekend. The place: Omaha, Nebr. Someone should take the responsibility to euthanize these animals immediately. Once again, will we have to look to the Federal Government to make people do what they should do on their own?

Finally, if this bill passes and the quality of death is improved, we must next look further down the road to a question staring us in the face: the quality of life.

That belongs to another day, other legislation—but, at least, let us consider the rights of animals to a decent death, a decent life and perhaps the right not to be born.

The answer to these questions may come to us from nature itself: energy, water, and other ecological considerations—including, therefore, the need to use our resources wisely and economically. In short, we may be asking who has first choice on the fruits of the land—animals or people?

Within the limits of pragmatic political considerations, the Congress faces questions never dreamed of when Sinclair wrote the "Jungle", but, at least, Mr. Chairman, let us clear up the "Jungle" for good, forever.

Thank you.

Mr. POAGE. Thank you very much, Ms. Free.

That completes our list of witnesses. Fortunately, all of the bells you've been hearing have been notice quorums, but now we have a live rollcall taking place on the floor.

Mr. Brown, would you like the subcommittee to come back after the rollcall?

Mr. BROWN. I'll leave that entirely to your discretion.

Mr. POAGE. I suggest that those who would like to see the display of pictures and the motion picture can come back after the rollcall, but we will conclude the testimony at this point.

If there is no objection, the subcommittee will stand adjourned subject to the call of the Chair.

I want to thank all of you very much.

[Whereupon, at 3:20 p.m., the subcommittee was adjourned subject to the call of the Chair.]

[The extraneous material submitted to the committee follows:]

STATEMENT OF HON. JOHN JOSEPH MOAKLEY, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. Chairman, Members of the Committee; I am honored to be here this afternoon testifying on behalf of the Humane Methods of Slaughter Act which I have co-sponsored in the last two Congresses.

H.R. 1464 addresses a problem that any individual who is in the least concerned with animal welfare cannot help but be sympathetic to. Basically, the legislation in question amends the Federal Meat Inspection Act to require that any meat product inspected and approved under the auspices of the Act be produced only from livestock slaughtered in accordance with a set of officially sanctioned "humane" methods.

Slaughter, in the meat producing industry, has been commonly defined as, "in the case of cattle, calves, horses, mules, sheep, swine, and other livestock being rendered insensible to pain by a single blow or gunshot or an electrical volt, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast or cut."

In the United States today there are approximately 50 slaughterhouses where the method of slaughtering the animal is, I believe, inhumane. The pain and terror which an animal experiences as its throat is cut and it is left to slowly and agonizingly die is simply inexcusable. The legislation I am testifying on behalf of today corrects this sorry situation by simply mandating that Federal Inspectors, during the inspection process, ensure that all carcass meat at hand was certifiably slaughtered in a humane manner. Then and only then would the carcass be given the Federal seal of approval and placed on the market.

The Humane Methods of Slaughter Act has generated a good deal of support from my constituents in Boston. Meat and meat products have become a staple in the American diet. The protein that meat contributes to the average American's daily food intake is invaluable. However, there is no reason why, due to sheer nutritional demand, that animals used to satiate this need be exposed to the methods of slaughter that all too often exist in this nation. The Humane Methods of Slaughter Act would rectify this situation and I am honored to be able to be here this afternoon to lend my support to this bill.

Thank you.

STATEMENT OF HON. NEWTON I. STEERS, JR., A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF MARYLAND

Mr. Chairman and Members of the Subcommittee, I appreciate this opportunity to comment on H.R. 1464. This bill would require the practice of humane slaughtering of livestock in domestic as well as foreign meat packaging plants. I have received a considerable amount of mail from constituents indicating their support for these measures, and I am pleased to be a co-sponsor of this important bill. Several years have passed since our colleague, Congressman Brown, first introduced legislation to amend the 1958 Humane Slaughter Act. It is my intention further to raise public awareness and support for this legislation.

H.R. 1464, seeks to amend some of the more important deficiencies of the 1958 Humane Slaughter Act and to eliminate the suffering of millions of animals. In the Congress today, it would be very difficult to find any other legislation that is less controversial. Humanitarians, meat producers and consumers all support the passage of this bill. H.R. 1464, not only extends coverage of the 1958 Humane Slaughter Act to all domestic packaging plants coming under federal or state USDA supervised meat inspection, but also includes foreign plants that export meat to the United States. The United States imports from two dozen countries

more than five million head annually. Slaughtering methods used abroad are shocking to many in this country. No foreign country would be forced to accept our requirements.

However, Americans should have the right to exclude the importation of products into this country that for any reason are objectionable. We have the right to demand that the meat we eat comes from humanely-slaughtered animals as well as healthy animals. Foreign meat should not and will not be certified if humane techniques are not used.

Further merits of this bill include the daily inspection of the meat packaging plants by the USDA meat inspectors and increased penalties for violation of the act. As it stands, the only penalty for non-compliance is possible loss of the privilege of selling to a federal agency. Violation of H.R. 1464 can result in the closing of meat packaging plants, which can lead to a tremendous financial loss for producers. This, alone, provides a tremendous incentive for improvement.

It will not be difficult or expensive for domestic livestock slaughter-houses to change their slaughtering methods. Humane techniques include the use of either an electrical stunning instrument, carbon dioxide, or gunshot, and the proper care in handling the animals so they remain as calm as possible. The costs of complying with the act without significant additional expenses is of vital importance to the producers. In addition, H.R. 1464 will not affect meat packaging plants with respect to ritual slaughtering methods, even if it includes the slaughter of additional animals for the non-Kosher trade.

With the support of the National Association of Humane Legislation, H.R. 1464 provides us with a comprehensive and effective piece of legislation requiring the use of humane methods of slaughtering livestock in this country and abroad. Meat packers themselves have found humane slaughtering practices to be more efficient and less hazardous to personnel. This bill eliminates a tremendous amount of suffering in animals, results in greater efficiency, and lowers the costs of handling. I therefore, applaud and encourage the efforts of this committee.

STATEMENT OF JOHN HOSUM, SEATTLE, WASH.

Although I am a Staff Associate and Consultant for several nonprofit public interest groups—including the Progressive Animal Welfare Society, the Seattle Vegetarian Society, and the Vegetarian Information Service—I am submitting this testimony in support of H.R. 1464 on behalf of myself, a vegetarian by choice for ethical reasons, concerned about our relationships with the other animals.

I support H.R. 1464, The Humane Methods of Slaughter Act of 1977, for two reasons:

1. It will be of benefit toward relieving suffering.
2. It is a worthwhile step towards raising the consciousness of the American public to recognizing the right of non-human animals to be free of unnecessary pain, suffering, and destruction.

Although the utilization of humane methods of slaughter is of interest to all humanitarians, even more so is their interest that attention be directed to the cruelties involved in the raising of animals and the transportation of animals to the slaughterhouse. I trust that in due time adequate attention by the Federal Government will be given these concerns.

BRYN AWELON FARM,
Valparaiso, Ind., May 6, 1978.

Hon. W. R. POAGE,
Chairman, Subcommittee on Livestock and Grains, Committee on Agriculture, of the House of Representatives, 1301 Longworth Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: As you know as a member of the staff of the American Meat Institute I was deeply involved in the Hearing and Debates and the eventual adoption by the Congress of the Humane Slaughter Act of 1958. However, at this time I am writing this letter and expressing my views on H.R. 1464 as a private citizen not representing anyone but myself. I hope that you will see fit to incorporate this letter as part of the record of the Hearings on H.R. 1464 before your Sub-Committee.

Unfortunately, I was not able to hear previous testimony and thus may not be in possession of the full facts and arguments as developed in the Hearings. Thus, you will have to forgive my not being as specific as I possibly should be. I cannot forget however, the tempestuous and somewhat controversial nature of this issue and the long and sometimes bitter debate both publicly and on the floor of both Houses that preceded final passage of the Humane Slaughter Act of 1958. I am sure that you will recall, and the record of the Senate will bear me out, that speaking for the American Meat Institute I made a pledge that we in the A.M.I. would help make the Humane Slaughter Act work. I am indeed gratified and pleased that my successor, Dr. Dewey Bond, Vice President of the American Meat Institute, testifying in these Hearings has reiterated and indeed extended that pledge in the A.M.I.'s approval of the proposed legislation with some minor reservations.

I, too, from my own experience share Dr. Bond's misgivings and urge especially that sufficient time be granted smaller slaughterings plants to meet the proposed standards in the amendments and indeed meet the present requirements of the Act.

I am in general agreement that humane slaughter under the Act have in the main been effective and have not been an undue problem to the Industry generally.

I most emphatically agree with the position taken by Mr. Sydney Butler, USDA Deputy Assistant Secretary for Food and Consumer Services who generally supported the legislation in his testimony but did express some concern over certain requirements of the bill such as the inclusion of foreign plants; the destruction of meat not humanely slaughtered; and the 90-day compliance provision. I am informed that he was especially concerned that the inclusion of foreign plants would be perceived as a "non-tariff trade barrier".

This indeed could be a most serious problem as you, Mr. Chairman, will recall, when we had such great difficulty in persuading some of our foreign friends such as Australia and New Zealand that the requirements of the Federal Meat Inspection Act as Amended when applied to them was not a particularly insidious form of "non tariff trade barrier". Therefore it is logical to assume that if H.R. 1464 is adopted without the suggested changes proposed by Mr. Butler that this action will make more difficult our attempt to export agricultural products. It could easily further encourage governments both in Europe and Asia to retaliate by increasing rather than decreasing their "non tariff trade barriers". You know Mr. Chairman how we as a Nation have had to constantly battle to eradicate non tariff trade barriers raised against us.

In conclusion, if given sufficient time, I see no reason why all slaughter plants in the United States should not comply with the provisions of the present Act.

I must raise a word of caution, however, I assume that you and the Committee prior to taking action on this proposed legislation have or will consult with the appropriate orthodox authorities in both the Jewish and Muslim religions that any proposed change in the present Act does not in any way transgress the tenets of their beliefs.

Yours very sincerely,

ALED P. DAVIES.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., June 9, 1978.

HON. TOM FOLEY,
Chairman Committee on Agriculture,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for a report on H.R. 1464, a bill "To amend the Federal Meat Inspection Act for purposes of requiring that meat inspected and approved under such Act be produced only from livestock slaughtered in accordance with humane methods."

This Department recommends that the bill be enacted if amended as suggested below.

The bill would amend sections 3 and 4 of the Federal Meat Inspection Act (21 U.S.C. 603 and 604) to require the condemnation of carcasses and parts thereof of livestock not slaughtered in accordance with specified humane methods of slaughter at official establishments inspected under the Act. The bill would also amend section 20(a) of the Federal Meat Inspection Act (21 U.S.C. 620(a)) to prohibit the importation of any carcass, part thereof, meat or meat food products from livestock not slaughtered and handled in accordance with specified humane methods of slaughter.

We support the basic intent of H.R. 1464. The humane handling and slaughter of livestock, which this bill would require, is consistent with the purpose of animal welfare laws which this Department now administers.

This Department is troubled by the provisions which would require other countries to adopt our values with respect to humane handling and slaughter of livestock. Although humane handling and slaughter methods have already been generally adopted in countries exporting meat products to the United States, a requirement that they do so might well be viewed by these countries as an unwarranted intrusion into their affairs. Further, since the requirements of this legislation may constitute a nontariff barrier to trade, its passage could be inconsistent with U.S. efforts to reduce such barriers in the multilateral trade negotiations now underway in Geneva. In light of these concerns, we defer to the Department of State for its recommendations concerning these provisions.

The penalty provision of the bill—destruction for food purposes of carcasses not handled or slaughtered humanely—is inconsistent with the mission of this Department to encourage greater production of wholesome food in a world short of food. A monetary penalty for noncompliance, or a provision which would permit the Department to withhold inspection until the person or firm agreed to conduct future operations humanely, might be more appropriate. We recommend an amendment to this effect to section 2(b) of the bill.

H.R. 1464 provides that the provisions of the bill would become effective 90 days after enactment of the bill. Some foreign and domestic establishments would be required to make extensive changes in their facilities in order to comply with the provisions of the bill, and we believe that 90 days may not be sufficient time for such changes to be made. States operating inspection programs may also need additional time to amend their laws and regulations. Section 4 should be amended to give the Secretary authority to grant appropriate extensions, upon application, to provide the flexibility needed to apply requirements without undue hardships to some firms.

Enactment of H.R. 1464 would impose no additional cost upon this Department, since existing personnel will be able to check and verify compliance with the law.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

CAROL TUCKER FOREMAN,
Acting Secretary.

DEPARTMENT OF STATE,
Washington, D.C., June 15, 1978.

Hon. THOMAS S. FOLEY,
*Chairman, Committee on Agriculture, Nutrition, and Forestry,
House of Representatives.*

DEAR MR. CHAIRMAN: We understand that your committee is currently considering H.R. 1464, a bill which would prohibit the marketing of meat not certified to come from animals slaughtered by humane methods approved by the Department of Agriculture.

The bill would require the condemnation of meat from animals slaughtered in the United States by other than approved methods, and would prohibit the importation of meat from animals slaughtered in foreign countries by other than approved methods. To ensure that these provisions are complied with, the bill also provides for a system of inspection of slaughterhouses and certification of meat. This inspection/certification system would be similar to that which has been in effect for many years to protect the public from unhealthful meat.

The inspection of slaughterhouses and the certification of meat in the United States are matters which fall outside the area of responsibility of the Department of State. We thus defer to the judgment of the agencies directly involved, particularly the Department of Agriculture, concerning the bill's domestic effects.

There remains, however, the question of whether or not the United States should require that other countries adopt American slaughtering methods which reflect our norms on the treatment of animals if they are to be allowed to export to our market. We believe that the United States should not impose these requirements, and consequently we recommend against the enactment of Section 3 of the bill.

In addition to obliging foreign meat processors to observe American norms on the treatment of animals about to be slaughtered, Section 3 would in effect broaden, to encompass slaughtering methods, the existing requirement that foreign packers submit to inspection in their own countries by U.S. officials. This would be an exercise of extraterritorial jurisdiction which would very likely give rise to strong opposition on the part of our trading partners.

It may be argued that the countries which sell meat to the United States have already accepted our exercise of extraterritorial jurisdiction by allowing American inspection of meat processing facilities for the purpose of seeing that meat exported to us meets U.S. standards regarding health and sanitation. This is true, but it differs from the situation which Section 3 would create in two important respects.

First, the current inspections are directly related to the health and safety of American consumers, because they are directed at the wholesomeness of the meat itself. Section 3 is directed not at the condition of the product, but at the slaughtering method. The condition of the product affects the health of American consumers, and hence is a legitimate subject of U.S. Government interest; the method of slaughter per se does not affect the health of our people, and hence is not a legitimate subject for our government to control beyond our borders. Further, should the method of slaughter affect the healthfulness of the meat, the meat could be kept out of the United States under existing procedures.

Second, when the United States signed the General Agreement on Tariffs and Trade (GATT), the United States committed itself to the principle that no new non-tariff barriers to imports should be created. The imposition of a new condition for the exportation of meat to the United States, which condition does not fall within the GATT exemption for protection of domestic public health, would undoubtedly be considered a new non-tariff barrier by our trading partners, and would subject the United States to criticism in the GATT and to the possibility of retaliation against the exports of the United States to the affected countries.

The Office of Management and Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this report.

Sincerely,

DOUGLAS J. BENNET, Jr.,
Assistant Secretary for Congressional Relations.



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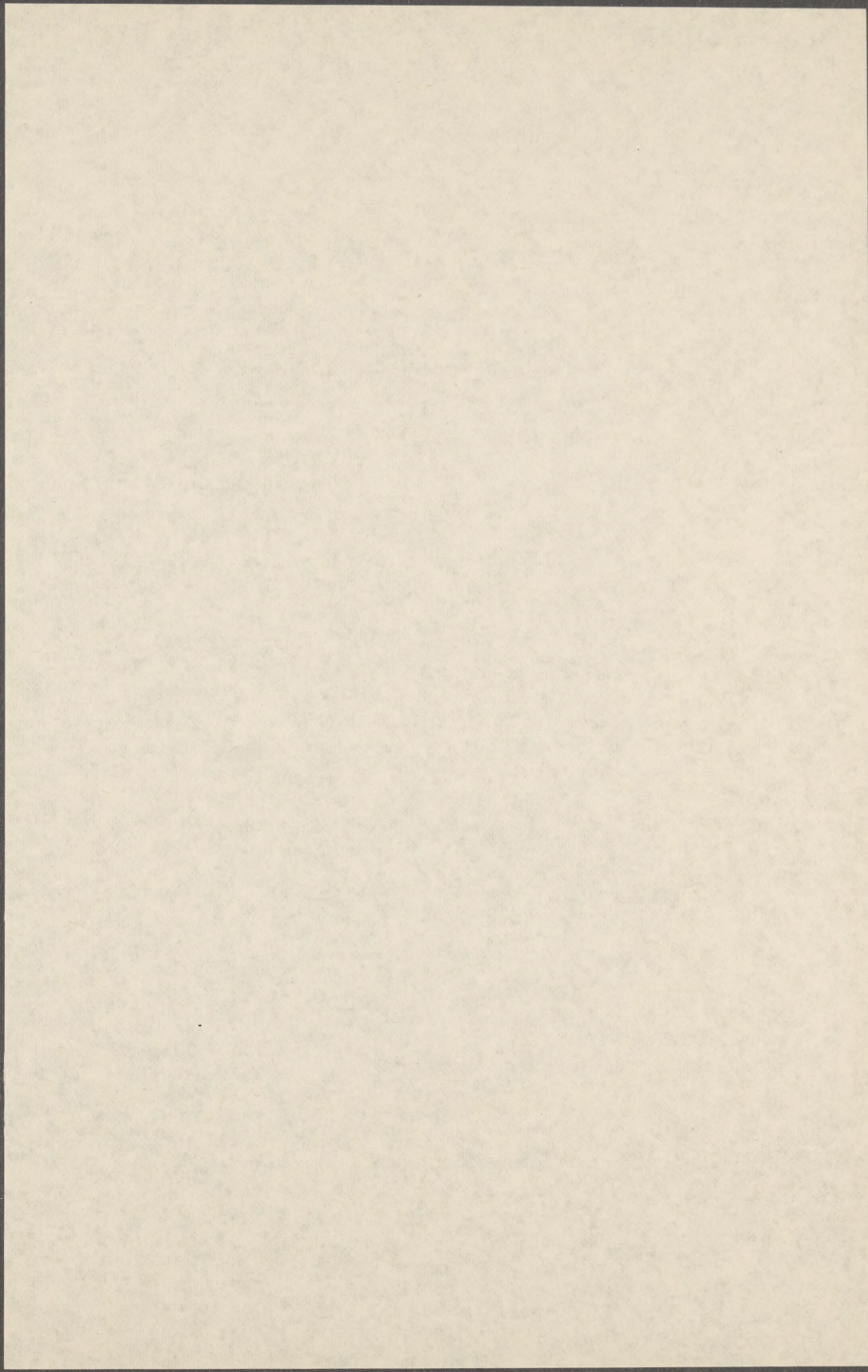
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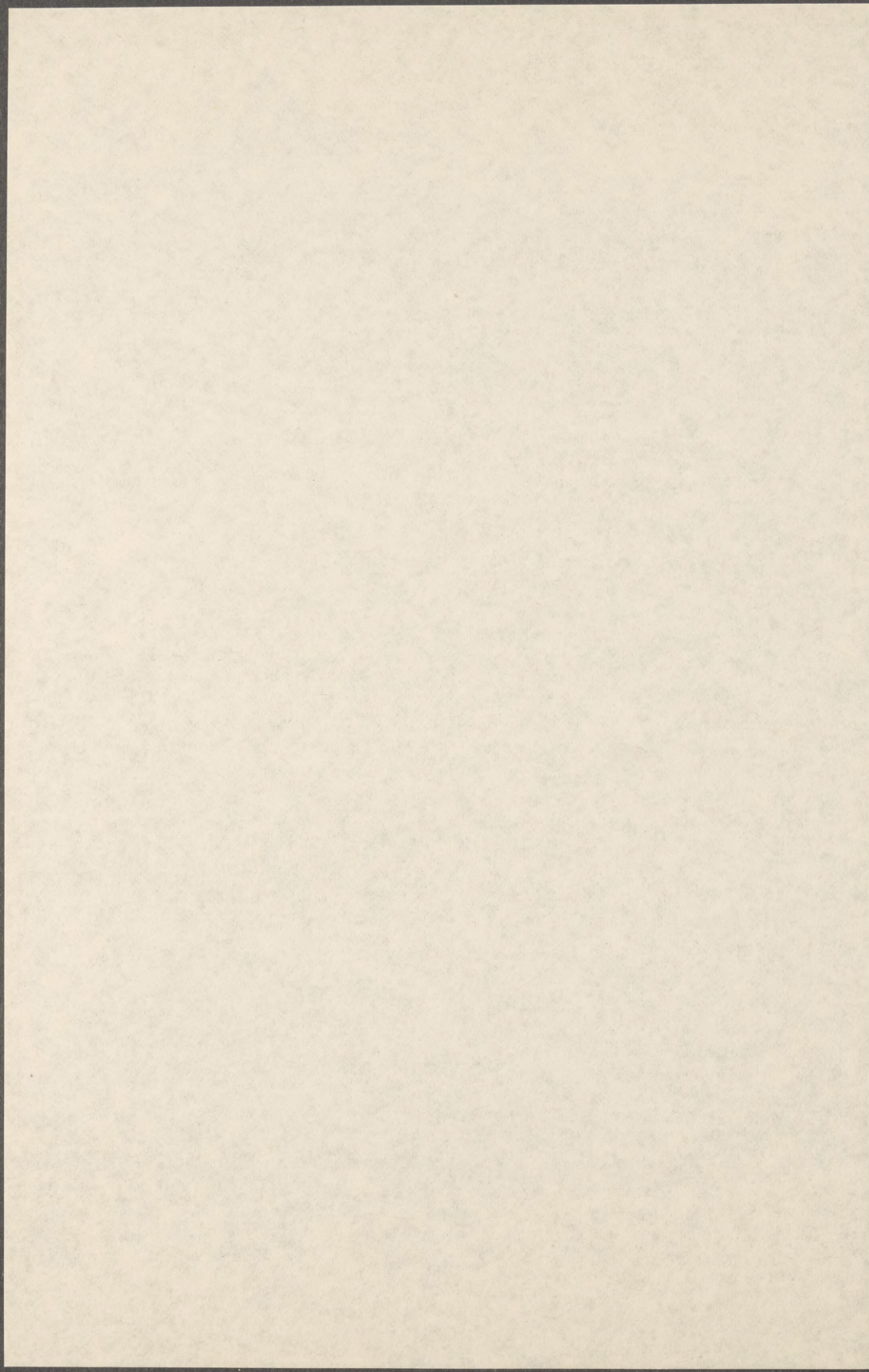
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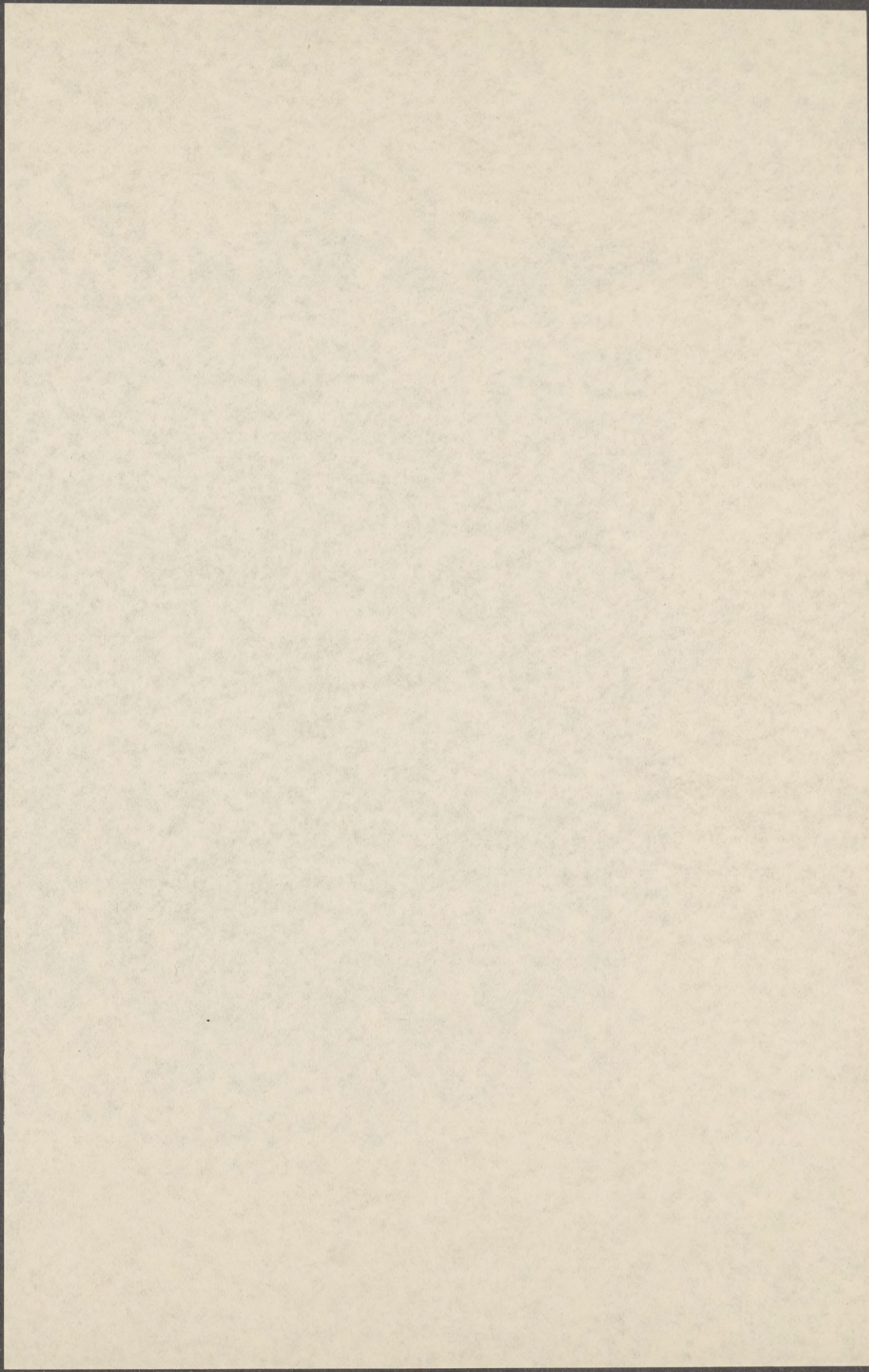
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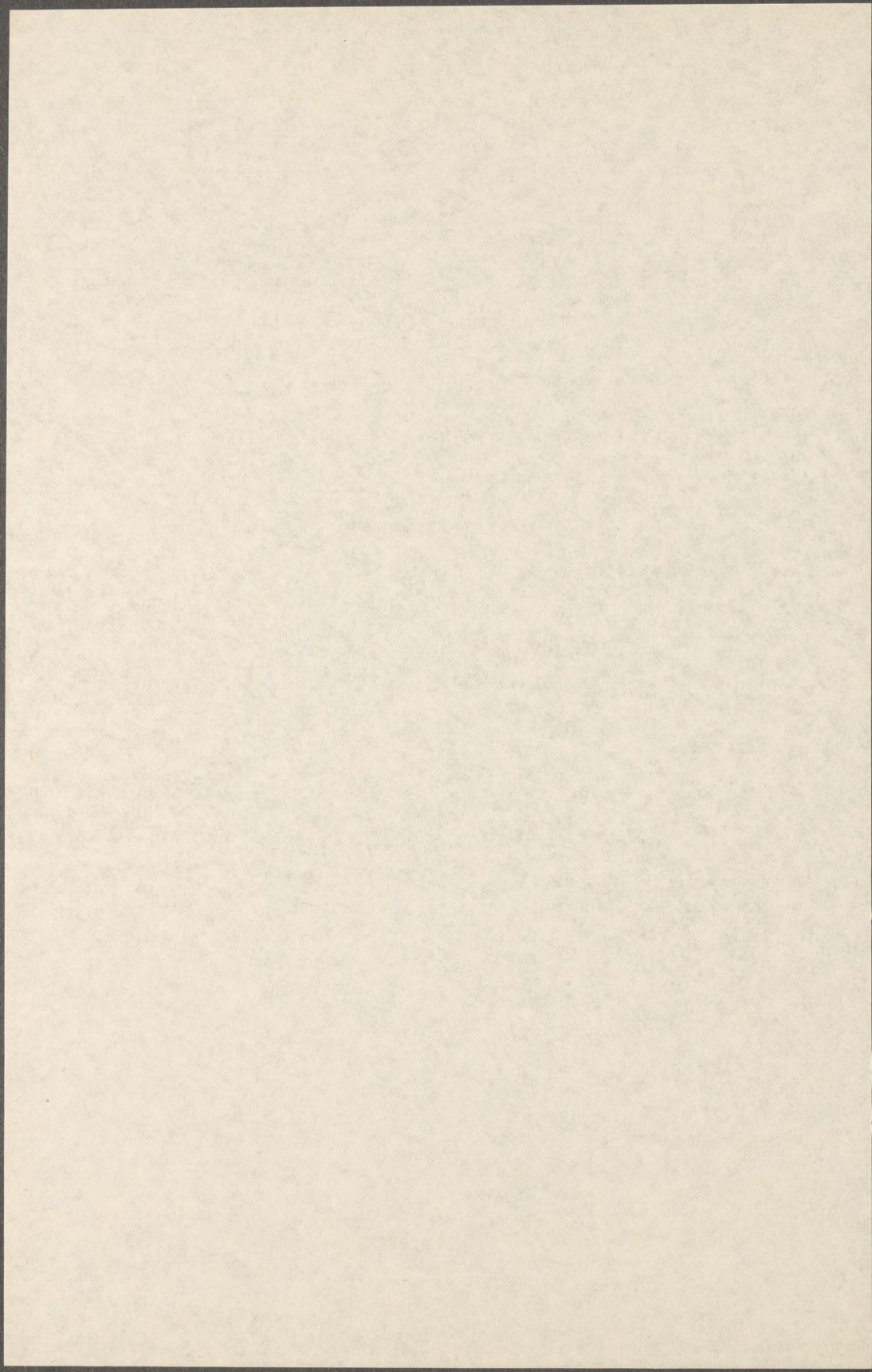
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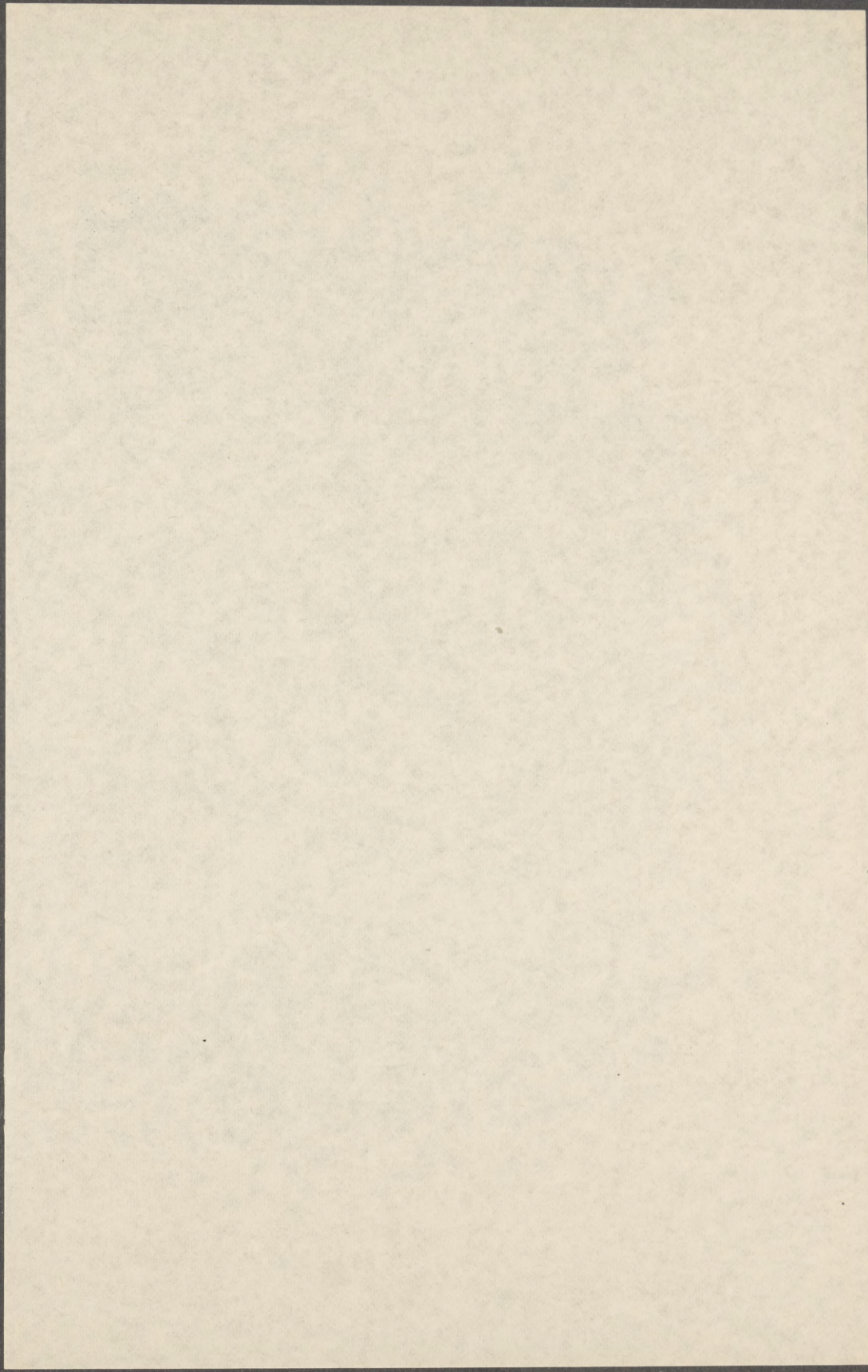
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