

**Testimony of Christine Kim, Senior Community Liaison for the
Mayor's Community Affairs Unit before the
New York City Council Committee on Health**

Hearing on:

- Int 870 – Defining adoptable animal and mandating advertising for shelter animal adoptions
- Int 1202 – Prohibiting the trafficking of wild birds
- Int 1378 – Banning the sale of certain poultry products that are the result of force-feeding birds
- Int 1425 – Making it unlawful to work carriage horses whenever the heat index reaches or exceeds 90
- Int 1477 – Prohibiting non-therapeutic, elective or convenience declawing of healthy cats and kittens
- Int 1478 – Establishing a department of animal welfare
- Int 1496 – Ensuring the retrieval of companion animals by an animal shelter after an eviction or legal possession
- Int 1498 – Requiring the New York City Policy Department to report data regarding animal cruelty complaints
- Int 1502 – Increasing reporting requirements related to the welfare of shelter animals
- Int 1567 – Increasing fines and penalties for animal abuse
- Int 1570 – Ensuring dogs in boarding kennels are actively immunized against bordatella
- Int – Conducting an education campaign on the proper disposal of deceased animals
- Res 379 – Recognizing “Meatless Monday” in New York City
- Res 798 – Amending State laws related to the sale of dogs, cats and rabbits
- Res – Providing a tax credit to each taxpayer who adopts a household pet from a shelter
- Res – Resolution calling on the United States Congress to pass, and the President to sign, H.R. 724 and S. 479, the Preventing Animal Cruelty Torture Act, otherwise known as the PACT Act.

June 18, 2019

Good afternoon Chairman Levine, the Committee on Health, and Council Members. My name is Christine Kim and I am a Senior Community Liaison at the Mayor's Community Affairs Unit, and I work primarily on animal welfare issues. I am joined on the panel today by two colleagues: Corinne Schiff, Deputy Commissioner of the Department of Health and Mental Hygiene's Division of Environmental Health and Risa Weinstock, Chief Executive Officer of Animal Care Centers of NYC. Deputy Commissioner Schiff and I are pleased to represent Mayor Bill de Blasio's administration, and to discuss the animal welfare package which is being considered today.

The Mayor has long supported progressive animal welfare legislation, signed many bills into law to protect animals, and implemented bold and positive policies for animals ranging from companion animals to wildlife.

For example, in March of this year the Mayor announced that all New York City public schools will participate in Meatless Mondays, affecting 1.1 million students. Not only will our schools, as well as all 11 of our public hospitals, be serving vegetarian meals on Mondays, but all city agencies will be required to phase out processed meat and reduce their beef purchases by 50%, as directed by the Mayor's Green New Deal to combat climate change.

The Mayor is also demonstrating the feasibility and success of large-scale, non-lethal wildlife management with the implementation of the City's deer impact management plan, which has already led to a deer population reduction of approximately 15% and an estimated decrease of 77% in new births. This is a dramatic example of a humane and scientifically cutting edge alternative to hunting and conventional, lethal methods of wildlife management. Through the city's WildlifeNYC campaign, we are promoting the safe co-existence of wildlife and people, and managing other impacts of deer in our urban environment.

Other accomplishments for wildlife include the Mayor's support for the 2017 bill to ban wild and exotic animals from circuses in the city, and the addition of a wild bird rehabilitation center to our Bronx animal shelter, projected to open in 2024.

The Bronx shelter is just one of five major capital projects currently underway for Animal Care Centers of NYC, our open-admission municipal animal shelter system. In collaboration with City Council, the Mayor has invested an unprecedented amount of capital funding into Animal Care Centers which will bring full-service animal shelters to each of our five boroughs for the first time—as well as a stand-alone adoption center next to our Manhattan shelter— further increasing our ability to adopt out animals, enable New Yorkers to keep their pets rather than surrender them because of hardship, and provide critical animal services to our communities. With the support of the City Council, we are now well underway,

and we have identified and are moving forward with sites for care centers in the Bronx and Queens. We also have capital projects in Staten Island and Brooklyn to fully renovate those shelters from the ground up. Each of these projects is designed by animal shelter experts with the health, safety, and well-being of animals in mind.

Animal Care Centers is also changing people's understanding of what an open admissions shelter can and should be. They are at a historic 94% placement rate of the approximately 30,000 animals they take in each year, making Animal Care Centers a national leader in the placement of dogs and cats.

Animal Care Centers' services are not contained to the physical structure of a shelter – they push their programs out into communities where low or no-cost services can mean the difference between animal surrender or keeping pets in their homes. Shelter surrender rates are linked to zipcodes and income, and the more we can promote access to care, the more likely we are to see human-animal families staying together. Animal Care Centers is providing exactly this kind of progressive programming – offering low and no-cost vaccine clinics, a food bank, and free training seminars in the Bronx, as well as spay/neuter services in Manhattan, Brooklyn, and Staten Island. They are a model for municipal sheltering in a large, urban environment. Consequently, some of the country's most reputable animal welfare foundations like Maddie's Fund and Petsmart Charities seek out partnerships with Animal Care Centers to pilot innovative programs to keep pets with their families and out of the shelters altogether.

This commitment to shelter animals has been cemented in the past year when we signed a 34-year contract to ensure the stability Animal Care Centers needs in order to continue delivering positive outcomes for our shelter animals for decades to come. Once these capital projects are complete, New York City will have a totally revamped, world-class shelter system that will be able to provide care for animals for generations of New Yorkers.

In regards to Intro 1478 – the establishment of a Department of Animal Welfare - the Administration recognizes the growth and success Animal Care Centers has achieved with the support and oversight of the Department of Health and Mental Hygiene. For these reasons, it would be in the best interest of the city's shelter animals to keep Animal Care Centers housed in its existing department. To create an entirely new Department of Animal Welfare with a sole function of overseeing the city's animal shelter provider and regulating the few private shelters would replicate a system that already exists and can lead to additional costs and inefficiencies. Much of the progress the city has made for shelter animals over the years would be disrupted.

Next is Intro 1496 – ensuring the retrieval of companion animals by an animal shelter after an eviction or legal possession. We thank the Council for raising the issue of animals who are abandoned or for other reasons left in homes during the eviction process. The administration agrees that it is an issue that needs to be addressed. These cases are complicated and deeply personal, and we want to make sure we take a very deliberate, constructive, and effective approach that does not place an undue burden on Animal Care Centers. Companion animals are a part of human-animal family units; thus human services and animals services must work collaboratively and share the responsibility of ensuring people and animals stay together. We look forward to continuing the discussion with Council to ensure all appropriate parties have a protocol for the timely retrieval of animals after an eviction.

Regarding Intro 1498 – requiring the NYPD to report data regarding animal cruelty complaints - the Administration and New York City Police Department support increasing transparency and the intent of this bill. The NYPD is looking forward to working with the council on a reporting bill that provides meaningful data and that accurately reflects the realities of animal cruelty investigations. For instance, it is common for animal cruelty investigations to take more than 30 days since the cases depend on the outcome of a forensic examination and report completed by a forensic veterinarian. An animal that may appear emaciated will be removed for examination and observation, at which point a determination can be made

about whether it was neglected by its owner or whether the condition is a result of an underlying illness, such as cancer. The time of an investigation is therefore subject to the time of the examination and observation period.

This Administration has always demonstrated a strong commitment to animal welfare, and we know birds can suffer tremendously in the production of foie gras. That is why we support the intent of Intro 1378 - banning the sale of certain poultry products that are the result of force-feeding birds. However, we have also heard concerns from opponents of a ban over economic impact and job loss, and we encourage the City Council to explore the impacts of this proposal.

The Mayor has also always been clear about his position on horse drawn carriages. The Administration supports additional measures to protect carriage horses. We look forward to working with the Council on Intro 1425, which would add a heat index threshold to suspend horse carriage activity.

Now I turn to my colleague, Corinne Schiff, who will further discuss the Administration's feedback on the proposed bills. Thank you.



Testimony

of

**Corinne Schiff
Deputy Commissioner, Environmental Health**

New York City Department of Health and Mental Hygiene

before the

New York City Council Committee on Health

on

Intros 870, 1202, 1425, 1477, 1496, 1502, 1567, 1570, 1598

June 18, 2019
Council Chambers, City Hall
New York, NY

Good morning Chairperson Levine and members of the Health Committee. My name is Corinne Schiff, and I am the Deputy Commissioner for the Division of Environmental Health at the Department of Health and Mental Hygiene. On behalf of Commissioner Barbot, thank you for the opportunity to testify on legislation relating to animals.

The Health Department is charged with overseeing a range of animal-related activities. We permit and inspect animal shelters, grooming facilities, pet shops, boarding establishments, training facilities, animal exhibitions, and horse stables. We conduct trainings on small animal handling; issue state-mandated dog licenses; investigate animal nuisance complaints, animal bites and dangerous dog incidents; and monitor wildlife and domestic animals for diseases, such as rabies, that can impact human health, and undertake prevention activities. We host rabies vaccination clinics around the city and provide low-cost spay and neuter services.

The Department is also responsible for managing and caring for the City's population of owner-surrendered, abandoned, homeless and lost animals. In 1995, the City created a nonprofit entity – now known as Animal Care Centers or ACC – to operate the animal shelter system. The services the Department carries out through a contract with ACC include receiving and sheltering animals, providing medical services, and animal placement. ACC also performs a vital public safety function by handling potentially dangerous animals and accepting suspected rabid animals for observation or preparation for testing. ACC operates full-service animal shelters in Manhattan, Brooklyn, and Staten Island; admissions centers in the Bronx and Queens; field operations throughout the city; and mobile adoption vans. ACC is required to accept all animals, without regard to their condition, age, temperament, or adoptability, and is the only open admissions shelter in the city.

The Administration has been a strong supporter of ACC, committing more than \$98 million for capital projects, with investment in every borough. This includes a substantial renovation of the Brooklyn Care Center, a new adoption center in Manhattan – which I'm pleased to report just won the Public Design Commission's Excellence in Design award – and a significantly renovated Staten Island Care Center that is slated to open this fall. Perhaps most exciting, with the support of the Council, state-of-the-art, full-service animal shelters are in development in the Bronx and Queens, fulfilling the promise made by the Mayor and City Council to provide a full-service shelter in every borough.

I will turn now to the legislation under consideration today. Introduction 1502 would expand the information that the Department reports to the Council regarding city shelter operations and establish a task force to review and advise on shelter best practices. The Department already provides a very detailed report to the Council each year, which includes information on field rescue intakes, transfers, animal outcomes and shelter staffing. We look forward to discussing with the Council what additional information would be meaningful. As for

a task force report, we are skeptical that such an undertaking would yield useful results. As Ms. Weinstock will describe, there have been dramatic improvements in the animal shelter system in the last several years. In 2015, ACC's placement was 80%. Today, ACC is a national leader among municipalities, with a 94% placement rate in the current year. Ms. Weinstock and the animal welfare experts who make up her leadership group are at the top of their fields. They are invited to speak around the country, regularly consult with colleagues in New York City and other jurisdictions and are immersed in the literature and current thinking about best practices. ACC has strong partnerships with animal welfare organizations such as the ASPCA, Best Friends and hundreds of "New Hope" organizations, and ACC's independent, engaged board of directors has helped increase private fundraising and deepen marketing and promotion strategies. The Department is concerned that the time and effort required to convene and run a task force, instruct the members about these best practices, and then to produce a report would be an unnecessary distraction from the important work that ACC carries out every day.

Introduction 1496 would require an animal shelter to retrieve an animal when directed by a sheriff or city marshal executing an eviction or legal possession warrant. The Department would be happy to work with the sheriff and marshal offices to establish a protocol implementing such a mandate at ACC. However, the Department does not know whether the other animal shelters in New York City have the capacity to comply. Introduction 870 would require animal shelters to post photographs and other information about adoptable animals on their website within three days of receiving the animal. The Department agrees that techniques such as posting photographs of animals to a website can promote adoption, and Ms. Weinstock can describe ACC's award-winning projects that have done just that. The Department does not know, however, whether the other animal shelters in the City have websites or sufficient staffing to be able to comply with this requirement, and it may be that in some circumstances a three-day time limit would be inappropriate. We would like to work with the Council to be sure this bill promotes adoption.

Introduction 1570 would update the Bordetella (or "kennel cough") vaccination requirement at boarding kennels. The Department supports these changes, which would align the Administrative Code with the New York City Health Code. Introduction 1477 prohibits veterinarians from declawing cats unless the procedure is medically necessary. The Department appreciates the Council's interest in protecting cats, but the City is not the regulator of veterinary medicine practice. This oversight is a state function and we note that a similar bill recently passed the State legislature and is awaiting action by the Governor. Introduction 1598 would require the Department to conduct a public awareness campaign in English and Spanish regarding proper disposal of deceased animals. The Department has a robust outreach and education program and produces a variety of materials in multiple languages regarding animals and other issues. We look forward to working with the Council to better understand what

information New Yorkers need about disposal of deceased animals and we are discussing the bill with the Department of Sanitation, which is responsible for this activity.

Introduction 1567 would establish civil penalties for animal abuse crimes that are also subject to criminal prosecution, mandate a warning for a first offense for certain crimes, and authorize the Department, agents of the ASPCA, veterinarians and others to enforce its provisions. The Department manages the city's animal abuse registry and has established relationships with the Police Department and the five district attorney offices to implement the program. We would like to discuss with the Council the intent of this bill to be sure it neither conflicts with State law nor undermines efforts to prosecute people who commit animal abuse.

Introduction 1425 would prohibit carriage horses from working when the National Weather Service heat index is 90 or above. The Department currently suspends carriage horse activity when the temperature reaches 90 degrees, and we monitor the weather closely. We would like to work with the Council so that codifying this practice would rely on the Equine Heat Index rather than the National Weather Service index, to be sure we tie protections for carriage horses to a species-specific heat and humidity standard.

Introduction 1202 would prohibit taking wild or otherwise undomesticated birds. The Department supports efforts to instill respect for wildlife and prohibit interaction with non-companion animals. We would like to work with the Council to be sure this bill does not have unintended consequences such as prohibiting people from rescuing injured birds and bringing them to care and that it is consistent with State law requirements governing wildlife matters.

Thank you again for the opportunity to testify. Ms. Weinstock will testify next, and then we will be happy to take questions.



**City Council
Committee on Health
Testimony of Brooklyn Borough President Eric L. Adams
Tuesday, June 18, 2019**

Good morning Chair Levine and the City Council Committee on Health. Thank you for the opportunity to testify at today's hearing about prohibiting the sale or offer for sale of foie gras made from force-fed birds.

Brooklyn is home to 2.6 million residents, a population that represents the largest county in both New York City and State. The public health of our constituents is therefore one of the most important responsibilities of the Brooklyn borough president — including not only the physical health of New Yorkers, but also their emotional well-being and mental health. That's why we asked Council Member Cabrera to introduce Reso 238 to ban processed meats from school food. That is why we worked to expand Meatless Monday to all hospitals and schools, aided by Council member Helen Rosenthal's Meatless Monday resolution.

Intro 1378, which would prohibit the sale or offer for sale of foie gras made from force-fed birds, as well as the further provision of such foie gras in any manner in food service establishments, addresses both public health concerns.

Foie gras is unhealthy for humans. It derives 85 percent of its calories from fat and can trigger the production of a certain compound that raises one's risk of developing Alzheimer's and Huntington's disease, Type 2 diabetes, and heart disease: New York's number-one killer.

To produce foie gras, workers force pipes down the throats of confined male ducks and geese two to three times each day. This routine force-feeding causes the birds' livers to swell to up to 10 times their normal size, which causes difficulty standing and the birds to tear out their own feathers and attack each other out of stress. For humans to inflict this pain upon these animals is of course emotionally and psychologically damaging.

Foie gras has already been banned in Austria, the Czech Republic, Denmark, Finland, Germany, India, Israel, Italy, Luxembourg, the Netherlands, Norway, Poland, South Africa, Sweden, Switzerland, and the UK.

Ultimately, there is no justification from a nutritional or humanitarian standpoint for foie gras to be available for sale or consumption in New York City. I believe it is our obligation as policymakers to ensure that New York City agencies and institutions do not continue to force-feed our health care crisis or perpetuate the suffering of animals. I stand with the 24 council members who have co-sponsored this historic and important bill that will promote and protect the health of all New Yorkers. Thank you.



Humane Society of New York

ANIMAL CLINIC / VLADIMIR HOROWITZ AND WANDA TOSCANINI HOROWITZ ADOPTION CENTER
306 East 59th Street, NYC 10022 / tel: (212) 752-4842 fax: (212) 752-2803

The Humane Society of New York thanks the Committee on Health for conducting this public hearing on so many animal protection bills and we also thank the many New York City councilmembers who have sponsored these bills.

Int. 1425-2019: To codify into New York City law what should already be existing practice, that humidity must be considered when determining when horses may be worked. We strongly support this legislation. In fact, under current New York City Rules adopted decades ago, 24 RCNY 4-05, “Whenever the air temperature is 90 degrees Fahrenheit or above and/or the wet bulb temperature is 85 degrees Fahrenheit or above all rental horses must immediately cease working, be offered shade when available, be rested and cooled off, and then walked to their stable. All horses so ordered to return to their stable must be unbridled and remain at the stable for at least one hour and until both the wet bulb temperature is less than 85 degrees Fahrenheit and the air temperature is less than 90 degrees Fahrenheit.” There is significant documentation which indicates that horses are more susceptible to the effect of heat than humans and that exercise in hot and humid conditions can be very dangerous to horses. See, for example, <https://www.horsetalk.co.nz/2015/06/16/horses-heat-up-faster-than-people/>, <https://equineink.com/2010/06/30/study-shows-horses-are-more-susceptible-to-heat-than-humans/>, http://animalscience.uconn.edu/extension/articlesByFaculty_2_2243815053.pdf

Int. 1202-2018: To ban the capturing of wild birds. We strongly support this legislation. This legislation clarifies state law which implies that pigeons may only be taken by persons who have been issued a permit and only when determined by a municipality that the pigeons are a menace (Environmental Conservation Law, section 11-0513). There have been numerous reports of pigeons being netted and removed into vans. This practice is inhumane from capture, to transport, to ultimate disposition of the birds, whether these birds are taken to bird shoots or end up on a dinner plate. See, for example: <https://www.thedodo.com/reward-offered-for-help-in-cap-1012657535.html>, https://www.huffpost.com/entry/man-filmed-catching-pigeons_n_56ae6521e4b077d4fe8e86fb, https://gothamist.com/2017/02/19/man_with_a_huge_net_seen_snatching.php, <https://www.thevillager.com/2015/07/feathery-felony-in-park-as-perps-net-200-pigeons/>

Int. 1378-2019: To ban force-feeding birds to produce food products. We strongly support this legislation. Force-feeding birds to produce foie gras (meaning fat liver in French), is inhumane and should be prohibited. Worth noting is that California’s ban on force-feeding was upheld by the 9th Circuit U.S. Court of Appeals. Petition for writ of certiorari was recently denied by the United States Supreme Court. *Ass’n des Eleveurs de Canards et d’Oies du Quebec v. Becerra*, 139 S. Ct. 682 (2019).

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Int. 1498-2019: To provide for transparency regarding animal cruelty complaints and enforcement. We strongly support this legislation. Transparency laws are powerful tools which help to keep the interested public informed and promote more effective enforcement.

Int. 1570-2019: To add bordetella to the list of vaccines required to board dogs at a boarding kennel, business or establishment. We support this legislation. Kennel cough is highly contagious. Requiring this vaccine should help to protect dogs when boarded.

Int. 1478-2019: To establish a Department of Animal Welfare. The mission of the Department of Health and Mental Hygiene is “to protect and promote the health of all New Yorkers.” <https://www.nycservice.org/organizations/1524>. Certainly public health is an extremely important mission but in order for animal welfare to receive the attention it needs, we should have a city agency that is responsible for protecting and promoting the well-being of animals. However, we believe if there is to be a Department of Animal Welfare, its mission should extend beyond animal shelters. There are other animal related issues in our city affecting wildlife, pet stores, breeders, humane education, slaughter, housing, and more.

Int. 1496: To require prompt retrieval of animals left behind after an eviction. It is so very important that animals locked in premises get immediate assistance. Sometimes by the time a marshal or sheriff executes a warrant of eviction or legal possession, animals have been left behind for an extended period of time. Even waiting another twenty-four hours could mean the difference between life or death for that animal who may have no food or water and who may be suffering due to dehydration or other medical problems. Animals should be provided with necessities prior to twenty-four hours, particularly those animals who appear ill. We believe animals in clear need of urgent care should be removed immediately and that animals left behind should be removed to safety in no more than twelve hours. Worth noting is section 373 (2) of the Agriculture and Markets Law which also references a twelve hour rescue response. It provides, in part, that officers may “take possession of any animal in or upon any premises other than a street, road or other public place, which for more than twelve successive hours has been confined or kept in a crowded or unhealthy condition or in unhealthful or unsanitary surroundings or not properly cared for or without necessary sustenance, food or drink, provided that a complaint stating just and reasonable grounds is made under oath or affirmation to any magistrate authorized to issue warrants in criminal cases...”

Int. 1502-2019: To require the Department of Health and Mental Hygiene to report to the mayor and City Council information regarding euthanasia of animals at city-funded shelters and to require the establishment of an animal shelter task force. The greater accountability required by this legislation will not only provide the public with more information regarding the placement of animals from city-funded shelters but may result in fewer animals being euthanized and more animals placed in homes. The development of recommendations of best practices for animal shelters should also be helpful.

Int. 1567-2019: To increase fines for violating dog tethering law. Tethering for extended periods of time is inhumane. Dogs require exercise, socialization, and the ability to move without continuous restraint. When chained for long periods of time, dogs can become anxious and aggressive.

We support increasing fines for the violation of New York City's tethering law. However, we have serious concerns regarding the other provisions in this bill relating to animal abuse penalties. State law (Article 26 of the Agriculture and Markets Law) provides for much more stringent penalties.

Int. 870: To require shelters to post photographs and relevant information about adoptable animals. Int. 870 defines "adoptable animal" to mean "any animal not suffering from an incurable illness, severe chronic pain, or serious behavioral issues, deemed to be suitable for adoption as defined in subdivision a of this section." Animals not in such poor health or who do not have serious behavioral issues may still not be ready to be placed for adoption within three days of receipt. Int. 870 is confusing when read in conjunction with section 17-802(a) of the Administrative Code regarding when the photos and descriptions of animals must be posted. The Humane Society of New York thoroughly examines all animals we receive. Some of the animals have various health issues and our veterinarians treat those animals until they are ready to be placed for adoption. Our animal behaviorist works with animals with behavioral issues until it is determined by the behaviorist that the animals are ready to be placed for adoption. That process can take much longer than three days. Placing photographs on our website within three days of receiving many of our animals would not accurately reflect the animals' adoption status.

Int. 1477-2019: To ban declawing of cats for non-therapeutic purposes. Similar legislation has passed both houses of the New York State Legislature (A. 1303-B, S. 5532-B) and we are hopeful that Governor Cuomo will sign that legislation into law. Declawing is an invasive procedure that causes unnecessary pain and renders cats defenseless.

Res. 0798-2019: To call upon the New York State Legislature and Governor to enact pending state legislation to ban the sale of dogs, cats, and rabbits from retail pet stores and T2018-1189: To call upon the New York State Legislature to enact legislation to provide a tax credit to people who adopt an animal from a shelter. Both of the state bills referred to in these resolutions encourage adoptions. There is a serious overpopulation of homeless animals. Adoptions, not sales, should be encouraged. It is the humane thing to do. Also, there is substantial documented evidence regarding the horrific conditions at puppy mills. Puppy mills, large commercial breeding facilities where animals are often warehoused in unsanitary conditions, in cramped cages, deprived of socialization, adequate exercise, and necessary veterinary care, supply their puppies to pet stores. The breeding dogs spend years, if they survive that long, suffering in these deplorable conditions. See: <https://www.usda.gov/oig/webdocs/33002-4-SF.pdf>

Res. 0379-2018: To recognize "Meatless Monday." Meatless Monday promotes animal welfare and public health. We support this resolution.

Elinor Molbegott, Esq.
Legal Counsel/Animal Issues
Direct #: 516-746-6505
emolbegott@gmail.com



**THE HUMANE SOCIETY
OF THE UNITED STATES**

1255 23rd Street, NW
Suite 450
Washington, DC 20037
P 202-452-1100
F 202-778-6132
humanesociety.org

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Co-Chair

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Co-Chair

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June 18, 2019

Hon. Chairman Mark Levine
Committee on Health
New York City Council
City Hall
New York, NY 10007

Chairman Levine and Honorable Committee Members,

As the New York State Director for the Humane Society of the United States, I thank you for the opportunity to present today on several bills being considered by the committee.

The HSUS supports Intro. 1378, in relation to banning the sale of force-fed foie gras. Foie gras, which is French for “fatty liver,” is the diseased and enlarged liver of a duck or goose, produced through force-feeding by forcing a pipe is down the birds’ throats. The birds’ livers, diseased with hepatic lipidosis, then enlarge up to ten or more times its original, healthy weight. The means by which this specialty item is produced involves inherent cruelty, as well as the purposeful creation of diseased organs within an animal.

The HSUS supports Intro. 1425, in relation to making it unlawful to work carriage horses whenever the heat index reaches or exceeds 90 degrees. Current laws aimed at protecting carriage horses are outdated, in that horses must only stop working when the **air temperature** is 90 degrees or above. This does not take into account both heat and relative humidity during extreme weather. Including the heat index as a base measure for protecting carriage horses from the dangerous combination of high humidity and high temperature is sensible legislation.

The HSUS supports Intro. 1202, in relation to prohibiting the trafficking of wild birds. We have found correlation between incidents of netting large groups of pigeons on NYC streets and their transportation to Pennsylvania, where they are used as live targets in a blood sport known as pigeon shooting. The HSUS has investigated these nefarious nettings and the shoots for years. We found that some birds traced back to NYC were banded homing pigeons, and their legs, with identifying bands, were cut off while the animals were alive, prior to being shot. Wildlife is a resource that belongs to all NYC residents. Pigeon netting is cruel, it’s thievery and it should be made illegal through amendments to the administrative code.



**THE HUMANE SOCIETY
OF THE UNITED STATES**

Regarding Intro. 1478, Intro. 0870, and Intro.1502, all relating to NYC's animal shelters, the HSUS urges the city to consider the full extent of some provisions in these bills. Requiring "any empty cages, kennels or other living environments" be used for housing animals could unintentionally mandate the removal of kennels, rooms and other designated areas used for emergency situations such as hoarding cases or disease control. There are elements of these measures that may warrant particular attention by a stakeholder group with participation by sheltering experts. Inclusive stakeholder discussions can significantly enhance lifesaving programs for NYC's homeless animals.

Additionally, The HSUS supports Res. 0798, in favor of the state bill prohibiting the sale of dogs, cats and rabbits in pet stores; Res. 0379, recognizing "Meatless Monday" in NYC; and Reso. 4689, supporting passage of the federal Preventing Animal Cruelty Torture Act (PACT), which is a priority for our organization.

Thank you for your consideration today and for your service to the people of New York City.

Sincerely,

Brian Shapiro
New York State Director
The Humane Society of the United States
200 W 57th Street #705
New York, NY 10019
bshapiro@humanesociety.org
(845) 707 5350



THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS®

Michelle Villagomez
NYC Legislative Senior Director

American Society for the Prevention of Cruelty to Animals

Hearing before the New York City Council's Committee on Health

June 18, 2019

Good morning. I am Michelle Villagomez, New York City Legislative Senior Director for the American Society for the Prevention of Cruelty to Animals (ASPCA). I would like to thank the Health Committee and Chairman Levine for hosting this hearing on such varied animal-related legislation and all your efforts to make NYC a more humane community. We appreciate the opportunity to share our expertise to help inform your work and offer our position on the following bills: Res. 921, Intro. 1570, Intro. 1425, and T2019-4689. My colleagues will focus on other bills in more depth.

We support Resolution 921, in support of providing a tax credit to taxpayers who adopt their pets from a shelter. The New York City Council should commit to the goal of incentivizing adoptions of homeless pets. The ASPCA has invested millions of dollars into both the city and the state's sheltering infrastructure to help increase adoption rates, and we believe this measure will inspire New Yorkers to adopt their next pet. We thank Councilmember Cumbo for her leadership in urging state lawmakers to enact A.286 which will make New York State the first in the nation to provide a tax credit for shelter adoptions and save the lives of countless animals.

We support Intro. 1570, Councilmember Levine's bill to require that owners of dogs being accepted at a boarding kennel, business, or establishment show proof of active immunization against Bordetella. This bill would clarify the Bordetella vaccine requirement to reflect manufacturer recommendations and current veterinary best practices. Current law requires the vaccine to be administered every six months in conflict with the manufacturer's

recommendations. Requiring veterinarians to administer a biologic product in a manner that is not consistent with the manufacturers' recommendations puts the veterinarian at risk.

We support Intro. 1425, Councilmember Powers bill to make it unlawful to work carriage horses whenever the heat index reaches or exceeds 90. By law, carriage horses may be worked nine hours a day, in temperatures ranging from a low of 18 degrees to a high of 90 degrees, not taking into account wind chill factors or humidity. The ASPCA believes that using horses to pull carriages through very busy and loud city streets is unsafe and an undeniable strain on the horses' quality of life. We have fully supported past efforts to address the working and living conditions of the carriage horses and support any step in the right direction like this measure to improve and promote carriage horse welfare.

We support Councilmember Holden's resolution calling on the United States Congress to pass, and the President to sign, H.R. 724 and S. 479, the Preventing Animal Cruelty Torture Act, otherwise known as the PACT Act. The ASPCA has long recognized the well-documented link between animal cruelty and other serious crimes. Felony animal cruelty statutes currently exist in all 50 states. However, no federal statute addresses the horrific types of animal cruelty depicted in crush videos. The PACT Act will complement state cruelty laws by allowing for federal prosecution in instances and jurisdictions where local and state law enforcement cannot reach.

Thank you for the opportunity to address the Committee today. The ASPCA looks forward to working with all of you to achieve a more humane city.



THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS®

Felicia Magnaterra, DVM
Manager, Adoptions Veterinarians
Shelter & Veterinary Services

American Society for the Prevention of Cruelty to Animals

Hearing before the New York City Council's Committee on Health

June 18, 2019

Good morning. My name is Dr. Felicia Magnaterra, and I am a shelter veterinarian and manager with the ASPCA's Adoption Center. The ASPCA, does not support Intro. 870, the proposed legislation requiring animal shelters to publicly post photos of their adoptable animals online within 3 days of receiving them into their care. This stipulation would lead to welfare, operational, and resource challenges that will increase length of stay for animals in our care, prolonging their time in the shelter setting and directly working against the mission of our organization.

The ASPCA does not operate as a "lost and found" or open admission shelter. Our population is uniquely different than any shelter in the country based on our community outreach and NYPD relationships. We also have a fully functioning animal hospital with specialized medical and surgical veterinarians, a high quality and high volume spay/neuter operation, a kitten nursery, a relocation program, a field operations program, and recovery centers for animals who have sustained significant hardship physically and behaviorally. When we are able to put these animals on the adoption floor to the general public to see same day, we eagerly do. Every week, animals are examined at intake and placed immediately for adoption where the public can see them that very same day. It is not uncommon for "fast track" animals, those not in need of significant medical or behavioral intervention, to get adopted the same day they arrive. We also regularly have animals in our care for less than 3 days: the pet has an intake exam on day 1, gets spayed or neutered on day 2, and gets adopted on day 3. A mandate to photograph and post photos of these animals is a drain on organizational resources and time that can be spent helping more animals in the community.

Mandating photographs at the time of intake or shortly thereafter will disrupt the low stress handling and Fear Free® environment that we have worked to establish and model in our professional shelter setting. The ASPCA Adoption Center currently manages a variety of sensitive patient cases ranging from abuse, hoarding, neglect, and often with NYPD legal case origins. These particular pets have been traumatized by their previous situations and require a special approach to acclimate them slowly to a new environment where they are comfortable enough to come out of hiding to complete basic functions such as elimination and food/water intake. Photographing an animal in this condition is not only difficult, requiring time and resources to achieve successfully, but it can be a significant set back into the progress made during the pet's acclimation to the shelter from a behavioral and welfare standpoint.

We avoid posting intake photos to the website because we want to showcase our animals in the best possible light. It is our responsibility to demonstrate best practices—from medical, behavior and welfare standpoints—for other shelters not only in NYC, but across the country. Forcing animals that are in a compromised medical state or a state of extreme shock or fearful to sit for a photo does not adhere to the Fear Free® guidelines we follow, and it does not meet the standards we would like to set for other shelters. Thus, the ASPCA is hesitant to use photos where the animal does not look healthy and relaxed. Occasionally, we will use cell phone images for animals that are extremely fearful and cannot handle photoshoots with specialized equipment, but by far and large this is not the norm.

The focus of the ASPCA Adoption Center is to feature animals on the website that may be more difficult to place based on temperament or medical history. Those animals tend to be in our

care for longer durations leading us to strategize their adoption placement with a strong website presence. This approach targets individuals within the community who might be actively seeking out an animal that has a special need or circumstance. It also prevents the wasted work that would go into putting up photos and removing those same photos hours later for those “fast track” pets.

We are also concerned about the unintended consequences of defining “adoptable animal”. As it’s currently drafted, under “incurable illness”, there are illnesses that cannot be cured but can be managed, and this definition could mean that the animal may not be made available for adoption. Chronic pain is qualified with the term “severe”, but again, even if the pain can be managed the animal may not be made available for adoption under this definition.

Another and final consideration is the impact that this would have on other animal welfare groups in the NYC community that have less resources than the ASPCA. While the challenges are numerous to our organization, it is evident that this would also be significant for those smaller organizations in the community helping animals with substantially less resources to support their daily operations.

There is little to gain from this provision, as well as great risks. It would be difficult to enforce in the private sector and have impactful, negative consequences to the NYC animal sheltering and welfare communities. We recommend that before further action is taken on Intro. 870, that the Council work with the animal shelters to find a better way to address the aims of this bill. We look forward to sharing our expertise and continuing our work to improve conditions for New York City’s animals.

Thank you.



THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS®

Jennie Lintz
Director, Puppy Mill Initiative

American Society for the Prevention of Cruelty to Animals

*Hearing before the New York City Council's Committee on Health in support of
Res. 798*

June 18, 2019

Good morning. My name is Jennie Lintz, I am the Director of the Puppy Mill Initiative at the American Society for the Prevention of Cruelty to Animals. On behalf of the ASPCA and our New York members, I would like to thank Councilmember Brannan for introducing Resolution 798 in support of A. 6298/S.4234, which would prohibit the retail sale of dogs, cats and rabbits across New York State.

In 2015, New York City took a stand to keep puppies from some of the worst breeders in the country out of our pet shops, in an attempt to improve transparency in the puppy mill supply chain. Unfortunately, even New York City's clear legislation which prohibits pet stores from using dog brokers- middleman- has been undermined-by pet stores who continue to buy from them. This bold defiance is not unexpected. This is an industry that makes money off buying and reselling puppies, relying on aggressive and deceptive sales tactics, exploiting the emotional connection people feel towards animals.

We arrive at this moment in history after over two decades of the Federal Government's failure to responsibly enforce the bare minimum animal health and safety requirements for the wholesale breeders feeding retail markets as required by the Animal Welfare Act (AWA). We are living in an era now where New York's pet stores are almost completely geographically disconnected from their suppliers. Import records demonstrate that overwhelmingly, pet stores are selling puppies from United States Department of Agriculture (USDA)-licensed wholesale breeders or dog brokers , from states like Missouri, Iowa, Ohio. These operations consistently prioritize profit over responsible, humane animal care.

Many federally-licensed operators are allowed to remain in business even after several years of repeated serious violations for injured and sick dogs who had not been treated by a vet, keeping dogs in filthy conditions, and subjecting animals to the freezing cold or stifling heat without adequate

protection. Even those that are in full compliance with the AWA can legally keep dogs in wire-bottomed cages that are just six inches longer than the dog in each direction, stacked on top of one another.

The USDA's own Inspector General (IG) audits revealed uncorrected, deep and systemic flaws in the enforcement of breeders selling to pet stores. The flaws in the Federal system were so entrenched, that states and municipalities began to take action to limit where local pet stores could source from, intending to keep pet stores from acquiring dogs from facilities with documented violations and selling them to consumers.

In 2017, the USDA abruptly removed thousands of animal welfare records including inspection reports, enforcement actions and other information from its online databases, where such information had resided and been publicly accessible for years. Two years later, the records remain unavailable or the significant information is heavily redacted. By obstructing access to this crucial data, the USDA removed critical protections from animals who need them most. Now, instead of helping ensure that animal mistreatment is swiftly identified and stopped – an important responsibility of the USDA – this decision actually provides abusers better cover.

Lack of access to these records not only undermines the effectiveness of these Federal laws, but also interferes with enforcement of state and local laws meant to protect animals and consumers. The data blackout has had a dramatic impact on laws designed to prevent the sale of puppy mill dogs, including those enacted in New York. Without access to inspection reports, there is simply no way to independently determine which licensees have violations, rendering sourcing laws ineffective.

Buying a pet store puppy is not a choice consumers want. According to a recent survey, 8 out of 10 New Yorkers said they support legislation to keep dogs out of pet stores. New Yorkers who want to add a dog

to their family will continue to purchase animals from state-regulated breeders directly or adopt their pet. There are hundreds of pet stores in New York, both large and small, selling food, supplies and services like grooming and boarding to the millions of pet owning families throughout the state. Those are the businesses we want in our city and state.

It is time to finally limit the ability of puppy mills to profit from cruelty and improve the lives of thousands of dogs. Please pass Resolution 798.

Thank you.



VOTERS FOR ANIMAL RIGHTS

Thank you Chairman Levine, members of the Health Committee, and Speaker Johnson, for the opportunity for me to speak today asking that you support Intro 1378.

I'm Kathy Nizzari, board member of Voters for Animal Rights and Solid Waste Advisory Board. I am a County Committeewoman in Speaker Johnson's district, and a pet care ^{and behavior} specialist.

Our local legislators with Speaker Johnson at the helm, are all moving us in the direction of a kinder, compassionate city. No truer is that than today where we're seeing an unprecedented, history-in-the-making 16 animal protection bills and resolutions being discussed, showing us that New York City is ready, not only to put human rights above profits but also animal rights. The Mason-Dixon poll numbers quoted earlier bears that out.

In my mind putting an end to animal cruelty and death should be enough reason to pass Intro 1378 banning foie gras. A lot has been discussed about the cruelty suffered by these ducks. I'd like to talk about another element of cruelty – the mental and emotional trauma they suffer. It's convenient for people to deny that animals have consciousness because it enables them to inflict the unimaginable cruelty and torture to animals for personal gain.

Any number of animal behaviorists or animal scientists, like Jane Goodall, Dian Fossey, Marc Bekoff, Rupert Sheldrake, even Charles Darwin, all the way back to the Greek philosopher Pythagoras 2500 years ago, said animals have consciousness and rich emotional lives. Their senses are more vivid than ours. Award-winning Carl Safina wrote “It's illogical for us to think that animals might not be having a conscious mental experience of play, sleep, fear or love.” We've all heard about elephants who mourn the passing of a loved one or the whale who winked in gratitude to the men who rescued her.

As a person who works with animals professionally, part of my job is to help those who live in a state

of fear and avoidance or act aggressively because of the emotional trauma of having been physically abused by humans. It's patently obvious animals feel everything we do, from joy to sadness, fear to trust, love to anger. I've seen cats and dogs go into periods of mourning when their brother, sister, or human dies. Remember the Richard Gere movie "Hachi: A Dog's Tale," about the dog who continued to wait at the train for his human, long after the human died? If any of you live with cats or dogs you know they have their own unique personality.

PTSD has been scientifically documented in animals, including dogs serving in the military and factory farm animals. We know this because they become extremely fearful, hyper-vigilant, and by an increase in their urinary cortisol levels. While I don't work with birds I can say that ducks raised on foie gras farms are in a constant state of emotional trauma that meets all the touchstones of PTSD.

Temple Grandin said animals feel intense fear when they're in threatening situations, they can be overwhelmed by fear, especially prey animals. The only way a prey animal can survive in the wild is to enact their normal flight response. Fear is crucial for survival and, with PTSD, can teach us to avoid dangerous circumstances in the future, but there is no way for these ducks to leave. This is the equivalent of being a kidnap victim or being in prison. They normally walk around freely and are distressed from being restrained. Dr Sara Shields observed, "The birds appear to be frightened and distressed. They move immediately away from the handler as soon as they are released." Dr Lee Schrader noted, "The process of force-feeding birds in order to deliberately induce a disease state is patently inhumane causing severe physical pain and psychological distress."

According to studies published in *Molecular Psychiatry* prolonged immobilization or restraint, creation of an inescapable situation and a severe psychological stressor with, as a consequence, long-term behavioral and neuro-endocrine alterations would induce PTSD in an animal. "Immobilization is a highly effective traumatic experience." Exposure of chronic or repeated prolonged stress situations lead to PTSD and co-morbidity with anxiety and depression. The neuro-biology of PTSD is biochemical alterations in many brain areas which we don't have enough time to get into, but is well-documented in my references. And we know that PTSD in animals is real, because the clinical studies were conducted on animals. What we don't know is the severity of symptoms these ducks experience because their abusive treatment far exceeds the parameters of these "ethical" experiments which are no where near as harsh. National Institutes of Health show evidence of trauma in imaging studies. The effects of PTSD on animals is the same as those on humans.

Fear and chronic stress are a form of animal cruelty not often talked about. If any of this happened to a pet bird there would be a medical intervention. If this were done to humans it would be called sadism, like the 1980 horror movie "Motel Hell," except the people were fed through straws, not metal pipes rammed down their throats. I have friends who have anxiety attacks come Monday morning because they don't want to go to work or panic at the thought of seeing the dentist. I don't know a single human being who could withstand this type of prolonged torture.

These highly traumatic conditions go beyond the natural range of stressors and eventually the ducks become depressed. They go into a freeze response and learned helpless behavior. Basically, they give up. The physical and mental emotional trauma is repeated several times a day, day after day, every single day. There is no relief, no way to extinguish lingering symptoms. The body will attempt to re-establish homeostasis, but without any relief, the prolonged stress will cause disease and suffering and would eventually lead to death

It is no surprise that WebMD linked foie gras ingestion in humans with a rise in Alzheimer's. Since foie gras production destroys the duck's brain receptors through severe and prolonged chronic stress and the human disease is caused by plaque on the brain's receptors, it's really no surprise.

I'd like to ask each of you to please close your eyes and picture yourself in a confined stall surrounded by endless rows of others. A man approaches, grabs your face and quickly shoves a long metal pipe down your throat. No anesthesia. It hurts like hell. You try to get away. He pumps 10 pounds of gruel into you and pulls the pipe out. You're in incredible pain and lethargic from all that food. You feel absolutely sick, vomit, there's even some blood. You look down and see a puncture wound on your stomach from where he shoved the pipe too hard. He does the same to your neighbors and leaves.

He comes back to repeat what he did earlier. You're in excruciating pain and so sick. When he leaves a rat climbs on your stomach to pick at your wound. You're absolutely terrified. A couple of hours later the sadist is back. It's clear there's only one reason he's there Your anxiety level is incomprehensible, making your throat dry so that pipe hurts even more. And every day is the same as the first. Every single day, day after day. But there is no end until he finally kills you.

I don't know a single human being who could withstand this type of prolonged torture.

Would you do this to your dog or your cat? Why do it to a sweet, defenseless bird?

I urge all of you to please support or co-sponsor, if you haven't already, Intro 1378 and 1202 to protect birds. Thank you for your time.

I would also like to urge the committee to support the following bills:

Intro 1425

Intro 1477

Intro 1496

Intro 1498

Intro 1567

Reso 798

Reso 379: As a board member of SWAB, I'd also like to point out that Meatless Mondays would be a benefit to our environment. The United Nations and World Health Organization have reported that the majority of greenhouse gas emissions in this country are due to factory farming. By reducing meat consumption, not only are we helping the animals, but we are also helping the planet which of course ultimately benefits everyone.

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VOTERS FOR ANIMAL RIGHTS

June 18, 2019

Allie Feldman Taylor
786 Jefferson Ave
Brooklyn, NY 11221

My name is Allie Feldman Taylor, and I'm the President and Founder of Voters for Animal Rights. We proudly support Intro 1378 to ban the sale of foie gras (which I am very grateful that my Council Member, Alicka Ampry-Samuel has co-sponsored), Intro 1202 to increase penalties for stealing wild birds, Intro 1425 to protect carriage horses from excessive summer heat, and Reso 379 to endorse Meatless Mondays for NYC.

We stand with the City Council's Resolution 798 and ask that you support this vital piece of legislation to reduce pet overpopulation and irresponsible breeding in New York City. Our organization strongly supports the state bills S4234 and A6298 which would prohibit the sale of dogs, cats and rabbits in retail pet shops. Investigations have shown that animals sold in pet stores mostly arrived from out-of-state puppy mills and many come from breeders with one or more Federal Animal Welfare Act violations. Mothers spend their entire lives in small, dirty wire cages barely larger than they are, producing litter after litter and are discarded or killed when they can no longer reproduce. Puppies and kittens are bred and raised in abysmal, cruel and unhealthy conditions in overcrowded cages with no exercise or proper veterinary care, no protection from harsh weather conditions, and a lack of adequate food, water, and proper sanitation. Assemblywoman Linda Rosenthal, sponsor of A6298, has said, "Animals [bred] in mills live short, tortured existences, their offspring - usually the animals offered for sale at pet stores - are often riddled with congenital issues as a result of the poor conditions and breeding practices employed."

These mills put profits before pets and anonymously hide behind the retailers. Customers spend thousands purchasing these pet store puppies, only to spend thousands more caring for their medical problems, sometimes only to suffer heartbreak when they die at a young age. New York veterinarians have reported a disproportionate number of medical and behavioral issues, infectious diseases, and even premature deaths in pet store animals, as opposed to those adopted from shelters or rescue groups.

While customers purchase pets in stores, healthy and loving animals live out their days in shelters or are euthanized due to limitations of space or resources. According to the Department of Health and Mental Hygiene, New York City shelters take in more than 30,000 dogs and cats each year. Some of the puppy mill puppies even end up in shelters when their purchaser cannot cope with the burdensome veterinary expenses or behavioral issues, putting an additional strain on the shelters and on taxpayers.

The way to reconcile this disparity is to pass Resolution 798 calling on the state to pass and the Governor to sign A6298/S4234.

I also urge the City Council to pass Intro 1477 which will put an end to the unnecessary mutilation of cats purely for human convenience. I am a mom of six rescued cats, a professional cat sitter, manager of a feral cat colony, and a volunteer for neighborhood trap-neuter-release in Bedford Stuyvesant. In other words, I spend a lot of time with cats and can attest to the fact that declawed cats suffer from physical and emotional trauma, resulting in even worse behavior than scratching up your couch. In my experience, declawed cats will resort to

increased biting and aggression or unwanted marking outside of the litter box as a result. The solution is simple: a \$10 cardboard scratching board that you can buy online or any pet store.

Declawing is a brutal practice that actually requires the cat's first toe bone to be amputated, along with the removal of tendons and muscles, leading to a lifetime of pain and discomfort. Cats need their claws. They assist in climbing and maintaining balance, they help to relieve stress through the act of kneading, and they serve to protect a cat from danger. Without her claws and first toe bones, a cat's gait shifts, creating a strain on her spine and leg joints, which often leads to early arthritis and prolonged back and joint pain. Arthritis has been linked to bone loss and fractures. All to protect a couch or a pair of curtains.

Since the governor has not signed on to the state bill, we cannot afford to wait. Therefore, I ask that the Health Committee moves quickly in support of Intro 1477 to stop this cruel and inessential practice.



**VOTERS FOR
ANIMAL RIGHTS**

Testimony in support of Intro 1378 (prohibiting the sale of foie gras from force-fed birds) and Intro 1202 (prohibiting the trafficking of wild birds) heard at Health Committee Hearing on June 18, 2019

From: Joyce Friedman, Board of Directors, Voters for Animal Rights

To: The Committee on Health

My name is Joyce Friedman and I'm a New York City resident and on the Board of Directors of Voters for Animal Rights. I am testifying today in strong support of Intro 1378, the bill to ban the sale of foie gras from force-fed birds and Intro 1202, the bill to prohibit the trafficking of wild birds in NYC.

Regarding foie gras: there's no humane way to shove pipes down the throats of ducks and geese to make their liver expand 10 times its normal size. This should be banned.

Voters for Animal Rights strongly urges passage of Intro 1202, a much-needed bill that will protect New York City's wild birds from the illegal yet common practice of being violently stolen from our parks and streets to be used as live targets in Pennsylvania pigeon shooting contests.

This is the barbaric practice we need to stop: Individuals are paid to lure large flocks of pigeons with bird seed and then violently snap up hundreds of these birds at once in a large mechanical net, often resulting in painful broken legs or wings to the terrified, fragile birds. Other types of birds also get caught such as starlings, sparrows and robins. Then the netter races to their vehicle and throws in the struggling, netted birds and speeds away. This has been witnessed many times by horrified New Yorkers. A description from a friend:

"I have had first-hand experience in dealing with the unscrupulous pigeon netters who, with impunity have been working as an organized unit in and around five boroughs of New York City for decades. I caught them red-handed netting a flock on 42nd Street and single-handedly got them to release the birds though it wasn't easy.

I have heard of devastated flocks that were completely wiped out when the frail women who cared for them could not stand up to these criminals who kept coming back to net the birds until there were none left. They have threatened people with physical violence & even assaulted several."

Where are this stolen wildlife taken? Decades of research by The Humane Society of the United States and other groups have shown that the birds are transported to the last remaining brutal pigeon shooting contests in Pennsylvania. Prior to being shot the pigeons are kept in dark, tiny boxes without food and water to disorient them so when they are released at the shoot, they can't quickly fly away. Often they are maimed and left to suffer until they die, or, believe it or not, their heads are twisted off by children at the shoots. Many of my colleagues have personally witnessed the above at these brutal shoots.

HSUS research has shown that multiple nettings have occurred in our city in the 1-2 weeks prior to scheduled PA pigeon shoots and HSUS undercover investigators have followed netters as they transport the birds out of NY for these shoots.

This illegal practice continues because our current city and state laws aren't sufficient; they don't make it clear enough for NYPD to make good arrests and charge these crimes. And the current weak penalty is just the cost of doing business: when arrests are made the criminals are quickly back on the streets. This bill will simply increase the penalty to a misdemeanor and make the law clearer and easier for law enforcement to protect our urban wildlife from being cruelly taken from their natural homes. VFAR thanks Council Member Carlina Rivera for recognizing the need to protect NYC birds from this cruel practice and we look forward to the bill's swift passage.

Joyce Friedman
Board of Directors
Voters for Animal Rights
67-10 108 Street #6A
Forest Hills, NY 11375

Testimony in SUPPORT OF INTRO 1378 / June 18, 2019

My name is Cynthia King.

I live in Brooklyn council district 39 and own a business in district 40. I am a mother, a teacher, and a voter. I'm here because I was taught...If you see something, say something!
I have seen photos, video, and have read the facts about Foie Gras.

"*Foie gras*" is produced by inserting a foot-long metal or plastic tube into a duck or goose's esophagus, and rapidly delivering huge amounts of concentrated grain, fat, and compressed air into the bird with a pump....via a pneumatic or hydraulic pump. This process is repeated up to three times a day for several weeks until the liver becomes diseased and grows up to 10 times its natural size before the bird is slaughtered. This forced-feeding causes extreme pain and suffering.

Council Member Carlina Rivera has introduced a common-sense bill that would end the unnecessary suffering by prohibiting the sale of products from force-fed birds in New York City. I strongly support **Intro 1378**. New York City should join dozens of countries, the State of California, and many prominent retailers in prohibiting the sale of *foie gras* from force-fed birds.

What can possibly be a rational argument in favor of this cruel practice?

For the record, I also **strongly support Intro 1425** the carriage horse heat bill

AND I SUPPORT THE FOLLOWING:

Intro 1202 wild bird trafficking prohibition

Intro 1477 Cat declaw ban

Intro 1496 -protecting animals in apartments where eviction took place

Intro 1567 Increase fines for animal abuse

Reso 0379 Meatless Monday

Reso 0798. Pass the NY State pet store sales ban of dogs cats and rabbits

Reso 0921 tax credits for adopted pets

Thank you,

Cynthia King
201 east 7th Street
Brooklyn NY 11218



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June 18, 2019

**RE: VETERINARY SUPPORT for New York City's Intro 1378 to Prohibit
Sale of Foie Gras**

Honorable New York City Council Members,

My name is Dr. Eileen Jefferson and I am a full-time practicing New York veterinarian as well as New York State Representative for the Humane Society Veterinary Medical Association, a national association of veterinary professionals focused on animal health and welfare. On behalf of our 9000 members nationwide, and 300 in New York, the HSVMA endorses passage of Intro 1378 to prohibit sale of foie gras.

Foie gras is a luxury food item produced by inserting a pipe down a duck or goose's esophagus, and inhumanely force-feeding them up to several times daily. This is done to intentionally induce hepatic lipidosis, a disease state of liver enlargement. Serious health ramifications to the birds can include esophageal inflammation and trauma, difficulty breathing, mobility problems, aspiration, liver hemorrhage, and even cardiac or renal failure.

According to the American Veterinary Medical Association's 2014 literature review on foie gras, the livers of ducks may naturally fluctuate seasonally--- to **1.3 to 1.5 times their normal size**. This seasonal or migratory fattening is often used erroneously by foie gras supporters, in an attempt to depict foie gras production as the extension of a normal, benign process. However, it is crucial to understand that foie gras birds undergo liver enlargement up to **10 times their normal size**. In addition, the domestic ducks used in foie gras production have decreased ability to secrete the accumulating liver fats, as compared to their wild counterparts.

Foie gras birds also endure their fattening through a highly unnatural method, as they are captured, forcibly restrained, and then involuntarily fed *maximal* amounts of a *high carbohydrate* food, past their point of satiation. It is typical for Mulard ducks used in foie gras production to be fed 1,350 g of food daily. This amounts to approximately 1/3 (one-third) of their own body weight every single day, for up to 30 days. With their consequent 85% weight gain, they undeniably suffer from impaired mobility as well as pronounced susceptibility to heat stress and transport injury. Not uncommonly, these ducks or geese have difficulty standing. Unsurprisingly, research indicates that death would

ensue from continued foie gras fattening if slaughter did not occur.

For many decades, this form of food production has been justifiably singled out for its particularly inhumane methods. The Humane Society Veterinary Medical Association strongly urges passage of this bill, and I join 50 of my fellow New York veterinarians in personally endorsing Intro 1378.

Sincerely,

A handwritten signature in black ink that reads "Eileen Jefferson, DVM". The signature is written in a cursive style and is positioned above the typed name.

Eileen Jefferson, DVM
New York State Representative,
Humane Society Veterinary Medical Association



Eileen Jefferson, DVM
P.O. Box 826
Stone Ridge, NY 12484
(845) 707-3148
ethvet@gmail.com

June 18, 2019

Honorable New York City Council Members,

My name is Dr. Eileen Jefferson. As a New York State licensed and practicing veterinarian, I fully support Intro 1425, the Carriage Horse Heat Relief Bill. In addition to my veterinary training, I have over 15 years of personal hands-on equine care experience, which has included horse ownership, and competitive show jumping, as well as work at the Cornell University Hospital for Animals Equine Ward and the John T. Oxley Equestrian Center at Cornell University.

I am here today as an individual practitioner supporting this legislation. The national organization I represent, the Humane Society Veterinary Medical Association, stands so opposed to the ongoing use of New York City's carriage horses that it is willing to declare support only for a ban or full overhaul on New York City's use of carriage horses.

Let that be my segue to state that Intro 1425 is an *incredibly modest* proposal. It seeks only to abolish driving horses in the same heat and humidity conditions that the American Association of Equine Practitioners---and virtually all other equine authorities--- already caution against for horses used in sport and leisure.

Ambient humidity is one of the most crucial factors in determining an exercising horse's susceptibility to heat stroke, collapse and death. Under New York City's current law, however, humidity is not considered at all. Intro 1425's proposed cut-off is a National Weather Service Heat Index of 90. This translates to 84°F and a relative humidity of 70%, or 82°F and 85% relative humidity. The sums of these are 154, and 167, respectively.

An American Association of Equine Practitioners resource plainly states that "when the sun temperature and humidity *exceed 150*, it is hard for a horse to keep cool." Even at 130, there are some muscular horses whose cooling system simply will not function. This is why most equine associations urge caution in exercising horses anywhere *above 120*.

It is an indisputable medical fact that if the humidity becomes high enough, an exercising horse can incur serious physical compromise and distress at a temperature below 90°F. Of course, in "horse country", it's rare to hear these numerics being so analyzed, because

basic horsemanship and “horse sense” would normally preclude working horses in the weather extremes currently in question.

It is important to assure that New York City---one of the most prominent cities in the world---is currently abiding by the fundamentals on every issue, this issue of safety and animal welfare being no exception.

Again, as a licensed NYS veterinarian, I support Intro 1425, the Carriage Horse Heat Relief Bill.

Respectfully,

A handwritten signature in cursive script that reads "Eileen Jefferson, DVM". The signature is written in black ink and is positioned above the typed name.

Eileen Jefferson, DVM
New York State Representative,
Humane Society Veterinary Medical Association
Owner/Founder, Ethical Veterinary



WE LOVE ANIMALS AND WE VOTE!

June 18, 2019

NYC Council Health Committee Hearing for Intro 1476

Testimony of Edita Birnkrant, Executive Director, NYCLASS

In favor of Intro 1425; Edita@nyclass.org; 917.940.2725

My name is Edita Birnkrant and I am the Executive Director of NYCLASS, (New Yorkers for Clean, Livable, and Safe Streets) an animal advocacy non-profit organization founded in 2008 and based in New York City, with supporters in all five boroughs. NYCLASS is strongly in support of Intro 1425, the Carriage Horse Heat Relief Bill.

As a lifelong New York City resident who has spent over a decade working on the carriage horse issue—researching, documenting the conditions and treatment of the horses on the streets and in their stables, educating the public and advocating for better conditions, I can tell you that it is absolutely necessary to update and improve the current heat restriction laws for the horses, which have never been updated. As a result of the antiquity of the laws, the horses suffer. Intro 1425 would stop carriage horses from being worked when the National Weather Service’s Heat Index reaches or exceeds 90 degrees Fahrenheit. The Heat Index measures how hot it “really” feels when relative humidity is combined with the air temperature.

A study conducted by Cornell’s Urban Horticultural Institute revealed the temperature at street level in New York could be as much as much as 45 degrees Fahrenheit higher than the temperature recorded by the U.S. Weather Bureau. Dr. Holly Cheever, a New York veterinarian and municipal veterinary advisor who used to inspect the New York City carriage horses for the ASPCA, has said, “In a hot environment, a horse can lose 8-10 gallons of fluid with exercise, but if the air is saturated by high humidity, evaporative cooling cannot occur and the horse’s core temperature continues to climb. If the horse becomes dehydrated and cannot produce sweat, life-threatening anhydrosis ensues.”¹ Dr. Holly Cheever also says: "Since New York City's asphalt surfaces have reached temperatures of 200 degrees Fahrenheit, it is evident that keeping horses sufficiently cool on hot summer days in the humid northeast is virtually impossible."²

The summer of 2018 was the fourth hottest on record for the Unites States. The only three hotter years were 2015, 2016, and 2017, according to data from the National Oceanic and Atmospheric Administration. The reality of climate change seriously affects us all, humans and non-humans alike. That includes the carriage horses who pound the pavement year-round, including in snowstorms, frigid cold, and during sweltering heatwaves.

New York City summers are hell for carriage horses who are forced to work during high-

¹ <https://www.hsvma.org/the-urban-carriage-horse-ride#.XP5dCOZNP8>

² <https://www.hsvma.org/the-urban-carriage-horse-ride#.XP5dCOZNP8>

humidity heatwaves when the heat index soars to 100 degrees or hotter. This past summer, as is the case every summer, horses were documented by NYCLASS out on the streets pulling heavy carriages for several hours during citywide heat advisories, when the real feel temperature and the heat index was soaring to 100 degrees. In one heartbreaking instance from August 6th, 2018, I filmed a carriage horse in a state of serious heat stress in dangerously humid and hot conditions—on a day that both the National Weather Service and the NYC Department of Health issued severe citywide heat advisories to all residents and their pets, warning them to limit time outdoors, yet carriage drivers were legally still allowed to be working the horses in these dangerous and cruel conditions. Several veterinarians and horse experts who have closely watched this video all agree that the horse is in clear heat stress and should not be on the street. Currently, the outdated temperature law states that horses must *only* stop working when the *air temperature* is 90 degrees or above.

The critical measurements of humidity and heat index are wrongly left out of the the law, resulting in danger for the horses. This needs to change before the coming summer, to prevent more cruelty to the carriage horses if things stay as they are.

The City Council has the opportunity to right this wrong, by passing Intro 1425, the Carriage Horse Heat Relief Bill, sponsored by Councilman Keith Powers and with 22 current co-sponsors. This new bill would extend protections to factor in the heat index, or “real feel” temperature. If implemented, whenever the heat index is 90 or above, horses will not have to be strapped to carriages over 9 hours a day dragging over one thousand pounds in scorching temperatures. High tech readers will be used to measure the temperature and relative humidity – the two components of the heat index. The formula used will be the same one used by the National Weather Service.

These laws regulating when carriages horses have to stop being worked in the heat were enacted 30 years ago and have remain essentially unchanged. Standards and views about how we should treat animals have greatly evolved since then. Carriage horses working when the heat index is above 90 is abuse and it should not be tolerated. This is a common-sense measure that will partially reduce horses from working about 12 of the most scorching days of the year that are not already covered, and it will only bring the horses back to the stables during the hottest, most humid periods of the day. This is a public health bill that benefits the whole city, but most importantly, protects the carriage horses, who have no voice and no choice in the matter. Passing Intro 1425 into law is a small step towards making New York a more humane city, and NYCLASS hope the Health Committee and the City Council will take this important step to help the carriage horses before another summer is upon us.

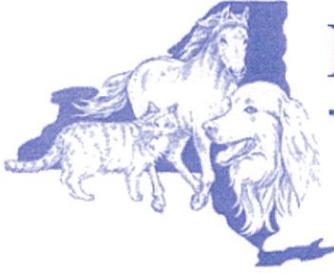
NYCLASS has longtime supported the creation of a NYC Department of Animal Welfare, a separate city agency to oversee and enforce all of the pressing animal issues, including the city animal shelters, the horse-drawn carriages, city wildlife policies and more. Intro 1478 seeks to establish a Department of Animal Welfare, and we will enthusiastically support Intro 1478 sponsored by Council Member Justin Branna, when it is amended and expanded to include all animal issues in New York City.

NYCLASS also strongly supports Intro 1368, the bill that would ban the sale of foie gras in New

York City. Foie gras is produced by egregiously cruel and inhumane methods to birds, including ramming metal pipes down their throats to force-feed them in order for their livers to swell to grossly abnormal sizes. Such cruelty has no place in this world, much less in progressive New York City. California has already passed a statewide ban on the sale of foie gras.

NYCLASS also supports the following bills and resolutions: Intro 1202—the bill to prohibit the trafficking of wild birds, Intro 1477—the bill to ban cruel cat-declawing, Intro 1567—which would increase penalties and fines for animal abuse, Intro 1570—Bordatella vaccinations for dogs, Intro 1598—proper disposal of diseased animals, Resolution 379—Recognizing “Meatless Mondays” in NYC, Resolution 798—Amend the agriculture and markets law and the general business law, in relation to the sale of dogs, cats and rabbits. (A6298/S4233), Resolution 921—Provides a tax credit to each taxpayer who adopts a household pet from an animal shelter.

Sincerely,
Edita Binkrant
Executive Director, NYCLASS



New York State Humane Association

PO Box 3068 Kingston, NY 12402 (845) 336-4514

www.nyshumane.org

June 18, 2019

New York City Council Health Committee Hearing
In Favor of Intro #1425
Holly Cheever, DVM

Dear New York City Council Health Committee,

I am an equine veterinarian, educated at Harvard University and at the College of Veterinary Medicine at Cornell with a lifetime of experience in horse management, including driving carriage horses. I have practiced veterinary medicine in the state of New York for the past 40 years I and have served as a consultant to many animal advocacy groups to eliminate New York's anachronistic and inhumane carriage horse tourist trade.

As I have stated consistently since my first involvement with this industry in 1988, I do not believe that New York City can provide a safe and humane environment for its carriage horses for myriad reasons, and I live to celebrate someday the news that this industry has folded. That said, until the horses are removed from this inappropriate environment, I support Intro 1425.

As long as the industry exists in NYC and horses are forced to pull carriages during extreme heat and humidity, Intro 1425 would be better for them than leaving the inadequate temperature laws as they currently are. Changing the law so that horses must stop working when the heat index reaches 90 or above would provide some relief for the horses who currently only stop working when the air temperature hits 90 degrees and more, and they often work when the heat index far surpasses 90 degrees. Our high humidity levels add to the misery the horses endure.

The problem of inadequate and lukewarm enforcement remains a large obstacle to the horses' actually benefiting from this new law, but I hope that at least a small crumb of additional comfort may be given to them to lessen their physical discomfort and health hazards. I continue to hope that New York tires of its well-deserved criticism for this form of abuse, and eliminates the entire carriage horse misery altogether.

I thank you for your attention in this matter.

Sincerely,

Holly Cheever, DVM
Vice President, New York State Humane Association

The New York State Humane Association was formed in 1900 and incorporated in 1925. Our guiding principle is to promote compassion to animals and prevent animal cruelty, through education about and enforcement of the NYS anti-cruelty laws. NYSHA is not a department of nor funded by New York State or any other government agency.



FOR THE RECORD

Concerning Intro 1378 – Banning the sale of certain poultry products

Good morning. My name is Kathleen Reilly and I am the NYC Government Affairs Coordinator for the New York State Restaurant Association. We are a trade group that represents food and beverage establishments in New York City and State. We are the largest hospitality trade association in the State, and have advocated on behalf of our members for over 80 years. Our members are one of the largest and most widely impacted constituencies in the City, as nearly every agency regulates some aspect of this economically and culturally essential industry. To ensure the continued viability of the restaurant industry, New York City must prioritize regulations that enable these hardworking New Yorkers to continue earning their livelihoods.

Today, I am testifying with some concern over Intro 1378, which would ban the sale of products resulting from force-feeding birds. This refers to foie gras produced by forcing food down the throats of birds. NYSRA supports the protection of animals and the efforts to stem animal cruelty. We do not support force feeding, and we understand City Council's efforts to prevent force-fed products from being sold in New York City.

The one point of concern that we have is regarding the enforcement of this proposal. We have heard anecdotally of humanely produced foie gras, which is made without force-feeding geese, but rather by tapping into their natural migratory instinct to gorge. To the extent foie gras remains popular throughout the state and country, we hope these natural methods will become more widespread, and even favored over the force-feeding method. With that in mind, we seek more clarity on how this law would be enforced, and how the origins of foie gras would be verified. If a restaurant is able to procure foie gras from a farm that produces it naturally, we want to be sure that they will not be punished under this law. Furthermore, we would seek clarification on where the liability would fall, if it were uncovered that a farm fraudulently claimed to produce natural foie gras. We do not believe that restaurants are responsible for visiting the premises of every supplier to verify their methods, and we want to be sure that restaurants would not be put at risk by fraudulent behavior on the part of their suppliers.

In conclusion, the New York State Restaurant Association supports the efforts of City Council to protect the welfare of animals, and our one concern over Intro 1378 is in enforcement. We want to see restaurants protected from punishment under this law if they are procuring natural, non-force-fed foie gras. We also want to indemnify restaurants that purchase foie gras advertised as natural and non-force-fed, even if the supplier is found to be making a fraudulent claim. We appreciate your attention to our concerns, and hope that you take them into consideration. We look forward to continued collaboration to create a fair and ethical business environment for all New Yorkers.

Respectfully Submitted,

Kathleen Reilly

NYC Government Affairs Coordinator

New York State Restaurant Association

315 W 36th St., 7th Floor

New York, New York 10018



Veterinary Medical Association of New York City Inc.
PO Box 959
New York, NY 10024
212-246-0057
info@vmanyc.org

TESTIMONY BEFORE THE NEW YORK CITY COUNCIL HEALTH COMMITTEE JUNE 18, 2019

My name is Dr. Mari Morimoto and I am representing the Veterinary Medical Association of New York City (VMANYC). I am a veterinarian licensed in the State of New York, have been in practice for 18 years, and am a Member at Large of the VMANYC Executive Board. The regional professional association of veterinarians residing and/or practicing in the five boroughs, the VMANYC has been serving the profession, the New York City community, and all animals, both owned and otherwise, since 1879. Our mission is to improve and advance the education of veterinarians and the science of veterinary medicine; to foster and maintain high standards of integrity, honor, courtesy, and ethics in the profession; to foster protection of public health; and enlighten and inform the public regarding veterinary medicine, science, and knowledge, and avoidance of cruelty to animals, wherein it affects the public good and welfare.

Thank you to Chair Levine and the Health Committee for allowing the VMANYC to provide testimony today. I plan to speak on two pieces of legislation on the agenda – Intros. 1570 and 1478.

Intro. 1570-2019

The VMANYC supports Intro. 1570-2019, which will clarify New York City's requirements regarding *Bordetella* immunization for dogs in the Boarding Kennel Regulation Act to align with best practices in veterinary medicine and current manufacturer recommendations.

Currently, there are two separate sections of law pertaining to *Bordetella* vaccination requirements for dogs in New York City. Both laws apply to any dog entering a boarding, training, grooming or other animal service facility in the city. However, the two regulations contradict one another and we believe it is in the best interest of the impacted animals to unify and conform the two regulations.

- The Boarding Kennel Regulation Act states that no dog may be accepted at a facility unless the owner provides proof that the dog has received certain vaccinations. This act requires proof of vaccination against *Bordetella* during the previous six months.
- However, in Article 161 of the Health Code – which pertains to the keeping for sale, boarding, grooming, or training of dogs – facilities are required to obtain proof that the dog is “currently actively vaccinated” against *Bordetella*. Active vaccination is defined elsewhere in the Health Code as “administered according to the manufacturer's instructions.”

Manufacturers conduct vaccine efficacy trials that must be validated and approved by the USDA. All currently licensed *Bordetella* vaccines in the United States have manufacturers' instructions to vaccinate

on a yearly basis. There is no scientific evidence to suggest more frequent vaccination beyond manufacturer recommendations provides additional protection from infection with *Bordetella*.

The confusion between the laws puts dog owners, veterinarians, and animal service facilities in a difficult position of not knowing which vaccination protocol to adhere to. Veterinarians are sometimes asked by owners to vaccinate a dog against manufacturer recommendation (or “off-label”) and against their best medical judgement because a boarding or grooming facility is following the six-month requirement in the Boarding Kennel Regulation Act.

The reason behind the six-month vaccination requirement for *Bordetella* in the Boarding Kennel Regulation Act is not well documented; however, it is understood that the impetus was the death of a dog thought to have contracted and succumbed to kennel cough after being exposed in a boarding facility. Any death is an unfortunate event. However, there are multiple pathogens other than *Bordetella* that can cause kennel cough. These include, but are not limited to, Canine Influenza, Parainfluenza, and Adenovirus type 2, and vaccination against *Bordetella* alone, regardless of frequency, does not provide any protection against any of these other pathogens.

Requiring veterinarians to administer a biologic product in a manner that is not consistent with the manufacturers’ recommendations also puts the veterinarian at risk. While the *Bordetella* vaccine is typically a safe vaccine, in rare instances some dogs may have an adverse reaction. If the vaccine that caused the reaction was given less than one year after the previous vaccine, the veterinarian may be held liable for using the product off-label.

Therefore, for all these reasons, it is in the best interest of the animal being considered for vaccination to allow the veterinarian to provide care that is based on manufacturer recommendation.

For these reasons, we are grateful to Councilmember Levine for introducing Intro. 1570-2019 and look forward to swift passage so that dog owners, veterinarians, and animal service facilities in New York City have clear, consistent guidance and peace of mind knowing that the required proof of vaccination against *Bordetella* is aligned with current manufacturer recommendations and best practices in veterinary medicine.

Intro. 1478-2019

Intro. 1478-2019 would establish a Department of Animal Welfare to oversee animal shelters in New York City, led by a commissioner and an Animal Welfare Advisory Board. The new department would have the power to license animal shelters and enforce all laws, rules, and regulations pertaining to the operation and maintenance of the shelters, facilities, and services, and the care and treatment of animals in their possession.

One of the core functions of city animal shelters when it comes to care and treatment of animals is to provide veterinary services to the homeless, stray, seized, or surrendered animals who arrive at their doors. The Department of Animal Welfare would ostensibly oversee each shelter’s provision of veterinary services; any contracts with outside veterinary service providers; and adherence to laws, rules, and regulations related to the health of animals in shelter care. Therefore, the VMANYC believes Intro. 1478-2019 should be amended to require that at least one of the eleven members of the Animal Welfare Advisory Board be a licensed Doctor of Veterinary Medicine.



**Testimony of
Risa Weinstock, President and CEO
Animal Care Centers of NYC**

Before the

New York City Council Committee on Health

Hearing on

Intros 870, 1202, 1425, 1477, 1496, 1502, 1567, 1570, 1598

**June 18, 2019
Council Chambers, City Hall
New York, NY**

Good morning Chairperson Levine and members of the Health Committee. My name is Risa Weinstock and I am the President and CEO of Animal Care Centers of NYC (ACC). Thank you for the opportunity to testify at today's hearing on the proposed bills concerning animal welfare. I would also like to thank everyone for your commitment to the health and welfare of NYC's shelter animals. Over the last five years ACC has steadily improved thanks to the substantial support of Council, the Mayor's office and the NYC Department of Health & Mental Hygiene (DOHMH). With your support and the growing community of support from the private sector, ACC has grown to be a leader in the nation for open admission animal shelters. The future success of ACC is further assured with the city's financial commitment to the construction of state of the art shelters in the Bronx and in Queens as well as much needed renovation of our existing facilities.

ACC is unique among all animal shelters in NYC because we are "open admissions" meaning we accept *any* animal brought to our five locations, whether the animal has been abandoned, surrendered, found as a stray; brought in by the public, NYPD, or our animal rescue team; and regardless of age, health, breed, species, temperament or physical condition. We not only accept and seek placement for companion animals, but also wildlife, birds, reptiles, and farm animals.

We operate three full-service Animal Care Centers located in Manhattan, Brooklyn, and Staten Island, and two Resource Centers, located in the Bronx and Queens respectively. We are open seven days a week to the public and provide 24 hour care to our animals. Our field rescue team is on call 24 hours a day for animal emergencies throughout the city. We also work to root out causes of animal homelessness or abandonment. For families that may be struggling with issues affecting their ability to keep their pet, we offer an array of resources including owner-surrender prevention counseling, free/local vaccine clinics, vouchers for low cost or free spay/neuter and medical services, and free basic obedience training.

I want to thank city council for the additional three million dollars provided to ACC this past fiscal year that allowed us to add three new vehicles to further grow our outreach efforts including a mobile adoption vehicle to serve Queens; a vehicle to support our community pets program and vaccine clinics; and a third vehicle to support deeper community outreach. The funding was also used to staff these programs as well as hire additional medical staff, purchase medical supplies and equipment and to add safety and security features to our facilities.

ACC is always open, which means we are always busy, always working and always problem solving. In calendar year 2018, ACC took in over 28,000 animals or roughly 75 animals each day. And while that is a daunting number of animals, ACC has ***one of the best placement rates in the nation for a shelter of our size— 94% in the current year.*** The team that has elevated ACC and NYC to this historic position is made up of over 280 compassionate, talented, caring professionals. For an overview of our work and impact year to date, please refer to the 2019 community report on the back page.

ACC is very proud to have recently been awarded a 34-year contract to continue to provide animal services to NYC. Over the next 34 years ACC and animal sheltering in NYC will continue to dramatically

change and evolve as we incorporate state of the art shelters in the Bronx and Queens, undergo significant renovation of our existing facilities and continue to implement innovative solutions designed to yield the best outcomes for the most animals in our care.

The remainder of my testimony focuses on Intro 1502, specifically the requirement for additional reporting and the creation of a task force to develop best practices for animal shelters. ACC provides detailed data to DOHMH which then annually reports to the City Council. We welcome the opportunity to work with council to identify any additional information that would be meaningful.

Concerning the proposal for a task force to develop best practices in animal sheltering, there already exists a wide field of animal sheltering/welfare expertise comprised of industry professionals. ACC follows industry best practices including "Guidelines for Standards of Care in Animal Shelters" published by the Association of Shelter Veterinarians. ACC's decisions are informed by these industry standards and the advice of our mentors in the field. Our own team also includes professionals who are experts in animal sheltering; are certified or licensed in their fields of expertise; have master degrees in animal welfare and decades of experience in animal behavior, sheltering and shelter medicine.

The nation's animal welfare leaders, including the ASPCA, Maddie's Fund, HSUS, Best Friends Animal Society, University of Wisconsin, UC Davis Koret School of Veterinary Medicine, Petco Foundation, PetSmart Charities, and The Association for Animal Welfare and Advancement have recognized ACC for our progressive work. These leaders have worked with ACC on multiple pilot projects to analyze complex animal sheltering issues and develop standards for other shelters.

ACC could not have progressed this far if we were not acutely aware of industry best practices, or we did not commit to attaining the industry gold standards. In many cases, we are setting best practices for other organizations to follow. For example we were one of the first municipal sheltering organizations of our size to successfully implement the dog playgroup model as a life saving measure. We were also one of the pioneers in offering a robust surrender prevention program to our clients, many of whom lack access to affordable veterinary resources. We have been honored multiple times by national standard setting organizations, been invited to speak at their conferences across the US, and received grant funding specifically earmarked for the implementation of gold standard programs.

There is no shortage of opinion and emotion in animal welfare, but it should not supplant fact based dialogue or be used to second guess the professionals who set national standards, nor the qualified in-house team that works directly with our animals inside the care centers. Opportunities for input from the public currently exist. Our board meetings are open to the public; we regularly testify before the City Council Health Committee at oversight hearings; and we respond to public inquiry on a regular basis. ACC's board is made up of private individuals, several of whom are appointed by the Mayor and city officials all of whom review, question and direct operations.

I encourage the Health Committee to come for a tour, meet our staff, attend one of our community pet vaccine and wellness clinics, stop by a mobile adoption event, or simply adopt or foster one of our animals. You will quickly understand the depth of our compassion, the meaning of our work and the positive impact that ACC is making as we work to end animal homelessness in NYC.

Thank you.



Animal Care Centers of NYC

January - May 2019 Community Report

3,105
Adoptions

1,881 1137 87

3,611

Placed with New Hope
2,527 1,037 47



636
Cats & Dogs Returned Home

8,734
Animals taken in

1,057
surrender PREVENTIONS

14,165
HOURS volunteered



812
Animals in Foster

50
BoroughBreaks



1,264
Community Pets Vaccinated & Microchipped

487
Spay/Neuter Appointments

12,305 lbs
of pet food distributed

1,650
Kids participated in ACC Community Kids

124
Outreach Events

Countless
New Yorkers informed about ACC!



Social Media Followers 50,026 33,072 12,580

94% Placement Rate

6/15/2019

Re Intro 1425-2019 / Horses and Work
Statement from Gloria Austin:

EDUCATOR, INTERNATIONALLY RENOWNED CARRIAGE
DRIVER, WHO TOOK A CARRIAGE RIDE IN
CENTRAL PARK ON SUNDAY.

As a carriage driving expert, I believe there is no
further need for regulating the work of horses in NYC.

Horses have been bred for 6,000 years to serve mankind
for transportation, agriculture, warfare, and commerce.
We have only used self propelled vehicles for 100
years.

Those people who make their living with horses do not
want to abuse their horses nor work them beyond their
limits or they lose their livelihood.

Our history must be preserved through the presence of
horses on the streets of NY. Please, no further
regulation and I praise you for keeping these important
symbols of our history on the streets of NY.

Gloria Austin, Author and Historian
Go to www.gloriaaustin.com
for books on horses and carriages

Gloria Austin
Marion County Road
Weirsdale
Florida
United States
32195

Tel. 352-753-6186

Email. gloria@gloriaaustin.com

Jessica Zafonte, Esq.
120 W. 116 St., #5C
New York, NY 10026
FOR: Intros 1378 and 1202

My name is Jessica Zafonte and I live in Harlem in Council Member Bill Perkins' district.

I am an attorney and long time animal rescuer, with a focus on the rescue and rehab of waterfowl and other birds, including pigeons. As of the last year, I have also been working with the NYC Parks Department to rescue and rehome domestic ducks dumped in city parks. Two pending bills very much affect the species of animals that I work with every day.

First, I ask that the health committee and council member Perkins pass Intro 1378, which would ban the sale of foie gras in New York City restaurants.

As you have heard, the means of producing this product is unjustifiably cruel.

Why is it cruel? It is cruel because it is standard practice to shove a hard pipe down a bird's throat, pump them with food, and cause them to develop fatty liver disease. The birds suffer from the conditions they are kept in—filthy cages without the pools of water they crave, sitting in their own excrement. The multiple time daily force feeding is terribly painful. And of course, the subsequent liver disease is miserable.

Why is it unjustified? Because no one needs foie gras to survive. It is a luxury food item. It is not healthy. It's also not an "affordable" food that low income families rely on. And even the high end restaurants that sell the product are not staying in business solely because of foie gras. Rather it's one item on their menu.

Second, I ask you to pass Intro 1202, which would prohibit the unlawful capture, possession, sale or purchase of wild birds, including pigeons. The capture and trafficking of wild or feral birds is always at the detriment and often death of the animals and it has no place in New York City.

As a rescuer, I have fostered and spent quite a bit of time with pigeons and ducks. People sometimes don't extend their empathy to birds because they look so different from us and, specifically, they express fear and pain very differently from mammals. But that does not mean they do not feel pain and fear, as well as many other emotions. These birds have complex lives, which they enjoy living.

Ducks and pigeons are fiercely loyal to one another and develop deep, deep bonds. Pigeons and ducks, as prey animals, are also extremely nervous animals and experience extreme fear and horror when they are captured, let alone when they are mistreated and tortured. When ducks lose a mate or a friend, they will cry for days. I've seen ducks protect their partners, literally shielding them from danger with their own bodies. When allowed to live out their lives, both ducks and

pigeons they have daily routines, favorite foods, and spend a great deal of time doting on and receiving affection from their friends and family.

With respect specifically to Intro 1378 to ban foie gras, the restaurant industry is going to talk about how the city cannot take away their rights and implement such regulations. Yes, you can. Throughout history, progressive laws have always been met with strong opposition, always arguing that it is a violation of someone's "rights" or "choices"—even if those rights and choices were at the detriment of others. Every such law has been vehemently opposed, from the law abolishing slavery to those requiring children be vaccinated. At some point, though, our government decides that the needless suffering of the victims outweighs someone's else's wishes or choices, especially when the victims are the most helpless and most vulnerable members of society.

These animals cannot testify today but I am testifying on their behalf. They deserve better. They deserve our protection. Please pass Intros 1378 and 1202.

NEW YORK CITY BAR

CONTACT

POLICY DEPARTMENT
MARIA CILENTI
212.382.6655 | mcilenti@nycbar.org
ELIZABETH KOCIENDA
212.382.4788 | ekocienda@nycbar.org

WRITTEN TESTIMONY OF THE ANIMAL LAW COMMITTEE OF THE NEW YORK CITY BAR ASSOCIATION IN SUPPORT OF INTRO. 1378-2019

The New York City Council Committee on Health

Tuesday, June 18, 2019, 10:00 a.m.

Good morning. I am a New York attorney testifying today on behalf of the New York City Bar Association's Animal Law Committee (the "Committee"). The New York Committee has previously supported state bills that would ban the force-feeding of birds.¹ Today the Committee voices its support of Intro. 1378, which would ban the sale of certain poultry products that are the result of force-feeding birds.

The Committee on Health should vote in favor of the local law because the law would better align our city's laws with our city's values — values like treating animals humanely.

REASONS FOR SUPPORT

Foie gras is a luxury food made by force-feeding ducks and geese. Several times a day the bird has a tube inserted into its esophagus and, by means of a pneumatic or hydraulic pump,² is forced to eat high-energy food it neither wants nor needs.³ This force-feeding can injure the bird's esophagus and abnormally fattens the liver, which has reduced function and can painfully swell to up to ten times its normal size⁴ and become diseased.⁵ The product of this process — which many veterinarians declare inherently inhumane⁶ — is foie gras.

¹ New York City Bar Association, Animal Law Committee, Report on S. 456 (June 2013), <https://www2.nycbar.org/pdf/report/uploads/20072525-ProhibitingofForceFeedingBirds.pdf>; Report on A. 6212-A/S. 3330-A (June 2005), https://www.nycbar.org/pdf/report/foie_gras_report.pdf. All websites last visited June 17, 2019.

² Michaela DeSoucey, Contested Tastes: Foie Gras and the Politics of Food 51 (2016).

³ American Veterinary Medical Association (AVMA), Welfare Implications of Foie Gras Production: Literature Review 1-2 (May 7, 2014), https://www.avma.org/KB/Resources/LiteratureReviews/Documents/foie_gras_bgnd.pdf.

⁴ *Id.* at 2.

⁵ The Humane Society of the United States, Scientists and Experts on Force-Feeding for Foie Gras Production and Duck and Goose Welfare, <https://www.humanesociety.org/sites/default/files/docs/hsus-expert-synopsis-force-feeding-duck-and-geese-welfare.pdf>.

Neither federal law nor state law specifically protects ducks and geese from this force-feeding. At the federal level, the Animal Welfare Act of 1970 expressly exempts animals raised for food,⁷ while the Humane Methods of Slaughter Act does not even mention birds.⁸ At the state level, New York’s anti-cruelty statute⁹ could, in our view, be interpreted to prohibit force-feeding, though we are unaware of any prosecutions on these grounds. Moreover, a state ban on the act of force-feeding would not stop the in-state sale of products from force-fed birds; it would just mean a change of suppliers.¹⁰

By passing Intro. 1378 the City Council could help protect birds from this inhumane practice. In particular, Intro. 1378 would ban the sale of products that are the result of force-feeding birds with the intent to fatten or enlarge the bird’s liver.

Passing this local law would bring New York City in line with other jurisdictions that have recognized the inherent cruelty of this so-called “delicacy.” In particular, in 2004 California became the first state to amend its health code to outlaw the in-state sale and production of foie gras.¹¹ That ban, which took effect in 2012, was upheld by the Ninth Circuit, and just this January the U.S. Supreme Court declined further review.¹² In addition, over a dozen countries — including India, Germany, the UK, and Israel — have banned production of foie gras and deemed force-feeding a violation of national animal welfare laws.¹³ Indeed, the Israel Supreme

⁶ See, e.g., *id.* at 4, 7.

⁷ 7 U.S.C. § 2132(g) (excluding from the definition of “animal” “other farm animals, such as, but not limited to livestock or poultry, used or intended for use as food or fiber, or livestock or poultry used or intended for use for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber”).

⁸ 7 U.S.C. § 1902 (referencing “cattle, calves, horses, mules, sheep, swine, and other livestock”). Although the Secretary of Agriculture could, under 7 U.S.C. § 1904, include birds among “other livestock,” the Secretary has to date declined to do so. See Cynthia F. Hodges, Detailed Discussion of the Humane Methods of Slaughter Act (2010), <https://www.animallaw.info/article/detailed-discussion-humane-methods-slaughter-act>. Indeed, while noting that existing law requires poultry to be treated humanely in line with “good commercial practices,” in 2015 the United States Department of Agriculture (“USDA”) issued a notice declaring that “there is no specific federal humane handling and slaughter statute for poultry.” USDA, Food Safety and Inspection Service [Docket No. 04–037N], Notice: Treatment of Live Poultry Before Slaughter, 70 Fed. Reg. 56624 (Sept. 28, 2005).

⁹ N.Y. AGRIC. & MKTS. L. § 353.

¹⁰ While the largest producer of foie gras in the United States is located in upstate New York, most of the world’s foie gras comes from France. Ari Z. Zivotofsky, *Duck, Duck, Goose*, Mishpacha Jewish Family Weekly (Jan. 2, 2019), <http://mishpacha.com/Browse/Article/11786/Duck-Duck-Goose> (noting that Hudson Valley Foie Gras is the country’s largest producer of foie gras); Ruud Peys, *Excellent Year for French Foie-Gras*, Poultry World (March 9, 2016), <https://www.poultryworld.net/Meat/Articles/2015/3/Excellent-year-for-French-foie-gras-1728020W/>; see also Hudson Valley Foie Gras “About Hudson Valley Foie Gras,” <https://www.hudsonvalleyfoiegras.com/about-us>.

¹¹ SB-1520 Force fed birds, as amended May 6, 2004 (2003-2004) (codified at CAL. HEALTH & SAFETY CODE §§ 25980-25984). The text of the California law is available at https://leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=200320040SB1520.

¹² *Ass’n des Éleveurs de Canards et d’Oies du Québec v. Harris*, 729 F.3d 937 (9th Cir. 2013), cert. denied, 586 U.S. ___ (U.S. Jan. 7, 2019) (No. 17-1285). The text of the Ninth Circuit opinion is available at <http://cdn.ca9.uscourts.gov/datastore/opinions/2017/09/15/15-55192.pdf>.

Patricia Saffran
Former Contributing Editor
Horse Directory Magazine
201 East 66th St, #10F
New York, NY 10065
(212) 988-4159
June 18, 2019

Statement to the City Council regarding Intro 1425

Greetings – I'm honored to have this opportunity to speak before the Council.

My name is Patricia Saffran. I was a contributing editor for Horse Directory Magazine since 1999, and also have written for the major web site, Equine Information Exchange. I've been a horse enthusiast and friendly observer of the Central Park horse industry for over 30 years.

As to Intro 1425, no equine veterinarian publicly endorsed ^{or crafted} the bill. This is because it is unscientific to add a human humidity index to the existing 90-Fahrenheit heat index, already successfully used and preferred by Park professionals for the carriage horses, I urge the Council to withdraw this bill or vote against it.

The 90-Fahrenheit extreme has kept the horses safe without illnesses and adding a human humidity index will adversely affect the horses by keeping them inactive in their stables for unnecessary days.

I spoke to Council member Keith Powers for ten minutes in person about this proposed bill and the new routes and later met with his office. I had mentioned to Keith that there's an equine index covered in the F.E.I. report which I sent to him but it's too complex for use in the Park. The 90-Fahrenheit heat index is working well and doesn't need modification.

City officials and the Mayor are causing the horses great harm by forcing them into the Park in the new, poorly located, overcrowded hack stands which in some areas are without shade, water, and with new routes that do not have adequate rest or water. It's time to call in equine veterinarians to fix all the problems that have been created. The City Council, Parks Department, DOT and the Mayor need to stop playing God with the innocent Central Park carriage horses

Note:

The Fédération Équestre Internationale (web site FEL.ORG) is the governing body for all international equestrian events.

WOODSTOCK

FARM SANCTUARY

June 17, 2019

To New York City Council,

My name is Herve Breuil, I am the Shelter Director at Woodstock Farm Sanctuary in High Falls, New York. Woodstock Farm Sanctuary offers sanctuary and cares for 370 rescued farmed animals, including 40 ducks, who were rescued from cases of neglect and abuse.

I am here today to testify in strong support of New York City Council Intro. 1378 to ban the sale of foie gras in New York City. My personal experience exposing the cruelty involved in foie gras production comes both from my former role as an undercover investigator of foie gras farms in France, and my experience as a farm sanctuary animal caretaker.

I am originally from France, where I previously worked as a campaign manager for the French organization L214. One of the campaigns I worked on is called "Stop gavage" (stop force-feeding), a campaign focused on exposing and informing about the cruelty of foie gras production in France. France is the 1st producer of foie gras in the world with 75% of the world production.

During my investigations I filmed foie gras farms in Brittany and the South West of France, revealing the immense suffering caused to ducks and geese in its production, including from force feeding, and other cruelty.

I witnessed ducks being forced fed 2 lbs of a corn mash within 5 seconds, twice a day, by means of a metal tube, 20 - 30 centimeters long, being thrust down their throats till it reaches the stomach. This results in the liver becoming almost ten times larger than its normal size, and the bird develops an illness: hepatic steatosis.

If the bird struggles when the tube is thrust down his throat, or if his esophagus contracts with the urge to vomit, he runs the risk of suffocation and fatal perforation of the neck.

I have seen many ducks dead inside their cage or dying after suffocating or having their necks perforated.

Insertion of the tube causes lesions which become germ-infested and painfully inflamed. The unbalanced and forced over-feeding frequently causes potentially fatal diseases of the digestive system.

Immediately after each force-feeding session the bird suffers from breathlessness and diarrhea. The enlargement of the liver makes it difficult to breathe, and all movement is painful.

If this treatment were to be continued, it would cause the death of the force-fed animals. They are slaughtered before they die from its consequences. However, the weakest animals are dying when they arrive in the slaughter room, and many don't last that long : the mortality rate of ducks is 9 times greater than usual during the force-feeding period.

WOODSTOCK

FARM SANCTUARY

The inherent violence of foie gras production would alone justify its abolition. However, for most of these animals their ordeal is not limited to the brutality of force-feeding. Many are amputated of part of their beak, without anesthetic, by pliers or scissors. Female ducks are usually ground up alive or gassed shortly after hatching, because their livers have more veins than those of males and not suitable to produce foie gras.

23 of the 28 European Union countries have banned the production of foie gras because of its cruelty. France is an exception. However, most French people are opposed to foie gras. According to a survey from November 2017, 58% of French people are in favor of banning the force feeding of ducks and geese. 37% of French people refuse to buy foie gras for ethical reasons. And the French department of agriculture numbers show that foie gras consumption decreased by an incredible 28% in 2016 (notably because of the avian flu), marking the 6th year of consumption decrease.

As Shelter Director I can attest to the basic needs and unique personalities of the ducks, which they are prevented from expressing. It is natural for ducks to spend a large part of their life on water. In these farms, the birds are kept in sheds, then in cages where their feet are injured by the wire floor. When they don't have access to water, their feet develop ulcerative pododermatitis and their hocks become inflamed. In a foie gras farm they are denied their most natural needs: they can never swim or fully spread their wings or blow bubbles in water to clean their nostrils or preen after swimming or dig holes in puddles to forage for bugs or choose their friends.

Ducks are social animals and at a sanctuary they get the chance to choose their friends. We have a blind duck, Coconut. She has 2 friends, Arwen and Tom who never leave her side and guide her to the food and pond and back to the coop at night. There is also Teddy and Quincy. Whereas it is said ducks do not mate for life, unlike geese, these 2 were rescued together in 2009 and have been inseparable since. Ducks can live to be 12 years but they only get 3 months in a foie gras farm.

As a Frenchman, duck caregiver, and advocate for the compassionate treatment of animals, I urge you to vote yes on New York City Council Intro. 1378 to ban the sale of foie gras in New York City.

Sincerely,

Herve Breuil

**NEW YORK CITY BAR ASSOCIATION ANIMAL LAW COMMITTEE
TESTIMONY IN SUPPORT OF INTRO. INT. 1425-2019**

**The New York City Council
Committee on Health**

Tuesday, June 18, 2019, 10:00 a.m.

My name is Marissa Hight and I am a New York attorney testifying on behalf of the New York City Bar Association's Animal Law Committee. We urge the Committee on Health to vote in favor of Intro. 1425, which would prohibit operating carriage horses once the National Weather Services "Heat Index" reaches ninety degrees.

The Animal Law Committee supports Intro. 1425 because it better protects carriage horses from New York's hot and humid weather and, by doing so, furthers animal welfare in our community.

The bill requires use of the National Weather Service's Heat Index to determine when it is too hot for carriage horses to be worked. The Heat Index measures how hot it "really" feels when relative humidity is combined with air temperature. For example, if the air temperature is 88 degrees and relative humidity is 80%, then the Heat Index, or "real feel" temperature, is 106 degrees. This makes intuitive sense: as any New Yorker knows, humidity makes a hot day feel hotter.

By tying heat restrictions to the "real feel" temperature, the bill extends the City's history of protecting carriage horses from the elements. The City's first significant legislation regulating the carriage horse industry — enacted thirty years ago this year — was introduced in response to several incidents where carriage horses collapsed or died during heat waves. Heat restrictions have remained substantively unchanged since then, despite the danger that heat continues to pose to carriage horses, which can be worked up to nine hours in any twenty-four hour period, seven days a week. The full extent of the danger is difficult to assess, as existing law does not require drivers to report heat-induced collapses.

We note that Department of Health and Mental Hygiene heat regulations account for humidity to some extent: carriage horses may not be driven once the "wet bulb" temperature has reached 85 degrees. Yet the wet bulb metric can differ significantly from the real-feel temperature measured by the Heat Index. For instance, an 86-degree air temperature in 90% relative humidity means a wet bulb temperature of just over 83 degrees, conditions in which carriage horses could still work. Using the Heat Index, however, those same conditions "really feel" like 105 degrees. According to the National Weather Service, that poses a danger of heat disorders with prolonged exposure or strenuous activity.

In summary, Intro. 1425 would better protect New York's carriage horses and further the City's animal welfare goals. The New York City Bar Association's Animal Law Committee therefore urges the Committee on Health to vote in favor of the bill. Our written comment provides additional reasons for our position and includes citations to relevant laws and supporting evidence.

Thank you.

June 18, 2019
Dr. Andrew Kaplan, DVM
City Veterinary Care
220 West 72nd Street, New York NY10021

**New York City Council Health Committee Hearing
In Support of Intro 1425**

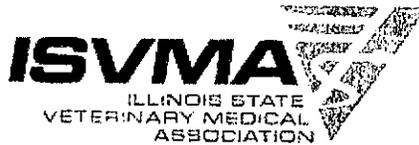
Mahatma Gandhi once said, "The greatness of a nation can be judged by the way its animals are treated."

My name is Dr. Andrew Kaplan and I am the owner and operator of City Veterinary Care located on the Upper West Side. I am a board-certified veterinary internal medicine specialist and I have been a licensed veterinarian in New York State since 1990.

In a civilized society, if animals are going to be used for business purposes, we can all agree that we have a moral obligation to treat them as humanely as possible. In this City it is currently the claim of carriage horse drivers that horses are treated as humanely as possible. However, as an expert in the health and well-being of horses, I can attest to the fact that this is not the case.

Horses, as with most animals, deceptively withstand and survive conditions both beyond their normal reasonable capacity, as well as that of a human's ability to perceive it, because horses have no capacity to complain, yet only to obey until they physically can no longer do so. At this point they are visibly suffering, however, there is a significant degree of "suffering" leading up to the point of visible suffering and physical refusal on very hot days, that either goes unrecognized or more typically as I have seen, ignored, because carriage horse drivers, with their economic stake are in control of making that determination.

The phrase: "to be worked like a horse," actually means to "overwork" them, because that is what we tend to do. However, this is not the mark of a civilized society, and is not an acceptable practice if we are to call ourselves humane. Rather, the carriage horses should be worked to an extent that is reasonable. We have already established laws that govern the number of hours that these horses can be worked. It is now time to address the second half of the humane equation, by passing Intro 1425 in order to refine the conditions under which those defined hours can be spent so we can be certain, without guessing, that the horses are not suffering. If we do not pass Intro 1425, then the goal of this council to prevent the carriage horses from enduring excessively harsh conditions will be left undone.



Nov. 20, 2017

42nd Ward Alderman Brendan Reilly
325 W. Huron, Suite 510
Chicago, IL 60654

Dear Alderman Reilly:

On behalf of the Illinois State Veterinary Medical Association, an organization representing 2,700 licensed veterinarians and certified veterinary technicians, I am writing to express the veterinary profession's opposition to your proposed ordinance amending Municipal Code Section 9-108-090 concerning an increase in air temperature as it pertains to the operation of horse-drawn carriages in Chicago. As doctors of veterinary medicine, we have reviewed the guidelines currently governing the care, work times and temperatures for carriage horses in Chicago and have found them appropriate and within acceptable welfare limits. In our professional opinion, there is no scientific or health reason to change the temperatures in which the Chicago carriage horses work.

We also had a colleague, who is an expert equine health in both in Illinois and internationally, review the proposed ordinance and have enclosed his assessment of the impact of the temperature change on the health of the carriage horses. As you will note, he does not find any scientific or health reason to change the temperatures in which the horses work. Nor, did the attached study of stress levels in New York City Carriage horses published in the *Journal of the American Veterinary Medical Association*, January, 2017 edition.

Your concern about animal welfare is appreciated and we are available to share information and scientific data to help you gain a better understanding of the stamina and fortitude of the working horse.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Ebbesmeyer".

Robert Ebbesmeyer, DVM
President

cc: Chicago Licensing and Consumer Protection Committee

UNIVERSITY OF ILLINOIS
AT URBANA-CHAMPAIGN

College of Veterinary Medicine
Office of Academic and Student Affairs
2271G Veterinary Medicine Basic Sciences Building
2001 South Lincoln Avenue
Urbana, IL 61802



November 17, 2017

Dr. Robert Ebbesmeyer
ISVMA President
1121 Chatham Road
Springfield, Illinois 62704

Dear Dr. Ebbesmeyer:

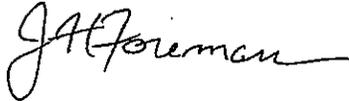
I write to you today to render an opinion regarding the proposed ordinance change regarding the ambient temperature range within which carriage horses would be allowed to work in Chicago. I am a board-certified Professor of Equine Internal Medicine at the University of Illinois. I have been a veterinarian for 37 years and am considered an expert in equine exercise physiology and sports medicine. I have served USA Reining as a veterinary evaluator for horses under consideration for USA teams for the last two World Equestrian Games. I have served as an emergency triage veterinarian for horses competing at high levels including the 1996 Olympic Summer Games, the 1978 World Three-Day Eventing Championships (as a student), and the World Equestrian Games in 2010 for the disciplines of Eventing and Driving. In competitive Driving, horses compete in single, paired, or four-in-hand harness around obstacles in the show ring and in cross country conditions much more strenuous than those of city carriage horses pulling at a walk.

Regarding the proposed changes in the Chicago carriage horse ordinance, it is my expert opinion that the proposed change is unwarranted. Today's Chicago carriage horses operate only at a walk, not at faster gaits like a trot or canter. That walking gait is critical to emphasize because it means that they are working at a submaximal velocity that requires minimal effort. One recent peer-reviewed publication in the Journal of the American Veterinary Medical Association (in Schaumburg) documented that carriage horses working at a walk in New York City were no more stressed than were their stablemates who were not at work on those same three sampling days (JAVMA 250(3):316-321, 2017).

Horses are well adapted to exercise in cold weather. Sweating is the horse's primary means of heat loss; they do not pant like dogs. In cooler weather, sweating can cause suboptimal heat loss through excessive evaporation. However, because these carriage horses are working only at a walk, they do not sweat much in cold weather, and therefore have a decreased tendency for heat loss. It could even be argued fairly that walking exercise in cold weather helps these carriage horses to stay warmer than if they were standing still in their stables not doing any work.

In very hot weather, any horse exercising strenuously has a chance to overheat. However, it must be emphasized again that these carriage horses are only walking, and thus are operating at a profoundly submaximal velocity. In warm weather, horses normally sweat to shed heat appropriately. These Chicago carriage horses' chances for excessive fatigue and overheating are minimized by their constant submaximal velocity and the normal thermoregulatory function of sweating. Furthermore, the current Chicago ordinance includes an appropriate upper temperature limit. Posting of those temperature limits on the sides of the carriages is required. The current upper limit of 90 degrees Fahrenheit is commensurate with the same or higher limits in New York City (90 degrees) and Philadelphia (91 degrees). A reduction of the upper limit to 80 degrees is not indicated by any scientific literature nor is it in keeping with common practice in other large cities with similar carriage industries.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. H. Foreman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jonathan H. Foreman, DVM, MS
Diplomate ACVIM (Large Animal Internal Medicine)
Professor, Equine Internal Medicine
Associate Dean, Academic and Student Affairs



Dear Member of the Committee on Health,

June 13, 2019

Reference: World Animal Protection supports a proposed ban on foie gras in NYC

I write today in support of the proposed ban on the sale and provision of foie gras in New York City. With offices in 14 countries and activities in more than 50 countries, World Animal Protection works to ensure high standards of welfare and reduce unnecessary animal suffering.

As I'm sure you're aware, to produce foie gras, grain and fat are pumped into the stomachs of ducks and geese through metal pipes which are forced down their throats several times a day for up to three weeks causing their livers to swell to up to ten times their normal size and become diseased. Often the birds' legs break under the weight of their own distended livers.

As a professional animal protection campaign manager for the past eight years, I have viewed several eye-witness videos of foie gras farms, including one exposé of Hudson Valley Foie Gras in New York. I have seen birds who can hardly move being roughly handled and force-fed and birds with labored breathing, panting constantly as their livers press against their lungs. Those birds not restricted by broken legs or cages are seen desperately attempting to flee the farmers' force-feeding machine as it approaches. I urge you to watch one of the many eye-witness videos of the force-feeding process for an accurate image of what it entails.

Mortality rates during the force-feeding process are typically 10-20 times higher than in non-force-fed birds. If the birds were not slaughtered when they are, it is generally accepted that they would die from the effects of force-feeding, from failure of liver function. The European Union's Scientific Committee on Animal Health and Animal Welfare concluded in 1998 that: "force feeding, as currently practised, is detrimental to the welfare of the birds." The Food and Agriculture Organization of the United Nations stated in 2002 that the production of fatty liver for foie gras "raises serious animal welfare issues and it is not a practice that is condoned by FAO."

Virtually all veterinarians and avian experts agree there is no ethical way to produce foie gras. The level of pain and discomfort that birds raised on foie gras farms must endure cannot be justified for any fleeting moment of taste.

Thank you for your time and consideration. I would be happy to answer any questions you have.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Williamson".

Ben Williamson
US programs director

worldanimalprotection.us

450 Seventh Avenue, 31st Floor
New York, NY 10123
T: +1-800-883-9772
E: info@worldanimalprotection.us

We were known as **WSPA**
(World Society for the
Protection of Animals)



TO: Members of the Committee on Health

RE: Intro 1378

DATE: June 18, 2019

To the Members of the Committee on Health,

My name is Cynthia von Schlichten, Esq. and I am speaking to you today as the US Partnerships Manager for Compassion in World Farming. In this capacity, I request the passage of Intro 1378, the proposed ban on the sale of foie gras.

It is not surprising that an organization called COMPASSION in World Farming would support such a ban, as the production of foie gras flies in the face of the very principles that our organization was founded upon. Founded by a dairy farmer who became disheartened by the increase in intensive farming more than 50 years ago, we continue his mission on a global scale to end factory farming and its most horrific practices.

Foie gras production is certainly one of those practices. It involves the force feeding of ducks or geese via a feeding tube, pipe, or funnel, several times a day until they develop fatty liver, which is a painful liver disease. Not only is this process excruciating and results in numerous complications including bruising, perforation of the esophagus, and asphyxiation, but its production is forcing these birds to live lives that are exclusive to pain, misery, fear, and completely absent of what is natural to them such as swimming in a pond.

Compassion works closely with major food businesses to address supply chain policy changes that reduce animal suffering. A recurring theme in our discussions with food leaders is the significant economic risk an entity faces if they choose to do nothing with regard to improving animal welfare.

So, if you need another argument that goes beyond the blatant animal cruelty of foie gras production, take a look at the numbers. More than 70 NYC restaurants already support a ban on force fed foie gras. 81% of New Yorkers support legislation to prohibit the sale of foie gras. 81%! Passing Intro 1378 is not only banning a practice that is inherently inhumane but is in the best economic interest of New York City.

On behalf of Compassion in World Farming, thank you.

Cynthia von Schlichten, Esq.

STATEMENT OF ESTHER KOSLOW
PRESIDENT, SHELTER REFORM ACTION COMMITTEE
info@shelterreform.org
June 18, 2019

I am Esther Koslow, President of SHELTER REFORM ACTION COMMITTEE, a non-profit that for 25 years has advocated for the reform of New York City's animal shelter system.

We thank City Council member Justin Brannan for sponsoring Intro. 1478 which would create a Department of Animal Welfare, thereby removing the Department of Health as the overlord of the City's animal shelter system.

We have a personal interest in this bill. Twenty-one years ago Shelter Reform sued to allow the public to vote on whether to create a Department of Animal Affairs. A court ruled that only the Mayor of New York City has the authority to create a new city department.

Councilmember Brannan and his co-sponsors have set up Intro. 1478 for Mayor de Blasio's ultimate approval.

The DOH must be deprived of its power over animals. The reason is simple: the DOH has an intractable conflict of interest. Its mission is to protect *human* health. Animals factor into that mission only if they pose a threat to human health. In short, the DOH protects people *from* animals, but does not protect animals.

Presumably that's why the DOH has bundled the City's animal shelter system within its "Pest Control" Division.

New York City animals need and deserve protection by a government department dedicated to their wellbeing.

We urge that the bill be amended to expand the new Department's scope to include *all* New York City animals: not just dogs, cats and bunnies. But all pets, wildlife, and equally important, carriage horses.

Thank you.

STATEMENT OF ESTHER KOSLOW

June 18, 2019

My name's Esther Koslow. I'm a New York City resident, a volunteer for the Wild Bird Fund (the City's only wildlife rehab center), and a member of Pigeon DefendersNYC, an organization created to combat the netting of wild pigeons to be sold as live targets.

I'd never heard of pigeon netting until one day I answered an emergency phone call for the Wild Bird Fund. A person reported that she'd just seen a van pull up on a busy street. A guy hopped out, spread birdseed on the ground, then stepped back and waited for a flock of pigeons to assemble. Using a large net, he scooped up dozens of the birds, threw them in a box in the back of his van, and drove off.

I soon learned that he would make several stops that day, each time collecting a net full of birds, severely injuring some in the process.

The van man is the first link in a chain that provides pigeons as live targets at Pennsylvania pigeon shoot clubs.

Pigeon shoots are a gruesome sport. They are illegal in New York State, but not in Pennsylvania.

I want to thank Council Member Carlina Rivera and the co-sponsors of Intr. 1202. Pigeon shoots rely on escalating financial rewards for each person in the chain: the one who nets the birds, the person who warehouses them for days without food or water, the person who transports them to Pennsylvania, the broker who sells them to shoot clubs, and the clubs that charge a steep price for members to blast away at the now half-dead birds.

Intr. 1202 will throw a wrench in that chain. Trafficking in New York City's pigeons will now come at a real cost.

Thank you.

Tiffany Lacey – Animal Haven
200 Centre Street
New York, NY 10013

New York City Council Testimony, June 18, 2019
Intro No. 870

My name is Tiffany Lacey and I am the Executive Director of Animal Haven, a small non-profit shelter located in Lower Manhattan with a mission to find homes for abandoned dogs and cats. Established in 1967, the organization is overseen by an active board of directors and serves approximately 1,000 animals each year. The Department of Health and Mental Hygiene conducts annual permit inspections to our site, we comply with the City's mission to spay/neuter unaltered animals, and we ensure all of our dogs in New York City are licensed at the time of adoption. While we regularly assist the Animal Care Centers as an active New Hope Partner to accept dogs and cats requiring medical, behavior, and social intervention, Animal Haven receives no City funding and is not contracted in any way to provide animal welfare services.

We are here today to oppose proposed bill 870. We believe this bill would have negative implications for the functioning of our organization, it would not help the animals in our care get adopted, and it would serve as an added tax on a small non-profit business like ours because we would have to increase staff to meet this new condition. Simply put, requiring Animal Haven and other private non-profit organizations to photograph and document all animals for adoption within a City-determined timeframe would mean we would focus solely on intake with little consideration for the outcomes for which we strive. These photographs would be little more than mug shots and the descriptions would likely fail to tell an accurate story about each animal.

In the last few years, Animal Haven has become a model private animal shelter assisting dogs and cats. In December 2016 we re-opened to a state of the art facility and incorporated best practices to ensure a continuum of care. Because of this work, we are increasingly seen as a leader in this field and a shelter that elevates animal welfare to a new standard. We now showcase a selection of animals available on our Website and conduct additional marketing to draw people to visit our shelter. We give each animal the time to adapt to the shelter and heal from medical conditions. We promote each of these animals as quickly as possible but do not follow any set timeframe. Today, as animals get adopted, new dogs and cats arrive daily and our staff gets to work to help them find loving families.

Our communications with potential adopters is more sophisticated this year and our marketing of animals is more strategic and intentional. This is due to the changes in technology and new research in shelter adoptions. We've incorporated new philosophies that show that potential adopters don't want to be overwhelmed with viewing poor quality snapshots of sad looking animals but are on a search to connect with their next special dog or cat to bring home. We no longer have to post kittens and puppies as they get adopted quickly. In the last two years, we have also moved away from using intake pictures almost entirely because animals initially present scared or traumatized which can deter someone from considering adoption. Instead, as animals become more comfortable we tell individual stories with engaging high-quality images, highlight the difficult to place animals, and use multiple mediums outside of our Website for promotion. This may take a few days or it may be a bit longer. Using our Website to document the ever-changing animal population would be frustrating to adopters, challenging for staff, and inevitably burdensome.

I will conclude this testimony by reminding the City Council that we are a very small business like most the animal welfare programs in the City. Our staff of twelve means we are used to wearing multiple hats: for instance, our Director of Marketing also serves as our professional photographer, our social media expert, our Website manager, and our technology specialist so we can further meet our goals. Making a new requirement that has no positive impact on the health and welfare of the animals will detract from our work, limit our success, and serve as a financial tax for a non-profit aiming to help animals in need.

Thank you for the opportunity to share our point of view. I would welcome the opportunity to work with the Council and bill sponsor to find a way to achieve the objective of helping animals find their forever homes in a way that would allow all shelters to comply and succeed.

I'm Melissa Treuman, Director of Brand Communications at Bideawee, speaking on behalf of Leslie Granger, our President and CEO.

Bideawee is a 116 year old animal welfare organization with three locations: one in Manhattan and two on Long Island. Bideawee is a selective intake shelter that does approximately 1700 adoptions annually from our NY and WH centers. We are a New Hope Partner and pull dogs and cats – many in need of urgent medical care-- from ACC, including from their Staten Island location. Because many of our animals are rescued from abuse, neglect, or abandonment and arrive at the shelter in need of medical care before they are available for adoption, they are often not feeling or looking their best upon arrival. Many of them come to us after losing the only family they have ever known, and are initially terrified. Some spend days hiding before they feel comfortable enough to allow handling and photos.

As our staff works so hard to showcase our animals in the best possible light so that they have the greatest potential to attract adopters, the photos we take of them are critically important to our organization, and to the lives of our animals. Many people look for their next family member online – from adoption sites like Petfinder, as well as from our own website, and seeing images of animals looking in dire need of care, or cowering in the back of the cage does little to entice people into the shelter to adopt. We work extremely hard to change public perceptions about what adopting a shelter pet means, and to have to post images within an arbitrary timeframe means many of these images will suffer, as will our animals.

This will potentially mean longer stays for animals, less foot traffic into our shelter, and an increased likelihood that potential adopters will go elsewhere to adopt, or worse – purchase a pet. Putting arbitrary time constraints before the medical care, behavior care, and well-being of our animals is counter-intuitive to our mission as an animal welfare group. We believe that the care of the animal comes before the immediate need to capture a photo. We believe that every animal deserves to be highlighted at their very best in order to increase their chances of finding a forever home. And we believe that the animal's surgery needs, foster needs, and other needs come before the need to get an immediate photo. Bad photos have been proven to suppress adoption numbers, and our mission is to increase adoption numbers and save more lives. This bill would restrict our ability to do that, and do a disservice to the 1700 animals that we rescue every year.

Thank you for the opportunity to share our point of view. We welcome the opportunity to work with the council to find a way to help animals find their forever homes in a way that would allow all shelters to comply.

June 18, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

My name is Laura Leopardo and I live in Prospect Heights, Brooklyn, in Council Member Laurie Cumbo's district. I urge her to support this Intro 1378, the force-fed foie gras sales ban. I am here today to ask your committee to pass that Intro 1378.

Birds raised for foie gras spend the first four weeks of their lives eating and growing, sometimes in semi-darkness. For the next four weeks, they are confined to cages and fed a high-protein, high-starch diet that is designed to promote rapid growth. Force-feeding begins when the birds are between 8 and 10 weeks old. For 12 to 21 days, they are subjected to having a pipe unwillingly shoved down their throat every day, so between 2 and 4 pounds of grain and fat are forced down their throats two to three times per day. The Washington Post reported that the tube "is pushed ... down their throats, and more food than they want is gunned into their stomachs. If the mushy food sticks ... a stick is sometimes used to force it down." I have read reports that at times motor oil is used to lubricate the tube for a more easily insertion. The birds' livers, which become engorged, can grow to be more than 10 times their normal size, which is actually a disease called "hepatic steatosis." So this practice of literally force-feeding a bird for the sole purpose of making it sick and diseased just to create some delicacy is gruesome, inhumane and certainly animal cruelty.

The force-feeding of ducks and geese causes a host of afflictions documented by the Scientific Committee on Animal Health and Animal Welfare, which advises the European Commission, as well as the American and Canadian Veterinary Medical Associations. These scientists found that birds' biology doesn't protect them from the stress, pain and injury that occurs from the capture and restraint of the birds before tube insertion. Studies have shown that after birds are force-fed, they avoid the people who fed them. Workers are often encouraged to work quickly since it is a for-profit industry. The birds resistance and the workers pace often means that they are treated roughly and are left injured and suffering. They also found mortality rates up to 20 times those of birds' non-force-fed domestic counterparts. Imagine for a moment the thought of this procedure being done to cats or dogs. You would have to agree that it would, plain and simple, be animal abuse.

The production of foie gras is so cruel and horrifying that it has been banned in seventeen countries. Australia, Argentina, the Czech Republic, Denmark, Finland,

Germany, Ireland, Italy, Israel (previously one of the largest producers after France and Hungary), Luxembourg, the Netherlands, Norway, Poland, Sweden, Switzerland, Turkey and the United Kingdom and the city of São Paulo prohibited the sale of foie gras in its restaurants.

When you are eating foie gras, you are eating the intentionally diseased liver of a bird that has been inhumanely raised and handled. There is nothing ethical about that, and no way to make it OK. I urge to to support this bill and ban the sale of foie gras in our city.

Thank you.

Sincerely,
Laura Leopardo
157 St. Marks Avenue

I also support the following bills:

Intro 1202: Wild Bird Trafficking Prohibition

Intro 1425: Carriage Horse Heat Bill

Intro 1496: Protecting Animals in Apartments Where Eviction Takes Place

Intro 1567: Increase Fines for Animal Abuse

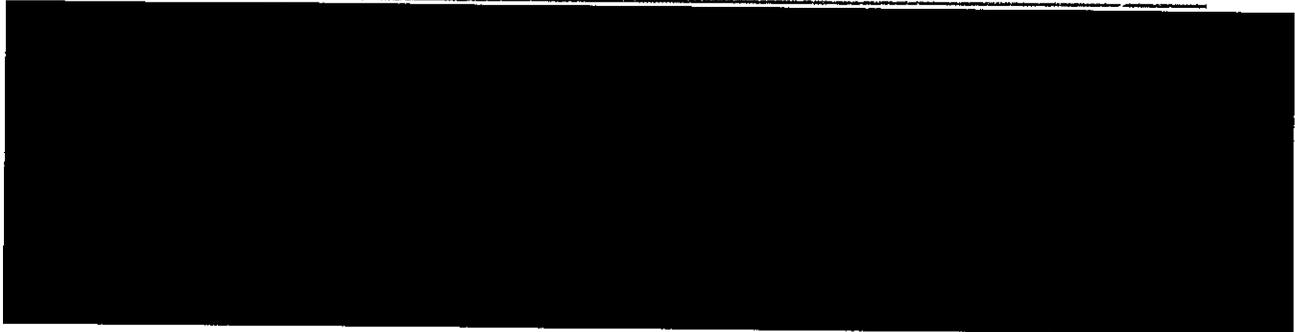
Reso 0798: Meatless Monday

Reso 0798: Pass the NY State Pet Store Sales Ban of Dogs, Cats and Rabbits

Reso 0921: Tax Credits for Adopted Pets

4689 Federal Government to Pass the PACT Act

From: [Dupee, Jeffrey](#)
To: [Corinne Schiff](#); [Mario Merlino](#); [Norma Torres](#)
Subject: Fwd: Horses in distress during heatwave—video
Date: Wednesday, August 08, 2018 12:10:03 PM
Attachments: [Video.MOV](#)
[ATT00001.htm](#)



From: Edita Birnkrant <edita@nyclass.org>
Date: August 6, 2018 at 9:00:29 PM EDT
To: <jdupee@cityhall.nyc.gov>
Cc: Steve Nislick <snislick@hugoneu.com>, Chris Coffey <ccoffey@tuskholdings.com>
Subject: Horses in distress during heatwave—video

Hi Jeff,

As mentioned on the call today, despite the National Weather Service issuing an all day Heat Advisory early this morning, carriage horses were at the hackline at 9:30am until the suspension went into effect at 12:16. Heat Advisories are issued by the National Weather Service when the heat index is forecast to reach 95-99 for at least two consecutive days or 100 to 104 for any length of time. The entire time I was out there the heat index surpassed 90 degrees.

It's a real problem that the horses were allowed out at all today and presumably will be allowed out tomorrow as well during the continuing heatwave. Is it possible the city can simply issue the suspension before the horses leave the stables tomorrow?

I filmed this horse in obvious distress and breathing abnormally before 10am this morning. I did not get a chance to document the license and hoof number because media had arrived and I was distracted. But I hope there can be a way to check this horse out based on carriage and horse description and time of day. The carriage was near 6th Avenue and CPS at 9:47am.

DENNIS M. FARRELL, D.V.M.

EQUINE VETERINARIAN

P.O. BOX 480

RIDGE, N.Y. 11961

Phone: (631) 209-0200

Beeper: (516) 925-3349

Fax: (631) 209-1367

Date: 8/9/18

T 100 P 34 R 14 Weight 1400

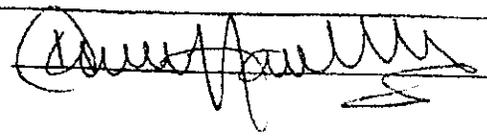
Celtic Hanson Carr
Smoley #3655
Draft, Bay gelding

DETAILED EXAMINATION

(Auscultation, Percussion, Rectal, etc.)

	Normal	Abnormal	No Exam
1. General Appearance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Attitude	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Locomotion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Head & Face	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eyes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ears	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nose	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Oral Pharynx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mucous Membrane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gingiva	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teeth	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tonsils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Lymph Nodes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Integument	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Musculoskeletal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joints	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Muscles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Perineum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vulva/Testicles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mamm. Gland/Penis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prostate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Abdominal Cavity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Respiratory	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Cardiovascular	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Nervous System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Smoley #3655 a bay draft gelding owned by Celtic Hanson Carr has been examined. The horse's temperature respiration and heart rate were all within normal limits. A normal clear nasal discharge was observed. The horse will be given a 2 day rest from work.

Signed 

VPHS HORSE INCIDENT INVESTIGATION SUMMARY

DATE REPORTED: 8/8/2018

REPORTED BY: Jeff Dupee

HORSE NAME: Smokey

STABLE: Clinton Park Stable

HOOF ID #: #3655 CARRIAGE MEDALLION: #1103

HORSE OWNER NAME: Celtic Hansom Carriage Co

DATE OF INCIDENT: 8/6/2018 LOCATION OF INCIDENT: Central Park south/59 Street hackstand

TIME OF INCIDENT: approximately 9:40 am before noon heat suspension

REPORTED CIRCUMSTANCES:

A 20 second video taken by NYClass of a horse at a CPS hackstand was submitted to DOHMH, 48 hours after the incident. The video shows a bay horse with a blaze standing, tied at a hackstand and exhibiting rapid breathing.

The Department investigated and the carriage horse owner confirmed that the horse carriage had just arrived at the hackstand when the video was taken. The owner also reported that the horse increased his pace from walk to trot during travel to the hackstand. On a hot day this could explain the observed respiratory rate. The horse did not return to work until examined and cleared by the veterinarian and a report sent to VPHS. The veterinary exam concluded that the horse did not have a respiratory medical condition.

POLICE REPORT: No DATE OF VETERINARY EXAM: 8/9/18

NOTES FROM EXAMINING VETERINARIAN:

Blood tests taken.

DATE HORSE CAN RETURN TO WORK:

Veterinarian prescribed 2 days of rest.

Investigated by: Pam Corey DVM

Members of the Committee on Health:

My name is Christina Hansen and I have been a carriage driver for 13 years, 7 in New York City.

For the past 30 years, our heat regulations have worked perfectly to protect carriage horses. Our horses have never worked above 90F, the temperature, measured where they work, at which they return to their stables. Extremely hot summers like last year's, where we were suspended 34 days, meant that our horses actually worked LESS last summer than they usually do.

90 heat index is simply too low a heat index for horses. It was designed for people, and the National Weather Service does not even issue heat advisories until the heat index is forecast to be 95 to 99 for TWO consecutive days, or 100 to 104 on a single day. Implementing a heat index so low as 90 would mean that on many hot days our horses would not even be allowed to work during the cool of the morning, when humidity levels are generally higher than later in the day. We could be forced to stay in at extremely low temperatures of 80 or 82. It's important for our horses to be able to go out, get some exercise, and do a ride or two so that we can pay their bills.

We're proud that we already have the lowest stop work temperature in the country. I used to drive a carriage in Philadelphia, and our horses there stopped work at 92F, without any issue. Carriage horses in Charleston, SC and Savannah, GA, that use heat index values, work to 95F or 110 heat index quite safely. Chicago's City Council recently reviewed their stop-work temperature (also 90F) and veterinarians from the Illinois State Veterinary Medical Association determined that 90F was a perfectly adequate temperature cut off, since carriage horses are doing extremely light work, usually at a walk.

Carriage horses are no different physiologically from police horses, race horses and riding horses, yet none of these other equine populations in New York City would be subject to this ridiculous restriction.

Intro 1425 is the product of New Yorkers for Clean Liveable and Safe Streets. This organization has, since 2008, existed solely for the purpose of putting us out of business, whether by replacing our horses with electric jalopies, cutting the number of licensed horses (and industry revenue) in half, moving carriages off of their historic hackstands on Central Park South and hiding them inside the park, or this new scheme to limit our ability to pay our bills during the summer months. NYCLASS's executive director has made comments extolling 1425 for the sole purpose that it will limit the horses' ability to work. NYCLASS's stated goal has long been to prevent people from taking carriage rides. People want to take carriage rides in the summertime.

Since we last testified before the City Council on carriage horse legislation in January of 2016, NYCLASS has spent more than half a million dollars lobbying for changing our already effective and humane regulations. There is zero evidence that this bill would help horses in any way, as they are already being perfectly protected by our 90F cut off.

Please support science, horses, and carriage workers and vote no on Int. 1425.

FOR IMMEDIATE RELEASE: Carriage drivers vigorously oppose unnecessary and harmful animal rights heat index regulation

Drivers say unscientific Int. 1425 would have disastrous consequences for horses and workers

Contact: Christina Hansen, nyccarriages@gmail.com, 267-909-5844

NEW YORK: The city's 3 carriage stables are closed today so that carriage drivers can testify at a Committee on Health hearing about a NYCLASS-backed bill to further limit their ability to give carriage rides during the high tourist season and properly care for their horses.

Int 1425, sponsored by CM Keith Powers, would change the long-standing regulations requiring carriage horses to stop work at 90F, and replace it with a heat index of only 90.

Since the 90F stop work temperature was enacted in 1989, it has worked perfectly to protect carriage horses from summer heat. There have been no incidents of carriage horses harmed by heat in the past 30 years.

Intro 1425 has been pushed by a more than half million dollar lobbying campaign by New Yorkers for Clean, Livable and Safe Streets, a political organization whose sole mission has been to destroy the carriage industry.

There are no equine veterinarians who support such a low heat index number, especially one that singles out carriage horses doing work at a walk while excluding police horses and riding horses. Dr. Harry Werner, past president of the American Association of Equine Practitioners, has issued a statement opposing 1425 as unnecessary. Philadelphia uses an absolute temperature cut off of 92F. Cities that have carriages and use heat index numbers are southern cities like Charleston and Savannah, where their ultimate cut off is 95F or a heat index of 110.

As for the heat index, it's not one designed for horses. Horses safely compete in much warmer weather, exerting themselves much more than carriage horses working at a walk in the park do.

The National Weather Service in New York City doesn't issue heat advisories at 90 heat index. They issue heat advisories at 100 to 104 heat index on a single day, or when heat indexes of 95 to 99 are forecast for two consecutive days.

Carriage drivers say a heat index of 90 would devastate their business and hurt their horses.

"Last summer was very hot and humid, and we were suspended 34 times. At least we were able to get our horses out in the cool of the morning so they could exercise, do a ride or two, and then go home, helping us break even paying for their bills and care," says Christina Hanse, a carriage driver. "Our horses worked less last summer than they ever have before."

"If we were forced to go home at 90 heat index, many days we would not have even been allowed to leave the stable, as it would be a heat index of 90 when it was only 80 or 82F. It's not good for our horses to be forced to stay inside for days on end during the summer."

The real purpose of the bill, Hansen says, is to further inhibit people from having the opportunity to take carriage rides, in accordance with NYCLASS's ultimate goal of eliminating the carriage industry through harmful overregulation, if they cannot ban the carriages outright through legislation.

Stephen Malone, a carriage owner and industry representative says, "The bill as written today is not only careless but irresponsible on behalf on the City Council. On the surface, this looks like a reasonable to most people, but if enacted, it will do the exact opposite of what council members intend it to do."

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Testimony

Good morning. My name is Andy Wertheim and I am president of D'Artagnan foods. I am here in opposition to introduction 1378. D'Artagnan is a 35-year-old company and Hudson Valley Farms' biggest distributor of foie gras in the New York City market. For the record, we also distribute a wide array of proteins within New York City representing close to 40% of our overall revenues. We employ 280 people and with full transparency, the banning of foie in New York City will have repercussions to our company that we may not be able to recover from. Foie and foie gras duck are simply that integral to our business and the World of fine dining in this city.

I wish to make two points this morning; the first, my company's stance on foie gras and second, our concern with this being a bridge too far.

I'd like you to know that I am not a foie sycophant. I joined D'Artagnan 13+ years ago because of its mission. I have long been attracted to better for you companies. I've spent much of my career working on foods for people with diabetes and other medically restricted diets and specifically sought a company with similar values.

D'Artagnan is not just a purveyor of meats but also a company whose reputation, point of difference and yes, very reason for being is predicated on superior animal husbandry and a commitment to always seek the highest possible standards regardless of cost and difficulty.

If you were to visit our facility, we raise chickens ducks and geese as pets. Our owner Ariane Daguin, who unfortunately could not be here today, grew up on a farm and from my personal experience I have never met anyone who loves animals more than she. We get just as sickened about animal cruelty and inhumane farming practices as HSUS or PETA. Our rigid specifications and principles are our calling card. We only hire people who share these core values including people who once led a vegan lifestyle.

The very notion that D'Artagnan would support and sell any product that doesn't meet the highest ethical standards is antithetical to our charter. There is no question, empirically, that some people within farming and food production are on the wrong side of these standards. But I can also tell you that the evidence that is often presented against foie is opportunistic, out of date, misguided and deceptive.

While I will not use my time to defend Hudson's standards of production— they are very capable of doing that themselves— I can tell you firsthand that I have both fed ducks and been to Hudson's farm and that their commitment to good animal husbandry is beyond reproach. If it wasn't, I guarantee you Dartagnan would not do business with them.

Clearly I appreciate this council's push for more humanity and decency.

Surely there is room for incrementality in the world of farming and processing. I am here today proud to represent a company and partner of Hudson Valley who has demonstrated that incrementality and who wish to keep fighting alongside you rather than as adversaries.

Every couple of years we invite our chef Customers by the hundreds up to the farm to see for themselves. To be sure the opposing rhetoric can be overwhelming at times and we invariably use this opportunity to put our money where our mouth is, to demonstrate the reality versus the hyperbole. Chefs never come away unconvinced as to the soundness of Hudson's farming methods.

Please don't dismiss us without visiting the farm. How much more transparent can we be?

I stand here before you and tell you the misinformation on this category is vast. And, if you act without fully investigating fact versus rhetoric, you will not only deprive New York City's restaurant scene of a great product, you will effectively cripple hundreds of disciples of the very mission you claim to profer.

I thank you very much for your time

To most when I say that I am the youngest of four, they may think “Wow that's a lot of kids,” but nothing out of the normal. When I say that I am a 19 year old girl currently enrolled in a private college, they still may think it is normal. However when I say that I am Mexican and that I am going to be following the footsteps of all three of my siblings by graduating college, it is not normal, but rather it is a dream come true. A dream that both of my parents imagined when they came to the United States of America.

My name is Daniela Mercado and I am the proud daughter of immigrants.

From 1996-2005 my father worked for Hudson Valley Foie Gras. From 2005 to now my father works for La Belle Farm. In those 23 years of labor, my father has been able to give my siblings and I everything. Our whole lives have been filled with opportunities that I know my parents did not have themselves. I can remember from a very young age, they taught my siblings and I the importance and value of education. At the time being a child, to me, school was no fun, but as I grew up I began to understand what its importance meant. They did not have the chance to complete their schooling, but we did and we made the most of it. With my parents help, I was able to participate in Cross Country, Indoor and Outdoor Track, Debate Club, and National Honor Society during my high school years. In the end I graduated in the top ten of my class, as number five, with an advanced regents diploma. I also made it to the Cross Country State Championship Meet in 2017 all because of the many times my dad drove me to and picked me up from practice. Both him and my mother have always offered my siblings and I endless support in anything we do. They simply want the very best for us, and they have given us that and more.

My eldest brother and sister graduated college in 2016, while my other brother graduated from the same college in 2017. Since then, my eldest brother has been in Korea for the last two years following his dream of teaching English. My sister has become a lead Microbiologist in a research lab, with my other brother following suit. I on the other hand, have recently just finished my freshman year of college. When I think back to the moments of college applications, I can remember my father telling me not to

worry about costs, but rather to worry about choosing a school that best suits me and the career I aspire to have. I knew that if it came down to it, my parents would work endlessly to make sure that I was able to study wherever I chose, much like many of the workers at these farms would do for their own children. My goal in life is to one day be able to provide my parents with everything they have provided my siblings and I with. However, I know I could only ever give them back half of what they have given us because they raised us. They not only taught us how to be hard workers and influenced us to be who we are, but they gave us the lives that will one day allow us to create an even better future for our own children. No words can ever perfectly grasp just how much impact my father and his labor have had on our lives, but we will forever be grateful for everything him and my mother have done for us.

Hello, I am Sean Brooks, I am the owner of Prestige Towing and Truck Repair and a long-time vendor and friend of Hudson Valley Foie Gras and La Belle Farms. I am here in opposition to Introduction 1378. The two farms have been great consumers and neighbors for many years, and I am proud to do business with them. I have listed a few facts and a few opinions below in our support of these farmers and the products they produce:

- Together, the two farms contribute well over \$250,000 to my business. We employ over 60 people, with the largest revenue coming from the farms
- We serve hundreds of folks employed by the farms
- The two farms are a huge economic staple for the Sullivan County agricultural region – many vendors remain in business because of the large amount of business generated from the farms
- I am proud to do business with Hudson Valley Foie Gras and La Belle Farms because I know they operate with the highest standards and run a clean operation
- The proposed legislation would not only be detrimental to the farms but it would also significantly harm my business and my employees

As a business owner, I believe and have always been taught that supply and demand are a critical factor to running a successful business. And, in my experience, in order to create a strong demand, you must have a strong business. While I am not a farming expert, I can speak to the integrity of both farms. They care deeply for their employees and the livestock in their care, and this is why they produce some of the best quality products, which I also happen to be a consumer of. If the farms were mistreating the animals, I can promise you the quality of their product would be poor and the demand would be low.

Simply put, small businesses across Sullivan County rely on the farms for their livelihood and they are significant customers not only to Prestige Towing but to many other vendors as well. Please look to the facts and the merits as you decide this bill and please remember this will impact many businesses other than the two farms which you are targeting.

Speaker Johnson
Members of the City Council:

My name is Miguel Montiel representing The Corona Self Help Center. I thank you for the opportunity to speak at this hearing. I'm here because I believe it is a mistake the ban of foie gras, because I believe that the people involved in the farming and production of foie gras are very important.

First is should be know that the foie gras producers are humane with their work force, loyal, caring and engaging in their life. They are excellent with their distributors around the United States. Not just to ensure good production and distribution, but because they recognize that there are needs in their communities. This producers support their communities beyond their scope of work. They make sure that their workers have access to good housing, that their workers can attend their families and also when there is the need to have access to services related to mental health (as it is with the support for substance abuse recovery in the area of Hudson valley). In that they are unique.

A few years ago, while working in the field of substance abuse I encountered Hudson Valley Foie Gras and La Belle Farms. The farms were eager to bring our services to serve those in need. At that time they got involved because they knew that addiction afflicts many in New York and because they felt that culturally competent and free services should be supported. Today I can tell you that our organization without the support of this farmers wouldn't be the same. They support our members with their contributions, with a place for them to work and be independent; they support us with housing for our members so they can transition from using drugs to a productive life. They help us understanding that the approach to recovery should be holistic, therefore they have donated sports equipment and they are helping us create a place that can be self supported and therefore can benefit anyone desiring a different life.

With all due respect I urge you to let the idea go that those benefited by the production are a few and to understand that there are a lot of communities in the Hudson Valley and even New York City, that depend on these farms. Those that believe foie gras should be banned lack the understanding that the communities affected by this ban will never recover.

Finally I thank you again for the opportunity to speak today and I hope the Council might reconsider in this proposal and allows the farms to continue working so other organizations like us can continue serving the people of the Hudson Valley with their support.

Thank You very much.

Hello Members of the Health Committee,

My name is Nelson Saravia Jr. a second generation farmer, employed by La Belle Farm. I am the son of Nelson Saravia Sr; co-founder and owner of La Belle Farm. I am here in opposition to Introduction 1378.

I have been involved with the farm from a young age of 12. Being a farmer is more than just a job, it's a life style that we take very seriously, which can be hard for people who are not farmers to understand. We work long days of hard and intensive labor, it's a profession that requires sacrifice, patience and discipline that is obtained only with many years of experience. Though on the hard and long days we may ask ourselves why we chose this work, there are few things in life that can give us the same feeling of honor and pride that comes with being a farmer. We are proud of the work we do and the animals we care for day in and day out. The ducks are not only our livelihoods but our lives, and we take great care in each ducks' life each day.

Along with this, being part of this operation has given me and many others a support system that can only be explained by telling my story.

In 2011 I was injured playing football at the college I was attending. I had to have surgery on my right knee, for all the years of overuse and injuries. I found myself addicted to pain killers and started on a path of self-destruction. For anyone that's ever loved or cared for anyone that's an addict, they know the amount of damage their addiction can cause. For years I would carry on like this, but never did the family and friends that I worked with over at La Belle Farm pull their support for me. In 2016 I finally hit rock bottom, nearly homeless and deep in debt, my family and friends pulled me aside for a intervention. I realized I needed help but was unable to afford any kind of rehab. La Belle Farm paid for me to go to rehab for three months. Today I stand in front of you 5 years sober.

I was able to rebuild my life. They paid for me to get my Commercial Driver's License, so I could get a pay raise, that pay raise allowed me to pay for my wedding, buy my first home and support my new family that just welcomed my new baby born on January 4th this year.

The support this company gives to their employees is unparalleled, just a short 3 weeks ago I found myself in trouble one again, this time with health. I spent a week in the hospital and was unable to work another two weeks following my discharge. Worried about how I was going to pay my mortgage and feed my family, La Belle Farm reached out and paid my expenses for the month. That sense of support comes from a company that truly cares and respect the employees, a company that understands the hard work and dedication each and every employee gives forward, the type of work that only farmers can understand. While I understand some people have concerns with the treatment of the ducks, I can assure you that if the mistreatment of ducks was part of our jobs none of us would be here and our farm would be out of business. I urge you to look at the facts while you consider this legislation.

I am Jocelyn Hounnou. I represent Rougie, one of the largest foie gras producers in the world. I am here in opposition to Introduction 1378. Foie gras has a long history in the world and is especially part of the French agricultural tradition.

France and the European Union are very progressive in protecting animal welfare. Our laws are much more thorough, specific and comprehensive than those in the United States. A European Union paper in 1999 questioned the animal welfare aspects of foie gras production, which had largely been accepted for thousands of years. We tasked our National Agricultural Research Institute to answer the questions the paper asked. Intensive research was funded in large part not by the foie gras farmers but by our Bureau de la Protection Animale (Animal Protection Office), which belongs to the Ministry of Agriculture. I do not believe you have an equivalent organization in the United States, which should be considered.

The research was peer-reviewed and internationally published and clarified those animal welfare issues, concluding that foie gras farming is a non-harmful agricultural practice at least as humane as any other animal agriculture.

If you know France, our progressive culture would not stand on tradition if the results were otherwise. I also have my personal integrity. I am a competent person and have no desire to work for a company that would harm animals for profit. But that is not the case.

Some may refer to bans on production in several European countries. That is a standard tactic of the animal activists. Those bans are in countries that had no tradition of foie gras farming. Legislation was passed that had no meaning or impact within those countries. But the activists can now claim a number of countries banning foie gras production as a basis for claiming foie gras farming is harmful to animals. This is misrepresentation and not true.

Regarding the proposed ban on foie gras sales in New York, the European Union Constitution specifically prohibits bans of this type. If a wholesome agricultural product is legally produced under federal inspection and has not been prohibited by the European Union itself, sales are allowed within the Union. I understand the Constitution of the United States, as interpreted by the Supreme Court, assures free trade for agricultural products within the United States.

There are also international treaty and trade agreements this proposed ban violates. Most of the foie gras my company sells in the United States is produced in Canada.

There is a misunderstanding regarding the legal status of the California ban on foie gras sales, which is being used to justify this proposed ban. The case was not heard by the Supreme Court

but it was returned to Federal District Court in California. The next hearing is at the end of July. My company continues to participate in the challenge to the California law and has been joined by our country, France. The proposed ban on foie gras sales in New York City is illegal under the laws of the State of New York, the Constitution of the United States and international trade laws and regulations. We will challenge a sales ban in all appropriate courts.

The premise that foie gras farming is cruel is wrong and not supported in any way. You are welcome to visit our farms or the farms of our friends in foie gras farming in New York. There is the truth.

Susan Whittred, DVM 25 West
Broadway #309 Long Beach,
New York 11561
susanwhittred@aol.com
516-4311745

June 18, 2019

NYC Council Health Committee

In FAVOR of Intro 1425

In Support of #1425-Carriage Horse Heat Relief Bill

Dear NYC Council Health Committee:

I have been a licensed, practicing veterinarian in the state of New York for 16 years and I am a graduate of Cornell University. I am in strong support of Intro 1425 which makes it unlawful for carriage horses to work when the heat index reaches or exceeds 90 degrees Fahrenheit.

Horses find difficulty dissipating body heat in warm environments, particularly in the temperature range of 89-96, especially if the humidity is high. Horses can lose 8-10 gallons of fluid with exercise in a hot environment and if that is coupled with high humidity, the horse cannot cool itself by evaporation because the air is too saturated to absorb more fluid. This results in an elevation of the horse's core temperature. Furthermore, if the horse becomes dehydrated and cannot produce sweat, the lack of sweat production can be life-threatening.

New York City horses also have to contend with the temperature that the asphalt reaches on New York City streets on those hot summer days. According to the New York Times (7/9/89) the temperature of the asphalt surfaces have reached temperatures of 200 degrees. This additional heat source contributes to the heat of the horses' microenvironment and should be taken into account when deciding if it is safe for horses to work or not.

In light of these facts, I support Intro 1425.

Sincerely,

Susan V. Whittred, DVM

**DEBORAH THOMAS TESTIMONY IN SUPPORT OF INTRO 1425,
THE CARRIAGE HORSE HEAT RELIEF BILL & AN AMENDED VERSION OF
INTRO 1478, CREATION OF ANIMAL WELFARE DEPT.
JUNE 18, 2019**

My name is Deborah Thomas, and I am a New York City resident, animal advocate and humane voter. I support the passage of Intro 1425, The Carriage Horse Heat Relief Bill, because I feel that having horses pull hundreds of pounds on city streets in NYC during very humid heat waves is extremely cruel to the horses and dangerous to everyone, because under those circumstances the horses are at risk of heat stress and collapsing. Since the current law does not take into consideration the “real feel” of high humidity for the horses, I am strongly in favor of updating the current law to state that the horses cannot work when the **heat index reaches 90 degrees or above**, which takes the humidity level into consideration. I respectfully urge you to pass Intro 1425 because it will keep the horses from suffering through any future brutal, humid NYC heat waves.

I would also like to add that I would support Intro 1478, the Bill that would create a Department of Animal Welfare, if the language is amended to (1) cover ALL ANIMAL ISSUES, including carriage horses, wildlife, etc., as well as overseeing animal shelters, and (2) to assure continuity at the Animal Care Centers of NYC (ACC). I am aware that Councilman Brannan plans to make those much needed changes, which I applaud. **Also, as a long-time volunteer at the Animal Care Centers Manhattan Shelter, I can only support Intro 1478 if it plans to work within the existing framework of the ACC, and to improve upon the numerous positive changes and improvements that have already been made there over the past few years.** This would include retaining current members of the ACC Administration and staff, many of whom came up through the ranks, or started as volunteers in the shelters, have firsthand experience in animal welfare, and have the expertise to fix problems at the shelters. I would **not** support replacing anyone at the ACC with political appointees who may only be there for photo ops and a paycheck rather than the welfare of the animals.

Thank you very much.

Deborah Thomas

My name is Nathan Semmel

I am an attorney, a lifelong New Yorker, and I live in District 7

You don't have to be an expert on child abuse to spot a kid who is hurting.

You don't have to be an expert on domestic violence to recognize a tormented spouse.

You don't have to be a canine expert to identify the anguished stare of an abandoned dog.

And you don't have to be an expert on equines to know what a distressed horse looks like.

Suffering is universal, and so are its signs.

The current heat regulation is insufficient because it does not account for the single most impactful metric: humidity.

I am a runner. I run in Central Park. I don't need to see NYCLASS videos of suffering horses; I've seen them for myself for years: Horses heavily panting; their heads bobbing; struggling; sluggish – just like I feel when I go out for a run on a hot and humid day.

But you know what,

I get to slow down if I want

I get to have as much water as I want, when I want it

I get to rest when I want

I get to stop when I want

And I get to decide if I don't want to even run at all.

I have observed the HC industry for years. They will tell you that they care for their horses like family. Now a dose of reality: They will NEVER resist a fare on a brutally humid day. They will NEVER rest a panting, head bobbing, and sluggish horse out of the goodness of their hearts. And they will NEVER *not* work their horses on a high heat index day unless it's the law.

When is the last time a safety or comfort measure was offered to this industry that they accepted? Never! They will tell you they love their horses. NO; they love what their horses can do for them.

This bill is not about money or politics. This bill is progressive. It's selfless. It's about compassion. And it is right.

The HC industry should be counting their lucky stars that we are not debating abolishment like we've seen in so many other cities worldwide. Intro 1425 is a no-brainer. Please vote yes.

6/18/19

Intro 1425
Carriage Horse Heat Relief Bill

Testimony presented by:

Kirk Miller
266 W 132nd St.
New York, NY 10027
(212) 945-8334

My name is Kirk Miller. I am a resident of Manhattan and supporter of Intro #1425, the carriage horse heat relief bill.

I am not a horse expert. I am not going to pretend to be a horse expert. The real experts have already testified. I have spent some time around horses. I grew up in the country around both farm animals and domesticated and some wild animals. Today, I rescue and help cats and other animals in Harlem. I've seen animals in pain, animals dying, I've intervened and had to put a few down. I do think I know when an animal is in distress. It actually doesn't take an expert, just an empathetic person. I have seen NYC carriage horses in distress. I have seen panting carriage horses, limping carriage horses, carriage horses with fly leg wraps covering open sores on their legs, and carriage horses collapsing in the heat. And it is hot out there—the hottest **four years** on record are the past four years. In 2018 I measured the surface temperature of the asphalt on 59th st at nearly 120 degrees. And that wasn't even a significantly hot day. And now, one of the leading experts in horses in the world—who ^{has worked with} ~~used to be a carriage horse driver herself~~—says it can go up to 200 degrees on the asphalt. The current guidelines don't take any of this into consideration. Dr. Cheever was reluctant to testify here initially, because she wants ban on the industry, which a lot of people do. A lot of people are rethinking their relationships with the creatures with whom we share the city and the planet, I think that's the reason an historical number of animal related bills are being presented here today. All the more reason to support Intro 1478 establishing a department of animal welfare in NYC. Animals need our help! So I enthusiastically support Intro 1425, the carriage horse heat relief bill. The laws need to be updated and this is not a big ask.

Kim Clouse (Owner of North Jersey Equestrian at Mountainview Farm)

June 18, 2019

New York City Health Committee Hearing

In FAVOR of Intro 1425

My name is Kim Clouse, and I am the owner and operator of North Jersey Equestrian in Branchville, New Jersey for the past 26 years. I have been working with horses and caring for horses, riding and training horses for the past 26 years.

I have 30 horses that I provide daily care for with the help of 3 employees on two separate farms. I teach the disciplines of dressage and eventing.

I am here today to express my support for Intro 1425, the Carriage Horse Heat Relief Bill and I urge the Health Committee To vote yes.

Every day of my life is dedicated to caring for 30 horses and I feel strongly that the New York City law needs to be changed so that the carriage horses no longer have to work when the Heat Index is over 90 degrees.

Most of the carriage horses are Draft Horses that are big, heavy and very thick bodied and cannot easily cool their bodies when the temperature plus humidity is over 90 degrees compared with a smaller, lighter bodied horse. Working in conditions with the heat index reaching 90 degrees and over is very dangerous to the health and wellbeing of the horses especially when they are pulling heavy carriages and have no chance of being watered down or put in the shade.

I reviewed a video of a horse from last summer that is clearly suffering from heat stress and is a very good example of why these horses shouldn't be working in those humid heatwaves.

I have also become aware that the spokesperson for the carriage horse industry apparently has bragged about using the drug Ventipulmin on horses suffering heat stress or respiratory issues in the summer and I'm shocked and find this very troubling and something that should be investigated. Ventipulmin is indicated for the management of horses with COPD (chronic obstructive pulmonary disease), not heat stress. In all my years working with horses I have

never and would never do this. A horse that requires the use of Ventipulmin has severe respiratory disease and by no means should be working let alone pulling a carriage in a humid heatwave. Ventipulmin has been banned by many racing and equine sport associations. I can't stress enough that my support for passing Intro 1425 is to protect the health and wellbeing of the carriage horses during extreme heat and humidity.

Thank you,

Kim Clouse

I am Mark Lingeran, Executive Director, Christ Health Care Ministry. I am hear in opposition to Introduction 1378.

We are concerned that banning the sale of foie gras products will result in reduced or eliminated access to healthcare for poor, immigrant farm workers in Sullivan and Orange Countries, NY.

Our Ferndale Free Medical Clinic, which was built and is heavily supported by Hudson Valley Foie Gras, is the ONLY free medical clinic in Sullivan County. If that funding is eliminated, it would eliminate the only healthcare option for our patients, many of whom are poor, immigrant farmers. Our clinic manages more than 260 patient visits per year; more than 1000 in the five years of our existence.

Christ Health Care Ministry (CHCM) provides primary healthcare, at no cost, to those without access to insurance. The ministry is a federal 501(C)(3). The medical providers (doctors, nurses, nurse practitioners, and physicians assistants) all volunteer their time. If we lose the financial support of HVFG it would impair our ability to open and maintain, our free Warwick, NY clinic as well. The Warwick Free Clinic is surrounded by a large migrant population, who lack medical insurance and the financial resources to obtain reliable, caring, comprehensive medical aid.

Our patients receive:

- Primary Care
- Lab & Radiologic Support
- Phlebotomy
- Subspecialties
 - Cardiology
 - General Surgery
 - Hematology/Oncology
 - Nephrology
 - Orthopedics
 - Rheumatology
 - Urology
 - Wound Care
- Potential support
 - Endocrinology
 - Dermatology
 - Neurology
 - Ob/Gyn

- Ophthalmology
- Otolaryngology
- Physiatry
- Pulmonary
- Medicines

Prior to the installation of the CHCM clinic in Ferndale, our patients did not have access to healthcare or the necessary medications. Now, patients have a medical home. They are seen by a stable set of medical providers, medical students, and intake volunteers. There are repeat patients who are comfortable coming to the clinic and the population of patients is growing. In addition, the clinic collaborates with the gamut of subspecialists and Catskills Regional Medical Center to insure continuity of care. We are seeing evidence of lowered A1C levels and reduced blood pressure in our patients.

CHCM is concerned that the imposition of a ban on foie gras in New York City would have a ripple effect resulting in the loss of healthcare access for immigrants and other poor residents of Sullivan and Orange Counties. It is in that spirit that we request for you to reconsider the planned ban.

I am Erwin Grome, General Manager of Hudson Valley Chicken, LLC. I am here in opposition to Introduction 1378.

Hudson Valley Chicken provides high-quality Certified Humane and organic chickens to markets and restaurants in the region.

Our facility shares resources, such as transportation and waste water treatment, with Hudson Valley Foie Gras. We fear that the loss of Hudson Valley Foie Gras would raise our costs significantly and put our business at risk.

Our chickens are grown on family farms in Pennsylvania. Larger chicken companies demand farmers have expensive upgrades to their buildings, or new buildings, to work with them. We work with farmers with older, but well-maintained, facilities. Without us, dozens of these farms would have a very difficult time finding work for their farms.

Hudson Valley Chicken is also one of the very few facilities in the Northeast that allows very small farmers to bring their chickens or other poultry to us for processing. They can bring a few birds and we give them back fully processed under USDA inspection. This facility has created opportunities for many small farms to bring their products to farmers' markets in the region. We processed for almost 200 small farms last year. Loss of this service would be crushing and force many of these farmers to discontinue producing poultry. Those that continue would be forced to distant processors, raising the cost of their products in the markets significantly.

I also want to say that in working with Hudson Valley Foie Gras, and comparing our Certified Humane chicken operation with their duck operation, the ducks are well cared for. I have seen farming statistics reflecting proper care of animals that exceeds the Certified Humane standards.

The other issue that is not understood is that many products come from poultry that would be almost impossible to separate from the New York City market without great disruption to companies across the country. Most stores selling pet treats and food have products made with duck. Many ducks are sold whole and there are no left over materials. Foie Gras ducks are deboned and the bones and trimmings are used in pet products. It is almost certain every store selling pet products in New York City has duck from foie gras farms. Further, all of the feathers from duck processing are saved and cleaned and dried for use in down clothing, bedding and pillows.

This bill is very threatening to the 60 people working at Hudson Valley Chicken and the many many farmers we support. Please reject Introduction 1378.

I am Dr. Lawrence Bartholf, Doctor of Veterinary Medicine. I am here in opposition to Introduction 1378.

For the past 50 years, I have served as a doctor of veterinary medicine, specializing in the care of farm animals. I am a past President of New York State Veterinary Medical Society. I have long been active in animal welfare causes and was the first recipient of the American Veterinary Medical Association's Animal Welfare Award.

In the course of my career, I have had many opportunities to observe first hand the practices of Hudson Valley Foie Gras, America's largest foie gras farm and only 1 of 3 remaining in the US. I first visited Hudson Valley Foie Gras about 30 years ago to investigate their animal welfare practices as an active member of the Sullivan County Society for the Prevention of Cruelty to Animals. In the years since, I have visited the farm with many animal welfare and veterinary medical groups. In 2006 I accompanied a group of veterinarians from the American Veterinary Medical Association as they inspected the farm in order to advise the AVMA on animal welfare issues as they relate to foie gras. I worked with Anthony Bourdain on his No Reservation segment on foie gras. On all of these visits to Hudson Valley Foie Gras, we have had full access to observe all of the farms operations.

Based on my years of experience caring for animals and my many experiences observing foie gras farming first hand, it is my professional opinion that foie gras production as practiced by Hudson Valley Foie Gras is humane and in the mainstream of American animal agriculture. I have no reason to believe that the situation at either of the two other foie gras farms in the United States is any different. Put simply, the ducks are not abused.

Videos and still photographs showing the ducks in distress do not accurately represent the farming practices that I have seen first-hand. I understand that opponents of foie gras shared videos and photographs with the City Council's Health Committee. I have seen these same or similar videos and photographs that anti-foie groups have displayed on various websites. The conditions displayed in the videos and photos presented by activists take the rare exceptions and present them as the rule.

I am very sympathetic to those who care about animal welfare, but many of the claims of animal welfare activists display a profound misunderstanding of the animals they purport to protect. Much has been made, for example, of the argument that we should not feed ducks through a tube because we, as humans, would not like to be fed through a tube. Such arguments, I fear, display a deep misunderstanding of the physiological differences between humans and ducks.

In feeding the ducks, referring to the diagram of the duck digestive system, food is introduced to the esophagus through a tube. I understand the farms have changed from metal to plastic

and rubber tubes. The food is deposited into the crop, Number 2 on the diagram. This is an elastic organ than allows waterfowl to take advantage of an abundant food supply by consuming food rapidly and storing it internally. The crop has a capacity of about three pints. Foie gras ducks are never fed more than the duck can naturally ingest.

I believe the use of the tube is a great concern to people who care about animals because of our mammalian physiology. In humans, our windpipe and our esophagus have a common opening in the back of the throat. We have the possibility of food entering our lungs when we eat. Thus, the Heimlich maneuver and a protective gag reflex. In ducks, the windpipe and the esophagus are separate and there is no corresponding gag reflex and feeding causes no discomfort.

As the ducks have no teeth, the lining of the esophagus is physiologically different from mammals, as it must be to allow ducks to eat live fish and crayfish, or rough grasses. The lining is very tough and durable.

It is often said that force feeding is putting food directly into the bird's stomach. That is not correct. Food is deposited into the crop, or food storage sac, at the base of the duck's neck. Food cannot be "forced" further, as there is a hard muscular organ just past the crop that grinds the food. Please see Number 4, Gizzard, on the diagram.

The claims that a fatty liver indicates a diseased process is also incorrect. Waterfowl store fat in the liver as a healthy process, again different from mammalian physiology.

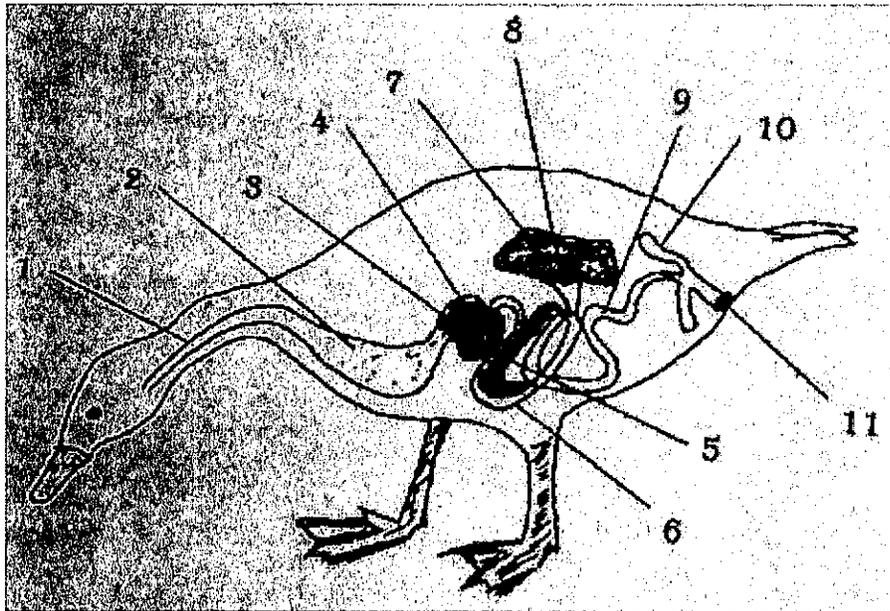
Ultimately, it is essential that a rational discussion of animal welfare begin with a clear understanding that animals have physical characteristics very distinct from humans, and each species is different. Indeed, that is the reason veterinarians exist. If it were otherwise, we would take our pets and farm animals to our pediatricians and general practitioners.

As someone who grew up on a farm with livestock and has worked with farm animals all my life, I can assure you that there is no group of people who care more about animal welfare than farmers. For them, animal welfare is not an abstract moral issue. It is a necessity for economic survival. The better animals are treated, the better the final agricultural product. Foie gras farmers are no different.

I am committed to the cause of animal welfare and commend the New York City Council for its concern for the well-being of animals. However, that the singling out foie gras as being inhumane or outside the mainstream of American animal agriculture is simply not supported by the facts.

This is not an inhumane form of agriculture.

I thank you for your consideration of these views.



- 1. Esophagus - tube that carries food
- 2. Crop - the part of the digestive tract in some birds is considered a separate organ
- 3. Stomach - produces secretions (acid and pepsin)
- 4. Gizzard - a combination of muscles that breaks down food by grinding with grit
- 5. Pancreas - produces enzymes and acids that are found in the mixture passed on from the gizzard
- 6. Duodenum - and on is the small intestine
- 7. Liver - in many birds acts as a detoxifier
- 8. Gallbladder - in some birds the bile is stored in the gallbladder but some birds lack a gallbladder
- 9. Intestine - the small intestine
- 10. Cecum - the large intestine
- 11. Cloaca - the opening where the urinary and fecal matter exits the body

I am Marcus Henley. I am a farmer and the Manager of Hudson Valley Foie Gras. I'm here to testify in strong opposition to Intro. 1378 which would ban the sale of foie gras products. I believe the underlying question to this debate is whether or not foie gras farming is cruel. Advocates who are pushing for the passage of the bill are basing their arguments off of factually inaccurate reports. There are only three foie gras farms left in the US, two of which are in the Catskills, upstate. We have an open-door policy – we welcome unbiased visitors to stop by unannounced at any time to see our farm and our practices – we have nothing to hide. We have presented the bill sponsors and members of the City Council with numerous scientific studies and articles from the New York Times Editorial Board, the Village Voice and other publications that all found no evidence that our farms are inhumane.

Today, you will hear from foie gras farmers and supporters – people who are experts in the field and people who know our farm and see our practices. You will also hear from people who are opposed to our farm – none of these individuals have ever stepped foot on our farm and have not listened to the facts.

The truth is two and half hours away in the Catskills. All of us, and our elected officials, have repeatedly requested that if you are going to consider taking away our livelihoods and disrupting the economy of our area, someone should come see. We have been showing New York chefs the process for 30 years. Many chefs will not put foie gras on their menus until they have taken the responsible position of understanding the farming practice.

This is not the first time the New York City Council has considered banning foie gras. Former Councilman Alan Gerson had the integrity to send an investigator to inspect our farm. I believe Speaker Johnson knows the inspector, Paul Nagle, the Director of the Stonewall Community Development Corporation. After Mr. Nagle's recommendations, the matter was dropped.

Former New York State Assemblyman Michael Benjamin introduced similar legislation at the state level several years ago. As reported in Bloomberg, after he visited the farm he withdrew his support for his bill.

You will say, "How can feeding a duck through tube be anything other than cruel? You can't get past that."

In humans, our windpipe and our esophagus have a common opening in the back of the throat. We have the possibility of food entering our lungs when we eat. Thus, the Heimlich maneuver and a protective gag reflex. In ducks, the windpipe and the esophagus are separate and there is no corresponding gag reflex and feeding causes no discomfort.

As the ducks have no teeth, the lining of the esophagus is physiologically different from mammals, as it must be to allow ducks to eat live fish and crayfish, or rough grasses. The lining is very tough and durable.

The primary reason we ask people to come to the farm is to see the behavior of the ducks when they are being fed. They are very calm and there is no distress. Several scientific papers have studied this issue, especially proving that adrenaline-like stress chemicals are not present in the blood of ducks during feeding as one would expect if they were in pain or discomfort.

The premise of the bill is simply and verifiably wrong.

This bill would be devastating our people and the economy of Sullivan County. New York City is 300 square miles and 8.4 million people. Sullivan County is 900 square miles and 70,000 people. Our 400 jobs support hundreds of people in our town of 9000. We are all interconnected. We built and financially support the only free medical clinic in the area and provide processing services to hundreds of local farmers.

This is not just work for us, it is our way of life. We have three generations of some families working with us who started over 30 years ago. A third of our workers live rent free. More than any company I know, we have provided a point of entry and a path to citizenship for immigrants.

Anyone who has taken a couple of hours to see the farming practices agrees it is acceptable animal agriculture, as the New York City Council has before. Please visit the farm.

Loss of the New York City marketplace risks good jobs for immigrant families, supported by a good companies. It would be devastating to the rural economy, without reason.

Banning the sales of a wholesome agricultural product produced under the animal welfare laws of the state and under federal inspection, is illegal and will be contested immediately and for as long as necessary in federal court.

Thank you. Come see us.

My name is Izzy Yanay, one of the owners of Les Fermes Hudson Valley in Quebec, and Hudson Valley Foie Gras in Sullivan County, New York. I am here in opposition to Introduction 1378.

I applaud the noble and difficult work the animal rights people, which I'm proud to be one of, and what they are doing and trying to do in improving care for animals.

Only, that in the case of the ducks, geese and foie gras farming, they are, unfortunately, misguided and missing the mark.

Even though it does look that the birds are going through an ordeal, our observations, combined with observations of many veterinarians, scientists and visitors, and my own experience of more than 45 years, show, that the ducks are not bothered by the hand feeding that is done by dropping the feed into their esophagus using a tube.

It is very difficult for me to make my point here, at City Hall, trying to make you understand something that at the farm you could see in an instant, as many many visitors, from all walks of life, have, and realized.

Judging by the ducks' behavior, which I have observed, as I said, for some 45 years, I can assure you that it doesn't hurt them the way it will, most definitely, hurt us.

They do not exhibit any behavior that show that they are afraid of their feeders, and are very calm and content.

I'll be the first to support a ban on any food that is obtained by harming and torturing animals, any animals. But here, it is just not the case.

As every farmer knows, the treatment and the conditions of your animals, fields, trees, bees, etc., must be the absolute best you can provide, because it will determine your yields and success.

Torturing animals will just cause failure.

I always equate our job to the way a teacher treat students in school. A harsh treatment will not probably not lead them to an Ivy League college. Patient and understanding treatment provides the best outcome.

Which is what we are providing, and continue to provide here, at Hudson Valley.

Please visit the farm and we will show you.

My name is Jennifer Chamberlain, the Chef and General Manager of Product Development for Hudson Valley Foie Gras. I have been part of the farm family for over seven years. I am here in total opposition of introduction 1378.

My longtime partner Michele and I live on the farm with our two dogs, cat and tortoise. I'm a native of the Finger Lakes region of NY, a registered Democrat, former resident of Brooklyn and worked in the Flatiron district of Manhattan for a well-known chef before moving to the farm.

I'm appalled by the proposed legislation without having a true education of the practices at Hudson Valley Foie Gras and La Belle Farms. Our truth is the reality of American produced foie gras. The truth is ninety miles away. A short trip would answer your questions and concerns. Most importantly the ducks will tell their story in both their appearance and behavior.

The first thing I did before accepting my position was tour the farm to learn. I ultimately made my decision based on being 100% behind the practices. This opportunity has proven to be well beyond personal economic gain. I have found a greater purpose in my life and profession helping the farm move towards total utilization of the animal. The breasts are used for duck bacon, duck ham and smoked magret, meat for sausages and rillettes, confit duck leg, bones, necks and feet for pet food. I've personally created jobs for over forty of the three hundred in total employees.

This is not just a job; it is my life. I'm here to fight for the livelihood of all of the employees who depend on us and the families who depend on them. Why would any one of us hurt the ducks that we all depend on? If this ban is passed it will be in vain and devastating to many.

The controversy over gavage can be negated by first understanding the physiology of the duck and second by watching the short process and taking notice of the duck's behavior. The ducks are not afraid, they do not run away they show very little aversion behavior to outsiders and have the same feeder throughout the entire gavage process.

I have given roughly one hundred tours of the farm. These to people simply stopping by, culinary students, journalists, some knowing very little, some thinking they know it all, fans and skeptics. They have all left with a smile on their face having gained a greater understanding of the animal itself and a believer in our love and respect for the ducks. From the ducklings, to the gavage process, to the finished wholesome line of federally inspected products we are completely transparent. We have nothing to hide. You have the opportunity to be true heroes and write the guidelines on best practices for foie gras production based on our practices and years of experience always vying to improve. Please come see for yourself.

Hello, my name is Robert Ambrose, and I am the managing partner of Bella Bella Gourmet Foods. I am here in opposition to Introduction 1378.

How many of you have visited one of our farms in Sullivan County, or have a working knowledge of the physiology of a duck? The reality of what we do is a short drive away, and you can see that no harm is coming to these birds as well as the economic impact of the farms in the Catskills are where they reside.

Bella Bella Gourmet was founded 15 years ago, and is a wholesaler, and transforming kitchen of Foie Gras, Duck, and Poultry items from The Catskills Cooperative. We distribute into New York City, across the Country, and around the globe.

Prior to partnering with LaBelle Farm to open Bella Bella I spent many hours touring, inspecting, and working in all areas of the farm. At the time I had a basic understanding of the digestive process of a duck, and was very interested in the growing, and farming practices. I observed that these farmers had great passion for how they cared for their birds, and worked together with their staff. They all took pride in how they handled every part of the breeding, growing, production, processing, and their Federally inspected establishment. As we toured the barns there was a tranquil quietness. The birds have clean dry bedding, fresh water, and food. It was evident that my soon to be partners showed respect for the birds, as well as the employees. The entire bird is utilized, nothing goes to waste. The breast, legs, trimmings, offal, skin, bones, and plumage are all used as well. The employees receive monetary incentives based on how they handle the birds, so great care is taken at each step of the growing. The treatment of the ducks and the employees at the farm was integral in my decision to work together.

We are always enthusiastic to show the farm to an individual for the first time. Over the past 15 years I have conducted many farm tours for journalists, chefs, restaurateurs, and inquisitive individuals. When the visitors view the interaction between the farmers, staff, and birds firsthand it is amazing. Demanding chefs can recognize a great product by taste, smell, looks, and how it reacts in cooking. When these chefs see what happens at the farm prior to receiving the product, and they tell you that that they are proud to use our Foie Gras at their establishments it is a great feeling. When a group of journalists take a transparent tour of all aspects of the farm, and title the article "The Physiology of Foie: Why it is Not Unethical" you know they have seen the care that is given to the birds.

I ask that before moving any further on Introduction 1378 you take the time to visit the farms. See the birds. See the farmers. See the people. See the area.

Hello. I am Jesus Ponce. I work at Hudson Valley Foie Gras. I am here in opposition to Introduction 1378.

I came to the United States in 1981. I was one of the first people hired at the duck farm, in 1983. I became a citizen of the United States through my work at the farm and with the help of the owner, Izzy Yanay.

Many of us at the farm have become citizens in this way.

I have done well. My daughter is working at the farm this summer before she goes to back college at the University of Rochester, the first in my family, to study political science.

The farm has given my family and all of at the farm a chance to be a part of this country, to have a better life and make an even better life for our children.

The farm takes good care of the animals. If you don't take care of the animals it does not make any sense. You can't make any money if you don't take care of the animals.

The way we feed the ducks may seem strange but if you know about animals you can see feeding the ducks does not hurt them. I have talked to veterinarians and they explain why this is true.

If you don't know me and somebody tells you I am a bad person, you will have that in your mind, but I am not a bad person. You have to have experience to understand what is true.

There have been people saying things about our farm for a long time that are not true. I don't really understand this and I wish it would not happen. We spend a lot of time defending ourselves that would be better spent talking care of the farm and the animals.

We have visitors who tour the farm all the time. We expect people to visit us and that makes us better than any other farm I know.

The farm does a lot for us. Many of the people live on the farm for free, including my brother. There is a free medical clinic for those who cannot to get insurance. We have acres of gardens where the farm grows food for us.

We treat the animals well and we have a good place to work. I don't know what I would do if I could not work at the farm. Maybe I could find another job but not one where I have worked for 35 years and made a living so I can send my daughter to college. If you want to say making foie gras is bad, you don't understand and you should come and see what we do.

Thank you.

INTRODUCTION

Hello, I am Sergio A. Saravia, Esq. I'm an attorney, farmer and an outcome of these farms. I am here in opposition to Introduction 1378.

WAR TORN COUNTRY AND JOURNEY TO THE UNITED STATES.

I was raised in El Salvador during the Civil War. My earliest childhood memory is when my mother was severely beaten by men dressed as soldiers who came to rob our house. We as children were forced to lie with our heads down at gunpoint while the robbers severely beat my mom with a butt of their AK-47. In that moment I learned that we were forced with imputed political opinion whether we liked it or not. By this I mean that if we were not with the guerrillas we were with the soldiers and if we were not with the soldiers we were with the guerrillas. Those generalizations led to the killings of many people in my country whose bodies I was forced to watch piled up on the side of the road. We fled the country after my mother was severely beaten and entered the United States seeking the protection of the government. Again, we were denied protection and denied asylum because at the time the government did not recognize imputed political opinion. The owner of Hudson Valley Foie Gras, Izzy, was willing to lend a hand to my father and petition us through employment. We had no government in our country that could protect us and we were denied the protection of the Asylum Process by the United States. The duck farm was the only place that helped us, gave my father work and gave us a path to obtaining legalization.

LABELS AND GENERALIZATIONS IN THE US

In the United States I quickly learned that there were prejudice and generalizations about immigrants, especially about Spanish people without regard to who they really were. Since I am Spanish and barely spoke English I was automatically labeled as not being

able to work at the level that other kids were. More so people deemed me to be deviant despite the teaching of my parents to be hard-working and respectful to all, solely due to my ethnicity. Generalizations lead people to believe that I would never become an attorney and that I would never own my own business. However, I proved them wrong.

Those same generalizations have us here today because we are being viewed from a perspective that all foie gras farmers are heinous. We are being judged as if we abuse our ducks when in fact the ducks are very crucial to every aspect of our lives. The way we treat our ducks has to be the best way possible not only because the ducks have given us every opportunity and realized every dream, but because we are a family. A family of people who unite to stand against obstruction in light of a better future.

I RESPECTFULLY REQUEST THAT WE BE JUDGED BY THE KIND OF FARMERS WE ARE NOT BY LABELS

Passing this legislation would definitely destroy the business of Hudson Valley and La Belle Farms. It would be devastating to our community and leave approximately 400 people unemployed. Not only would workers be harmed, but their childrens' futures would be inflicted too. I am an example of how my parents could neither read or write their language and through these farms they created the person I am today. I have the ability to read, speak, and write in both Spanish and English. I defend immigrants through their paths to legalization. Please, before you pass legislation which would destroy our lives, take the time to come visit us and judge us for who we are, not the labels we are given.

At seven and eight years of age I was not a member to the guerrilla or the armed forces. I am not a convict or criminal element simply because I am an immigrant or speak Spanish. We are not the farmers you label us to be.

Good morning Members of the Committee on Health,

My name is Viola Agostini, i reside in district 36, my councilman is Robert Cornegy.

I am here to support the intro 1378 the ban of sale of Foie Gras

New york city became my home almost 10 years ago, I moved here to pursue my dreams in the hospitality business and learn more about different cuisines from around the world.

Italian food is good, but I knew there was more To explore in the gastronomy universe especially in a city like New York.

I quickly became a big fan of french restaurant, and therefore i discover foie gras. Which, honestly I used to love it.

I remember telling my american friends what foie gras was, at that time i knew it was just duck liver, and they used to look at me with a face of disgust, while I always had a better feedback from my European friends in regard of it.

Until one day on social media, I came across an article of how foie gras is made.

Foie Gras that literally mean, fatty liver, which technically is a diseased liver, is obtained by force feeding ducks and geese by shoving a metal or plastic pole down their throat in order to feed them up to 4 pounds of food per day.

The investigation found that a single worker was expected to force-feed 500 birds three times each day, therefore causing lots of suffering and injuries to the birds.

Can you just try to be in their "feathers" for just one minute?

Well, I did and I couldn't bear the thought of being involved as a consumer in such a cruel and abusive industry.

My "taste" was not more important that a living being life.

I also would like to add that as a former tourist and someone that bring lots of visitors in New York City, the one thing that they all agreed as the most ugly "attraction" that have seen, are the horse carriages in central park.

Especially during the hot summer days, panting and suffering for a job they never ask to do.

So I fully support the Intro 1425. The Carriage Horse Heat Relief Bill.

Thank you for your time.

June 18, 2019

Nicole Fernandez

156 Albany Avenue

Brooklyn, NY 11213

Testimony In Support of Intro 1378 To Ban Foie Gras In NYC and Intro 1425, Carriage Horse Heat Relief

Good morning members of the Committee on Health. My name is Nicole Fernandez, and I reside in district 36. My council member is Robert Cornegy. I'm here today to express my support for Intro 1378, which would put an end to the sale of foie gras in NYC.

For six years, I worked in a gastroenterology office where we performed endoscopies on a weekly basis. If you are unfamiliar, endoscopies are a medical procedure that involve having a long, flexible tube inserted down the esophagus of the patient for the purpose of diagnosing various medical issues. I can distinctly recall the apprehension the patients would experience the day of their test. I would put them at ease by holding their hands as they would receive anesthesia. I also can remember my trepidation once I had to undergo this procedure myself.

This procedure is far less severe than what many ducks and geese endure for foie gras. The tube that is forced down their throats is a rigid metal or plastic tube. These ducks and geese are not afforded the same comfort and care that I was given. There is no anesthesia and they are stuffed with absurd amounts of feed, at least three times per day which is intended to enlarge their livers to ten times their natural size! Can you imagine? My cats at home will squirm in discomfort when I need to hold them still just to administer oral medications. Animals feel fear, they suffer. To think that these animals, the same animals that can be seen peacefully sailing through the waters in Central Park, would have this forced upon them all for one high priced delicacy item on a menu is quite appalling. Especially when 81% of New Yorkers are against foie gras!

New York City needs to join California and over a dozen European countries that have already banned this despicable practice. Lastly, I would like to add my support for Intro 1425, the Carriage Horse Heat Relief bill. This bill would greatly reduce the heat exhaustion that horses suffer year after year in New York City.

Thank you for your time and consideration.

Sincerely,

Nicole Fernandez

My name is Dahlia Benaroya and I live in Flushing, Council Member Paul Vallone' District 19. I urge him to support Intro 1378.

I am asking that Intro 1378 be passed by your committee.

As a New Yorker and a voting constituent, I am deeply disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants.

As you know, foie gras is a luxury food item that is produced by cruel force-feeding.

Just imagine having a foot-long hard metal or plastic pipe violently shoved down your throat, stuffing you with more food than you can handle so that you choke on your own vomit.

Imagine the pain, the fear, the broken esophaguses, fungal infections, diarrhea, heat stress, lesions, fractures of the sternum, and other damaged organs that result from this force feeding.

Imagine being in such a small cage that you can't move at all, so that you can't groom yourself and therefore become coated with your excrement, while getting lame feet from infections from standing on metal grills during the force-feeding processing, and not being able to stand up because your legs can't hold the weight of your engorged liver and distended abdomen.

The male duck mortality rate is high. And the female ducklings are useless, so multi-millions are tossed into grinders, while alive. Each force-feeder feeds 500 birds 3 times a day, so they have to rush the process to meet their quota, thereby further damaging the birds.

Since animals are sentient beings, they also feel the pain and fear, the same way that humans do, the same way that you would feel as you imagine yourselves in their position.

Over 3 billion land and sea animals are killed for food globally every day. And before they are killed, most if not all, are first abused and tortured. I don't expect the world to suddenly save 3 billion animals from abuse and slaughter. But we should have some humanity to chip away at some of this horror. This would be an easy place to show such humanity since most restaurants don't serve this diseased liver on their menu anyway.

Over 50 not-for-profit organizations, 50 NY-based veterinary professionals and 81% of NYC voters support a sales ban on force-fed foie gras.

I stand with the majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill quickly.

Sincerely,
Dahlia Benaroya
28-08 158 Street
Flushing, NY 11358
District 19 Council Member Paul Vallone

Honorable Council Members,

My name is Ashley Byrne, and I am an Associate Director with PETA, and a longtime resident of New York City. PETA supports a ban on the sale of foie gras in New York City, because there is no such thing as humane foie gras. Cruelty is inherent in the production of this vile product, which is produced by workers repeatedly jamming pipes down ducks' throats and pumping up to 4 pounds of grain and fat into them to sicken them and enlarge their livers. Please stop and consider that for a moment- foie gras is produced by *purposely* making animals sick.

Investigations at every foie gras farm in the United States and throughout Europe have all documented sick, dead, and dying animals, some with holes in their necks from pipe injuries. One investigation found ducks with bloody beaks and their wings twisted together, jammed into wire cages. At another farm, birds were dangling by wires as blood spilled from wounds in their necks and onto the live birds beneath them.

A PETA investigation at Hudson Valley Foie Gras in New York (previously called "Commonwealth Enterprises") found that a single worker was expected to force-feed 500 birds three times each day. The pace meant that they often treated the birds roughly and left them injured and suffering. So many ducks died from ruptured organs resulting from overfeeding that workers who killed fewer than 50 birds per month were given a bonus. By Hudson Valley's own calculations, approximately 15,000 ducks on the farm die every year before they can be slaughtered. Ducks who don't die prematurely at Hudson Valley are killed on site, and PETA's investigator documented one bird who was still moving after his throat had been cut. The birds suffered from other ailments as well, including one duck who had a maggot-ridden neck wound so severe that water spilled out of it when he drank.

At a farm near Montréal that is owned by Palmex, Inc.—which is a brand of the world's largest foie gras producer, Rougié—PETA documented ducks lined up in rows of iron coffin-like cages that encase their bodies like vises. The birds' heads and necks protrude through small openings to make the force-feeding easier for the human workers. The birds can do little more than stand up, lie down, and turn their heads. They cannot turn around or spread a single wing.

Similar conditions have been documented on some of the largest French foie gras factory farms. Even minimal changes to cage-size requirements have some French companies considering moving production to China, where there are no laws to protect animals from cruelty and where foie gras production is increasing.

In addition to the misery of force feeding, common health problems suffered by birds on foie gras farms include lameness, damage to the esophagus, fungal infections, diarrhea, impaired liver function, heat stress, lesions, and fractures of the sternum. Some ducks die of aspiration pneumonia, which occurs when grain is forced into the ducks' lungs or when birds choke on their own vomit. In one study, birds force-fed for foie gras had a mortality rate up to 20 times that of a control group of birds who were not force-fed. Since foie gras is made from the livers of only male ducks, all female ducklings—40 million of them each year in France alone—are useless to the industry and are therefore simply tossed into grinders, live, so that their bodies can be processed into fertilizer or cat food.

Numerous major companies—including ARAMARK, Target, Harvey Nichols (UK) Whole Foods, Selfridges (UK), Giant Eagle, and Harris Teeter—have stopped selling foie gras. California has banned its production. Force-feeding animals is against the law in 15 countries, including Israel, Germany, Norway, Australia, and the United Kingdom. India has banned the importation of foie gras, meaning that it cannot legally be sold anywhere in the country. It's time for New York City to take a stand against the irrefutable cruelty of foie gras, and ban its sale from our progressive city. Thank you for your time.

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FOR THE RECORD

My submission below relates to the following legislation on the agenda today:

File #	Prime Sponsor	Submitted in Support?	Name
Int 1478-2019	Justin L. Brannan	YES, PLEASE PASS	Establishment of a department of animal welfare.
Int 1496-2019	Justin L. Brannan	YES, PLEASE PASS	Retrieval of companion animals by an animal shelter after an eviction or legal possession.
Int 1498-2019	Fernando Cabrera	YES, PLEASE PASS	Requiring the NYPD to report data regarding animal cruelty complaints.
Int 1502-2019	Robert F. Holden	YES, PLEASE PASS	Welfare of shelter animals.
Int 1567-2019	Mark Gjonaj	YES, PLEASE PASS	Increased fines and penalties for animal abuse.
Int 1598-2019	Robert F. Holden	YES, PLEASE PASS	Proper disposal of deceased animals.
Res 0798-2019	Justin L. Brannan	YES, PLEASE PASS	Amend the agriculture and markets law and the general business law, in relation to the sale of dogs, cats and rabbits. (A6298/S4234)
T2019-4689	Robert F. Holden	YES, PLEASE PASS	Preventing Animal Cruelty Torture Act, otherwise known as the PACT Act. (H.R. 724 and S. 479)

Submission by: Neil Schaier

Cell: 646-926-3451

Over 800 Volunteer Hours At ACC (not including time fostering) in Departments listed below:

Adoption Events Facilitator	Dog Comp Level 2
Adoption Facilitator - Rabbit	Dog Volunteer Mentor
Auxiliary Dog Training	Fosterer - Dog
Community Dogs Facilitator	Outreach Advocate
Corporate Volunteer Facilitator	Rabbit Companion
Dog Comp Level 1	Rabbit Volunteer Trainer

My name is Neil Schaier. I am sorry I could not be at Council meetings today personally. However, I am an ACC volunteer with over 800 volunteer hours in many of the volunteer departments at ACC. I believe it is partly because I have seen ACC's practices and policies in place from many angles that am in a unique position to implore you to pass the various pieces of legislation on your agenda today. In particular, the creation of a Department of Welfare to protect the City's animals, expand reporting requirements in certain categories not currently being tracked, and protect socialized cats from being treated as feral and returned to the street. I would be happy to discuss any of the information below with you at any time.

Thank you for your consideration and your efforts!

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Overview of my submission:

- A. The legislation should be passed with additional reporting requirements that mandate reporting of diverted, deferred animals at shelters and eliminate online barriers. Currently reporting requirements relates to *admitted* animals while ACC has barriers in place to prevent people from even trying to surrender them.
- B. The legislation should be passed and further clarified that TNR does not apply to socialized, non-feral cats. ACCs placement of socialized cats back onto the street is illegal, despite being practiced by ACC, under current law.
- C. The legislation should be passed and further clarified to track numbers of deceased animals *and* provide for cost of disposal.
- D. Expand legislation to include rabbits where they are not already referenced.

A. TRACKING DIVERTED AND DEFERRED ANIMALS

Missing from the proposed legislation relates to the number of animals that **are deferred or diverted** from being admitted and therefore **never get counted**. ACC's **Surrender by Appointment** program, advertised for all of the good it might do for some, put multiple barriers to surrender in place *without tracking statistics of the collateral damage those barriers cause*. Nobody tracked what happened to the over 1500 animals that never showed up for their surrender appointment in 2017.

B. TNR IS LIMITED TO FERAL CATS

- **“Feral” doesn’t mean “socialized”**: Any legislation should make clear that the City Administrative Code’s definition of “feral” says what it means and means what it says. Treating socialized cats, as feral, by using the term “Community Cats” violates the spirit if not the letter of the law. ACC has a long-standing policy of using their **New Hope Program** to circumvent the law and increase placement statistics. ACC places *non-feral* cats with a rescue group who acknowledges placing these cats back on the street. ACC has provided no objective criteria as to how they decide which cats go back to the street.
- The City should not allow **“stabilization”** to be the policy of the City towards stray cats. That is, at some point, the number of cats dying on the streets annually will equal the number of kittens being born.

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- **Require publication of the statistics of feral cat colonies.** The Mayor's Alliance provides no statistics other than to say there are "tens of thousands" of cats already on the street.

C. DISPOSAL OF DECEASED AND ABANDONED ANIMALS

Tracking should also include:

- Require tracking the number of dead animals disposed of in each time period
- Tracking and report the number of animals "abandoned in place" (whether found dead or alive).
-
- The law should also provide that, wherever possible, the name of the pet owner (apartment resident):
 - be placed on a Do-Not-Adopt List,
 - assessed a fine, and
 - their name checked against shelter records to see if they tried to surrender their pet, only to be pressured not to surrender.

Cost of Disposal:

- The law should also provide that, wherever possible, the name of the pet owner (apartment resident) include in the proposed legislation provisions addressing any costs to transport the animals found abandoned by landlords. Landlords are not going to pay for the transportation of animals abandoned in apartments. The law should require Landlords to report the animal, for ACC to utilize emergency field services to transport the animals to the shelter, either without cost to landlord, or that the landlord be permitted to retain a deposit from the tenant specifically set aside for this, if needed.
-

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Surrender by Appointment: Barriers to Admission Webpage



ACC offers compassion and understanding to owners who relinquish their pets and a warm welcome to the animals that are being entrusted to our care. Before beginning the process of surrendering your pet, check out our surrender prevention options.

If you are having difficulty keeping your animal, please fill out this [questionnaire](#). An Admissions Counselor will contact you within 2 to 3 business days to discuss the best options for you and your pet.

If alternative options do not address the circumstances you are experiencing and you still need to surrender your pet, it is important to follow the steps below:

Step 1

You will need to schedule an appointment to bring in your animal so that ACC can provide you the best and fastest service. Your online appointment form will ask for general information about your pet. Pet background profile forms and veterinary records are critical to doing the best we can for your pet. The more we know about your pet, the better we're able to place him or her into a new home.

Step 2

Wait for our call. This is important. Though we know you may feel you have to surrender your pet right away, ACC works very hard to ensure that we have the time and space for new animals before they come in. Bringing your pet in without an appointment can result in stress for your pet, a longer stay in the shelter, and may even negatively affect his or her chances of being placed.

Your Appointment

- Your appointment will take approximately 30-45 minutes and will include a health exam and behavior evaluation of your pet. Your pet's placement in our adoption centers is based on a variety of factors, including the results of the exam and evaluation.
- After all information about your pet has been gathered and the animal evaluation completed, we will discuss your options with you so you can make the best decision for you and your pet.
- Complete and print out the required corresponding dog or cat background profile form and bring it, a copy of your pet's veterinary records and photo identification with you to your appointment.
- Be sure that dogs are on leashes and cats or other small animals are in carriers.
- Cost to surrender - \$10 per animal with an appointment and \$35 without an appointment. This fee will be put toward the cost of your pet's care.

THE BARRIERS TO (OPEN) ADMISSION:

2017 year ACC Statistic: Over 1500 people did not show up for their appointments.

Why?

The Questionnaire?

The Wait ?

The "Options"?

The Appointment time?

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ACC Uses The Term “Community Cats” to conflate feral and socialized cats.

Community and Feral Cats

ACC recognizes that community cats are a challenge throughout the five boroughs and is committed to participating in effectively and humanely controlling their population. Community cats can include social, owned cats, abandoned strays and feral cats – really, any cat living outside that has an established and sustained lifestyle can be considered a community cat. Animal Care Centers of NYC believes that the most effective solution is a comprehensive program that includes:

Despite the clear obligations of the City’s Open Admission Shelter, ACC regularly recommends well-meaning individuals who finds non-feral stray cats to leave them on the street unless sick or injured.

RABBITS

Most of the public is woefully uneducated about proper rabbit care. Rabbit Rescue groups in the New York City area are ACC New Hope Partners and are extremely active in pulling rabbits from ACC-Multiple documented instances. The fact is that ACC is unable to provide truly meaningful “resources” to rabbit owners that are better than surrender. The notion that rabbits are easily re-homed into safe environments without proper education is specious at best.

Domesticated Rabbits can not survive outside, and are too easily thrown into dumpsters or sold on Craigslist for nefarious purposes, never to be seen again. There is no legitimate reason why ACC policy should not be to take in rabbits, PERIOD. Stop with the excuses.

Holly Cheever, DVM
665 Clipp Rd
Voorheesville NY 12186

FOIE GRAS PRODUCTION: DOING THE MATH

The 1997 Whole Foods Inc. tour was crucial, in my opinion, since it taught the plant producers how to create their current artificial tours, which they have been conducting since the fall of 2004, shortly after the CA law was signed banning FG sales and production in 2012. They saw clearly that the writing was on the wall and had to devise a demonstration to assist them in fighting for their economic lives. What they learned in 1997 is that they CANNOT show the birds in the last 10-14 days of production--they are too clearly ill, even to the untrained public's eye. They also learned that they CANNOT show how feeding is done regularly because it is too hurried, noisy, smelly, therefore it looks violent.

So: as for the math: I have heard Marcus Henley, their PR man and plant manager, state on several occasions (Chicago city council hearing, MASS state legislature hearing, & on my tour in 11/05) that:

1) they produce 6,000 birds per week: check their website, it once was cited there, too.

2) He also stated repeatedly that they have 150 workers on site: (the importance of that fact is that with that much labor at hand, it would only take about 15 minutes to hide the evidence, strew fresh sawdust on the duckling pens so they look clean, and cherry-pick out the sick birds in the production line if there was an "unannounced" tour--which there are not.)

3) He has stated that each worker handles 350 birds per feeding and does 3 feedings per day. That means that each worker has 1050 bird feedings/interactions per day, and if you do the same process 1050 times daily in a hurry because your shift is so long, you will not see the zen-like serenity that the 2 female workers exhibit on the staged tours as they handle their few birds.

4) Doing the math, if each handler is processing 350 birds every week and the total weekly production is 6,000, then there must be at least 17 workers per shift--Henley claims that the feeders stay with their same population of birds since they know them familiarly and it is less stressful on the birds (I doubt that)--i.e., in their last (4th) week before their death, the 6,000 ducks about to die must be handled by at least 17 people (350 birds per worker), but meanwhile, other workers are feeding the early-stage birds.

Conclusion: there may be twice as many workers feeding birds at each shift, but there must be at least 17--and that is a far cry from the 2 tiny gentle "slo-mo" ladies that all the guests describe.

Since the 2004 passage of the California law banning the production and sale of foie gras in that state as of 2012, Hudson Valley Foie Gras has realized that it is threatened by the same fate and has devised a specialized “sanitized” tour to assuage the concerns of veterinarians, chefs, and the public. I had the opportunity to visit them for my third time in 2005 and took the tour, which now is HVFG’s standard response to potential critics. This third visit was in sharp contrast to the real production practices I had noted in 1991 and 1997: **the spectacular failure of their effort to woo Whole Foods, Inc. into carrying their product taught HVFG that the public cannot see the real process or they will react as Whole Foods did—with disgust and condemnation.** Therefore, in their sanitized tours, the public sees only birds in the early stages of production (they are too ill after 2.5-3 weeks to be display-worthy), and sees only 2-3 very slow handlers, not the 17-20 on the typical shift with the usual din and rapidity and rough handling of their charges that is a hallmark of the process of force-feeding. Please refer to my statement “~~Doing the Math~~” for an explanation of why these artificial tours do not ring true—instead of producing the 6000 birds per week that HVFG sends to market, these expurgated tours could only produce 300-500 per week. Furthermore, as my analysis discusses, the birds necropsied by New York’s Department of Environmental Conservation’s wildlife pathologist Dr. Ward Stone show disease and injuries from rough handling that would not occur if the current public HVFG tours were an accurate depiction of the reality of their force feeding process.

I would like to be sure that the legislators understand fully what the true force feeding process entails. To produce this diseased organ (hepatic lipidosis), Mulard ducks (a hybrid, non-natural breed) are forcibly restrained three times a day while a rough steel pipe is forced down their esophagi. The handler pumps a fatty, nutritionally-imbalanced corn-rich gruel down their gullets, causing extensive trauma to their esophagi in the process. After a few days of this abnormal feeding, the birds’ livers become heavily infiltrated with fat and the resulting metabolic illness they suffer causes them to become too ill to walk. As their livers swell to **6 to 10 times normal size**, they become weak and often can only move to escape their handlers by dragging themselves across the pens by their tattered wings. They show very clear fear of their handlers and the feeding process. Post mortem examinations of the carcasses reveal ruptured esophagi, ruptured livers, grossly swollen and discolored livers, and a host of internal and external infections including pneumonia. Birds in the late stages may show seizures and other neurological damage due to brain malfunction secondary to their advanced liver disease—I have even witnessed feeders passing tubes down the throats of seizing animals. Their feathers are tattered, their legs are lame (and are occasionally fractured), and are covered with abscesses and injuries. The force feeding process lasts for two to four weeks, depending on the producer, while these birds suffer progressively to a horrific degree before being slaughtered.

I would like to comment on a couple of myths voiced by supporters of this cruel practice:

Myth 1: *this feeding process mimics the natural feeding of the baby ducklings by the mother duck, inserting her bill into the hatchlings throats to feed them.* This is 100% false: whereas “**altricial**” birds (helpless at hatching) are fed in this manner (bluebirds, robins, starlings, etc.), ducks are a **precocial** species—fully functional from the minute they hatch—and they feed themselves from the beginning, as

I have asked 3 veterinary visitors and have heard the testimony from 3-4 chefs at legislative hearings, **all describing 1-2 workers operating during their tours.** Mine had only **2 workers.** When I clocked their number of birds per worker per unit time, the best production that HVFG would be capable of--IF these tours were representative--would be about **300-500 birds per week.** If they were operating at the speed that workers do normally without observation, they MIGHT achieve 700--but their speed is about half that of the regular feeding shifts (from my personal observation of HVFG and other plants on videos and the 1997 tour)--so it might produce 300-500 birds per week, to be generous, if the image portrayed on the tours was representative.

So here's the problem: 300-500 ducks DOES NOT EQUAL 6,000.

Here is the 2nd problem: I examined birds from HVFG and so did Dr. Ward Stone, the NYS wildlife pathologist, and Cornell Veterinary School; Farm Sanctuary has photos and videos on their website from the same population of birds taken at this time (end of Sept and early Oct 2005). This was 6 weeks before my tour. The evidence from these seized birds--photo, video, necropsy report from Dr. Stone and from Cornell vet school's pathology dept., show birds and husbandry that is completely dissimilar to the image I was shown on my tour a short time later, and dissimilar to the tours taken a couple of months earlier by veterinarians who testified at the AVMA's House of Delegates hearings in July '05.

In short, the 2 pieces of evidence do not match, i.e. the peaceful vision of the sanitized tour's feeding operation, vs. the state of the ducks when no visitors are present.

Inevitable conclusion: the tours do not represent accurately the actual state of the operation.

Thank you Councilmembers. My name is Stuart Chaifetz, Investigator with Showing Animals Respect and Kindness, or SHARK. We urge you to pass Intro 1202.

SHARK has investigated and exposed pigeon shoots in numerous states throughout the country for the past 30 years.

We have video documenting hundreds of these violent and horrifically cruel spectacles.

The vast majority of this abuse occurs in Pennsylvania. It is well-known that many of the pigeons used in these shoots come from New York City.

In a pigeon shoot, live birds are mechanically ejected from boxes, called traps. They are tossed two or three feet into the air, and shot at close range. The floor of the trap is electrified to force even the most docile birds to spread their wings and attempt to escape.

This is killing for the sake of killing. It is deeply disturbing that there are twisted people who take pleasure in spilling innocent blood.

Few of the victims die quickly. Birds shot somewhere on the contest fields are grabbed, jumped on or tackled by the workers, who are often young, pre-teen boys and girls. These children are allowed to torture the animals by tearing off the bird's feathers, wings, or heads, or by stomping them.

The criminal behavior of pigeon shoots goes beyond the animals in that children are taught that this kind of pitiless abuse is acceptable.

We have seen still living birds thrown into garbage cans by these child-workers. Live birds are smothered under the bodies of more victims. We have seen birds who have somehow survived all those horrors, only to be burned or buried alive.

Pigeons who are shot, but can still fly far enough to avoid retrieval may die minutes or hours later. Some birds suffer for days before finally succumbing to their wounds, or predation, hunger, dehydration, infection or exposure.

Even those we have rescued have suffered a mortality rate of more than fifty percent, because they are already on the brink of starvation. The birds are given little water, and even less food in the days before the shoot, which saves money for the pigeon dealers, and makes them easier to shoot.

As someone who has personally rescued hundreds of these wounded and dying pigeons, I can tell you that each and every one of them is an individual, and any bird expert can tell you how intelligent these members of the dove family are generally.

We have included links to videos with graphic documentation of these events. However, I must caution this is not for the faint of heart.

If there is a pigeon population problem, there are humane options available. Pigeons shoots are not population control, they merely provide short term satiation to the bloodthirst of

psychopaths.

Due to the short notice, SHARK was unable to send someone to be at this hearing in person, but we hope this testimony, and our work of exposing this nightmare for more than three decades will encourage you to do the right thing.

Please use your power to hold pigeon dealers, brokers and kidnapers accountable.

We live in all too violent world, but this is an opportunity to stop one small part of that violence.

These videos can be found on our YouTube Channel,
www.youtube.com/sharkonlineorg

Pigeons Brutalized, Buried Alive at Pennsylvania Pigeon Shoot
https://www.youtube.com/watch?v=Hi_EZGRlhzE

One Dying Pigeon
<https://www.youtube.com/watch?v=wGKVHOhS67c>

Children Caught Torturing Birds at PA Pigeon Shoot
https://www.youtube.com/watch?v=6f67N_MqLEM

On the Battlefield at a Pigeon Shoot
<https://www.youtube.com/watch?v=8Ek97Vs5zN8>

SHARK
www.sharkonline.org
PO Box 28
Geneva, IL 60134

Hello. I am Chris Allieri. I live in Brooklyn Heights, District 33, and Stephen Levin is my council member. Today, I ask for all of your support in passing Intro 1378.

I am a 23-year NYC resident, a small business owner, chair of the board of directors of Farm Sanctuary, the nation's largest farm animal protection organization and a member of the board of directors of the Wild Bird Fund.

We support Intro 1378 – to ban the sale of foie gras from force-fed ducks and geese.

At the Wild Bird Fund, we provide much needed care for nearly 7,000 birds and other wildlife in New York City each year. Each and every one of our patients is a sentient being deserving of respect – whether they are a pigeon with a broken wing, a red-tailed hawk that collided with a Wall Street building or a duck, hen or goose that escaped from a NYC slaughterhouse. Each and every one - sentient beings.

The time has come for a common sense law to ban this horrific abuse of birds. Birds raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries.

As you may know, foie gras is produced by inserting a 12-inch metal or plastic tube into the bird's esophagus, and rapidly delivering huge amounts of concentrated grain, fat and compressed air into the bird's stomach. This extremely painful process is repeated up to three times a day for several weeks until the liver grows up to 12 times its natural size before the bird is slaughtered.

Let's see to it that generations to come will look upon this day as a monumental day in our city for animal welfare. All of us can and must come together to stand up for what is right and condemn senseless animal cruelty. And a 12-inch tube down the throat of a living animal is just that.

Let's do the right thing and pass Intro 1378. Thank you.

Elisabeth Smith-Price
Farm Manager and Head Instructor
Clover Hill Farm
Paris, Kentucky

June 18, 2019

To New York City Council regarding Intro 1425:

My name is Elisabeth Smith-Price, and I am currently Farm Manager and Head Instructor for Clover Hill Farm in Paris, Kentucky. As my job requires, I am constantly weather aware, no matter the time of year. I conduct riding lessons year-round and weather is a consideration, just as it is with driving horses. I understand the conversation of heat versus heat and humidity index. I believe that horses are capable of working in the "heat index" temperatures, as long as they are properly conditioned for the task they are being asked to perform. We must condition all horses for their environment, whether it be a nursing broodmare who lives outdoors 24/7, or a 5* event horse, or a carriage horse in Central Park.

What temperature or weather condition may be comfortable for one horse, may in turn be hazardous for another? Not only does fitness and body condition come into consideration, but also other factors such as metabolic disorders or anhidrosis. I believe that horses are capable of working in temperatures above 90 degrees, as long as they are physically capable of regulating their body temperature by sweating, and are provided adequate water, rest, and shade, as per the suggested routing provided.

Alexandrea Lafata

401 Annadale Road S.I., N.Y. 10312

My name is Alexandra Lafata and I live in Staten Island in Council Member Joe Borelli's district. I urge him to support this bill.

Foie Gras is a product that is the result of the violent and constant torture of ducks. I have spent time at poultry slaughterhouses where ducks are being held prisoner. These birds are sentient, terrified and in excruciating pain. The intelligence of animals is often downplayed to make man's treatment of them more palatable. In addition to the mental anguish these animals must endure the physical pain. These birds have plastic or metal rods pumped down their throats, are forcibly fed until their livers swell and become diseased. These animals are in relentless agony for an "product" despite 81% of NYC voters supporting a sales ban on foie gras. New York City is condoning animal torture by legally allowing force-fed foie gras to be sold as a product.

Thank you,

Alexandrea Lafata

“Good morning members of the council,

My name is Caetano Laprebendere and I’m a New Yorker of french descent. I live in Bushwick in Council Member Rafael Espinal’s district. I would like to thank him for supporting this bill.

I had to call in sick for work today to be here, because I am indeed sick, sick of the fact that it is the year 2019 and my city still ignores the barbaric force-feeding and horrific conditions these innocent animals are put through, just so that a tiny amount of people can profit from or purchase this cruel excuse for food.

If we had a duck or goose in this room, and saw someone treat them the way they are treated in these farms, the last thing we’d think of is luxury, or wanting to eat their livers, and the first thing we’d collectively think is “stop this, right now”.

The peaceful world we all dream of living in and are working towards has no place for foie gras.

Let’s get this over with.

Ban it now.

Thank you.”

Caetano Laprebendere in support of Intro 1378.

Tuesday June 18th, 2019.

Thank you for allowing me to speak. My name is Stewart Mitchell I'm from the 36th district in Brooklyn. I stand in support of intro 1378. The ban on Foie gras

A short life spent on farms in cramped cages
Force fed two to three times a day Is outrageous!
Mishandled by farmers to feed the ducks rapidly
Their disproportioned organs is one of many casualties
Fed through a funnel that causes bruises and lesions
Stressed and unable to stand for obvious reasons
The act of gavaging to fatten a ducks liver
Is the cruel backstory to an overpriced dinner
The unnatural and cruel treatment of these creatures
Should be replaced with admiration for the beauty of their features
But this majestic birds grace and presence is overlooked
By the privileged who pay to have her enlarged organ cooked
There's people that would argue the process is humane
But they only speak that language because of the monetary gain.
They say people should be able to eat what they choose
But they are not the ones who stand the most to lose
To take the freedom of a life so pure
And replace it with an existence of misery to endure
to be made into a luxury French cuisine
For the selfishness of taste is a decadent deed
The time has come to say au revoir
To the cruel inhumane practice of making Foie gras

I also support Intro 1425 the horse carriage heat bill

Thank you

Linda Mann
600 West End Ave
NY NY 10024

Good afternoon

My name is Linda Mann. I am here to urge you to support Intro 1425, The Carriage Horse Heat Relief Bill. The title of this bill should be enough. I live in Manhattan and I don't need the thermometer to reach 90 degrees to know that it is too hot or too humid to be outside let alone to be working pulling hundreds of pounds.

Some things just should not be judged in economic or political terms alone. We must ask ourselves why anyone who professes to love or care for another being would want to risk putting that living innocent being at risk for heat stress or total collapse. We, as a city, need to commit in all ways to being the best possible example. When it comes to animals, all animals, there really are no 2 sides.

They did not choose these lives - They have no choice. They are subject to our whims and they are subject to our laws. The least we can do, the least we should do, is have our laws protect and help them whenever possible. Sometimes we think of change as a difficult task. But sometimes, all that is required is a small tax. Let's take that small tax. Let's make the changes in the laws - whether it is banning fur gues, protecting wild birds or helping our horses. How we treat animals is a powerful measure of who we are.

Let's take those small taxes and pass Intros 1378, 1202, and before the summer heat hits Intro 1425.

Thank you

June 9, 2019

Elizabeth Forel / President

The Coalition for NYC Animals / Coalition to Ban Horse-Drawn Carriages

New York, NY 10025

Intro 1478 – Department of Animal Welfare – Qualified Support - i.e do not support in present form

We support the creation of a separate Department of Animal Welfare but **ONLY if it includes other animals besides cats and dogs – i.e. carriage horses, wildlife, birds, etc. It is crucial that these animals should be included in this agency.**

We have long supported this idea - taking animal issues out of the purview of the Dept of Health, which should only deal with people issues. Allowing this to continue perpetuates a conflict of interest and ensures that animals will never be treated fairly or given the attention and resources they deserve.

Since its inception, the relationship between the animal advocacy community and the NYC animal control agency has been fraught with difficulties.

BACKGROUND:

- 1994 – the ASPCA gave up the animal control contract with the city of NY.
- Activists formed The Coalition for NYC Animals – many animal organizations belonged to it – including rescue groups and national groups like Friends of Animals and Fund for Animals. Our goal was to have dialog with the Dept of Health on this very important issue.
- At the same time, the City, which did not listen to us, created the Center for Animal Care and Control and appointed a Dept of Health manager, Marty Kurtz, as director. Kurtz had no background in shelter work.
- The 110th St. shelter, which was completed around this time, was very flawed – with serious leaks; inadequate HVAC, small cages. Although built by the ASPCA, it was always intended to be the main intake center for animals who would be euthanized i.e killed.
- In 1997, believing that a separate Dept of Animal Affairs could make the difference, the Shelter Reform Action Committee, of which I was co-chair, began an initiative to get a referendum on the ballot to create such a dept.

The language, which is copied below, was more concise, comprehensive and clear than the present bill. Mayor Giuliani was opposed to it and the City won in the Appellate Division – citing the law of 1894, which stated that only the mayor can create new agencies.

We would like to see these changes in the new proposed bill:

- The new agency must include animals besides cats and dogs – i.e. carriage horses, wildlife, birds, etc.
- Pet shops that sell animals should also be included with the goal of phasing them out – beginning with not issuing permits to new pet shops that sell animals. We have a crisis in New York City and adding new animals to the problem is only exacerbating it.
- Requirements for members of the Animal Welfare advisory board should be listed
- Borough Presidents should also recommend board members. Board members should not just be chosen by the Mayor and Speaker. The board needs to represent all of New York City.
- There needs to be a better understanding and alignment with the new agency and the existing Animal Care and Control facility, which currently has a 34-year contract for the very services that are addressed in this bill. The bill states that “*The Department would be vested with the power to perform functions and operations relating to animal shelters, including the authority to issue permits to such shelters, to enter into contracts for the provision of shelter services.*” But what shelters? and what contracts? One already exists. This language does not address that and gives the appearance that a new animal shelter would be created and miraculously be better. After being closely involved with the many iterations of the CACC/ACC over the years, I support making appropriate changes to this entity rather than "throwing out the baby with the bath water."

1997 -- THIS IS THE LANGUAGE OF THE BALLOT INITIATIVE THAT WOULD HAVE CREATED A SEPARATE DEPT OF ANIMAL AFFAIRS.

To: City Clerk, City of New York

We the undersigned, being duly qualified electors of the City of New York, State of New York, representing not less than fifty thousand qualified electors, present this petition to the City Clerk of New York and respectfully request that the following proposed local law to amend the Charter of the City of New York be submitted to the voters of the City of New York at the next general election:

LOCAL LAW

To amend the New York City Charter to establish a Department of Animal Affairs to care for lost, stray and injured animals, and implement and maintain an animal control operation and shelter system, facilitate dog and horse licensing, promote humane

education, and, except as otherwise provided by law, perform all those functions and operations that relate to the affairs and welfare of animals.

Be it enacted, we the people of New York City pursuant to the authority provided in Section 40 of the New York City Charter, as follows: Section 1. The New York City Charter is hereby amended by inserting a new Chapter 75 and new Sections 3030-3036 to read as follows:

CHAPTER 75^[L]_[SEP] DEPARTMENT OF ANIMAL AFFAIRS

§ 3030. Department: commissioner. (a) There shall be a Department of Animal Affairs, the head of which shall be the commissioner of animal affairs who shall be appointed by the mayor. (b) The commissioner shall have had at least five years' experience either as the executive head or officer of a humane organization devoted to animal welfare, such organization having an annual income of at least \$150,000, or at least five years' experience as the executive head of a municipal animal care and control system.

§ 3031. Powers and duties of the commissioner. The commissioner shall have all the powers and duties vested in him or in the department by this chapter or otherwise, except as otherwise provided by law. In the performance of his functions, the commissioner shall have, in addition to such others as may be conferred upon him from time to time, the power and duty to:

(a) Promote, provide and advocate for the protection and needs of animals in New York City;

(b) Promote and provide humane education programs;

(c) Administer dog and horse licensing and collect fees therefor;

(d) Provide animal transport vehicles that patrol each borough throughout the City, rescuing animals that are lost, strayed, abandoned or in distress and impounding animals designated at large by law, seven days a week;

(e) Provide mobile emergency medical service that immediately responds to calls about animals at large in distress, twenty-four hours a day, seven days a week;

(f) License, regulate and enforce, as the exclusive city agency, the health, safety and well being of horses, including, without limitation, the administration of the Retail Horse Licensing and Protection Law as set forth in Subchapter 3 of Title 17 of the New York City Administrative Code, and to exercise all of the functions, powers, and duties of such law;

(g) Pursuant to State law, promulgate standards for humane treatment of impounded animals;

(h) Operate, maintain, promote and provide a full-service animal shelter in each borough for lost, strayed, abandoned, injured or dangerous animals open twenty-four hours a day, seven days a week, which will:

(i) comply with all humane standards of animal care;

(ii) provide basic health screening, vaccinations, and medical treatment for all animals in its care;

(iii) promote and provide a preventive disease control program for animals in its care; (iv) provide shelter care for animals in protective custody, under observation or quarantine;

(v) promote and provide a volunteer program through which members of the community can get actively involved;

(vi) promote and provide twenty-four hour computerized lost and found services that will communicate with other animal facilities in the city and surrounding areas and will keep animals with known owners for a longer time if necessary to provide time for their owners to find them;

(vii) promote and provide animal adoption to responsible, permanent and loving homes, seven days a week;

(viii) promote and provide intake counseling and pre- and post-adoption counseling, seven days a week;

(ix) provide for the humane transfer of any wild and exotic animals to licensed wildlife rehabilitators or other specialists;

(x) pursuant to State law, as a last resort, humanely euthanize any animal that has not been adopted or otherwise placed;

(xi) promote and provide spay and neuter services in each shelter, and a spay-neuter certificate program in cooperation with private veterinarians; (xii) maintain accurate records on all animal related activities, which shall be subject to public inspection pursuant to the Freedom of Information Law; and

(xiii) provide for reasonable public access and documentation during normal business hours of all areas in which animals are held;

(i) Prepare and submit to appropriate governmental authorities short term, intermediate and long range plans and programs designed to meet the needs of the City, including the needs for construction and operation of facilities for the performance of the services and functions pursuant to this chapter;

(j) Work with the Commission of Animal Affairs (as described in Sections 3034 and 3035) to implement its recommendations;

(k) Award contracts for services and facilities with a public or private institution or agency, as may be necessary and proper to carry out the provisions of this chapter; and

(l) Promote and provide programs to reduce animal euthanasia to only those animals that are suffering from incurable, painful conditions or who have a history of aggression and biting that poses a threat to public safety.

§ 3032 § 3032. Deputies. The commissioner shall appoint at least the following deputy commissioners:

(a) a deputy commissioner in charge of field services, who shall have at least four years' field management experience in animal rescue and control, and whose duties shall be to manage all activities of the department in the field and ensure that all field agents have professional training and certification in all aspects of field duties, including, but not limited to

- (i) basic animal handling,
- (ii) special handling of dangerous or vicious animals, wildlife and wild hybrids,
- (iii) animal capture, restraint and chemical immobilization techniques,
- (iv) identification of species and breeds,
- (v) detection of basic animal diseases, (vi) first aid for animals,
- (vii) humane animal euthanasia in the field,
- (viii) rabies and other zoonotic diseases, occupational illnesses and injuries,
- (ix) crisis intervention and agent safety, and
- (x) rescue vehicles and equipment;

(b) a deputy commissioner in charge of shelter services, who has at least four years' experience either as the executive head or officer of a humane organization devoted to animal welfare, such organization having an annual income of at least \$150,000, or at least five years' experience as the executive head of a municipal animal shelter system, and whose duties shall be to manage and operate the City shelter system; and

(c) a deputy commissioner in charge of humane education, whose duties shall be to develop, promote and provide materials and programs to educate the public in all matters relating to the humane treatment of animals, including, but not limited to

- (i) creating and distributing published materials concerning basic issues of pet care and animal control,

- (ii) maintaining a resource center with audiovisual and printed materials on a broad range of animal related issues open to students, teachers and the public,
- (iii) promoting public awareness on animal issues in the print and broadcast media,
- (iv) promoting and providing a seven day a week telephone hot line to provide animal behavior advice and instructions,
- (v) training educators to visit the classroom in grades K-12 on such issues as pet care, overpopulation and other topics relating to animals,
- (vi) creating and distributing curriculum materials and programs at no charge to New York City schools, hospitals and community groups, and
- (vii) promoting and providing a free certificate program in humane education for public school teachers.

§ 3033. Functions of the department. Except as otherwise provided by law, the department shall perform all the functions and operations that relate to the affairs and welfare of animals in New York City, including, where necessary and proper, performance of the functions and operations empowered in the commissioner by section three thousand thirty-one of this chapter.

§ 3034. Commission of animal affairs. (a) There shall be in the department a commission of animal affairs, which shall consist of eleven members. The members shall be comprised of the commissioner, one member to be appointed by each borough president, two members to be appointed by the City Council, and three city department representative members, one to be appointed by the Commissioner of the Department of Health, one to be appointed by the Commissioner of the Department of Parks and Recreation and the other by the Police Commissioner. The members appointed by the borough presidents shall be representative of the general public and have a demonstrated interest and experience in animal protection and welfare. At least one member appointed by the City Council shall be a licensed veterinarian practicing in the City of New York.

(b) The members of the commission shall be designated to sit for a term of two years from the date of their appointment, and shall meet no fewer than once per month. Any member who fails to attend four regularly scheduled meetings of the commission during their term of service shall be deemed to have resigned from the commission.

(c) The commission shall elect a chairman from among its appointed members. The term of office of chairman shall be for the calendar year or for the portion thereof remaining after each such chairman is elected.

(d) No two members of the commission shall be representatives, employees, or officers of the same group, association, corporation, organization, or city department.

(e) No member of the commission may be an officer, employee or stockholder of any contractor of the department.

(f) All members shall be residents of the City of New York.

(g) No member shall receive compensation for serving on the commission.

(h) A member of the commission of animal affairs other than the commissioner may be removed by the mayor on proof of official misconduct or of negligence in official duties of his office, or of mental or physical inability to perform his duties; provided that prior to removal he shall receive a copy of the charges and shall be entitled to a hearing before the mayor and to the assistance of counsel at such hearing.

(i) Any vacancies on the commission shall be filled by the same entity that appointed the vacating member, in accordance with the provisions of this section.

§ 3035. Powers and duties of the commission. In addition to any other powers and duties set forth in this chapter, the commission shall have the power and duty to:

(a) Investigate of its own motion any subject pertaining to any aspect of the department and its contractors; and for the purposes of such investigation, the commission shall have unrestricted access to all records and facilities of the department and its contractors;

(b) Hold public hearings and submit recommendations regarding animal issues to the department, City Council, and mayor;

(c) Study and recommend requirements for the welfare of animals in public, private, and commercial care;

(d) Study and recommend dog and horse licensing procedures and fees; and

(e) Render a written report of its activities to the mayor and City Council quarterly.

§ 3036. Severability. If any clause, sentence, subdivision, paragraph, section or part of sections 3030-3036 of this charter be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to the operations of the specific invalid statutory language or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 2. This local law shall take effect on January 1, 1999.

###

Being a US citizen and born and raised in the United States 1960 I want shelter reform done immediately

Dear Hearing Council , I feel I have the right as a United States Citizen to be made aware of each animal euthanized and what the decision was made as to why they killed that specific dog or cat. I have been a tax payer and feel it's my given right to be informed of the killings and the price per dog or cat to euthanize .

Sincerely,

Jen Turner

"My name is Lana Young and I am a NYC resident and I am unable to attend the hearing on the 18th but I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

Not to mention, many of the horses pulling huge carriages aren't even carriage horses, they are riding

horses and are not built for heavy pulling. They are also kept in terrible circumstances. Please help them since they can't help themselves. Please. I've owned horses and know how loving and feeling they are. Thank you.

--

LANA YOUNG

Actor | VO Artist | Producer | Director

www.actorlanayoung.com

MANAGER - Bobbie Merritt | THE ENTERTAINMENT GROUP | 973-572-4741

AGENT - Susan Tolar-Walters | STW TALENT | 404-545-2188 (SE)

VO AGENT - Eileen Schellhorn | DDO ARTISTS AGENCY | 212-379-6314

My name is Emily Stern and I am a NYC resident who lives in Astoria and **I am strongly in support of Intro 1425**, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. **I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above.** The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

Please, do the right thing and support his.

Sincerely,

Emily Stern

Oppose Intro 1425

To whom it may concern,

I will be out of the country for the hearing of intro 1425 on June 18 2019, so I am submitting this written testimony:

I'm a NYC horse carriage driver with a deep passion for horses and advocate of animal welfare, so I'm asking for your opposition of intro 1425. I can't comprehend having to follow a new law that would keep me from doing what's in the best interest of my horse. My horse's equine veterinarian recommends regular work for my horse and under intro 1425 he wouldn't be able to work through much of the summer season. Currently, like all NYC carriage horses we don't operate when temperatures reach 90 degrees and not one horse in the industry has had any heat related negative impact to their health since those regulations were implemented.

Intro 1425 is a completely unnecessary regulation being pushed out by an organization (NYCLASS) with zero equine experience, headed by a real estate tycoon (Steve Nislick) who has spent years eyeing the carriage stable properties. They quote a small animal vet (Holly Cheever)'s claims and support of the bill when she's never worked with horses and I have personally heard their executive director (Edita Birnkrant) express extremist desires for animals lives, specifying setting all domesticated cats and dogs "free." These are not ideas that support the best interests of animal welfare. The propaganda video she has shared of a horse that appears to be breathing heavy to suggest he was too hot when he was working was taken while she e-mailed the mayor's office claiming she was too distracted by the media to call the authorities when she witnessed this. That's clear admission she was either aware that there was no wrongdoing in her video or she believed something was wrong but cared more about her own fame and furthering the goals of NYCLASS than she was concerned about getting the horse medical attention. Veterinarian investigations confirmed the horse was only breathing heavier having just finished trotting and found no issues with the horse's health. NYCLASS has been very clear that this bill is part of many steps to regulate the industry out of business after they found no support to outright ban the industry.

It's easier on a horse to pull a carriage than to be ridden and a horse can pull up to 6 times their own weight or 3 times their weight all day long. NYC carriage horses weigh an average of 1,500lbs which means they could easily pull 4,500lbs while a carriage at its' maximum capacity of overweight passengers would still only be around 1,300lbs while the horses' maximum shift is 9 hours from the point they leave the stable until they return. Under intro 1425 we could be asked to stop work when it was 81 degrees and lightly raining! Intro 1425 is based off the real feel of human beings which is irrelevant to horses and doesn't address that equine experts suggest a horse lighten their workload at heat indexes of 130-150 and that it would be dangerous to work a horse at a heat index of 180. Horses cool themselves without any trouble up to heat indexes of 120. Cities that cease carriage operations under a heat index use much more reasonable figures like Charleston, South Carolina at 110. Intro 1425 is as extreme as it is while only specifying carriage horses because it isn't designed to help horses in cities. It's part of a plan to regulate the NYC horse carriage industry alone out of business to help Mayor DeBlasio fulfill real estate promises he made to NYCLASS head, Steve Nislick. Under intro 1425, police horses, parks dept horses, horses in the Central Park horse show, and service dogs would all continue to work while carriage horses would be sent in. The lack of work through the busy season will make it difficult for carriage owners to cover the costly care of their horses and would leave drivers like me struggling to cover our own bills. Please do the right thing and stand against this bill for the sake of the horses and the drivers in this industry. Don't fall for this extreme, unnecessary, and unreasonable ban bill in disguise.

Thank you,
Jill Adamski
1340 E 9 St
Brooklyn NY 11230

Good morning,

My name is Natasha Yannacanedo and I am a NYC resident who lives in Manhattan. I strongly support Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members.

Horses should not be subjected to such brutality in being forced to pull hundreds of pounds on New York City streets during intense heat. It is cruel, not to mention dangerous, to allow carriage horses to work in such conditions when they could collapse. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses. They work for extreme hours, in extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the impact on these horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer at this intensity ever again.

Thank you,

Natasha Lorca Yannacañedo, MFA

Assistant Professor | Eugenio María de Hostos Community College | CUNY
Actress | Director | Casting Director | Writer | The N.Y. Acting Company

Phone: 646-391-6136 Website: nyactingcompany.com

Acting Reel: <https://youtu.be/XYBZDajHzk0>

Acting film work: http://www.nyactingcompany.com/actress_videos.html

Vice-Chair of National Playwrighting Program (NPP)

Kennedy Center American College Theatre Festival - Region 1
<http://kcactf1.org/>

Listen To The Experts Not The Activists

Public Policy should be evidence based, not activist based. Here's what the leading veterinary authority says about using a temperature humidity index to manage horses:

“Heat Index / Comfort Index

This index should never be used for managing horses in hot or hot humid conditions as it has previously been demonstrated to be extremely unreliable and could lead to inappropriate decisions being made and a major risk to horse and athlete welfare. This index is especially unreliable in conditions of moderate to high humidity. The limitations of this index, which is calculated by adding air temperature in °F and relative humidity in %, became apparent during research for the 1996 Atlanta Olympic Games.”

https://inside.fei.org/sites/default/files/Session_6_Optimising_performance_in_a_challenging_climate_SUPPORTING_DOC.pdf

The current wet bulb method for regulating the carriage horses has worked perfectly and there is no evidence based need to change it.

Craig Sheldon

craig@csheldonlaw.com

My name is Karliin Brooks and I am a NYC resident who lives in Hell's Kitchen, Manhattan NY and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

Karliin Brooks

brookskarliin@gmail.com

My name is Kathy Najimy- I am an actor, director and activist and my family and I are Manhattan residents.

For about ten years, I have been part of the movement trying to protect the lives and health of the NYC carriage horses.

I strongly support The Carriage Horse Heat Relief Bill, Intro 1425. sponsored by Council Member Keith Powers and 20 Council Members. (Thank you Keith) And I am writing to ask you to consider the same.

Please vote for updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above.

NYC summer's are unbearable enough for those of us who can sit or get out of the sun, but the Carriage horses don't have that option.

Horses should not be forced to pull hundreds of pounds on city streets (with blaring sirens and horns) during scorching heat waves. It's cruel to allow carriage horses to be worked during NYC heat waves when they are at a higher risk of heat stress or collapsing.

The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the lives of these horses who pound the pavement over 9 hours every day. I fully support, and I respectfully ask you -- to support updating the law, so the horses will no longer be forced to pull carriages when the heat index reaches sweltering numbers.

Unfortunately, the current outdated law, does not take into account the "real feel" for the horses when they are on the streets suffering, during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees.

Carriage horses deserve better and should be sent back to their stables when the heat index reaches this unbearable high. It's one atrocity that they are whipped, trudge on the pavement of the NYC street (horse hooves are not meant for cement and split) pulling HEAVY carriages full of tourists -- while navigating the loud, busy, blaring streets of NY- AND in this heat.... and this is just more cruelty.

I respectfully urge you to vote with compassion and consider the safety and welfare of these regal tortured horses. Please pass Intro 1425 so that horses will not have to suffer through brutal heat--while pulling hundreds of pounds, this summer or ever again.

I sincerely thank you,

Kathy

Kathy Najimy
Good Dog Productions
323.697.7820

Subject: Fw: 6/18 City Council CARRIAGE HORSE Hearing: Info + Testimony Example - i cannot come but support what ny class is asking for

i dont think any horses should be pullignj carriages in nyc at all. i find it much too dangerous for horses in nyc with the cars driving the way they do. the drivers of the cars are all in a hurry and will hit anything. the horses are in danger. completely in danger and that goes daily any season. you shuld ban all horse carriages in nyc. i am asking for that. of ourse it is even more brutal in hot weather. the drivers dont give a damn about the health of the horses. they dont care. they want their pound of flesh. they are the flesh eaters that eat up the horses energy for moneymaking. no horse belongs on teh streets of ny at any time. this comment is for the publci record. please receipt. jean publiee jean public1@gmail.com

-

Subject: 6/18 City Council CARRIAGE HORSE Hearing: Info + Testimony Example



jean --



For the animals,
Edita Birnkrant
Executive Director, NYCLASS

NYCLASS
<http://www.nyclass.org/>

My name is Aubrey Lees and I am a NYC resident who lives in Manhattan, 10014, and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

Aubrey Lees

SUPPORT FOR INTRO 1425

PLEASE STOP THE TORTURE OF THE
CARRIAGE HORSES IN NEW YORK CITY.
AS A DRIVER IN MANHATTAN I HATE SEEING
THEM ON THE STREETS MIDST THE TRAFFIC,
ESPECIALLY IN THE HOT SUMMER.
GAIL BLAUNER

My name is Marion Koenig. As a NYC resident and voter I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves.

Fact: (1) streets go up to 110 degrees when air temps are only 90. (2) Horses 'feel' through their sensitive hoofs: HORSES CAN FEEL THE GRASS BENDING UNDER THEIR HOOVES IN A FIELD. Can you imagine the pain of 8-12 hours on our hot noisy streets? Barbaric.

It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather.

I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees

for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

In fact, please investigate and work toward stopping carriage horses in city. NYC used to lead humane innovation. We are allowing Teamsters to tell us what to do.

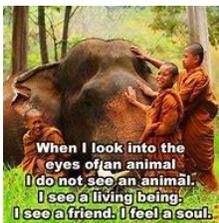
Tokyo, Toronto, Paris, London and more have stopped carriage horses for years. Let us join these amazing cities.

--

Marion Koenig

Co-Founder

Bronx Animal Shelter Endeavor (B.A.S.E.)



Hi, I support the safety and welfare of these precious horses. I'm sorry I can't physically attend in person. Please accept my letter of support. I've also asked others to support animal rights. We do not have enough strong laws to support animals. Thank you and all who have ban together with a strong voice for the safety and care of these animals.

Sincerely,

Janet Simmons

"My name is Robert Libasci and I am a NYC resident who lives in the Bronx and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

--

Bob Libasci

Opposition to Intro 1425

I have been following the NYC carriage horse issue now since 2013...and I am compelled by conscience, as a horsewoman who supports equine rescue efforts for over a half a century, to write to you vehemently opposing the proposed legislation titled Intro 1425.

Ironically titled the Carriage Horse “Heat Relief Bill”...the parameters of the legislation have absolutely nothing to do with the physiology of horses, but are instead based on a “heat index” for humans. While it is understandable that in the year 2019, the majority of urban dwellers are not well informed on equine care and biology, it is inexcusable that with the resource of the Internet readily available to all, council members have not bothered to avail themselves of even a cursory knowledge that the “heat index” for animals that were created (or evolved, if you prefer) to live year round outdoors is NOT the same as that for humans. The normal rectal temperature for a horse is 100. A simple Google search would have informed the council that the “heat index” at which temperatures are considered “unsafe” for horses to strenuously exercise is far higher than 90...in fact, it’s nearly double that...150-180. Anything under 130 is considered safe...therefore, a “heat index suspension” at 90 is ludicrous. I can back up my assertion with a link to US Polo.org, and their horses obviously do far more strenuous activity than a gentle amble through Central Park.

<https://www.uspolo.org/news-social/news/heat-index-warning-for-horses>

Legislation should be necessary...not arbitrary and capricious. That is a solemn responsibility of government. With absolutely no necessity for this legislation, or indeed, any research into the facts given to it by the sponsors, it is increasingly obvious to anyone with even a cursory knowledge of the issue that the reason, the only reason, for this legislation is to damage the ability of the carriage owners and drivers to continue to provide exemplary care for their horses and earn a living in New York. It is even more obvious that this legislation, and the recent “rule changes” banning them from their former hackstands, are being imposed at the behest of Mayor Bill De Blasio, in order to repay campaign donations from the group NYCLASS, as the “pay to play” methodology of his administration is well known.

I urge you, I implore you, to refuse to be a party to this, and to allow the carriage industry to continue to provide excellent homes and care for the vanishing breeds of draft horses that will be adversely impacted by this unnecessary legislation.

Victorena Minchew Datin
10235 Henry Mill Road
Chattahoochee Hills, GA 30213
(404) 545-0156

"My name is Danielle raia and I am a NYC resident who lives in rockaway Queens and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

Support for intro 1425

As a native New Yorker born and raised in Manhattan I
have always been sorry to see horses

on hot summer days pulling carriages . This bill at least
gives a little bit of pity for these poor

defenseless animals.

Thank you.

Joan Conde

My name is Jared Brenner and I am a NYC resident who lives in Manhattan and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

To Whom It May Concern:

My name is Rachel Demas and I am a NYC resident who lives in Manhattan at 484 W. 43rd St. Living in the area where the horses are housed, I have seen first-hand the abhorrent conditions the horses live in and are subjected to on the city streets every day. I am writing to strongly support Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. This bill is, quite frankly, the bare minimum that should be done to assure humane conditions for these animals.

Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees.

Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

Sincerely,
Rachel Demas

"My name is Jackeline Matos and I am a NYC resident who lives in 15 Central Park West, Ny, Ny 10023 and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

Best,

Jackeline Matos

Hi there,

"My name is Sheila O Shea and I am a NYC resident who lives in Brooklyn and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members.

I am a teacher of K-8 and I educate children about the importance of being kind to all animals. These children are your future voters. They also support Intro 1425.

Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent

back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

thank you

--

Sheila O' Shea
Music Teacher
The School at Columbia University
[556 West 110th St., New York, NY 10025](https://www.columbia.edu/~s10025/)
212-851-4012



Support for Intro 1425" in the Subject line.

"My name is Debra Ferrara, and I am a NYC resident who lives in Brooklyn, NY, and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again. Please make sure that this bill is passed for those horses that are subjected to discomfort danger and terrible weather conditions, I beseech you please make your voice for those fur animals who don't

***Thank you so much in advance for your attention in this matter
Debra M Ferrara
Williamsburg, Brooklyn 11211***

Support for Intro 1425

My name is Jody Sidote and I am a NYC resident who lives in Brooklyn-Flatbush Avenue area, and I am STRONGLY in support of Intro 1425, The Carriage Horse Heat Relief Bill.

It is way beyond time to give these horses the relief they deserve in the humid summer months. In fact, if it were up to me, I would vote to abolish the industry altogether.

These animals are forced to pull hundreds of pounds back and forth pounding the pavement and I find it cruel and disheartening to see. I do not find it symbolic positively for this great city.

I have seen first hand the effects of the heat on these majestic creatures and have witnessed more than one accident and collapse of these amazing animals.

In this day and age where more and more people are waking up and becoming more aware of the suffering of animals I am ashamed that our city still allows horses to carry both residents and tourists alike in treacherous conditions and in both extreme cold and heat. It is savage and it is cruel.

Please pass this bill. Make a statement once and for all in support of those who cannot speak but deserve our protection.

It is not only human life that matters.

Support for Intro 1425

My name is Linda B. Jones and I am a NYC resident who lives in Manhattan and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

Please help this bill succeed!

Regards,
Linda B. Jones

Support for Intro 1425

Please support the above resolution which will protect carriage horses from having to pull hundreds of pounds of weight in 90 degree weather. This is a inhumane and barbaric practice that has no place in a modern, sophisticated, city which is also. overly congested with people and cars!

Many horses have died from heat exhaustion!

Please do the right thing and represent the majority of nyc citizens who want a more humane environment.

Thank you,

Jacqueline Barnett, Ph.D



June 13, 2019

Amy Slattery <aslattery@council.nyc.gov>

Emily Balkan <ebalkan@council.nyc.gov>

Re: Testimony in support of Intro 1378 (foie gras sales ban)

Dear Members of the Committee on Health:

Please support Intro 1378 (foie gras sales ban) at Tuesday's vote. As an environmental attorney and co-founder of the Animal Protection and Rescue League (APRL), I have visited foie gras farms in the U.S. and France many times over the years and have witnessed an industry-wide standard of cruelty. Details of APRL's investigations into this cruel industry are posted at StopForceFeeding.com for all to see.

The entire point of foie gras production is to cause ducks or geese to develop a painful liver disease called hepatic lipidosis, and to use mechanical force feeding to cause their livers to swell up to 12 times their normal size. APRL volunteers have rescued ducks in the later stages of force feeding, and their survival rate is very low.

A foie gras producer in California, where foie gras sales and production are now banned, infamously admitted to the press and in deposition testimony that ducks would die from the force feeding if they were not sent to slaughter first.

Hudson Valley Foie Gras in NY has engaged in one of the most deceptive whitewashing campaigns of any industry, and they are protected by the local elected district attorney of Sullivan County, Jim Farrell, who refuses to prosecute force feeding under the general animal cruelty law, stating that it is up to the legislature to pass a specific law against it. Now is the time for New York City's legislative body to take action against this unspeakable cruelty.

Please do not hesitate to contact me with any questions. Thank you for your attention to this important humane issue.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Bryan Pease', is written over the typed name.

Bryan Pease, Esq.

President, Animal Protection and Rescue League



Dear Member of the Committee on Health,

June 13, 2019

Reference: World Animal Protection supports a proposed ban on foie gras in NYC

I write today in support of the proposed ban on the sale and production of foie gras in New York City. With offices in 14 countries and activities in more than 50 countries, World Animal Protection works to ensure high standards of welfare and reduce unnecessary animal suffering.

As I'm sure you're aware, to produce foie gras, grain and fat are pumped into the stomachs of ducks and geese through metal pipes which are forced down their throats several times a day for up to three weeks causing their livers to swell to up to ten times their normal size and become diseased. Often the birds' legs break under the weight of their own distended livers.

As a professional animal protection campaign manager for the past eight years, I have viewed several eye-witness videos of foie gras farms, including one exposé of Hudson Valley Foie Gras in New York. I have seen birds who can hardly move being roughly handled and force-fed and birds with labored breathing, panting constantly as their livers press against their lungs. Those birds not restricted by broken legs or cages are seen desperately attempting to flee the farmers' force-feeding machine as it approaches. I urge you to watch one of the many eye-witness videos of the force-feeding process for an accurate image of what it entails.

Mortality rates during the force-feeding process are typically 10-20 times higher than in non-force-fed birds. If the birds were not slaughtered when they are, it is generally accepted that they would die from the effects of force-feeding, from failure of liver function. The European Union's Scientific Committee on Animal Health and Animal Welfare concluded in 1998 that: "force feeding, as currently practised, is detrimental to the welfare of the birds." The Food and Agriculture Organization of the United Nations stated in 2002 that the production of fatty liver for foie gras "raises serious animal welfare issues and it is not a practice that is condoned by FAO."

Virtually all veterinarians and avian experts agree there is no ethical way to produce foie gras. The level of pain and discomfort that birds raised on foie gras farms must endure cannot be justified for any fleeting moment of taste.

Thank you for your time and consideration. I would be happy to answer any questions you have.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Williamson".

Ben Williamson
US programs director

worldanimalprotection.us

450 Seventh Avenue, 31st Floor

New York, NY 10123

T: +1-800-883-9772

E: info@worldanimalprotection.us

We were known as **WSPA**
(World Society for the
Protection of Animals)

Dear Council

I support intro 1478 & intro 1502. – Please

I am extremely upset about what I've found out in the past month this is excruciating and this is a very very bad situation we're supposed to be models for our children and grandchildren what's happening now is corrupt what's happening now is teaching our children and grandchildren and society that animals are dispensable. Unless there is a point of no return and the animal is extremely suffering that's what they should be euthanized correctly here. I've worked in the medical field for 30 years with people I'm sorry this is first of all the way it is being operated now animals are dispensable they are sometimes released back to owners and the owners there by are taught that they could use ECC has a drop off pick up service. What about not screening properly for adopters or a foster home. Last week Jack Jack's was euthanized because of a fight yet they will put enough for stuff home with it was a history of the Domestic abuse

What about precious dropped off that picked up by the same owners that they took a road trip to New Jersey and they dropped off precious at a New Jersey high kill shelter. I could go on anon I spoke to a rescue or who did it for 40 years and left because of all the politics and all the garbage that's going on and how sick she picked up animals they were so sick and needed so much medical care

What about Marvel sitting there and I was in a foster home and they're asking for an ortho consult isn't that but shelters are supposed to do caring for animals?? Get there asking for money to care for the animals.? And what about the silent kills isn't it a law that they have to advertise the animal and give it a chance? Yet they're doing whatever they want how was that OK. Do you or People get fined and jail for something a lot simpler than that why is these facilities allowed to make their own rules and get away with it

And what about where are the bodies going I'm hearing horror stories and are there cameras in every room at that facility since the animals cannot speak for themselves to make sure that these people are doing what they supposed to be doing now is it going to food experimentation are the animals really put to sleep and I've given away it's just as corrupt as what the people in dogfighting breeders puppy mills are doing same concept. How come they're allowed to do make their own rules and laws. This is also all over social media. Animal laws should protect the animals especially because they can voice their opinion's and feelings what about outside testing for these animals how come every animal has some kind of issue how come some rescues show up to take the animal and then they given to who is favorite

How come there are no kill shelters and they are operating smoothly and more cost-effective. What is this about ASPCA putting animal through her surgery and then two days

later they put to sleep how was it morally correct that they take a little dog that was used as a poster and then put it to sleep how come when they do euthanize animals and it should only be done when there's no turning back if they medically needed etc. they don't do it where the animal doesn't feel any pain where is this tax money going

I demand that our animals r to be taking care of correctly

Start setting an example New York City is the biggest city in the most well-rounded city let's start it and everyone else will follow be the seed to start this what is holding us back I don't understand you could always go backwards or stay the same if you don't change the pattern it'll never change these animals should not be suffering and Drake be treated this way. Why are we not I had it with this United States of America New York??

Every animal should be given a chance like my little baby is but they're not. I never heard of something even when I see that an animal was adopted I cringe because they were not screen properly and they're leaving so sick it's not taking 10 steps I head is taking 1000 steps backward. The only good thing I see from this whole thing is dog guy foundation he grooms and cleans the animals that's it a multi million dollar facility and facilities I only see one little minute thing a positive

And actually the new way will be more cost-effective than the added money could be used towards something else these people the way it's being run now is draining New York

Lillian Kassin

Please OPPOSE Intro 1425, the "NYC Horse Carriage 90 Degree Heat Index Suspension" bill

Regarding Intro 1425, the "NYC Horse Carriage 90 Degree Heat Index Suspension" bill:

It's a bill that is entirely unnecessary considering NYC carriage horses already have the lowest temperature restrictions in the country, not working above 89 degrees, and have not had a single heat related incident negatively impacting the horse's health since that regulation went into effect.

*It's a bill that would prevent NYC carriage horses from working much of the busy summer season, against equine expert opinions of how frequently the horses should be worked, which would also make it difficult for carriage drivers to cover the high cost of the their horses upkeep and make a living for themselves. Last summer carriage drivers would have lost nearly 55 full day shifts if the regulation were in effect as opposed to the 33 partial day shifts they lost under current regulations.

*It's a bill that is ridiculously extreme based of the "real feel" temperature of human begins, without regard to what heat indexes equine experts recommend horses cease working. Cities that use a heat index to stop their carriage horses from work use much higher, more reasonable heat indexes, such as Charleston at 110 and equine experts only suggest a horse's work load is lightened at heat indexes of 130-150 and would be dangerous at 180.

*It's a ban bill in disguise. City council had no interest in doing away with the iconic horse drawn carriages of Central Park, but if this bill passes it could do just that down the line. It's being pushed out by NYCLASS members who have no equine experience and are headed by real estate developer, Steve Nislick who has eyed the carriage stable properties for years. It only targets carriage horses and would not prevent police horses, parks dept horses, horses in the Central Park horse show, or service dogs from working.

I would look forward to a carriage ride as the high point of a visit to NYC.

Sincerely,

Janet Senneker

Michigan

New York ACC — DOH issues

I have been involved with dog rescue efforts for many years.

I became aware of the cruel inhumane practices of NYC ACC in hand with the DOH Dept. whose sole purpose is to supposedly protect the public by euthanizing any traumatized animal that has the misfortune of landing in one of NYC Hi Kill NYC shelters.

In the past 2 years the atrocious practice of spay/neuter and then euthanizing the animal even before that dog has had the chance to fully recuperate is total unethical & reprehensible beyond words — using the guise of SUPPOSEDLY TO MAKE THAT ANIMAL MORE ATTRACTIVE TO AN ADOPTER! Absolutely unethical and, in my opinion, a totally ILLEGAL practice sanctioned by both the ACC & DOH.

No one who kills a dog shortly after it is spayed/neutered can justify that claim!

If it's intent is to SAVE/PLACE THE DOG — there is no logical reason to place that dog on a fast-track to being euthanized. This practice was actually allowed, authorized by the overseers of the ACC and the ASPCA in NYC. Absolutely reprehensible and atrocious behavior for ANY organization involved in the humane compassionate treatment of stray and surrendered dogs in NYC.

The AT RISK LIST

The policy of putting certain selected dogs on a 42 hr AT RISK List — expecting Rescues to come to their aid — but given only a 42 hr window to save these poor dogs thru specific Rescue thru a Rescue Group's Adoption or Foster is beyond any intelligent person's comprehension.

This practice must stop! Rescues are given this AT RISK List info as a last 'Hail Mary' resort for the unfortunate dogs who are 'selected'.

Rescues DO come to their aid and are able to save a good percentage of these dogs - but the stress level is beyond comprehension.

Those dogs deserve better treatment — absolutely!

A behavioral Dept that does NOTHING to establish a true remedial training program for these dogs while they are in the care of NYC ACC is despicable. A Dept whose sole aim is to condemn a frightened traumatized large breed dogs is NOT doing its job.

Tax payor money supporting a system that is totally ineffective and cruel is not right.

Dogs put on this AT RISK List are given 42 hrs before they can be euthanized. Some dogs put on this list are there because they caught a cold — URI — while in the care of the ACC. That is absolute intolerable! A good dog, with good behavior is placed on a KILL list — instead of given the proper meds & time to get back to good health!! That is beyond any intelligent person's comprehension. Cruel and reprehensible. Period.

Only occasionally are we given a EUTHANASIA WARNING/COMMAND for a dog — many times dogs are being prepped in The EUTH ROOM when a last minute placement from a Rescue is received and accepted!

A MINIMUM of 24 hrs should be given if a dog is going to be euthanized. Not 1 hr— if that! And often there is no Euth Command notice so all our efforts are in vain.

The DOH Dept is not set up for the welfare of the dogs in the care of the ACC. We need a separate entity that can OVERSEE both the ACC & DOH to hold them accountable for their despicable non-humane treatment of large-breed dogs who display fear - who are 'not handleable' by caretakers on intake — because they are totally terrified because they were surrendered by their owners — thru no fault of their own — landlord, restrictions or moving restrictions are typically the reasons they have to give up a loved family pet.

Fear is the reason these perfectly healthy, TIMID dogs are put to death. Killing an innocent Pit - and 90% of dogs killed ARE Pit or Pit mixes - because it's never been properly socialized by the owner — is NOT a good reason to kill anyone's dog!

The Behavioral Dept has the obligation to assist in the placement of these poor dogs. Not condemn them for understandable scared behavior caused by the trauma of being dumped by irresponsible owners or grabbed off the street after being abandoned by some reprehensible excuse for a human being!

There is TOO MUCH GOING WRONG in NYC ACC to believe it's stupidly at work - although that is one of the possible causes. It's a system that puts the Dogs at risk — thru no fault of their own.

The Behavioral Dept operates under the guidance of the ACC & DOH Dept. They are not set up to SAVE the unfortunate dogs who are brought in scared & unable to cope with the shelter setting.

This MUST CHANGE! NYC has the obligation to the public to provide decent, ethical care of all dogs who are brought to them — not just the garden-variety Lap-dogs who are just as terrified when they get dumped in a NYC KILL shelter but never get put on the At Risk List — ever!

There is a serious misguided bias at work that puts any large breed abandoned dog at extreme risk in a NYC Kill Shelter.

The At Risk List system must be reviewed - and discontinued. It is totally unfair to these poor large-breed dogs and the owners who bring their dogs to be 'helped' by ACC — not euthanized — because they catch a URI or are difficult to deal with on intake.

Joyce Sefkind

Dear Council,

I support intro 1478 and intro 1502 because I am horrified by what I have seen is taking place at the NYCACC. I have been following the At Risk List since Nov. of 2018, when it first came to my attention in passing. I was appalled to learn that, in our great city, we are still euthanizing healthy, adoptable, trainable animals. I really did not even know that this was still happening. I thought it was a thing of the past, but boy have I gotten some wake up call. Every night so many adoptable animals are listed, many for absolutely ridiculous reason as a treatable URI or a trainable behavior such as leash biting or mouthing and being fearful. I feel like, since this shelter insists they do not kill for space, they come up with reasons to kill. The behaviors that they are claiming are so horrible, almost every dog exhibits, especially the younger dogs who are in need of training. Listing a dog for being fearful is absolutely ridiculous, since almost ALL dogs are fearful, especially at intake, in a shelter. With this being your reasoning, you really will be able to list almost any dog in the shelter if you so choose. It is for these reasons that I support intro 1478 as I believe the DOH does not properly oversee the NYCACC. We need a Department of Animal Welfare to ensure humane treatment of our city's homeless animals and a community based task force to have input for the best practices to promote the welfare of shelter animals.

This shelter seems to be rampant with disease! So many animals come in there healthy, and within days they become sick. So many animals are listed for this reason! These animals have done nothing wrong, but are listed because they caught a cold there. If you look at their At Risk list, almost everyone on there has a URI! And there are sometimes up to 12 dogs in a night! I do not follow the cats, but I know they too have sickness. This place is know for this. In January of 2019, there was a dog named Maverick #53046, that was on the At Risk List. This dog was only 10 months old and was at risk for behavior he displayed in the home as well as the care center. He had no medical concerns at the time. I was so upset for this young puppy who was still in need of training when one of the women in my exercise class told me her Aunt fosters and would probably take him. I spoke with her and we contacted her rescue that she fosters for, which also happened to be a new hope partner, and they advised the foster against fostering him because she had other pets and the ACC dogs always get sick, even if they are not sick now. Needless to say, this woman no longer wanted to foster this poor pup after hearing that! Luckily, another rescue stepped in and pulled Maverick and he turned out to be a wonderful black lab who was just terrified in the shelter.

Today, in fact, there was a dog named Goldie #62110 on the at risk list for medical. She had a swollen face which would require further veterinary consult! Aren't there vets at the ACC? What use are they if they can't help these animals. She was publicly adoptable, and someone reserved her to adopt her today. She was listed as reserved. A volunteer posted on the thread that she was doing better the night before had had eaten some roast beef. When the woman who reserved her tried to get her, she was told that they were no longer willing to release her to her. Her health had rapidly declined and she decided to euthanize her! Why was she not listed as critical or urgent medical?? Why did they not let her take her to her vet as she wanted to do if these vets there are so inadequate they can't make a medical diagnosis? Everyone thought she was safe and they killed her anyway. I would have much preferred a real vet make that decision!! And who in fact actually made that decision?

Today there is dog on the list for medical. One year old Finn #60236. On 6/15/19 it was reported that he was in ISO for possible pneumonia! I even made a pledge for him to help get him out and get him help. Yet tonight, he is listed on the At Risk page for an orthopedic condition which has caused lameness

in the left leg and jaw and will warrant further veterinary care! This one year old dog who is behaviorally amazing, listed to die if he can not be rescued! Shameful! And why are they not including the pneumonia in their medical reasons? I could go on and on, but here are a few examples to show you that the DOH oversight is sorely lacking and not in the best interests of the animals in their care!! We need people who actually understands animals and animal behavior supervising this center who also does not really seem to care about the well being of its animals.

In addition, I support Intro 1502, Transparency in Shelter Euthanasia Reporting/Reform Task force. There is such a lack of transparency in this place! I see dogs listed on the Lost and Found pages that end up in the NYCACC. I watch the At Risk List nightly, and some of these dogs I never see on this list, but it is reported that they were euthanized!! Why? Why were they never given a chance on the At Risk List? Who makes these decisions? What are the qualifications of the people making these decisions? Who conducts these behavioral assessments that determine whether or not a dog is adoptable or rescue only? What are the qualifications of these individuals? Are these individuals that truly understand animal behavior or are they minimum wage staffers that are given a test to conduct with these animals and determine their future based on their completion of ridiculous tasks. So many questions none of which are ever answered.

One recent example of this is a dog named Lyndsey #64331 who was brought in with her brother Ricky #64332. She was on a 10 DOH quarantine hold as mandated by the law of NYC. She was released from the hold in 6 days and euthanized. She was also pregnant. Her brother Ricky was euthanized yesterday. I saw both of these dogs on Queens Lost and Found Pets. I never saw them on the ACC site! I only saw the sharing of them after they had been murdered! Humane euthanasia is done because an animal is so sick they are beyond medical intervention or they are so aggressive, they can not be rehabilitated! This is not the case with the majority of the NYCACC animals that are euthanized daily!! These silent kills have to stop!! There needs to be full disclosure of all animals, why they are listed or not listed, who is conducting assessments and what their qualifications are. Right now the NYCACC is like the wild wild west!! And they do not answer the phone! I found a dog a person had posted on Pawboost on the Queens Lost and Found Page and notified the owner they were at the ACC! They called, and called and kept getting a recorded message!! Why do they not answer the phone? How is that appropriate when a companion animal's life might be at stake. I could go on and on! I have kept track of every single dog killed from the at risk list since the end of January and my notes could fill a small book! Please enact these two measures! Our homeless companion animals deserve the best opportunity at a new life, and they are not getting that here. They are getting killed! One day in regular adoptions, the next day listed for medical and behavioral reasons!!

Thank you,

Joan Puwalski

249 Street

Bellerose, NY 11426

Intro 1478 and 1502

Dear Council

I support intro 1478 & intro 1502. –I have been an animal advocate for 10 years as a foster and adopter. I have gotten animals from shelters who have had them treated by a vet before I got them, gave me meds telling me they were fine. They had kennel cough and I was able to realize before I infected my other dogs. They were very sick and needed treatment for quite a while. Some of the dogs I got were underfed and under weight. This is why I support 1478 Dept of Animal Welfare to get animals humane care while in the shelter and to have practices in place to give each animal the best chance of getting adopted.

I also support Intro 1502. because I want the animal welfare advocates from the community involved for the purpose of developing and recommending animal shelter best practices to promote the welfare of shelter animals.

Thank you

Mary L Buoymaster



IN DEFENSE OF ANIMALS

June 17, 2019

Dear Honorable Members of the Committee on Health,

On behalf of In Defense of Animals, a national animal protection group with over 15,000 members who reside in New York City, we urge the Committee on Health to pass Intro 1378 and make selling foie gras illegal in New York City.

Our society inflicts many horrors on farm animals but foie gras production is, arguably, the worst. Foie gras is produced by force-feeding ducks and geese enormous quantities of grain. The birds have pipes stuck down their throats and food is pumped directly into their stomachs. This process causes them physical pain as well as tissue damage and lesions to their breast bones. The birds' livers expand to ten times their natural size which impedes blood flow and makes it difficult for them to breathe. They are also confined to tiny wire cages where they don't have enough room to turn around or spread out their wings and are unable to perform natural behaviors such as swimming and bathing. Their cages are not regularly cleaned which forces them to lie in their own waste for long periods of time. Solitary housing also prevents the birds from interacting with each other. This is a serious problem since ducks and geese are highly social animals who form close friendships and sometimes mate for life.

Regardless of our ethnicity, race, religion or political affiliation, we should all be unanimous in opposing and condemning cruelty directed at animals, who are among our society's most vulnerable members. Foie gras is the epitome of such cruelty and has no place in civilized society. Ducks, geese, and other animals may not be able to talk, but their screams of pain and sorrow when faced with abuse go straight up to heaven and shake the earth.

We urge you to pass Intro 1378 and make New York City a more compassionate place for all its residents, whether they be human or nonhuman.

Sincerely,

Marilyn Kroplick, MD
President of In Defense of Animals

Dear Members of the Committee on Health:

In the best of all possible worlds, Intro 1378 will be passed by your committee. Since we live in New York, this is the best of all possible worlds. Please pass Intro 1378.

As a New Yorker, I am sickened and beyond outraged that foie gras from force-fed ducks is allowed to be sold in our restaurants. As you know, foie gras is produced by cruel force-feeding. Cruel force-feeding means that a metal or plastic foot-long pipe is violently shoved down a bird's throat, then feed is forcibly pumped down the bird's gullet, so much of it that, after three times a day for several weeks, the animal's liver swells up to 10 times its natural size and becomes diseased. Anywhere in the world, this is the textbook definition of perverse, barbaric animal cruelty.

Birds raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries. Over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

As civilized, enlightened citizens of the greatest city, we must condemn and reject this repugnant practice. I stand proudly with the vast majority of New Yorkers who support Intro 1378 and ask that the Committee on Health pass this bill without delay.

Sincerely,
Daniel R. Grassi

45 East End Avenue
New York, NY 10028

Dear Members of the Committee on Health,

I'm writing as a New Yorker who has lived here for 24 years to please let 1378 be passed by your committee.

At one time I was ignorant about this issue and even ate foie gras from time to time, but once I learned how foie gras is made by force-feeding ducks, I believe it to be cruel, inhumane, and unnecessary luxury item. Force-feeding is a practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased. Birds raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries.

I have learned that over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras. I stand with them to support 1378 and ask that the committee pass this bill without delay. I believe we are only as good as how we treat our most vulnerable, and certainly animals are among them since they cannot speak for themselves.

Sincerely,
Eric Juhola
5 Peter Cooper Rd.
New York, NY 10010

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

I'm counting on your compassion.

Sincerely,

Alice Krakauer

ajk212@earthlink.net

Senator Martinez, I am hoping you got a chance to read my email encouraging your affirmative vote on CAPA legislation in NY. I also hope you got a chance to see the wonderful homeless dogs on the weekly kill list from ACC NYC this past week. After seeing the heartbreaking video of Maverick, cowering, (vicious dogs don't cower, they lunge and snarl; if vicious why is he not muzzled?) being led to the kill room it is time now to give CAPA a try. NY has nothing to lose and all to gain in passing CAPA. Why not give it a try? We are sure to see many improvements in animal sheltering with CAPA, most importantly more saves of homeless, abandoned, abused, unwanted by owner, ill, lost, aging pets.

Another aspect of passing CAPA is that it changes the image of dog shelters and embraces the local community. No longer a deathcamp of dogs and cats that no one wants to enter, CAPA transforms kill shelters into No-Kill shelters, and is a draw now to the local community. People come to the shelter now that it is No-Kill "just to look", like at a pet shop. Who ever passes up a pet shop - few - especially if you are out with children. No longer does one have the uneasy feeling when entering a shelter that the dog you pass up will be killed. No longer looking at row upon row of pets on limited time. Depressing. No one wants to go in there. We don't have that feeling when visiting a pet shop, now shelters become welcoming, enjoyable, fun places to visit.

I have had and loved dogs all my life, but the prospect of entering a kill shelter was daunting to me, and gave me an uneasy feeling. I would want to take them all, guilty of the ones I left behind. With the computer age and bringing shelter dogs to the public with sites like Petfinder, I was able to find my first shelter dog without having to go to the shelter. Even then I saw many online that would probably never get out alive. I rescued that dog and she has brought joy to our life for the past 11 years, so much that we rescued 3 others after her online.

No-Kill shelters embrace the community by more people getting involved with shelter pets. They volunteer more, do public adoption events taking dogs to sites to get seen by even more people out shopping at places like Petsmart or Petco. Volunteers pour in, now knowing the dog they clean, feed, walk and play with will not be euthanized. My son wanted to volunteer at our local shelter, but it is a kill shelter. No way. It takes a special person to work with animals, get to love them, and see them euthanized. I have many broken hearted volunteer friends I know of. Thank God they are for there for these helpless animals, and I admire anyone who can do that, but I, like my son, am not one of them. They are truly angels on this earth.

Local companies, businesses and schools get more involved in shelters once they are No-Kill. The shelter is now a friendly , happy place to go. The transformation in the community is amazing, now that it is not a scary, dark, sad, depressing place to go. Donations pour in, of pet food and beds for pets, as everyone wants to be involved. Volunteers come to play, walk, feed, clean and care for shelter pets, even just sit and keep them company in their lonely kennel. A complete turnaround in the community now that it is No-Kill. A great place for teens to be and work together volunteering or even be employed.

Again, I encourage you to vote "yes" on CAPA. It can only be a good thing - why not give it a try at the very least!

I thank you for your time and look forward to a No-Kill New York. What a great advertisement for the greatest City and wonderful State!

Thank you,
Elizabeth Roenbeck

- -

Pass bills 1478 and 1502

I support the passage of both of these laws. There is something in higher education called Animal Science, and I do not see that being applied to NYC ACC. You have a bit of a double edged sword in that no well educated and trained individual in this field would be willing to work for NYC ACC because it's policies are against science of the field and change is so impossible to effect in the current system. So you have some of the least trained and educated people making decisions that really need to be made by professionals. I think the advisory board, dept, and task force are what are urgently needed, and can address this vacuum. We cannot call ourselves a civilized society when we have the knowledge and tools available to make better decisions, and aren't using them. The reporting will increase transparency and I cannot imagine a system that would not be improved by increased transparency, nor an argument one could possibly conjure against this. These bills are needed yesterday. Please pass them immediately.

Celeste Tesoriero
2860 Hylan Blvd. Staten Island NY 10306
My representative is Steve Matteo.

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Md Dakouzlian

footstepsinthesand@hotmail.com

Dear Council,

I am writing to you in support of intro 1478 & intro 1502. The DOH has sadly been FAILING the animals of NYC for years. We as NYers should be a leader when it comes to animal welfare and instead, the DOH IS STILL ALLOWING THE DAILY EUTHANASIA OF HEALTHY, ADOPTABLE animals. The policies are outdated, such as the holding period for animals is which is absurd and unfair. THREE DAYS is not enough time to evaluate, asses or even attempt to find an animals owners. The DOH has done NOTHING to help with these programs and has yet to build cleaner, newer facilities for the animals of NY. They let directors who do not care about animals run our shelters who are known to be cruel and inhumane. ONLY ANIMAL LOVERS AND PEOPLE WHO CARE ABOUT ANIMALS AND THEIR WELL BEING should be allowed to work and run shelters. I am a proud rescue dog parent and see how a CLEAN, WELL ORGANIZED shelter that DOES NOT KILL animals operates. If the proper authorities were in charge of our animal shelters, we would see change instead of the sick practice of euthanizing animals DAILY for lack of space. Shouldnt there have already been a new shelter in NYC based on contracts and donations to the DOH? But that never happened, and the creatures that suffer are the displaced, lost and injured animals of our city. Because we as humans have failed them. We need to better and more for them because of all the wonderful things animals do for us. I personally suffered from anxiety and depression and after rescuing my dog my life has turned around. I lost four friends in a tragic accident and never thought I would be ok. It is truly something miraculous when an animal gives you purpose and a will to live. So why shouldn't we do the same for them by giving them a chance to live and prosper as they deserve? In NYC we should implement policies similar to those that CA and NJ have. Pet stores should ONLY have available dogs from local shelters for adoption and NOT BE ALLOWED TO SELL ANIMALS (which come from puppy mills). By doing this you free up space in the shelters, stop puppy mills from flourishing and SAVE THE LIFE OF THE ANIMAL ADOPTED! So many rescue organizations in the city (Best friends animal society, rescue dogs rock, second chance rescue, social tees, bideawee, etc) rescue, assess, foster and do NOT KILL ADOPTABLE dogs, so why does the DOH and ACCs?!? It's time for these outdated, barbaric and heartbreaking practices to end. If you check "urgent pets on death row's" website you'll see all the amazing animals that are languishing in our shelters not given a fair chance every day. And after three days most are euthanized!!! What kind of message are we sending when we treat our animals this way?!? You have to power to change this!! And the future for so many loving, deserving and wonderful animals. I really hope you can find it in your hearts to do the right thing and speak for those who cannot speak for themselves. Every animal deserves a life filled with love and kindness, not to rot in a dirty cage and be killed after 72 hours. It's unthinkable. Some could provide life saving care, like mine did! For the ones who come in injured and sometimes dying we MUST HAVE PROPER EMERGENCY MEDICAL CARE as well because SO MANY ARE LEFT TO SUFFER IN CAGES INJURED AND SICK. Imagine (as a human being) getting hit by a car, you're scared, injured and possible dying and someone just locks you in a cold cage?!? No doctor, nor helping hand, or someone to comfort you, just a cold cage left to suffer. It's unfathomable heartbreaking to even think about if you have and love animals. It's inhumane and as NYers we need to do better, we MUST do better. There needs to be stricter policies on cleaning cages, walking the animals, caring for them medically when they arrive and creating as many adoption opportunities as possible. ALL ANIMALS DESERVE humane care while in the shelter and should have medical practices in place to give each animal the best chance of proper

care, healing and getting adopted. This is also the reason I support Intro 1502. If you have ever been lucky enough to be loved unconditionally by an animal then the silent kills that go on under the DOH would break your heart. Why is this allowed to occur in 2019?!? The animals were not made available to public or rescues but were instead killed. So many fantastic rescues in the city and on LI are willing to help so let's keep the animal welfare advocates from the community involved for the purpose of developing and recommending animal shelter best practices to promote the welfare of shelter animals. Animals are a precious gift to us in this world, it's time we start treating them how they treat us - with undying love, support and care. Thank you for your time and I sincerely hope you choose to be the voice for the voiceless. Have a wonderful day,

Stefanie (and Madison 🐾) Gaffan

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Norma Colon

normaom@earthlink.net

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Joan Harrison

jc45h@yahoo.com

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Janet Sawicki

janet@fninsurance.com

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Ellen Wertheim

ewertheim@bloomberg.net

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee!

As a New Yorker, I am DISGUSTED*SICKENED*ANGERED*SADDENED & HORRIFIED that foie gras from force-fed ducks is allowed to be sold at NYC restaurants!!!

Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves VIOLENTLY shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

IT IS EXTREMELY BOTHERSOME THAT "FOOD" SO CRUEL CAN BE SOLD IN NYC RESTAURANTS!!! THESE ANIMALS SUFFER FOR NO GOOD REASON!!! IT MUST STOP NOW!!!

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

For the Voiceless,
Alysha Edelman

Dear Council,

I support intro 1478 & intro 1502.

Replace DEPT OF HEALTH with DEPT OF ANIMAL WELFARE to oversee the Animal Care Centers. DOH has no concern for welfare of the shelter animals. New York City needs a Department of Animal Welfare to ensure humane treatment of the city's homeless animals & create a community based task force to have input for best practices to promote the welfare of shelter animals.

Thank you,
Cherrie Kerwell

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Kathryn Hofstetter

kjkh@verizon.net

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Fionnghuaile Griffin

fionnghuaile@yahoo.com

Good morning and thank you for your time.

My name is Aion Wild.

I am a native New Yorker from Far Rockaway.

Many know me by my music alias, “QUSIC” or “Q”, and also as the manager of the largest page on social media for vegan music called (ironically) “Vegan Music”.

Despite my name, I believe we live in a quite civil era.

After all, the simple fact that humans with a conscious concern about our developed system can gather to discuss sensitive topics is beyond peaceful and powerful.

Firsthand I’d like to apologize for my absence. I am currently away doing field research and studies concerning biology.

I want to encourage everyone involved right now to think deeply about animals and our brilliant, intense world.

In this era, when one thinks of “Foie Gras”, they may link such a term to “food” or “object” or even “French”.

Not often does one consider the violence and extremity behind such a term.

Not often does one manifest imagery of metallic rods scraping the inner linings of an esophagus, or unbearable abdominal pain.

Imagine this pain. Imagine trying to call for help and having no one answer.

Being brutally bludgeoned to death or violently strangled.

So to many it is a term, and to many more it is a food item not worth turning down.

But to those who understand economics and simple psychology they can clearly see how Foie Gras is the torture of a peaceful animal and merited as a food of luxury or worth.

But in my recent travels I’ve learned a lot about the term “worth” as well.

We all know in many states outside of New York, jailing a woman for healthcare needs is “worth” justice.

We know that a pack of cigarettes may be “worth” less payment in Virginia than in, say, California.

What we don’t seem to know yet, or are conflicted with for whatever reason,

is the “worth” of punishing, torturing, and brutally, savagely, mercilessly harming others, often for no apparent reason.

In 2019.

Nearly a decade into improving street lights, infrastructure, education systems, even foster care, society still clings to industries who rely on savage acts in order to deliver products many don’t even know the source of.

Now to be clear, this is not “food shaming”. Many customers of hardworking restaurants will reprise their desire for a specific taste, and many restaurants work diligently to suffice.

But to what extent does a flavor lasting no more than minutes constitute worth over safety of an innocent being?

So this is about behavior reform. Because how can those in legal power shake the hand of killer authoritarians and corporations while pointing fingers towards progressives with the other?

Consider how many of the same flavors that Foie Gras offers couldn’t be more rich, delicious, and even healthy - with the power of thousands (literally) of edible plants on this planet, and with something as simple as seasoning (of which most are from plants to begin with!)

Consider how many star athletes, public figures, and musicians (like me) are paving the new mainstream road to better health at any age and for any person.

Consider how many times your child, or friend, or spouse, or even you, cried out for help.

Consider how many restaurants can take on the culture shaping trend of vegan food and consider how many more will be encouraged by a menu item such as “vegan Foie Gras”.

And before you hate on vegan food, remember: there are a LOT of edible plants.

Respectfully yours,
And stay wild,

Aion
QUSIC

<https://music.apple.com/us/album/color/1466897893>

--

QUSIC on Social Media:



Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Roni Unger

roniung@aol.com

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

D. Muraco

New York, New York

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Mark Davis

yougogoogle@yahoo.com

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Mark Davis

yougogoogle@yahoo.com

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Eric Geier

ericwgeier@gmail.com

My name is Marie Mar and I am a practicing attorney in New York City. I support Intro 1478 and Intro 1402.

I was co-chairman of the Shelter Reform Action Committee which sponsored the Animal Welfare and Shelter Reform Ballot Initiative in 1997. We collected thousands of signatures in New York City in support of setting up a Department of Animal Affairs thus taking away the control of the animal shelters by the inept New York City Department of Health.

We had enough signatures to get this on the ballot but there was a quirk in the law giving the mayor the final control of the animal shelters.

However, the failures of the Department of Health in 1997 continue to this day in dealing with the animal shelters. The DOH has no clue as to how to manage the shelters except to euthanize unwanted dogs and cats giving them no opportunity for adoption or performing spaying and neutering and then euthanizing them.

The shelters are also known to perform spaying and neutering incompetently killing the dogs and cats or causing infection.

I adopted a dog in 1996 who was healthy at the time I chose him except for an ear infection. When I picked him up after the neutering, he had kennel cough and a scrotum infection. I was thoroughly disgusted with the Center for Animal Care and Control. What kind of care was this? Johnny recuperated under the care of a competent veterinarian not what the shelter offered.

There also was a gag order in place or a closed door policy at that time which is continuing. If anyone made public the horrendous conditions at the shelters or challenged the bureaucrats,

they were immediately TERMINATED. This also included Board Members of the Animal Care and Control when it was called the Center for Animal Care and Control.

The Department of Health has enough to do with taking care of the health of New Yorkers and really do not care about dogs and cats except for the monies received to oversee the animal shelters.

There is no public accountability or oversight of the Department of Health and the animal shelters. As a taxpayer, I am appalled.

Therefore, a separate department is the only solution.

Thank you,

Marie Mar

--

Marie A. Mar, Esq.

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Thank you for your time.

Sincerely,
Michelle Krueger

Dear Members of the Committee on Health,
I am writing to please implore you to pass Intro 1379 by your committee.

I have lived in New York for over 15 years and I feel that a city this advanced should have banned foie gras ages ago. It is a disgustingly cruel and horrendous practice that is complete animal cruelty. To allow it to continue when you have the means to help is to give approval for the continual animal abuse these intelligent and feeling birds experience.

81% of NYC voters (myself included) support a sales ban on force-fed foie gras. Too many voters and professionals find the practice horrible and cruel and I think it is time NYC listens and takes action.

Please support Intro 1378 and pass this bill immediately.

Sincerely,
Lauren Amick
W. 15th St.
New York, NY 10011

www.freekibble.com
www.freekibblekat.com
www.theanimalrescuesite.com
www.freerice.com

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Barbara Valente

valentevcswatgal@aol.com

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Anna Surban

alsurban@yahoo.com

June 16, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Brenda Psaras

12 Woodbine Lane

East Moriches, NY 11940

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Lisa Levin

lhivet@mac.com

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Barbara Wood

barbwood4@gmail.com

June 14, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am heart broken & disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is produced by cruel force-feeding that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased. It's outrageous in this day and age, that people can turn away from such egregious cruelty.

Birds raised for *foie gras* suffer tremendously from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of human beings & New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Melinda Buckley

235 west 102nd st.

New York, NY 10025

Dear Council,

I am here today to support Intro 1478 & 1502. As an advocate for animal adoption, and the owner of two shelter dogs and another that was just minutes from being sold as bait for a dogfighting club. I am heartbroken at the unsympathetic and swiftness with which these centers under the direction of the NYC Dept of Health, euthanize perfectly healthy animals.

I hope that the City Council will realize that every homeless animal is a life worth saving. My wish is, at the end of his forum, NYC will make the necessary changes to ensure that homeless animals, whether abandoned, stray, lost, seized, surrendered or unwanted receive compassionate care while in the care of a shelter or care center. These animals deserve clean living quarters, immediate and appropriate medical attention, and for procedures to be put in place to provide each animal with a real opportunity to be reunited with an owner or adopted.

There is a desperate need to have an advocate for those who cannot speak for themselves. I support Intro 1478 to begin constructive discussions for implementing the necessary changes to protect the animals. It is imperative that the newly proposed Animal Advisory Board and the NYC Dept of Animal Welfare assume the responsibility from the Dept of Health, as the governing body to enforce rules, laws, and regulations related to the operation and maintenance of our city's Animal Care Centers and shelters.

Additionally, Intro 1502 will allow for the creation of a Reform Task Force. This Task Force, with the participation of community advocates, will work together to develop best practices to promote the betterment of shelter animals' welfare. Changes introduced by the implementation of Intro 1502 will have profound implications related to the transparency and reporting of a shelter's efforts to encourage adoption over euthanasia.

It is imperative that NYC create viable legislation and oversight of a broken system. As New Yorkers, we can and should push for positive change to this problem. NYC can take this opportunity to position itself as a leader in No-Kill Shelters, which other cities could emulate to protect dispossessed animals in their states.

Thank you for the time to be an activist for all animals in the system.

Journet Camargo

Hello,

I am writing today to humbly ask that Intro 1378 be passed by your committee. As a New Yorker, I am deeply disturbed that foie gras, a “luxury food item” and a byproduct of cruel and inhumane practices, is sold at NYC restaurants.

Foie gras is produced by force-feeding, a practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, and then pumping him with so much feed that, after three times a day for several weeks, causes his liver to swell up to 10 times its natural size and become diseased. Birds raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries as a direct result of the practice.

For these reasons, over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras. I proudly stand with those individuals, and implore your committee to pass this ban, also known as Intro 1378, as soon as possible.

Thank you for your consideration,

Diana Dreher

Yonkers, NY

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Linda Isham

emulateme@hotmail.com

June 14, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Sharon A. Gordin

69-40 Yellowstone Blvd

Forest Hills, NY 11375

Dear Council Members:

We are writing in support of Intro of 1478. Although we are not located in NYC, we do work with rescues and fosters to share and cross post animals that have been pulled from NYC shelters. There is a definite need for the establishment of a Department of Animal Welfare, to oversee and to ensure humane treatment of shelter animals, not only in NYC, but across the entire state.

Without qualified oversight of these organizations, healthy adoptable animals are suffering and dying every single day. We as a society have a moral obligation to do better for them. Every animal deserves and is entitled to proper care while at the shelter, as well as the best possible chance to make it out alive. They need caring, compassionate people in charge of their fate.

Our group also works to get animals out of local shelters in CNY and to spread awareness of what happens to animals in shelters across NYS.

Animals are currently being denied prompt and proper medical care, training, exercise and nutrition. We have witnessed these things first-hand while working or volunteering at the CNYSPCA in Syracuse, N.Y. The attached letter details SOME examples of the suffering and lack of prompt and proper medical intervention, which animals have to deal with. Meanwhile, shelter directors and management are taking home handsome salaries, while stating there is no money for veterinary care or training for the animals.

The lack of oversight of these agencies has allowed them to do as they wish for years. Shelters across NYS need to be reformed so that the animal's best interests come first.

Thank you for your consideration in this very important matter. Please contact us should you have any questions.

Sincerely,

Dawn Brocious
Nanette Kittell
Nancy Hohler
Dr. Stephen Bruck, D.M.V.
Animal Shelters 911
Animal Advocate Organization
315-380-2557

Dear CNY SPCA Board Members,

We have remained silent, for now, regarding issues at the shelter. It was never our intention to bad-mouth the shelter or to create a hostile environment, but our patience has run out.

We are profoundly disappointed in the lack of movement from the Board. We are equally disappointed that the Board has not had the courtesy of contacting us regarding the pushing incident. Promises were made that the Board would meet with us; to date however, all we have gotten are empty promises and canceled meetings. We would think that the Board would want to meet with us in an attempt to right some of the many wrongs we feel are taking place every day at the shelter.

The two of us have been volunteering for several years, providing medical care to many animals, free of charge. We not only treat animals at the shelter, but frequently bring them back to our hospital for additional treatment and surgery. We have also brought animals to our home for post surgical monitoring, when appropriate and necessary. Sadly, we have also had to correct poor medical practices all too often. Due to the fact that the Vet Center is often without proper medications and supplies, we bring our own. When an animal is returned to the shelter after treatment, we supply any medication and written instructions for the follow up care of that animal. Given this long-standing supportive relationship with the shelter, we cannot understand the Board's refusal to meet with people who are trying to help the animals, and have the experience and knowledge to do so.

Where do I start ? So many concerns... So much pain and suffering... I will touch on a few.

Cats have been housed in the breezeway where the heat is unregulated. During the summer, the sweltering heat from the dryer exhaust adds to the already hot and humid space, an area that also frequently floods. Not equipped with air conditioning, heat, or proper temperature control, the breezeway is an inappropriate place for any animal to be housed.

I have been advised that there is a hen in the vet center in a run with her baby chicks, and that they are being fed bird seed. Hopefully this is no longer the case, as bird seed lacks the proper nutritional requirements for the hen/chicks. It is critical that management fully understands the requirements for the care of animals housed at the shelter!

These birds need so much more than the shelter appears to have been able or willing to provide. We raise chickens so I know what I'm talking about. Proper heat, nutrition, bedding, dusting area, nesting boxes, access to the outdoors to graze, and clean water, to mention a few, are critical for hens and baby chicks.

A few years ago I was notified that the shelter had a "chicken." I called to see if they knew how to properly care for her, and was told they had it under control. When we arrived at the shelter on our next regularly scheduled visit, I discovered that the hen was kept in a small dog crate and being fed cat food. The ignorance is staggering. I adopted her on the spot. If management plans on keeping the chickens and building a coop, I cannot help but wonder how they intend to properly care for them!

Then there is Eyore. Eyore was reportedly neutered by one of the veterinarians in the vet center. When we arrived on our regularly scheduled visit, the Vet Tech immediately asked us to look at a cat that had difficulty waking up from anesthesia. Upon examination, we noted that the cat was dehydrated, cold and unresponsive, basically in a coma. Dr. Bruck questioned the Tech as to what happened and what was being done for the cat. She advised that the cat had been neutered the day before and did not wake up from surgery. She said she was told by the lead veterinarian that if the cat was not "better" by morning to euthanize him because something must be wrong with the cat. . Out of curiosity, I asked the vet tech why she did not follow the lead veterinarian's instructions to euthanize. She said "Because I knew he was coming in" as she pointed to Dr. Bruck.

To our knowledge, the cat was not examined again by said veterinarian, and the technician was not instructed to provide the proper care. They allowed the cat to remain in an unresponsive, cold condition for over 24 hours. Dr. Bruck immediately gave the cat warm IV fluids and a steroid. Additional IV solution bags were warmed up and placed next to the cat. The vet center didn't even have a heating pad or cotton! Within a few minutes the cat responded, and began to move. We instructed the tech about what the animal needed to help him flush the anesthesia from his system.

The next day I phoned the shelter for a status update, and was told there was slight improvement. I instructed the Tech to keep up with fluid therapy and to keep us advised. I later spoke to the Tech and was informed that there would not be anyone in the Vet Center for the next day or two to continue with recommended therapy and critical care. I immediately drove to the shelter to pick up the cat.

Our hospital staff was waiting for me when I returned with Eyore. Our staff spent the next 8+ hours administering critical care for this young boy. He slowly began to move around, and eventually was able to stand. The next day we discovered he had become blind. Dr. Bruck and staff continued with aggressive critical, and within a few days the cat greatly improved and regained his eyesight. Unfortunately, we do not know if his eyesight is compromised, but he appeared to see well.

Over the next several days, Eyore continued to improve. It was irresponsible and cruel to leave Eyore in a cage, as they did, with no warmth or medical intervention; **for over 24 hours**, where he certainly would have either died or been euthanized. Most advanced veterinary students would have known what the recommended treatment is for an animal in this state. Even our Veterinary Assistant (not a Tech) knew what to do. A few days later, I was told that another cat at the shelter did not wake up from anesthesia and died. There seems to be something very wrong in the Vet Center. We have received too many reports of animals suffering and dying

Using a snare to catch a cat has the potential for inflicting pain and damage. At one of our regular visits to the shelter, an employee asked us to check on a cat named Truffles, who was being held in the breezeway. The cat clearly required medical care, although we saw no evidence that it had been provided by the CNY SPCA's Veterinary staff. Truffles' tooth had been broken, and it hung from her gum! In removing the painful tooth, we were shocked to discover she also had a fractured jaw. We were forced to improvise wiring the jaw simply

because, again, the Vet Center was not equipped with the necessary supplies. Had we not examined the cat ourselves, it is our opinion that the fractured jaw probably would not have been detected. Even though it was reported to the Vet Center that she was having trouble eating and in obvious pain, nothing had been done to alleviate her suffering. A comment was made that Truffles was a difficult cat to deal with.

Shortly thereafter, we transported Truffles to our hospital for surgical removal of the tooth's root. She remained hospitalized for approximately 2 weeks to insure she was properly monitored during recovery, and to make sure she was able to eat. We discovered that with proper and gentle care, Truffles was really a sweet cat.

Then there is Roary.... To us, the treatment of this dog with a rectal prolapse is beyond malpractice and negligence.

When we learned of his case, we grew concerned that the lack of appropriate timely treatment could have already caused enough damage to require the services of a specialized surgeon, services that are offered at Veterinary Medical Center of CNY or Cornell University. Therefore, on August 30th, we strongly recommended that Roary be transferred immediately to either of those facilities for evaluation. The dog was eventually transferred to Veterinary Medical Center of CNY for treatment, and subsequent conversations with their staff indicated that Roary had received treatment and recovered well.

At issue for us was the severity of pain and discomfort that Roary had to endure prior to transfer; by our veterinary standards it bordered on cruel. It is beyond belief that numerous times his colon was manually pushed back through the rectum—without anesthesia or pain medication! This dog screamed out in agony, according to the employee instructed to hold Roary down during this “procedure.” There was quite a lot of blood as well.

By our standards, keeping Roary at the shelter when he should have had surgery shows the failure of the CNY SPCA Veterinary staff to alleviate needless pain and suffering. Apparently the rectum fell out again at the shelter, after the CNY SPCA Veterinary staff removed the purse string suture previously done by VMC. Roary was left again for days before being scheduled to be sent to Rochester. I was told that the veterinary staff again continued with manual replacement of the anus, and again with no anesthetic or pain medication! I was also told that the Interim Director decided the cost was too much at Rochester, and was looking for a less expensive veterinarian. Days passed and the laxatives and a gruel diet were not sufficient to alleviate his suffering.

Eventually Roary was sent to Stacy Laxen's clinic for surgery. I was told that the surgery was not successful and the dog was once again sent to VMC, where they attempted repair. Securing the records from VMC, Rochester, and Laxen should provide you with exact findings and diagnosis.

So now we sit and wait to see if this animal can heal properly. We believe it is an outrage that Roary was subjected to inhumane treatment for over 2 months. The veterinary staff at CNY SPCA never should have manually continued to push the rectum back in, and certainly not

without proper technique, sedation, and pain medication. For us this amounts to basically torturing this dog and neglecting to provide the proper medical treatment he rightly deserved. NO animal should ever be treated in that manner, especially by an SPCA!

Back on September 1, I was contacted by an SPCA staff member about a cat who required care. Neither the Director, the Shelter Manager, nor any representative of the veterinary staff, were onsite at the shelter. I was informed that the onsite staff had been instructed by the lead veterinarian to “leave the cat until the morning.”

We went to the shelter to examine the cat. After delivering two dead kittens, she appeared to be carrying at least one more kitten, or a retained placenta. At that point she was at risk for very serious complications because she had stopped delivering hours earlier and could not be left unattended. As we had done in the past when emergency circumstances prevailed, Dr. Bruck contacted the team at his practice to prep the surgery suite. It was then that he learned that an authorized representative of Veterinary Medical Center of CNY had called earlier and left a message for him.

The representative from VMC was hopeful Dr. Bruck would be able to assist with a plan of care for a dog being discharged that day from VMC following major surgery. The Labor Day weekend just ahead and VMC could not, after repeated attempts, reach any veterinary or administrative staff at the SPCA to impart the proper discharge and aftercare information for the dog. VMC was concerned about management of the dog’s ongoing care. As I said earlier, taking SPCA animals home or to our clinic for treatment is something we’ve done many times. Dr. Bruck contacted the representative from VMC, while at the shelter, with the assurance that he would take the dog with him.

As we began to prepare to take the animals, SPCA staff refused to allow us to take either animal. Despite VMC’s unsuccessful phone, email, and fax attempts to contact any shelter veterinary staff regarding the dog’s discharge and despite the fact that the cat was medically fragile, the two SPCA employees refused to allow us to take them. Yet the CNY SPCA staff were unable to communicate or produce a plan of care for either of these animals.

SPCA Staff grew more adamant that the animals should remain at the shelter. The discussion became more heated. One of the SPCA employees became visibly agitated at Dr. Bruck’s insistence that these animals should not be left unattended for long hours, and that he intended to remove them for aftercare, as he had done many times in the past. At that point the employee became aggressive and physically pushed Dr. Bruck. Personally, I find it sad when an employee who reportedly has more than once exhibited inappropriate and agitated behavior remains employed at the shelter. It appears that her unacceptable, threatening behavior is being rewarded with continued employment. How does the Board justify their position on this?

At some point during this interaction, another employee conferred via phone with Interim Board President Monica Williams who was subsequently placed on speaker phone and instructed them to call the police if we three volunteers (Dr. Bruck, myself, and long-time volunteer Nancy Hohler) did not leave immediately. Feeling physically unsafe, the three of us retreated to the parking lot. We were not privy to the conversation between the employee and Ms. Williams, so we don’t know what she was told. Perhaps if Ms. Williams had spoken to us as well, she may have acted otherwise.

An employee approached us in the parking lot to remind us that we were still on the property and had to vacate the premises entirely. We moved outside the property line and waited in hopes that cooler heads would prevail and the post-operative dog and cat in need of possible surgery would be brought to us. Instead, an SPCA employee came out and demanded that the volunteer give him her key that gave her access to the dogs, she walked and ran with daily. This extremely dedicated volunteer organized the SPCA's Dog Mentor Program, and spent over 40 hours each week helping with the dogs. She was devastated by the request but did relinquish her key. While we waited off the property, another employee was seen leaving the shelter with a cat carrier, presumably the cat in need of immediate surgical intervention. We don't know where she was taken or the outcome, or if it even was the cat in distress. We were informed that the dog ended up spending the night in the shelter, and that two days later a veterinary technician took the dog home for the long weekend.

The volunteer who was ejected from the shelter wanted nothing more than to work with the dogs again, run with them, and give them extra attention. They need that. It's breaking her heart that they are going without this human connection and much needed exercise.

Recently, we learned about a puppy that reportedly was attacked by another dog at the shelter and had to be euthanized...yet another example of how incredibly dysfunctional the shelter is.

Once again, an animal suffers because of what we see as the lack of proper shelter management. Cats that require dental work, often having infected mouths, are left to suffer without medical intervention. Who in their right mind would think this is ok? Dr. Bruck has even donated dental instruments to the shelter, since they appeared to have none. Why are these animals not being offered relief from their pain and suffering?

We recall another dog having difficulty living at the shelter. He had been at the shelter for a long time and exhibited high anxiety. We recommended and supplied medication to help calm him down and diminish his stress level. After a period of time, the dog showed signs that the medication was helping him cope. He became calmer. Shortly thereafter, we were told he was taken off the medication, by the lead veterinarian, for reasons unknown, and not given any alternative. So again, this poor dog fell prey to anxiety issues. Someone please explain that to me!

Another dog named Biggie was brought to us while we were at the shelter on a regularly scheduled day. The volunteer told us that the Shelter Veterinarian diagnosed the lump just below the eye as cancer, and recommended euthanasia. Dr. Bruck examined the dog and disagreed with the previous diagnosis. He believed the lump to be the result of an infection from a tooth. Dr. Bruck gave Biggie an anti-inflammatory/antibiotic shot and instructed continued antibiotics and monitoring. The dog recovered well, and I am told is now happy in his forever home.

All any of us wanted to do was help the animals at the CNY SPCA just as we've been doing all along. We don't want attention, or notoriety, but we do want those animals properly cared for. We can recount several cases where animals in need of care were ignored or perhaps worse, they were cared for improperly. There has been unnecessary suffering.

The Shelter needs a complete overhaul. Unless and until that is accomplished, the Shelter will continue to be a gruesome place for the unfortunate animals that end up there. The lack of proper direction, professionalism, empathy, caring, common sense, training, and education

continues to inflict damage: it puts every animal at risk, inflates egos, and attempts to control, intimidate and silence employees and volunteers. The Board can and should do better! There is no excuse for things to continue as they have. There is no excuse for animals to suffer. There is no excuse for people not doing their jobs properly. There is no excuse for the Board to not act swiftly and completely to effectuate the much needed changes.

The shelter is broken and cannot be made whole again, unless and until the necessary changes in personnel and protocol are implemented.

We are still open and willing to have a conversation with the Board regarding these, and many other issues at the shelter.

Respectfully,
Nanette Kittell

I am writing to let you know that I support intro 1478 and intro 1502.

I am appalled that the ACC is performing silent kills on the small dogs that are in their care. For months now they have not been posting the small dogs on the To Be Destroyed list which was leading everyone to believe that all of the small dogs were being adopted. This is not true! The ACC is performing silent kills on the small dogs, these poor little dogs have not had the chance to be seen on the To Be Destroyed listing – it is this site that saves many dogs due to the cross posting that takes place as well as members of the public who check on the site to see what dogs need to be saved.

I went onto the facebook page for Must Love Dogs Saving NYC Dogs, under the tab for photos theres are many albums that show what has happened to the dogs that were in the care of the ACC. In the folder for killed dogs you will see many little dogs that were killed and that were never given the chance to be seen by the folks who cross post the dogs that are in danger. Many of the killed dogs were healthy dogs, they did not deserve to be killed, they did deserve to have their photo's and their information shared on the To Be Destroyed list so that they stood a chance of being either publicly adopted or else pulled by a rescue group for a foster or an adopter. This is unacceptable to kill off the small dogs without making their plight know to the thousands of people who share the information and who help to save them. I myself am fostering two fospice dogs, both small dogs that I was made aware of only because I know about the Must Love Dogs Saving NYC dogs facebook page, without this advocate group I would never have known that the two little medical needs dogs needed to be saved.

The ACC is failing the dogs in their care. It is unacceptable for a dog to break off six of his teeth due to the fact that he was terrified of the catch pole that was strangling him. The ACC staff needs to be trained on how to work with animals and not to abuse them. There is a need for cameras to be installed so that the public as well as management can see if the animals are being mistreated. Which in some cases they are. As my late husband who was a dog trainer would say “ the best place for an animal abuser to work is at a city shelter as they can abuse animals and get away with it”.

Please take a stand for the animals, they have no voice, they suffer in silence, they react out of fear, gut wrenching fear which in some cases is directly caused by the individuals who are employed by the ACC and then they are killed.

Please help the helpless animals in the ACC, please stop the silent killing of the small dogs. All that these animals have are you. Will you help them?

Respectfully submitted

Kathleen Marcus09@ptd.net

Dear Council;

I am writing to you today as I support intro 1478 and intro 1502. Here is why: Last May a beautiful dog named Anthony was listed as New Hope only on the daily ACC At-Risk list, meaning he only had 18 hours to be saved. He was listed New Hope only, as he was designated as having behaviour problems. When I read his notes, I saw that none of the multitude of Manhattan ACC volunteers who had cared for him, found any of those behaviour issues being demonstrated. The volunteer notes reported him as very social, he was a greeter dog, loved people and other dogs. He was excellent when walked and overall a very approachable and loving boy.

I admit I fell for him and prayed he was saved, as I wanted to adopt him. As he was New Hope only, he would need to be fostered locally until I could drive to pick him up. After several months I was able to drive to NY to meet him and adopt him. What surprised both myself and the foster who had been caring for him, was that he had **none of the behaviour problems that were reported by Manhattan ACC**. Since bringing Anthony home, I can honestly say that **what the Manhattan Shelter diagnosed as behaviour problems, simply do not exist**.

I have seen this over and over again in watching the dogs on the At-Risk lists. They are listed with behaviour issues and yet once in a foster home or adopted, they have none of the issues ACC was going to kill them for. I've seen ACC kill puppies for leash biting, which is actually normal puppy behaviour and with the proper guidance, is trainable. To kill a dog for leash biting is quite a powerful statement of one of the misdiagnosis of behaviour problems I've seen at the ACC Care Centres. I believe with an impartial Department of Animal Welfare, (to replace the DOH), these kinds of mislabeling of behaviour would prevent the killing of perfectly adoptable animals, and would greatly benefit the dogs...and cats, who land in the ACC shelter system. In truth, there are very few animals who would be considered untrainable. Training and love and compassion go a long way to allowing a dog who has 'behaviour' issues, the chance to be trained and then find a loving home. There are wonderful examples of a No-Kill model CAPA system thriving in cities like Austin, Texas. As the humane movement began in New York City, it is time for the NY shelter system to be a proactive leader in the animal welfare movement and become a humane system once again.

For the above reasons, I also support Intro 1502 which will address what we see as silent kills, where no one is privy to what happened to animals who were killed

without being made available to the public or to rescues. 1502 will also offer more information on the behaviour evaluation that results in New Hope Only kill listed animals. As I mentioned, if Anthony is an example, something is very wrong with the behaviour evaluation system the ACC is currently using. I strongly support Intro 1502 because if animal welfare advocates from the community are involved, they can offer input into developing and recommending animal shelter best practices to promote the welfare of shelter animals. Intro 1502 will also address, (what I see all too often), an animal becoming sick at the ACC locations and being put on the At-Risk list for treatable minor health conditions. Catching a cold, or getting kennel cough in the shelter should never be a reason to kill an animal!

Thank you for your time and attention to this very critical matter. The animals of NY are counting on all of us to be their voice.

Peace Always,



beverleygolden.com
[huffington post](#) | [family guiding](#)



As a carriage driving expert, I believe there is no further need for regulating the work of horses in NYC.

Horses have been bred for 6,000 years to serve mankind for transportation, agriculture, warfare, and commerce. We have only used self propelled vehicles for 100 years.

Those people who make their living with horses do not want to abuse their horses nor work them beyond their limits or they lose their livelihood.

Our history must be preserved through the presence of horses on the streets of NY. Please, no further regulation and I praise you for keeping these important symbols of our history on the streets of NY.

Gloria Austin, author and historian

Go to www.gloriaaustin.com

for books on horses and carriages

Gloria Austin

Wiersdale, FL

Email: Gloria@GloriaAustin.com

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. I think our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Thank you for your attention to this matter.

Sincerely,

Maritza A. N.

evolutionarylady@gmail.com

Jun 16, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

marilyn berkon

marbkn@aol.com

Statement to NYC Council Members

From: Alison Clarke, Southeast Vice President, New York State Horse Council

I have lived in New York City for 40 years and visit horses here frequently.

I ask you all to OPPOSE Intro 1425 for the following reasons:

The 90 degree Fahrenheit bulb index has proved to be adequate. It gives a CLEAR message which all recognize. The carriage horses work at walk or trot and handle the temperature comfortably.

The “feels like” 90 degree heat index is unnecessary.

Heat index is open to interpretation and I believe this will cause confusion and unfairness. Animal Rights Activists (do not confuse with Animal Welfare) have little IF ANY knowledge of equine management and will play on this with NYPD called out more often at irrelevant times. In fairness to NYPD, the Department of Health and carriage drivers, I recommend you keep the current measurement as it is.

- Other horses will be out and about: jumping, running, competing and showing. This is as it should be. Please do not penalize the carriage drivers and their families whose income will suffer; and your heat index disallowing their horses the gentle exercise they need in Central Park.

Respectfully,
Alison Clarke

Alison C. Clarke
Southeast Vice President
New York State Horse Council
135 Ocean Parkway, 11R
Brooklyn, NY 11218
Tel. 602-300-3711
Email. aclarke33@outlook.com



www.nyshc.org 501(c)3



NEW YORK STATE HORSE COUNCIL, INC

www.NYSHC.org

FOR IMMEDIATE RELEASE January 14, 2014 (updated September 16, 2014)

**NEW YORK STATE HORSE COUNCIL, INC.
STATEMENT OF SUPPORT FOR
THE NEW YORK CITY CARRIAGE HORSE/CARRIAGE HORSE INDUSTRY**

New York State Horse Council, Inc. has just released the following Statement of Support regarding the New York City carriage horses:

It is not a question of whether the carriage trade is necessary to New York City or not. The carriage horses are an iconic symbol of NYC; they are part of the cultural heritage not only of NYC, but also of America. They provide economic benefits to the City through tourism and tax revenues. Today's carriage horses provide a presence and exposure to rural animals not available to many anywhere else.

Some people have labeled the carriage horse industry as "inhumane." It is not. While the word "inhumane" is not mentioned in the law, cruelty is. NYS Agriculture & Markets Law, Article 26 and more specifically, Section 353, defines cruelty as "failure to provide proper sustenance, such as food, water, shelter and veterinary care.

All the NYC carriage horses are well taken care of and have better than average stabling available to them. Each horse is provided food and water (each carriage carries food and water for the horses so they may eat/drink during working hours); the stables are warm, well ventilated and have spacious stalls for resting during non-working hours; veterinary care is required and provided annually and on call; each horse also has a mandatory minimum of 5 weeks' vacation annually at nearby farms. The NYC carriage horses are probably the most regulated horses in the country, if not the world. They are covered by approximately 144 pages of regulations; they are watched over very closely by multiple city agencies, including the Health Department and the NYPD.

It is the opinion of the Board of Directors of the New York State Horse Council that the NYC carriage horses and their owners should be allowed to continue to operate their small businesses without fear of reprisal or loss of livelihood. The horses are a great tourist attraction because they ARE horses not cold, impersonal pieces of metal.

The NYS Horse Council hereby calls on all other State Horse Councils and all concerned horse groups and horsepersons throughout the country to come to the support of the New York City carriage horses and the carriage industry. The world is watching to see what happens here; the outcome could affect YOU!

"The mission of the New York State Horse Council, Inc. (NYSHC) is to create a strong, unified voice for all interests toward the preservation of a future for horses in New York State. "

Visit www.nyshc.org for:

- Recommended Guide for Minimum standards of care for equines.
- Contact information

Email to Amy Slattery (aslattery@council.nyc.gov)
Emily Balkan (ebalkan@council.nyc.gov)
Hearings (hearings@council.nyc.gov)
cc: Matthew Dominguez (matt@vfar.org)
Joyce Friedman (joyce@vfar.org)

**Testimony in support of Intro 1378 (foie gras ban) – Denise Kelly, President,
Avian Welfare Coalition**

To: The Committee on Health

I am a New York City resident and President of the Avian Welfare Coalition, www.avianwelfare.org, an alliance focused on the plight of captive birds kept as ‘pets.’

I am writing to urge that your committee pass Intro 1378, a bill to prohibit the sale of foie gras from force-fed ducks and geese in New York City.

Foie gras — or “fatty liver” in French — is the term for pate made from the livers of ducks or geese suffering from what veterinarians call “hepatic lipidosis” or “fatty liver disease.” The development of fatty liver disease in ducks and geese on foie gras farms is intentional. Birds are subjected to force-feedings two to four times daily for several weeks. They are restrained while a 12-inch to 16-inch plastic or metal tube attached to a pressurized pump is shoved down their esophagus and into their crops. The pump forces 6–7 pounds of a corn, oil, and salt mixture into their crop each day. On occasion, the feeding rods are inserted into an animal’s esophagus with such force that the rod perforates the esophagus, resulting in pain, prolonged suffering, and even death.

In addition to the barbaric feeding techniques, the birds are subjected to factory farm conditions. The birds are crowded together in pens or small wire cages so small that they are unable to spread their wings or turn around. The birds are also denied access to bodies of water for wading, swimming, and bathing — activities essential to the health and well-being of ducks and geese.

Jammed together and unable to express natural behavior, ducks and geese will excessively peck each other. Instead of providing adequate space for the animals, producers have the birds “debilled” using a stationary blade, electric debeaker, or scissors to cut off the sensitive top portion of the bill. Not only is the debilling procedure painful, it deprives the birds of their ability to preen which is essential to proper feather maintenance.

Birds raised for foie gras suffer greatly from numerous diseases, illnesses, psychological stress, and injuries. 50 not-for profit organizations, 50 New York

based veterinary professionals, 60+ NYC-based restaurants, and 81% of NYC voters support a sales ban on force-fed foie gras.

Animal advocates in New York City and across the United States are not alone in their concern over the suffering caused to the birds in the foie gras industry. In recognition of the extreme cruelty involved, a ban is now in effect in the State of California. The practice of force-feeding birds for foie gras production is also prohibited in several countries, including Germany, Italy, Norway, Poland, Turkey, Israel and India. In addition, an extensive body of scientific evidence confirms that force-feeding for foie gras is detrimental to the welfare of birds.

Thank you for your consideration of this issue, which is of great importance to our alliance and to the vast majority of New Yorkers.

As a New York City resident, I ask that the committee pass this bill without delay.

Sincerely,

Denise Kelly, President
The Avian Welfare Coalition

Email to Amy Slattery (aslattery@council.nyc.gov)
Emily Balkan (ebalkan@council.nyc.gov)
Hearings (hearings@council.nyc.gov)
cc: Joyce Friedman (Joyce@vfar.org) Matthew Dominquez (matt@vfar.org)

Testimony in support of Intro 1202 (prohibiting trafficking of wild birds)- Denise Kelly, President, Avian Welfare Coalition

To: The Committee on Health

I am a New York City resident and President of the Avian Welfare Coalition, <http://www.avianwelfare.org> an alliance focused on the plight of captive birds kept as 'pets.' I'm writing as an experienced and concerned bird advocate and on behalf of the Avian Welfare Coalition **to urge that you pass Intro 1202, the bill to prohibit the trafficking of wild birds in NYC.** This bill will help stop the already illegal but common inhumane and cruel practice of netting and capturing pigeons and other birds in NYC parks and streets.

This bill is sorely needed to increase penalties for persons who illegally steal birds living in a wild state in New York City and to make it much clearer to NYPD that this violent and inhumane act is actually already illegal.

As President of the Avian Welfare Coalition, alliance dedicated to the welfare and protection of captive birds, I'm all too aware of the cruel fate of birds that are netted and captured from the streets of New York City.

These birds are transported out of state for the purpose of brutal pigeon shooting contests in Pennsylvania. Others are used as bait for animal fighting rings and other sadistic, cruel practices.

Over the years, I have personally witnessed bird nappers brazenly stealing birds from NYC parks and off the streets, and even in the park adjacent to the Mayor's residence at Gracie Mansion. The bird nappers attract large flocks by luring them with food. These large numbers of birds are then violently captured in a large net that snaps shut abruptly, often breaking the wings and legs of these fragile birds, who are then stuffed into boxes and bags and whisked off.

On several occasions, I've witnessed concerned citizens trying to prevent the bird nappers from taking the birds. These incidents often escalate into heated, and often physical, confrontations that are not only upsetting to witnesses but are also pose a threat to public safety. Unfortunately, by the time police arrive to intervene, the perpetrators have already run off.

Currently, the NYPD is stymied by the lack of a meaningful law to prohibit this practice.

Intro 1202 will increase the level of this crime from a violation to a misdemeanor and make it easier for the NYPD to get these wild bird thieves off of our streets.

Again, as a New York City resident, and on behalf of the Avian Welfare Coalition, I urge the committee to immediately pass Intro 1202.

Thank you for your consideration

Sincerely,

Denise Kelly, President
The Avian Welfare Coalition

June 16, 2019

Dear Members of the Committee on Health,

I humbly ask that Intro 1378 be passed by your committee.

I am a New York City resident and am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased. Animals raised as a food source should have a decent quality of life before their slaughter.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Mark Blecher

East 75th Street

New York, NY 10021

June 16, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to ask that Intro 1378 be passed by your committee.

I am disturbed at the enormous cruelty involved in the creation of foie gras. I am sure that you have received a number of letters concerning this cruelty, and I will not repeat the horrific details. The nature of the creation of this product cannot possibly be sanitary. As you also know, the majority of New Yorkers seek to end anything to do with this barbaric practice, in New York City. Surely those that want to eat this luxury, probably unhealthy item have little problem finding other things to eat. Simply put, passing this bill, when there is just so little to justify this practice, and so many reasons to ban it, makes sense. It elevates us all.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Mary Amendola

E. 46th Street

New York, NY 10017

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Virginia Mendez

I write today to humbly ask that Intro 1378 be passed by your committee.

I was horrified when I learned how foie gras was "created." There is no food, no matter how wonderful some may think that it tastes, that is worth the cruelty that ducks and geese are have to suffer.

Foie gras is a luxury food item that is produced by cruel force-feeding, which is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I think it is admirable that the whole state of California has banned foie gras and I was heartened that that ban was upheld in the courts despite a suit by food connoisseurs and those in the industry. If California can do it, certainly the City of New York can.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Katherine Babiak
99 Bank St.
New York, NY 10014

Support of Intro 1425, The Carriage Horse Heat Relief Bill

MY NAME IS JOAN FERRIS AND I AM A NYC RESIDENT RESIDING IN FOREST HILLS, QUEENS.

PLEASE SUPPORT AND PASS THE CARRIAGE HORSE HEAT RELIEF BILL. IT IS THE HUMANE THING TO DO. DREAD HEARING IT'S OVER 90 DEGREES AND ANOTHER HORSE HAS GONE DOWN WORKING IN UNBEARABLE HEAT AND LONG HOURS. PLEASE DO THE RIGHT THING.

THANK YOU.

ferris@nyc.rr.com

Dear NYC Council members and public advocate

I am writing to you to please reconsider you proposed bill on new heat restrictions for the carriage horses. I am not a gentleman farmer but was born in Manhattan, raised in Brooklyn and Queens, learned my horse skills at the many stables in city parks and the racetrack. I now live on Long Island. I have been a lifelong horseman and a professional farrier [horseshoer] for 58 years. I have worked and owned horses of all disciplines, both riding and driving. My driving competition horses have competed successfully and with no ill effects in much higher temperatures. The carriage horses working predominately at a walk can easily handle the current heat restrictions safely and comfortably. New York City already has the strictest regulations and our weather here is moderate compared to other cities who safely offer carriage rides. As a professional horseman, competitor and true horse lover, I can assure you that the New York City horses are not abused or overworked. I also opposed the move to the new carriage stands because they are on a slope and that is uncomfortable for the horses. Try standing on a slope and see how your legs and joints feel in a short time. Also if facing downhill the carriage is pushing them and if facing uphill they cannot relax because the carriage wants to roll back. Several veterinary studies have shown the horses acclimate to the city and are actually less stressed than many other horses. I have copied a letter below that well states the reasons why NYCLASS is behind this movement. Don't be fooled by their propoganda, visit the stables, go for a ride, talk to the drivers and more importantly speak to the visitors who enjoy their tour of our beautiful jewel in the city, Central Park, that was built and designed for the enjoyment of the horse. The carriage trade brings many tourist dollars to NYC and some of the most memorable movie and TV scenes include a horse. The trade also employs hundreds of people, drivers, grooms, farriers, veterinarians, hay farmers, manure management, delivery personnel, carriage and harness makers and repairs and more. Horses have been an historic component of NYC history, and that history should never be erased. Thank you for your consideration and please vote responsibly and don't be swayed by uninformed people. Yours, J J Trapani

Four Important Points On Why This Bill Should Be Opposed:

*It's a bill that is entirely unnecessary considering NYC carriage horses already have the lowest temperature restrictions in the country, not working above 89 degrees, and have not had a single heat related incident negatively impacting the horse's health since that regulation went into effect.

*It's a bill that would prevent NYC carriage horses from working much of the busy summer season, against equine expert opinions of how frequently the horses should be worked, which would also make it difficult for carriage drivers to cover the high cost of the their horses upkeep and make a living for themselves. Last summer carriage drivers would have lost nearly 55 full day shifts if the regulation were in effect as opposed to the 33 partial day shifts they lost under current regulations.

*It's a bill that is ridiculously extreme based of the "real feel" temperature of human beings, without regard to what heat indexes equine experts recommend horses cease working. Cities that use a heat index to stop their carriage horses from work use much higher, more reasonable heat indexes, such as Charleston at 110 and equine experts only suggest a horse's work load is lightened at heat indexes of 130-150 and would be dangerous at 180.

*It's a ban bill in disguise. City council had no interest in doing away with the iconic horse drawn carriages of Central Park, but if this bill passes it could do just that down the line. It's being pushed out by NYCLASS members who have no equine experience and are headed by real estate developer, Steve Nislick who has eyed the carriage stable properties for years. It only targets carriage horses and would not prevent police horses, parks dept horses, horses in the Central Park horse show, or service dogs from working.

shadbelly4@aol.com

"My name is Lucia Fabbo and I am a NYC resident who lives in Bayside, NY and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public.

Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

*Thank you,
Lucia Fabbo*

Support for Intro 1425

Hi,

My name is Alexandra Leone. I am e-mailing to urge for the support of Intro 1425, the Carriage Horse Relief Bill. I strongly support increased protections for carriage horses.

Thank you for your time.

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Thank you for your time.

Sincerely,
Michelle Krueger

June 14, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay. I recently relocated to Massachusetts however, have been a NY resident all my life.

Sincerely,
Edna Metcalf

88 Arthur Avenue

Athol, Ma 01331

14th of June, 2019

Re: Testimony in Support of the Passage of Intro 1378 (force-fed foie gras sales ban in NYC)

To the Members of the Committee on Health:

I'm writing to you today to respectfully urge that your committee pass Intro 1378. As a resident of NYC for 53 years, I am *greatly distressed* that foie gras that comes from the livers of ducks and geese who have been cruelly force-fed is allowed to be served in NYC restaurants. I have watched videos of the process, which includes forcefully shoving a long metal or plastic pipe down a bird's throat three times a day and force-feeding it so much that its liver swells to up to 10 times its normal size. This causes the bird to develop diseases, further reducing the bird's already horrible quality of life. Some birds are so overfed they can hardly walk, some develop a ruptured esophagus.

Most New Yorkers (81%) support banning foie gras sales. Over 50 Non-profit groups and 50 NYC veterinarians support the ban.

Force feeding is detrimental to the birds. Please support the ban of foie gras sales!

Sincerely,

Carol Zakaluk
East 136th Street
Bronx, NY 10454

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Faith Gabel

18th Street

Brooklyn, NY 11215

I SUPPORT INTRO 1425. HORSES PULLING CARRIAGES ON SCORCHING STREET PAVEMENT UNDER SCORCHING TEMPERATURES IS UNACCEPTABLE MISTREATMENT AND MAJOR ABUSE OF ANIMAL/HORSES RIGHTS! I'VE SEEN AND CAN'T BARE IT WHEN IN THE MID-SUMMER HEATWAVE,
THESE POOR HORSES ARE FORCED TO PULL THOSE HEAVY CARRIAGES--STOP THIS NOW!!!
THE ECONOMY IS BOOMING, BUSINESSES ARE HIRING EVERYWHERE...TIME TO GET OTHER JOB AND RETIRE THESE OVER-WORKED, MISTREATED AND INADEQUATELY-CARE FOR HORSES WHERE THEY CAN ROAM FREELY, BE CARED FOR, HEALED OF THEIR INJURIES (..WE KNOW THEY ENDURE!!) AND HANDLED WITH COMPASSION AND RESPECT THEY DESERVE, AS A.LIVING BEING, TOO! STOP NOW!

Carmen Marucci

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Midori Furutate

Bennett Ave.

New York, NY 10040

Finally, there is hope for New York City wonderful horses.

I hope this meeting will be the urgent meeting to show our love and respect for our Carriage horses.

We want strict and wise rules to protect them in extreme weather, and in dangerous situations.

I am thrilled to see NYC's humanity reflected in a re weed concern for the horses.

Thanks,

Joan Berg Victor

Testimony in support of Intro 1378 (foie gras sales ban) - Daniel Kressman

Dear Health Committee Members,

I am writing to ask that Intro 1378 be passed by your committee.

I am appalled that foie gras, which requires violent practices to obtain, and causes great suffering and disease among the bird populations raised for this purpose, is allowed to be sold in NYC restaurants.

More than 15 countries (and CA) have already banned foie gras, and many major retailers & restaurants have voluntarily decided to stop selling this cruel product.

I proudly stand with the 81% of New Yorkers who support the ban on force-fed foie gras, and ask that the committee pass this bill immediately.

Best regards,
Daniel Kressman
520 W 48th St
New York, NY 10036

Dear members of the Committee on Health,

Please consider passing Intro 1378.

The production of foie gras involves extremely cruel and painful force feeding in order for the bird to develop a fatty liver which is by definition a disease state.

Does our beloved city really need to continue to participate in this terrible cruelty all for the sake of a luxury food item?

Thank you so much for your consideration in this important matter.

Yours truly,

Phyllis Kaplan, M.D.

June 14, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Eileen V. Fazzini

213-08 73 Ave.

Oakland Gardens, NY 11364

Cruelty is no less cruel, because it's traditional.

Just stop it.

The world and everything in it, are not merely objects for people to use and abuse.

Sincerely,

Michael Rostagno-Lasky

2533 Batchelder St.

Brooklyn, NY 11235

June 14, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Katya Mcknight

353 lexington Ave

New York, NY 10016

Katya McKnight

Bon-Bon Salon
353 Lexington Ave
New York, NY 10016
(212)286-5300
www.bon-bon.com

June 14, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Andrew Hall

West 63rd st.
New York, NY 10023

Dear Health Committee Members,

It is so distressing that ducks are treated this way before they are even killed for people's consumption. If I see this on a menu in a restaurant, I walk out and I tell the management. Why is this practice still going on? Who thought up the idea to force feed with a long metal pipe up to 3x a day ducks to enlarge their livers? I am sure an enlarged liver must be painful for them..because I am an RN and if anyone has ever known anyone with liver issues, it is extremely painful...why subject ducks to this? We are supposed to be civilized and kind, aren't we? No one has to eat this foie gras...and I am sure the stress hormones released by these ducks cannot be good for those who decide to ingest their livers..livers are supposed to remove toxins...who knows what other garbage is being force fed them to enlarge their livers?

When someone seems to find a way to make money off of animals, there are thousands more who discover this and become unscrupulous...look at puppy mills for example.

Please, within your power, end this cruelty and let's fight for animal rights. They are giving up their lives already for our food, the utmost compassion should be shown them at all times.

Thank you very much.

Marie Viscardi-Freyre RN BSN
54 Arleigh Dr.
Albertson, NY 11507

June 15, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I am writing to respectfully request that Intro 1378 be passed by your Committee.

I am against animal cruelty, and as a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants.

Foie gras, a luxury food item, that is produced by cruel force-feeding. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat, pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for foie gras suffer immensely from numerous diseases, illnesses, and injuries. I, personally, find the practice itself extremely cruel and barbaric. There are over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters, a vast majority, support a sales ban on force-fed foie gras.

I stand with the many New Yorkers, supporting Intro 1378, and ask that the committee pass this bill without delay.

Thank you for your consideration.

Sincerely,
S. Ayeung

712 6 st.
NY, NY 10009

June 14, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Malou Babilonia

111 East 85th Street, New York, NY 10028

Hello,

My name is Malou Babilonia and I am a NYC resident who lives at 111 East 85th Street, NY 10028, and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

Please also vote to ban foie gras in NY!

Thank you so much for your support,

Malou Babilonia

June 15, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

As a life long resident of New York City, I am writing to ask that Intro 1378 be passed by your committee.

Foie gras production is one of the most sadistic things done to farmed animals. Ducks have pipes shoved down their throats to force the birds to ingest far more food than they would naturally eat. In fact, "foie gras" is French for "fatty liver." The animals generally undergo this abuse two or three times a day.

The ducks' livers become diseased, swelling up to 10 times their normal size, resulting in terrible emotional and physical suffering for these animals. Most of these ducks have difficulty walking and breathing normally. Many suffer ruptured organs and die. The birds are typically kept in small, filthy cages for most of their lives, unable to walk or spread their wings. They become so distressed they sometimes tear out their own feathers or cannibalize one another.

Violently force-feeding birds to induce a diseased state is egregiously cruel and has no place in a civilized society.

81% of NYC voters support a sales ban on force-fed foie gras. I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Thank you for your time.

Sincerely,
Peter Wood
10 Mitchell Place
New York, NY 10017

Dear Members of the Committee on Health,

I am writing to help persuade you to ban foie gras in New York City. We live in a society that is so far removed from the origins of our food sources, that it is often easy to forget what processes were taken to put food on our plates. With the rise of social media, as well as the simplification of creating and sharing pictures and videos, people all over the world are beginning to see these processes, and we don't like them.

From underpaid farmers working in difficult conditions, to the animals whose bodies are constantly being exploited for their flesh and reproductive organs. Neither of these two groups gets any say in how they are treated, nor do they have much if any ability to speak up for themselves.

We here in New York City, do however have some ability to create and affect change. We can choose compassion by showing industries that forcibly feed birds in order to create a diseased food product, that we will no longer stand by and say nothing. We can ban a product that was created through torturous means and degrades our ability to sympathize with others.

If we continue to accept foie gras, we are showing the world that we want to remain ignorant and blind to suffering that we can easily end. Often times the idea of creating a more just and peaceful world seems impossible and out of our hands. Here, we can make a stand and actually help. Here, we can choose compassion and give a voice to the voiceless. Banning foie gras is one small step, but a step in the right direction is one worth fighting for.

I urge you to ban foie gras for the reasons I have stated above, and pass Intro 1378. History will be on your side.

Sincerely,

Daniel Heydebrand
47th avenue
Sunnyside, NY 11377

June 15, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

As a life long resident of New York City, I am writing to ask that Intro 1378 be passed by your committee.

Foie gras production is one of the most sadistic things done to farmed animals. Ducks have pipes shoved down their throats to force the birds to ingest far more food than they would naturally eat. In fact, “foie gras” is French for “fatty liver.” The animals generally undergo this abuse two or three times a day.

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Violently force-feeding birds to induce a diseased state is egregiously cruel and has no place in a civilized society.

81% of NYC voters support a sales ban on force-fed foie gras. I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Thank you for your time.

Sincerely,
[Elaine Sloan](#)
10 Mitchell Place
New York, NY 10017

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Thank you for your consideration.

Sincerely,

Elisa Neal

June 15, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Aleksey Gershgorin

2606 Avenue Z

Brooklyn, NY 11235

Dear Member of the Committee on Health, I write today to humbly ask that Intro 1378 be passed by your committee.

As a student, registered nurse and restaurant patron, with family in and of NYC, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants.

Birds raised for foie gras suffer greatly from the horrific and brutal way they are treated.

Foie gras is considered by some to be a luxury "food item", that is produced by cruel force-feeding, a standard industry practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, causing traumatic injury, pain, suffering and fear, pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased. These industry practices are unconscionable and evil and should be illegal.

By continuing to allow the sale of foie gras in NYC, we are continuing to condone these practices as legitimate and acceptable while we negate the fear, trauma and pain the ducks and geese suffer; the suffering they experience extends to millions of people just like me who care.

There is no nice way to describe what this is about, profit for the industry and horror for the ducks and geese.

If we continue to value profit regardless of the suffering it causes, what does that say about who and what we are?

NYC is the city that is watched by the world. The decisions made here have the potential for far-reaching change, and with that, there is a greater responsibility.

Humans can do great things, but it's a matter of choice.

This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Thank you for taking action in what I perceive as long overdue, as it at this critical moment, only you have the power to right this wrong.

Sincerely,
Elizabeth Alexandria

1 Corn Crib Court
Winslow Twp, NJ, 08081 &
Madison, NJ 07940
NYC (University student)

Cc: Matthew Dominguez, VFAR

Dear Members of the Committee on Health, I write today to ask that Intro 1378 be passed by your committee.

As a NYC university student and restaurant patron, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants.

Birds raised for foie gras suffer greatly from the horrific and brutal way they are treated.

Foie gras is considered by some to be a luxury food item, that is produced by cruel force-feeding, a standard industry practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, causing traumatic injury, pain, suffering and fear, pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased. These industry practices are unconscionable and should be illegal.

By continuing to allow the sale of foie gras in NYC, we condone these practices as legitimate and acceptable and negate the extreme suffering these animals experience; their suffering extends to millions of people just like me who care.

To value profit in spite of the suffering it causes, we have to consider what and who we are. There is a moral imperative in this matter.

NYC is the city that is watched by the world. The decisions made here have the potential for far-reaching change, and with that, is a greater responsibility to do the right thing.

It is only a matter of choice.

This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Thank you for taking meaningful action at this critical moment, in what I perceive as long overdue, only you have the power to right this wrong.

Sincerely,

Elizabeth Alexandria

1 Corn Crib Court
Winslow Township, NJ 08081
& Madison, NJ 07940

Cc: Matthew Dominguez, VFAR

Testimony in support of Intro 1378 (foie gras sales ban) - Diana Ramos PLEASE stop abuse this poor innocents, people have to understand , all animals feel pain, scared, sadness, like humans, why do people want to profit off animals? They're not ours!!!!

Diana Ramos

June 14, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Camille Bonanno

Middle Village, NY 11379



Opposition of Intro 1425

"NYC Horse Carriage 90 Degree Heat Index Suspension"

**REVISED
DOCUMENT**



Photo Credit EILEEN DEE

Hello members of the city council. My name is EiLeen DEE.
I don't know about you but I can clearly smell desperation coming from the Anti Carriage Collective of New York Class and Steve Nislick.

I have been visiting and admiring the carriage horse of central park for over the past 5 years. Before I ever started coming to the park I used to work in the film industry here in NYC & New England. Being around the carriage horses has helped me over come some health issues including my latest issue with battle with breast cancer.

Is It Too Hot to Ride My Horse?

Calculate the heat index to estimate the apparent temperature and use the following guidelines to determine if it is too hot to safely ride your horse!

To find the **Heat Index** ...

Temperature + **Percentage Humidity**
(degrees in Fahrenheit)

160 or more:

The horse has no natural means to cool off, and the rider must provide aggressive cooling

150 or more:

The horse's cooling mechanisms are compromised and will need help.

140 or more:

The horse is relying on sweat to cool itself.

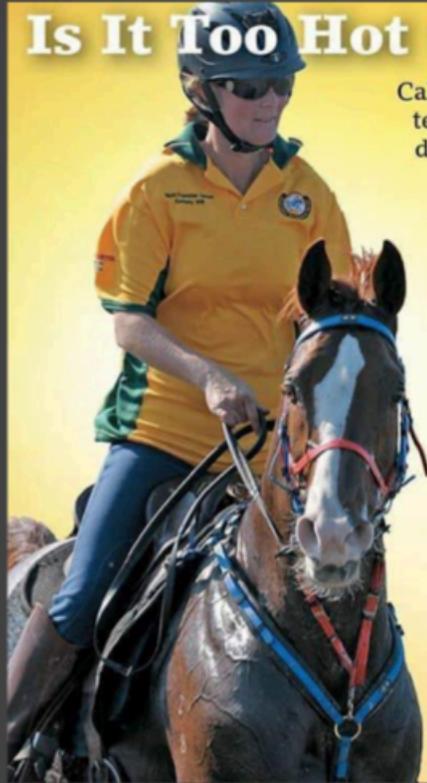
120 or less:

The horse can cool itself.

LEARN MORE AT

TheHorse.com/ATHL-SummerHeat

theHORSE.com
YOUR GUIDE TO EQUINE HEALTH CARE



Since around 1989 the department of health put in place a system called the 90° wet bulb index system. This means that when the humidity index levels in the wet bulb reach the low 80's all of the carriages horses must return back to the barn. Since this has been established no horse have suffered from any heat issues. Just so "You" know if temperatures reach 120 degrees the horse(s) can cool itself naturally on its own. This only proves that the current system works.



Bill de Blasio put up the for-sale sign on City Hall before it was even his to occupy — Now state and federal investigators are hard at work following the money. -Daily News

For all of you whom are drinking the tainted kool-aid the only reason New York Class was ever established was due to Steve Nislick whom is a real estate developer. He and his cohorts want the properties that the stables reside on so that they can expand on the Hudson Yards development.

April 22, 2016 the Daily News reported that

“The FBI along with Manhattan District Attorney Cy Vance Jr. are also reportedly investigating \$100,000 from animal-rights activists Steve Nislick and Wendy Neu on the eve of one of their four meetings with the mayor – who inexplicably champions their cause of eliminating carriage horses from city streets.”

“The FBI also continues to probe NYCLASS, a group Nislick founded, for its role in the 2013 anti-Quinn campaign.

Nearly \$1 million in ads from the anti-horse campaign forces bashed Quinn and ensured her defeat – far more than the mayor could have legally raised from those same sources.”

This only proves why the current mayor of NYC is helping Steve Nislick and his group New York Class. Therefore Steve Nislick & New York Class basically own the current Mayor of New York City.



© Christina Desmarteau

Pamela Rickenbach Executive Director at Blue Star Equiculture with Tommy Pinball Wizard whom is a Shire Horse that is on the endangered list.

Don't allow them to continue to destroy a living link to our shared history with one of mankind's greatest helpers. We need our horses to remain, wherever they are, perhaps more today than ever before!
Just Saying...

Anyone with an ounce of common sense knows this.

Thank You For Your Time,
EiLeen DEE



525 East Cotati Avenue
Cotati, California 94931

T 707.795.2533
F 707.795.7280

info@aldf.org
aldf.org

Memorandum in Support - Intro 1425 The Carriage Horse Heat Relief Bill

The Animal Legal Defense Fund was founded in 1979 to protect the lives and advance the interests of animals through the legal system. On behalf of our thousands of supporters in New York City, the Animal Legal Defense Fund encourages you to support Intro 1425, which will protect carriage horses from dangerously hot and humid weather conditions.

Under current rules, carriage horses must work until the temperature reaches 90 degrees Fahrenheit. However, air temperature isn't always an accurate reflection of how hot it actually feels when humidity is considered. Factoring in the humidity level is critical in determining when it is unsafe for horses to be working. An equine expert from the Department of Animal Science at the University of Connecticut found that because of the way horses regulate their internal temperature, heat stress is likely to result if humidity is greater than 75%, regardless of the ambient temperature.¹

Intro 1425 takes humidity into account and prohibits horses from working when the *heat index* or “real feel” is 90 degrees, even if the air temperature might be lower. The bill also updates the way that temperature and relative humidity are measured – it would require the city to use more sophisticated equipment, like hygrometers, to ensure accurate readings. Modernizing temperature and humidity measurement techniques is essential to carriage horse welfare because the U.S. Weather Bureau's cited temperature readings can be significantly lower than the actual temperature within carriage horses' microenvironment. A Cornell University study found that the temperature at street level in New York City can be as much as 45 degrees higher than the recorded temperature.² Without accurate readings, horses will continue to suffer in scorching temperatures that feel much hotter than 90 degrees.

Every summer, New York City carriage horses are forced to work when the heat index is well above 90 degrees, and frequently during heat advisories. They stand for hours, oftentimes without shade or adequate amounts of water while waiting for fares. And while pulling carriages, the stress from hauling such heavy loads, combined with excessive heat, can wreak havoc on their bodies. Heat exhaustion, respiratory distress, heat cramps, hoof injuries, dehydration, and heat stroke are common ailments that carriage horses experience during excessive heat and humidity. Intro 1425 would help alleviate many of these distressing and dangerous medical conditions.

Forcing horses to pull thousands of pounds during the hottest, most humid days of New York City's sweltering summers is unnecessary and inhumane. Intro 1425 offers a pragmatic, reasonable change that would decrease the likelihood of heat-related illnesses and injuries, and improve the welfare of carriage horses. The Animal Legal Defense Fund respectfully asks that you support Intro 1425 to protect New York City's carriage horses from unnecessary pain and suffering. Thank you for your consideration.

¹ Nadeau, J. Heat Stress: Too Hot to Trot? *Department of Animal Science, University of Connecticut*.
http://animalscience.uconn.edu/extension/articlesByFaculty_2_2243815053.pdf.

² Cheever, H. (2014). The Urban Carriage Horse Ride. *Humane Society Veterinary Medical Association*.
https://www.hsvma.org/the_urban_carriage_horse_ride#.XQPGM1xKg2x.

Dear Members of the Committee on Health,

This letter is in support of the passing of Intro 1378, a common-sense bill to ban the sale of force-fed foie gras in New York.

In 2008, I published a study in the International Journal of Food Safety, Nutrition, and Public Health, addressing potential food safety implications of oral consumption of amyloid fibrils. Amyloids are aggregate proteins that fold into an orientation that triggers the accumulations of the same protein. These aggregates are called fibrils, which are resistant to degradation. In humans, these fibrils have been linked to the development of diseases. Amyloid fibrils are present in edible avian food tissues, such as foie gras. Cooking temperatures do not eliminate the risk of these amyloid fibrils activating a reactive systemic amyloidosis. Amyloidosis is when the irregular protein amyloid collects in tissues and organs. This is a highly concerning health issue that can lead to life-threatening organ failure.

In reports dating back to 1933, there are accounts of spontaneous amyloidosis in ducks caged in laboratories and on farms. In studies conducted in 1970, it was concluded that the appearance of the disease in ducks was mainly relayed to the chronic stress of confinement. In fact, healthy ducks quickly developed the disease simply by placing them in overcrowded conditions. A study conducted in 2007 showed that oral transmission of foie gras extracts into rodent models resulted in amyloid deposits in virtually all organs examined. Given the susceptibility of patients with Rheumatoid Arthritis patients with pre-conditioned inflammation, investigators concluded that the pre-existing risk for amyloidosis was a clear indicator to avoid foods with amyloid fibrils.

In fact, any condition with chronic inflammation can result in sustained overproduction of the pre-cursors to amyloid. The concern arises, then, that foie gras consumption by individuals with high levels of amyloid pre-cursors can trigger or accelerate the disease process. Please read the attached article for an in depth look at the potential food safety implications.

Thank you for your consideration,
Dr. Michael Greger

Michael Greger, M.D. FACLM

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Amyloid fibrils: potential food safety implications

Michael Greger

Public Health and Animal Agriculture,
The Humane Society of the United States,
2100 L Street, NW,
Washington, DC 20037, USA
Fax: +202 676 2372
E-mail: mgreger@hsus.org

Abstract: The demonstration of oral Amyloid-A (AA) fibril transmissibility has raised food safety questions about the consumption of amyloidotic viscera. In a presumed prion-like mechanism, amyloid fibrils have been shown to trigger and accelerate the development of AA amyloidosis in rodent models. The finding of amyloid fibrils in edible avian and mammalian food animal tissues, combined with the inability of cooking temperatures to eliminate their amyloidogenic potential, has led to concerns that products such as *pâté de foie gras* may activate a reactive systemic amyloidosis in susceptible consumers. Given the ability of amyloid fibrils to cross-seed the formation of chemically heterologous fibrils, the speculative etiologic role of dietary amyloid in other disease processes involving amyloid formation such as Alzheimer's disease and Type II Diabetes is also discussed.

Keywords: Alzheimer's disease; Amyloid-A fibrils; AA; amyloidosis; foie gras; food safety; prions; Rheumatoid Arthritis; RA; Type II Diabetes; T2D.

Reference to this paper should be made as follows: Greger, M. (2008) 'Amyloid fibrils: potential food safety implications', *Int. J. Food Safety, Nutrition and Public Health*, Vol. 1, No. 2, pp.103–115.

Biographical note: Greger is the Director of Public Health and Animal Agriculture at the Humane Society of the United States. His recent publications in *Critical Reviews In Microbiology* and *Biosecurity And Bioterrorism* explore the public health implications of modern agriculture systems as does his latest book *Bird Flu*. He is a graduate of the Cornell University School of Agriculture and the Tufts University School of Medicine.

The 1997 Nobel Prize in Medicine was awarded for the etiological understanding of a novel class of diseases that appeared at the same time spontaneous, heritable and infectious (Nobelprize.org, 1997). Prion diseases appear to arise from a post-translational change in conformation of normally monomeric, soluble, proteinase K-sensitive and largely α -helical proteins (Prion Protein Cellular, or PrP^C) into β -sheet-rich prions (proteinaceous infectious particles, so-called Prion Protein Scrapie (PrP^{Sc})) which may form insoluble protease-resistant aggregates (Collins et al., 2004). This transformation may occur spontaneously, as might be the case with sporadic Creutzfeldt–Jakob Disease (CJD); as a result of a germ line mutation of the prion protein gene, as seen in familial CJD; or via an infectious mode of transmission, as seen in kuru, for example, an orally

acquired human prion disease epidemic propagated by the consumption of dead relatives among the Fore linguistic group of Papua New Guinea (Johnson, 2005).

There are two models of PrP^C to PrP^{Sc} transformation, one envisaged as a heterodimeric catalytic chain reaction and the other a nucleated polymerisation cascade in which a fibril-like nidus of PrP^{Sc} is elongated by the conformational conversion and addition of PrP^C monomers. Fragments of such aggregates may then seed further prion replication (Collins et al., 2004). The high degree of homology between cattle and primate prion proteins may explain the ability of bovine prions to misfold human PrP^C (Choi et al., 2006), resulting in the invariably fatal neurodegenerative disease variant CJD (vCJD) among some genetically predisposed individuals consuming tissue from cattle infected with Bovine Spongiform Encephalopathy (BSE) (Collee, Bradley and Liberski, 2006).

Prion diseases constitute a subset of amyloidoses, a broader class of disorders characterised by secondary structure misfolding of a heterologous array of normally soluble proteins into insoluble fibrils sharing a common cross- β core structure. These fibrils tend to accumulate extracellularly, generating amyloid deposits that may disrupt tissue structure and function. PrP^C is but 1 of 26 different precursor proteins known capable of forming amyloid *in vivo* (Yan et al., 2007). There is growing evidence that amyloid fibrils other than prions may be a potential source of foodborne contagion as well.

1 Amyloid-A fibril infectivity

Amyloid-A (AA) amyloidosis, also called reactive systemic amyloidosis (previously, 'secondary' systemic amyloidosis), involves the deposition of amyloid derived from Serum Amyloid-A protein (SAA), an acute phase reactant. Levels of circulating SAA can increase a thousand-fold in reaction to injury or infection (Röcken and Shakespeare, 2002), returning to baseline at the conclusion of the inflammatory response. Chronic insults or autoimmune disorders, however, can lead to persistently high SAA concentrations. In a subset of patients with prolonged SAA elevation, fibrils composed of β -sheet-folded N-terminal fragments of SAA precipitate out of solution and become lodged in tissues. Pieces of elongating fibrils may then break off and enucleate further amyloid deposits throughout the body (Lundmark et al., 2002).

The development of AA amyloidosis can thus be split into two phases. The protracted SAA elevation caused by sustained inflammation is described as the preamyloid phase which, in humans, can last for years without amyloid deposition. The second, the amyloid phase, is marked by the build-up of amyloid triggered by the generation of the first nidus of fibrillar network to initiate the conversion cascade. On autopsy, kilograms of this amorphous material may be found permeating organs. Median survival is 4–10 years after diagnosis (Obici et al., 2005), though this grave prognosis can be forestalled with heart, liver, or kidney transplants of the most affected organs (Pepys, 2001).

AA amyloidosis can be reproduced in laboratory animal models via injections with irritating substances such as turpentine (Molteni and Mombelloni, 1964). Subjection to repeated inescapable electric shocks can also eventually produce the disease (Hall, Cross and Hall, 1960). In the 1960s, researchers established that the duration of the pre-amyloid phase could be dramatically shortened in chronically inflamed mice by injecting them with extracts of the diseased organs of mice dying with AA amyloidosis. An

'amyloid-enhancing factor' that accelerated the process was posited in amyloid-ridden organs. Subsequent research into this mysterious factor identified it unequivocally as the AA fibril itself (Lundmark et al., 2002).

Intravenous injection of less than a picogram of AA fibrils can rapidly seed the formation of widespread amyloid deposits throughout the bodies of chronically inflamed animals (Zhang et al., 2006). Magy et al. (2003) was able to demonstrate this process *in vitro*. Seeds of AA fibrils bound to fibroblast monolayers were shown to act as a sink for SAA, leading to the formation of amyloid networks radiating from the fibril precipitates. In light of the recognition of vCJD secondary to BSE, Elliott-Bryant and Cathcart (1998) fed amyloidosis-diseased organs to susceptible mice and were the first to demonstrate prion-like oral transmission.

2 Foie gras

Reports dating back to 1933 offer accounts of spontaneous amyloidosis in ducks caged in laboratories and on farms (Cowan and Johnson, 1970b). Investigating the appearance of the disease in birds at zoos, Cowan and Johnson (1970a) concluded the appearance of the disease in ducks was primarily related to the chronic stress of confinement. They showed that AA amyloidosis could be reliably reproduced in healthy ducks via simple overcrowding. In the flock with the highest stocking density, spontaneous deaths from amyloidosis began to occur at six months of age.

Foie gras, French for 'fatty liver,' is typically produced by force-feeding ducks until their steatotic livers swell to 6–10 times their normal weight (Scientific Committee on Animal Health and Animal Welfare (SCAHAW), 1998a). Stressors associated with foie gras production identified by the European Commission's Scientific Committee on Animal Health and Animal Welfare (1998b) include pain and injury from feeding tube insertion, fear and stress during capture and handling, gait abnormalities due to liver distention and pathological hepatic function. Given the susceptibility of ducks under chronic stress to spontaneous amyloidosis and the demonstration of AA fibril oral transmissibility, the amyloidogenic potential of foie gras came under investigation.

Solomon et al. (2007) found green birefringent congophilic areas by polarising microscopy in several commercial sources of foie gras, including *pâté de foie gras*, which immunostained with specific anti-AA antibodies, providing immunohistochemical evidence of AA amyloid deposits in marketed foie gras products. Electron microscopy corroborated the ultrastructural amyloid features, and AA composition was confirmed chemically by tandem mass spectrometry and amino acid sequencing.

Foie gras extracts were then intravenously injected into mice transgenically modified to express chronically high SAA levels. Within eight weeks, virtually all of the treated mice, but none of the control animals, developed amyloid deposits. Similar results were obtained using the conventional murine model of AA amyloidosis, wild-type mice exposed to an inflammatory stimulus. Within three weeks, amyloid was found in eight of ten such mice injected with foie gras extract and none of the inflamed controls (Solomon et al., 2007).

Oral transmission was also demonstrated through the administration of foie gras extracts by gavage into eight of the transgenic mice. Five of the animals went on to develop amyloid deposits in virtually all organs examined. The amyloidosis accelerating

effect of foie gras was reduced, but not eliminated, by first cooking the product as specified by the supplier. The investigators conclude:

“Given our experimental findings...it would seem prudent for children and adults with Rheumatoid Arthritis (RA) or other diseases who are at risk for this disorder [AA amyloidosis] to avoid foods that may be contaminated with AA fibrils” (Solomon et al., 2007).

3 Potentially Susceptible Populations

Like prions, AA fibrils have been shown to cross the gut barrier (Gruys, 2004) and trigger disease. The oral “infectious dose” of AA fibrils, at less than a microgram, is comparable with the infectivity of prions (Zhang et al., 2006), and species barriers can be surmounted (Gruys, 2004). Presumably because of similarities in structure and composition, AA fibrils also exhibit similar resistance to physical and chemical decontamination methods. Treatment with cooking (Solomon et al., 2007), freezing/thawing, and disinfectants such as formalin and 2N NaOH may not abolish AA fibril infectivity. Zhang et al. (2006) found that autoclaving for three hours likewise did not guarantee inactivation. They conclude:

“These results suggested strongly that amyloid diseases could be transmitted like prion diseases under certain conditions.”

One important difference between AA fibril and prion infectivity is that the development of AA amyloidosis appears to necessarily require elevated levels of the precursor protein (Soto, Estrada and Castilla, 2006). At baseline low concentrations, SAA circulates with its amyloidogenic *N*-terminus tightly bound to high-density lipoprotein. Only when serum levels rise may SAA become free to interact with AA-derived fibril seeds (Lundmark et al., 2002).

Conditions associated with elevated SAA levels may include chronic infections, such as tuberculosis, leprosy, malaria, and osteomyelitis (Gertz and Kyle, 1991), as well as noninfectious chronic inflammatory disease (Pepys, 2006), such as RA, juvenile RA, other inflammatory arthritides like ankylosing spondylitis (Röcken and Shakespeare, 2002), and psoriatic arthritis (Gertz and Kyle, 1991), Crohn’s disease (Pepys, 2006), ulcerative colitis (Röcken and Shakespeare, 2002), lupus, bronchiectasis (Gertz and Kyle, 1991), sarcoidosis (Röcken and Shakespeare, 2002), familial Mediterranean fever, other hereditary periodic fever syndromes (Pepys, 2006), and certain malignancies such as Hodgkin’s disease, mesothelioma (Röcken and Shakespeare, 2002), and renal cell carcinoma (Gertz and Kyle, 1991).

In the West, with chronic infections such as leprosy in decline, RA now accounts for more than 60% of AA amyloidosis cases. The average onset of clinical amyloidosis after RA diagnosis is reported may be 19 years (Hazenberg and Rijswijk, 2000). Autopsy studies indicate that as many as 21% of RA patients eventually develop the disease (Suzuki et al., 1994). Of Crohn’s patients, 0.5–6% may also develop this potentially fatal complication (Lovat et al, 1997). In 5% of cases of AA amyloidosis, no specific cause for the SAA elevation can be found (Röcken and Shakespeare, 2002).

Any condition involving chronic inflammation can result in sustained SAA overproduction, and perhaps 10% of individuals with persistently elevated SAA levels may eventually develop AA amyloidosis (Pepys, 2006). In rare cases, it can appear

within a year of clinically apparent inflammatory disease, but typically takes years to develop (Röcken and Shakespeare, 2002). The concern raised by Solomon et al. is that foie gras consumption by individuals with high SAA levels may trigger and/or accelerate this process (Solomon et al., 2007). Further findings, though, suggest that a broader segment of the population may be at risk.

Lundmark et al. (2002) repeated experiments showing that normal, healthy mice exposed orally or parenterally to AA fibrils do not develop amyloidosis, whereas those additionally receiving a concurrent inflammatory stimulus develop pronounced disease within days. But, what if healthy mice are exposed to AA fibrils and then inflammation is induced at some later date? Might the AA fibrils remain lodged inside tissues, priming the recipients for rapid induction of AA amyloid should SAA levels rise in the future? Indeed, Lundmark et al. (2002) found that even months after fibril exposure, an inflammatory stimulus could rapidly induce AA amyloidosis to the same extent as concurrent inflammation and fibril injection.

The longest interval between exposure and inflammation studied was 180 days (Lundmark et al., 2002), nearly one-quarter of the animals' natural lifespan (Löhrke, Hesse and Goertler, 1984). This suggests that consumers of foie gras may be at increased risk for AA amyloidosis should they develop an inflammatory disorder potentially years after consumption. So, in addition to those with active disease, the principal investigator of the foie gras study has suggested that

“[p]erhaps people with a family history of...RA or other amyloid-associated diseases should avoid consuming foie gras and other foods that may be contaminated” (University of Tennessee Graduate School of Medicine, 2007).

The induction of amyloid deposition in mice nursed by amyloid fibril-injected mothers underscores this concern (Korenaga et al., 2006).

Although people with a family history of RA do appear at higher risk for the disease, based on twin studies, the genetic component may be minor (Gregersen, 1998). Given the inability to accurately prognosticate who will develop many of the broad range of disorders that can lead to prolonged inflammation, it may be prudent to generally avoid ingesting amyloid-diseased organs (Tojo et al., 2005).

4 Cross-seeding

Solomon et al. (2007) suggest that foie gras consumption may also be particularly hazardous to those prone to Alzheimer's disease or Type II Diabetes (T2D). This concern is based on experimental evidence that chemically heterologous fibrils can each seed the formation of the other, a process known as cross-seeding.

Though amyloid fibril formation may be a generic property of polypeptide chains (Dobson, 1999), *in vivo*, only 26 different proteins are known to form fibrils naturally (Yan et al., 2007). Since amyloidoses are classified by the amassing protein, 26 different types of amyloidosis have been described. Irrespective of protein sequence homology or native conformation, all amyloid fibrils seem to share a common protofilament substructure of stacked β -sheets (Sunde et al., 1997).

This structural similarity may explain not only why human AA fibrils can demonstrably seed AA amyloidosis in mice, but also why four other human amyloidoses – all involving different proteins (amyloid- λ , amyloid-TTR, amyloid- β_2M

and α -Synuclein) can also cross-seed AA amyloidosis in mice (Fu et al., 2004). Cui et al. (2002), for example, orally administered semi-purified human light chain-derived ($A\lambda$) amyloid fibrils to mice, waited three weeks before triggering an inflammatory state, and found that AA amyloid deposition was rapidly induced in 11 of 15 treated mice. None of the control mice receiving either the fibrils or inflammatory stimulus alone developed detectable amyloid deposition.

Based on this cross-seeding principle, might any fibril organised as a well-ordered repetitive helical array of long axis-parallel β -sheets function as a shape-transforming scaffold and nucleate similar fibrillar cascades? Spider silk, for example, is composed of fibrils of β -pleated sheets, as is the silk of the silkworm (*Bombyx mori*). *Escherichia coli* has convergently evolved curli, analogously structured fibrillar adhesive fimbriae. Indeed, Kisilevsky et al. showed in a murine model that injection of a few micrograms of a silk fibril preparation could dramatically accelerate the formation and deposition of AA amyloid (Kisilevsky, Lemieux, Boudreau, Yang and Fraser, 1999).

This leads to some provocative conclusions. Lundmark et al. (2005) speculated that

“[t]his mechanism may be of great importance for the understanding of the pathogenesis of human AA amyloidosis and, perhaps, other forms of amyloidosis. Exposure (by ingestion or inhalation) to naturally occurring fibrils like silk, Sup35, or curli may bring seeds that start a nucleation process in predisposed individuals with persistently high SAA production.”

They note a case control study of occupational risk factors among genetically predisposed individuals for clinical amyloidosis that found an odds ratio of 5.4 for dressmakers (presumably exposed to silk dust) (Hardell et al, 1995).

AA amyloidosis only accounts for a fraction of the amyloidoses diagnosed in Westerners; most cases of systemic amyloidosis are caused by amyloid proteins other than AA. $A\lambda$ amyloidosis is the most common non-AA systemic manifestation (previously known as ‘primary’ amyloidosis), an invariably fatal disease caused by the build-up of antibody proteins or protein fragments created in excessive amounts by plasma cell tumors. After approximately 5–7 years on hemodialysis, patients develop deposits of β_2M amyloid, a protein normally cleared by the kidneys. Eventually, most dialysis recipients suffer from it (Pepys, 2001). The prevalence of the mutation transthyretin Val122Ile among African-Americans may be as high as 3.9%, suggesting approximately one million African-Americans may be at significant risk for congestive heart failure due to this familial amyloidosis (Jacobson et al., 1997). Senile systematic amyloidosis affects nearly everyone by age 90. Though usually asymptomatic, massive cardiac involvement can lead to heart failure (Pepys, 2001).

Though it may be reasonable to advise those with a long history of hemodialysis, for example, to abstain from eating products containing AA fibrils (Tojo et al., 2005), the proscription for those with a family history of Alzheimer’s or diabetes assumes an etiologic role for amyloid in these disease processes. Amyloid deposits do tend to accumulate in the brains of Alzheimer’s victims and the pancreatic islet cells of T2D, but it is not yet clear whether this represents cause or effect (Pepys, 2006).

The accumulation of amyloid β ($A\beta$) has been described alternately as both ‘an instrumental, if not sole, culprit for causing [Alzheimer’s] disease’ and, at the same time, more of an ‘innocent bystander’ (Rottkamp et al., 2002). $A\beta$ amyloidosis can be experimentally transmitted to primates via intracerebral injection of Alzheimer’s brain homogenate (Baker et al, 1994). This has been accepted as evidence that Alzheimer’s

disease is transmissible (Riek, 2006), but unlike the unambiguous clinical manifestation of prion transmission (death), the more subtle and variable presentations of a neurodegenerative disease like Alzheimer's are more difficult to diagnose in non-human animals (Walker et al., 2006). The role played by amyloid- β in Alzheimer's disease remains uncertain, so even if anseriform AA fibrils in foie gras could reach the human brain and cross-seed A β deposition, for example, this would not necessarily manifest as Alzheimer's disease. It would be useful to know if feeding foie gras to transgenic (Tg2576) mice expressing human amyloid- β proteins could accelerate A β amyloid deposition as is the case when such 'humanised' mice are intracerebrally injected with dilutions of Alzheimer's brain homogenate (Walker et al., 2002).

The role of amyloid in the development of T2D is even more speculative. While the build-up of Islet Amyloid Polypeptide (IAPP) in insulin-secreting cells is a hallmark of a substantial proportion of T2D (Hull et al., 2004), the role amyloid IAPP plays in the disease remains unclear. Some 'consider T2D to be a form of islet Alzheimer disease' (Prentki and Nolan, 2006) and even suggest that one of the reasons diabetics have higher rates of Alzheimer's is that pancreatic amyloid fibrils may be cross-seeding amyloid- β in their own brains (Yan et al., 2007), though IAPP fails to seed the formation of A β (1–40) fibrils *in vitro* (O'Nuallain et al., 2004). Amyloid deposits (including A β and AA) have also been found in arterial atherosclerotic plaques, but the role they play, if any, is likewise unknown (Howlett and Moore, 2006), hindering efforts to understanding the extent of the potential risk associated with dietary amyloid exposure.

5 Other Dietary Sources of Amyloid Fibrils

SAA is considered the major vertebrate acute-phase reactant. Evolutionarily, SAA, like PrP^C, appears highly conserved and has been found in every vertebrate species studied to date (Uhlir and Whitehead, 1999). Just as bovine prions fed to mice can trigger a murine spongiform encephalopathy, so too can bovine AA fibrils fed to mice trigger AA amyloidosis, even weeks after exposure. 'Thus,' Cui et al. (2002) conclude,

"the results of our present study, in which oral ingestion of amyloid fibrils extracted from different species caused amyloid deposition, may be important in understanding the etiology of AA amyloidogenesis in humans."

AA amyloidosis occurs in a wide variety of wild as well as domesticated animals, including chickens, cattle, dogs, goats, horses, sheep and, rarely, cats and pigs (Ménsua et al., 2003). Tojo et al. (2005) found a 'disturbingly high' incidence of AA amyloidosis in slaughtered beef cattle (5%) and conclude that people with chronic inflammatory diseases 'need to avoid' ingesting foods that may possibly contain amyloid fibrils.

A significant fraction of meat-type 'broiler' chickens may be chronically stressed in production (European Commission, Scientific Committee on Animal Health and Animal Welfare, 2000), but their 6–7 week production is likely not enough time to develop amyloidosis. AA amyloidosis has been found in broiler breeder parent stock, though, as well as egg-laying hens. Amyloidosis is becoming an increasing clinical problem in egg-laying hens with up to 20–30% of commercial flocks in several European countries being affected (Landman, 1999). Though the inflammatory stimulus in these cases was primarily infection with *Enterococcus faecalis*, which is present in the US flocks

(Hayes et al., 2003), the white leghorn breed more commonly used in the USA is resistant to amyloidosis formation (Landman, 1999).

The amyloid deposits in chickens tend only to accumulate in articular cartilage (Ovelgönne et al., 2001). Although hepatic amyloid infiltration was been found in a layer flock stressed by chronic respiratory infection (Shibatani et al., 1984) and one can experimentally induce amyloidosis in chickens systemically, these birds tend only to localise deposits in their joints, as opposed to ducks which accrue amyloid throughout their visceral organs (Landman et al., 1996; Landman, 1999), AA amyloidosis has been reported in the joints of 61% of chickens found lame on egg farms in Europe (Landman et al., 1996).

Commercial layers and broiler breeders are typically killed at the end of their productive lives. Approximately half of ‘spent’ hens are slaughtered for human consumption and the other half rendered for products such as animal feed or pet food (Gregory, 2004). The extrusion of spent hens into mechanically separated meat, a paste used in jerky snacks (Minimus, 2008) and fast-food chicken nuggets (Wikipedia, 2008), and their use to make chicken broth (Farkaš et al., 1997) and commercial flavoring base (Sangtherapitikul, Chen and Chen, 2005), may result in joint amyloid contamination of consumer product. The likely inability of the rendering process to eliminate infectivity presents further questions regarding agricultural or veterinary risks.

SAA is highly conserved between fish and humans (Lashuel, 2008), and aging Pacific salmon undergo a rapid senescence with accompanying $A\beta$ amyloid build-up in their brains (Maldonado, Jones and Norris, 2002), but apparently only one report of systemic amyloidosis in fish appears in the literature and the muscles did not seem affected (Mashima, Cornish and Lewbart, 1997). Liver involvement raised the possibility that a product such as cod liver oil could potentially be contaminated, but protein fractions should largely be purified out of fish oil preparations. To date, foie gras is the only food product shown to accelerate amyloid development (University of Tennessee Graduate School of Medicine, 2007). It is not known whether foie gras consumption leads to an increase in amyloid-related disease rates (University of Tennessee Graduate School of Medicine, 2007). Though undercooked duck liver consumption may cause toxocarasis (Hoffmeister et al., 2007) or toxoplasmosis (Bártová et al., 2004), there are apparently no published epidemiological studies involving foie gras. There appear few data on dietary amyloidosis risk factors in general (Simms, Prout and Cohen, 1994).

A striking contrast has been noted between the detection rates of AA amyloidosis triggered by leprosy in the West versus India, Africa and Japan (Williams et al., 1965). Whereas approximately 50% of the US cases have shown evidence of amyloidosis on autopsy, for example, a study of 1,222 leprosy cases in India failed to uncover a single example, even though some patients had been suffering for decades with the disease. Gupta and Panda (1980) report:

“Consumption of a mainly vegetarian diet in our population and that of meat in Western population has been suggested to be the probable cause of the difference of amyloidosis observed in the two groups of people.”

Based on this and other leprosy studies implicating meat consumption (Williams et al., 1965), Elliott-Bryant and Cathcart (1998) speculate

“dietary modification may be of therapeutic potential in preventing amyloid fibril formation.”

The Adventist Health Study found that those eating meat appeared to have three times the risk of developing dementia compared to long-time vegetarians (Giem, Beeson and Fraser, 1993), but this is likely confounded by vascular factors (van Duijn, 1996), just as studies linking meat consumption and T2D are confounded by obesity (Vang et al, 2008). The current body of epidemiological data is insufficient to address the issue of amyloid tissue food safety.

6 Conclusions

Using amyloid joint disorders of chickens as an example, Gruys et al. (2005) have suggested that amyloid deposits in the tissues of food animals could have ‘tremendous food safety implications.’ The oral transmissibility data, they concluded, indicate ‘that like prions, this pathological material should be banned for risk groups of consumers.’ The amount of foie gras orally dosed by Solomon et al., however, was the equivalent of feeding a person 1.6–1.7 kg of *pâté de foie gras* over a five-day period (Raloff, 2007). Although, intravenously, a femtomolar dose of a purified AA fibril preparation (≈ 0.015 ng) has been shown to be amyloidogenic (Lundmark et al., 2002), the oral AA-enhancing dose has yet to be determined, though Zhang et al. did induce amyloidosis in a susceptible murine model with the oral administration of 1 μ g of purified mouse senile amyloid (apolipoprotein A-II) fibrils (Zhang et al., 2006).

Additional research is necessary to quantify the risk, but transenteral time-delayed cross-species amyloid cross-seeding has been experimentally demonstrated. Accordingly, consumers of AA fibril-containing foods such as foie gras arguably risk accelerating a variety of systemic amyloidoses should amyloid precursor protein levels subsequently raise due to conditions such as neoplasm, inflammation, or chronic hemodialysis.

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~~EXPLOITERS~~
**FRIENDS
of ANIMALS**

June 18, 2019

RE: Support Intro 1378-2019

Dear Council Health Committee:

On behalf of Friends of Animals 4,400 New York City members, I write to you in support of Intro 1378, which prohibits the sale or offer for sale of foie gras made from force-fed birds.

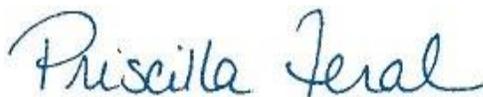
Friends of Animals is an international non-profit wildlife advocacy and animal protection organization that was incorporated in New York in 1957. FoA seeks free animals from cruelty and institutionalized exploitation around the world.

Ducks and geese suffer immensely from the foie gras industry, as they are force fed multiple times every day for weeks with industry workers plunging foot-long pipes down the birds' throats and injecting food into their digestive system to promote liver disease. The birds are then slaughtered for their liver to be sold as foie gras.

New York City promotes itself as one of the most progressive in the world. But it is certainly not progressive nor humane for ducks and geese to be subjected to this torture and lose their lives for an unnecessary delicacy. The majority of voters want this to end as well, as a recent survey found that 81 percent of NYC voters support legislation banning this. Many major food retailers including Costco, Target and Whole Foods have already stopped selling foie gras because of the cruelty. California has also prohibited the force feeding of the birds and any sale of products that result from it.

Friends of Animals is a vegan advocacy organization that expects a progressive culture such as New York's will eventually transcend the unnecessary habit of killing geese and other animals for food. NYC needs to do the humane thing and send a message that animal cruelty is not endorsed by this Council.

Sincerely,



Priscilla Feral, President, Friends of Animals



P.O. Box 9773, Washington, DC 20016

June 17, 2019

Dear Member of the Committee on Health,

I represent Compassion Over Killing (“COK”), a nonprofit animal protection organization with over 50,000 supporters across the country. Founded in 1995, COK exposes cruelty to farmed animals and promotes plant-based eating as a way to build a kinder world. I write on behalf of COK to support the proposed ban on the production and sale of foie gras in New York City.

In 2008, COK conducted an undercover investigation of Hudson Valley Foie Gras in Ferndale, New York, the largest foie gras factory farm in the United States. During a public tour of the farm, COK’s investigator filmed birds as they were subjected to the egregious brutality of “gavage”—the shockingly cruel force-feeding process used to produce foie gras. Gavage entails ramming an unlubricated metal pipe down birds’ esophagi several times per day in order to compel them to ingest unnaturally large quantities of grain and fat. COK’s video—available at <http://cok.net/inv/hudson-valley/>—shows workers grabbing birds as they flee into the corners of their cages, holding them by the neck, and then forcing a feeding machine down their throats.

Later, in footage of the farm’s slaughter room, COK’s investigator captured how languid and bloated birds became after weeks of force feeding. After several weeks of gavage, the birds’ livers swell to more than eight times their normal size, and many birds suffer from broken bones, breathing problems, and ruptured esophagi. Those who do not die as a direct result of their injuries would quickly succumb to liver failure and other diseases, were they not slaughtered before that can occur (just one month after force-feeding begins). Force-fed ducks die before slaughter at a rate ten to twenty times higher than those who were not force-fed, according to the European Commission’s Scientific Committee on Animal Health and Animal Welfare.

Based on the clear evidence that gavage is painful, cruel, and inhumane, the production of foie gras through force-feeding has been banned in Argentina, Australia, Austria, Czechia, Denmark, Finland, Germany, Israel, Luxembourg, Norway, Poland, South Africa, Sweden, Switzerland, Turkey, and the United Kingdom. India not only bans gavage, but also prohibits foie gras from being imported into the country. In the United States, meanwhile, the State of California has prohibited the production and sale of foie gras, a ban that came into effect in January.

New York City now has the opportunity to join California in barring the production and sale of this barbarically-produced dish. New York City's example would be particularly powerful because New York State is the country's largest producer of foie gras. With delicious vegan alternatives already on the market, the enjoyment that some people derive from eating foie gras simply cannot justify the pain and suffering inflicted on the animals from whom it is derived.

Thank you for your attention and commitment to this important issue. I urge you to protect animals by voting to prohibit the production and sale of this needlessly cruel product.

Best regards,

Keith Jamieson
Counsel
Compassion Over Killing

**Testimony from Sharon Discorfano, Esq.
at Hearing held on June 18, 2019
Regarding Proposed Animal-Related Legislation**

My name is Sharon Discorfano. I'm a member of the NY State Bar and NYC Bar Association's Committee on Animal Law, and an advisory board member of Wild Bird Fund, NYC's only wildlife rescue and rehabilitation center. I'm here today to testify in a personal capacity, as a resident of the Upper West Side, to voice my support of the numerous animal-related legislation proposed today. Particularly:

- Intro 1378

The delicacy known as "foie gras" is, in fact, a diseased liver. This is a public health concern as much as an animal welfare concern. Beyond this, it is produced and can only be produced by force-feeding birds, shoveling food down their throats to purposely create the diseased liver that is up to ten times its normal size. It is violent human behavior and, as such, should be unlawful. A ban on the sale is an effective legal approach to reject, on a societal level, this cruel practice.

- Intro 1425

As long as carriage horses are still working in our city, we must ensure conditions are improved for their health and safety. We need to address the fact that, although temperature parameters are in place, they do not sufficiently account for environmental factors that impact the experience of temperature. Heat in the city is experienced differently than in a wooded area. We know this from our own experience, just as we readily acknowledge "wind chill factor" in our winter weather reports. Similarly, we need to have parameters for the horses that rely on a heat *index* to establish the ceiling for humane working temperatures.

- R2018-1189

A tax credit (for adoption from shelters) could work wonders in two respects: (1) generating awareness about shelter animals and the great work our shelters are doing on behalf of animals; and (2) providing an incentive for New Yorkers to adopt – rather than shop – for companion animals. We have so many animals already in need of homes, and many of them face euthanizing if they are not adopted. Also, any increase in adoptions can lessen the burden on overcrowded shelters.

Briefly, I also strongly support:

- Intro 1202, prohibiting the trafficking of wild birds
- Intro 1477, regarding the declawing of cats and kittens (acknowledging our state legislature has just passed a similar measure, now awaiting the Governor's approval)

- Res 0379, to recognize “Meatless Monday”: as a symbolic measure encouraging New Yorkers to explore plant-based food options, this would be a win-win-win -- for animals, the environment, and public health.
- Res 0798, calling on our state legislature to pass proposed legislation in relation to the sale of dogs, cats, and rabbits.

Again, I support all the animal-related legislation we are discussing today. New York loves its animals -- from the family dog to the wildlife of Central Park. And, as the Mayor’s office has reminded us most recently with its Wild NYC campaign, animals are New Yorkers, too. We must always be asking ourselves how we can do better as our own understanding evolves about animals’ needs and we more fully appreciate their contributions to our own quality of life. And, as our awareness expands, so too should our laws evolve to reflect that.



Animal Welfare Institute

900 Pennsylvania Avenue, SE, Washington, DC 20003

June 17, 2019

Councilmember Mark Levine, Chair
Committee on Health
New York City Council
250 Broadway, Committee Room, 14th Floor
New York, NY 10007

RE: Support for Intro 1425 – the Carriage Horse Heat Relief Bill

Dear Chairman Levine:

On behalf of the Animal Welfare Institute and our supporters in New York City, we respectfully submit this testimony in support of Intro 1425, the Carriage Horse Heat Relief Bill. We appreciate your consideration of this bill before your committee and hope that it can expeditiously become law.

Intro 1425, sponsored by Council Member Keith Powers, would make it unlawful to work carriage horses whenever the head index reaches or exceeds 90 degrees Fahrenheit. As you know, this bill has tremendously broad support in the New York City Council, with 19 members in addition to the lead sponsor and yourself cosponsoring Intro 1425. We are gratified the Council has opted to take a close look at how it can directly and meaningfully improve the welfare of the horses that pull horse-drawn carriages in New York City.

Numerous other cities in the United States have set clear maximum temperature limits so that horses are not subjected to extreme heat that could adversely affect their health. Setting a maximum based on heat index offers a commonsense approach to ensure that the rules and regulations governing this industry take into account an accurate reflection of how hot it feels outside – e.g., preventing horses from being overworked in extreme humidity.

AWI strongly supports increased protections for horses that would ultimately reduce any suffering or discomfort they might endure while working in congested urban areas. New York City, like many densely populated locales, can suffer from the “heat island” effect whereby urban landscapes become markedly hotter than nearby and comparatively rural settings due to the development of buildings, roads, and other infrastructure that replace open land and vegetation. Exposed hard surfaces made from asphalt and concrete in particular can become hotter than the surrounding air temperature. In a letter to the City Council and then-Mayor Michael Bloomberg, Holly Cheever, D.V.M., noted that New York City’s asphalt surfaces are capable of reaching temperatures as high as 200 degrees Fahrenheit, underscoring the urgent need to take proactive measures to keep horses sufficiently cool in such environments.

Dr. Cheever added, “In the critical temperature range of 89 to 96 degrees Fahrenheit, a large horse, particularly one of the draft breeds, is greatly challenged in its ability to dissipate its body heat into an increasingly warm environment, especially if high humidity is a factor...If the horse is dehydrated and cannot produce sweat, anhydrosis ensues and can be life-threatening.”

Not surprisingly, horses pulling 1,000-pound carriages in high heat require much greater water volumes (15–20 gallons), as they may lose over 10 gallons from evaporation. This much water is difficult to provide in the urban setting, even when water troughs are available. While not a perfect solution, Intro 1425 is critically necessary to prevent horses from being worked during heatwaves – an untenable situation that not only endangers the animals themselves, but also the passengers who ride in the carriages and others who share the road with these vehicles given the higher risk of the horses collapsing.

Thank you for your consideration of this important matter that will better protect the health and well-being of carriage horses in the city. We hope that Intro 1425 will pass the full New York City Council in the near future.

Sincerely,

A handwritten signature in black ink, appearing to be 'JG', written in a cursive style.

Joanna Grossman
Equine Program Manager
Animal Welfare Institute

Testimony in Support of Into 1328 (foie gras sales ban)- Carol Kooshian!!!

Ckooshian

carolkooshian@gmail.com

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Rosemarie Viscardi

gelsomino67@gmail.com

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Mary Winters

mrwpink@aol.com

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Eleanore Charnow

eleanorecats@gmail.com

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Keep in mind that there is no foie gras industry in NYC that you need to protect. Restaurants that currently serve foie gras can serve other dishes with no loss of revenue. PLEASE DEMONSTRATE YOUR HUMANITY AND BAN FOIE GRAS IN NEW YORK CITY! The animals of the world, and the caring people of NYC, will thank you.

Polly Savell

Sincerely,

Polly Savell

polly.savell@aenetworks.com

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Teresa D'Amico

verush@aol.com

Testimony in support of Intro 1378 (foie gras sales ban) - Kira Labinger

I love foie gras. It is absolutely delicious. However, I have stopped eating it because I cannot justify a few minutes of pleasure at the expense of a living, sensitive being's right to not be tortured. I am a carnivore but I see a huge difference between killing an animal for food and making them suffer their entire life for food.

I feel like humans, as a whole, have gotten to the point where we see only ourselves as the species that matters. Aside from being ethically wrong, I think that this stance can only lead to more and more global destruction. I also think that every step we take to change this course really does make a difference. I am, thus, asking you to ban the sale of foie gras in New York City and I thank you so much for taking the time to listen.

Kira Labinger

1501 Lexington Ave.

New York, NY 10029

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay. Moreover, my household and I vote at all midterm and term elections. Be certain that **if you do not stand up for animal welfare, you will be losing 3 votes** from myself and my partners who stand in solidarity with me on this issue.

Sincerely,

David W. Stratton

104-60 Queens Blvd

Forest Hills, NY 11375

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Chris Washington

cwashington@wlrk.com

Dear members of the Committee on Health,

I'm writing in support of intro 1378 and ask for it to be passed by your committee.

As a consumer I find appalling that a food item like foie gras, which is produced in such a cruel manner, is still being sold in NY.

As a luxury product, foie gras is a completely unnecessary item on the majority of restaurant menus. That is why I stand with 81% of voters, 50 veterinary professionals and 50 not for profit organizations that support this ban.

Thank you for passing this bill. Sincerely, MariaPaula Armelin

MariaPaula Armelin

85th Street

Jackson Heights NY 11372

Good day,

One of the most inhumane acts perpetrated against non-human animals is the production of Foie Gras. Long touted as a “luxury” food, it is in reality a “torture” food. I say torture because the birds that are raised to make this “delicacy” endure being force fed three times a day. And how is this done? By shoving a pipe down their sensitive throats and then pouring in obscene amounts of food. The result is the birds' livers become huge & diseased and that is when they are ready for slaughter. And then voila! A quick dinner awaits for those diners with the bucks to afford this “specialty”.

To put these living beings through such a torturous life just to satisfy some people’s “sophisticated palates” is unconscionable.

Please think of the lives of these animals and vote with your conscience. Support the passage of Intro. 1378.

Thank you.

April Lang

1. Dear Members of the Committee on Health,

I write to you today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, and more generally as a person with a conscience, I'm deeply disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. As you may already know, foie gras is a luxury food item that is produced by cruel force-feeding - force-feeding is the standard practice that involves **violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping them with so much feed that, after three times a day for several weeks, their liver swells up to 10 times its natural size and becomes diseased.**

Imagine the horror of this lived experience, because bird *are* living, feeling beings.

Birds raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly, and obstinately, stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

You have before you an amazing opportunity to protect birds from this abominable practice of force feeding for foie gras; to elevate the interests of these animals above novelty and profit. It is the least we can do as a city and I implore you to please be instrumental in passing this crucial legislation.

Sincerely,
Sylvie Jensen
W 140th Street
New York, NY 10031

6-17-2019

I support Intro 1478 and Intro 1502.

I am horrified by the **profound cruelty** in the lack of care and killing of Smokey on Saturday 6/15/2019. As well as many other killings at NYC ACC. Smokey was a young family pet who was dumped at NYC ACC. He had puppy behaviors. They locked him in a cage instead of giving him a chance to get out and walk. Animal torture for a young dog. They sedated him. They made it worse and worse for him. They wanted to kill him. They turned away potential adopters. Then they killed him. Animal cruelty. Meanwhile somebody else came forward for Smokey, but his killing was quickly apparent, or he was killed after this person came forward. This man was heartbroken that Smokey was killed. Many of these dogs killed would have the chance to live their lives if they had a little more time.

A NYC Department of Animal Welfare (DAW) must include CAPA-like provisions and be staffed by those who advocate for No Kill, transparency, competence and compassion at the NYC ACC.

We want to see management of the NYC ACC (Animal Care and Control – not a ‘care’ center), to be spun out from the NYC Department of Health and Mental Hygiene (DOHMH), which continues to do a terrible job. Isn’t it ridiculous that the DOH does basically nothing to improve conditions in the disease-ridden shelters that they oversee? Sheer hypocrisy. The **Department of Animal Welfare (DAW) must be created as a *separate* stand-alone department**, independent, on its own. But with a competent, compassionate shelter director and professionals and staff hired and in place. People who truly care about the welfare of the animals in their care and have the necessary understanding and knowledge to do the job.

Knowledgeable advocates must have oversight on this process! To ensure a successful process and that there is not just more of the same.

The **ACC has proven their lack of care in too many ways**. Homeless animals are quickly put on a kill list when they get the equivalent of a cold! Too often animals don’t get the veterinary care that they need. Healthy, adoptable animals are routinely killed without being given much time to be adopted, often horrifically without sedation! It is cruel to spay and neuter an animal – and while they are recovering put them on a KILL list! - done in partnership with the ASPCA. The ACC overdoses the animals with psychiatric drugs. Some of the cages have cockroaches crawling. The NYC ACC's love of silent kills is just one of many examples of the lack of transparency in how they conduct themselves.

Archaic systems are in place which make it harder for rescues, adopters and fosters to save lives, and animals are too often killed with rescue on the way. Marketing of the animals is poor - many advocates do more to save the animals than NYC ACC ever does - though the ACC likes to pat itself on its back and calls itself a ‘Care’ Center in an attempt to fool the public through sugar-coating.

No Kill is possible with the right shelter directors and management who are competent AND who care, and with a Department of Animal Welfare which understands that they must **address**

animal welfare on a multitude of levels. There are many associated issues that must be addressed with legislation and enforcement – such as banning backyard breeding; landlord issues. Effective programs need to be created for the public – such as city-wide availability for low-cost or free spay-neuter services. Etc.

It is very important that **CAPA – Companion Animal Protection Act** be enacted, and the **DAW run under CAPA's guidelines.**

NYC has nothing to be proud of and should be ashamed. Many other cities have successfully taken the steps towards No Kill and are way ahead of New York City. People all over the world are watching New York in its incompetency and inhumanity.

Please consult with Nathan Winograd of the No Kill Advocacy Center. There are ways to run a humane and successful shelter and he can show the way.

We would like to see **New York City transform into a progressive, humane No-Kill city which values the lives and well-being of all sentient beings.** This would also have an important ripple effect. At this time NYC sadly falls short. Animals, and people suffer.

Thank you ,
Deva Cohen

Dear Members of the Committee on Health:

I write today to request that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Gail I. Bader, Esq. 488 Madison Avenue, Suite 1120 New York, NY 10022
(212) 850-0915

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Iris Sinai

iris@alonidiamonds.com

Dear Members of the Committee on Health,

I write on behalf of THE DUCKS who cannot, to demand that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is TOTALLY INHUMANE and the standard practice that involves violently

shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

C.M.

NY, NY 10013

c m

cme2477@hotmail.com

Dear Members of the Committee on Health,

I write to you with my heartfelt passion and my sincere request that your committee pass Intro 1378 so that the force feeding of ducks to create “foie gras” ends in NYC. This is an awful, disturbing and cruel force-feeding of animals so that NYC restaurants can offer what is perceived as a luxury food item. Violently shoving metal or plastic foot-long pipes down a birds throat to force feed them three times a day for several weeks until their livers swell up to 10 times its natural size – knowing this, I won’t even go into any restaurants that offer this inhumane choice on their menu.

Over 50 not-for-profit organizations and NY based veterinary professionals and 81% of NYC voters support a sales ban on force-fed foie gras. I am proud to stand with the majority of New Yorkers who support this ban. I am asking that your committee please pass this bill and stand with us to prohibit the sales of foie gras in our state of NY.

Thank you very much.

Best,

Louise C. Silver

Louise Cohen-Silver, Ph.D.

Director of Homework Café

Fusion Academy Brooklyn

718-522-3286

LCohensilver@fusionacademy.com

Dear Council

I think there should be no obstacles in saving lives of dogs and cats. Most animals that NYC ACC puts on the kill list have a temporary cold that can be easily treated, or some understandable behavioral issue after being dumped by their family, Being locked into a cage – especially for active young dogs is a difficult adjustment. They are going through a difficult transition in their lives, But too many are not shown care at New York's 'Care' Center. To put them to death is outrageous and morbid. Advocates and the public work hard to find homes for these dogs, while NYC ACC kills. There needs to be more outreach by the ACC into communities and through the media, rather than regularly and systematically killing. They need to show care and competence. Enough is enough !

I support intro 1478 & intro 1502

Thank you for your time,

Miriam A. Cohen

Dear Members of the Committee on Health,

Please pass the bill, 1378. Although I now live in New Jersey, I am a native New Yorker (born and raised in Richmond Hill, Queens), and travel to the city often. I want to see foie gras banned everywhere. I have walked out of restaurants numerous times when I've seen it on the menu - after telling the restaurant staff specifically why I am leaving.

No animal should have to suffer such a horrific life for the pleasure of humans. Can YOU imagine a pipe being forced down YOUR throat every day? Not to mention the pain these birds suffer from abnormally massive livers.

There is no place in a civilized society for this type of animal cruelty. We don't live in the dark ages.. Please pass this bill. I'd love to see my "home state" join California in having a ban on this disgusting item. Hopefully other progressive states - like New Jersey- will soon follow suit.

Sincerely,

Dawn Zelinski

Middletown, NJ

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Ewelina Klimek

eklimek1388@gmail.com

Dear Members of the Committee on Health,

I write today to humbly and with great urgency ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that *foie gras* from force-fed ducks is allowed to be sold at NYC restaurants. I am sure this committee is familiar enough with the dreadfully inhumane procedure and so I will not go into detail here as others have already done so. Nor will I go into the horrors the animals themselves experience as a result of being raised for this "delicacy." Again, this is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed *foie gras*. Now, I am sure the restaurant lobby and others will make a lot of noise and even try to cajole the committee with threats about how this ban might affect French cuisine in New York City and the experience of New York City. But so what? There are so many other dishes (which use animals and are a shame but we have to start somewhere, yes?) to choose from---and, some are pretty cruel for those who need a little cruelty in their gustatory experiences. French cuisine does not have to be so mean! And besides: With regard to any threat to New York City's livelihood, we do have ample ways to enjoy this wonderful, historic, lively city, no?

We write and speak believing this committee will listen. The recent testimony by Jon Stewart, chastising our leaders' inaction to support first responders, and the immediate action finally taken by congress is encouraging and why I am writing: people in positions to make decisions actually do listen. This weekend, Hong Kong had massive protests and the leaders listened. There are many ways to get leaders' and decision makers' attention. I am of the mind that perhaps we can find other ways to stop the abuse of animals. This ban, needed as it is, is a very nice way to send a clear message that New York City can be both a great place to visit and humane.

I do want to say that our species' mistreatment of other species is deplorable and costing us, as we can see with rising global temperatures and really strange weather changes, our---that is, homo sapiens sapiens's---privilege of living on Earth. We have not been here that long and look at what we have done and will, it seems, continue to do to get ourselves booted off. The planet will survive but humanity...not so sure. But even more urgent, something we can do, right here in beautiful, progressive New York City, is stop supporting non-human-animal cruelty. Our disregard for other species, our irrational disdain for too many other species, our abuse of so many species for "food" or "entertainment" (really, do people need to ride around New York

City pulled by underfed, frightened horses? are there no other ways to get around?) has had horrible consequences in the past. When we say it is okay to treat some animals in ways that we would never want to be treated, we open possibilities of tremendous horrors coming back.

Banning this terrible food is a small, but significant, step toward our species becoming once again a good part of this biosphere. Let New York City show the way. This Intro is a start. There is more---much more---work ahead. And you will, I am sure, hear from us again very soon. In the meantime, I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Domenick Acocella

5425 Valles Avenue

Bronx, NY 10471

Dear Council Members,

I support intro 1478 and intro 1502. This is my testimony. Whilst I am not one of your constituents, I have taken ownership of two cats from a hoarding situation in CT. The cats came from the dreaded ACC in New York City. I also was a previous resident of Brooklyn, NY.

The cats were saved from the NYACC system only to be directly placed in a hoarding situation. With me, slowly, but surely they are becoming comfortable, confident well-fed cats.

I am so pleased to hear that you are addressing the sad state of affairs for the ACC system in New York. Under the DOH, the system has been run like a WWII Holocaust Death camp, with shelter staff responsible for the majority of needless deaths. Getting animal care out of DOH is key.

The NEW HOPE ONLY is an abused and corrupt system which results in thousands of cruel deaths once again at the hands of gleeful, spiteful shelter staff. You are funding the deaths of millions of animals by a corrupt, not for animals system that perpetuates a broken system.

The system desperately needs reform. These bills are a start. Currently, it can never be called a shelter system. These kennels do not offer refuge only death at the hands of capricious, malicious shelter staff and harmful DOH staff Sincerely,,
Alison James Sandy Hook, CT

Alison James

Led Astray:

Reforming New York City's Animal Care and Control

January 2013



Office of the Manhattan
Borough President

Scott M. Stringer
Manhattan Borough President

ABOUT MANHATTAN BOROUGH PRESIDENT SCOTT M. STRINGER

During his nearly three decades of public service, Manhattan Borough President Scott M. Stringer has achieved tangible results for New Yorkers by forging diverse coalitions and addressing the City's most enduring urban challenges. He has dedicated himself to making Manhattan more affordable and livable, tackling issues such as housing, school overcrowding, public safety, balanced development, sustainability, and equal opportunities for underserved communities.

Prior to being elected Borough President in 2006, Stringer, a native New Yorker, served for 13 years in the New York State Assembly. Representing Manhattan's Upper West Side, he led the successful fight to end "empty-seat voting" in the State Assembly, and voted against every attempt to weaken rent regulations. Stringer also emerged as a leader on animal care issues, particularly in the fight against Puppy Mills and Canned Shoots.

As Borough President, Scott Stringer has released over 45 reports, including most recently:

- Start-Up City: Growing the Entrepreneurial Ecosystem for All (December 2012)
- The Fiscal Cliff: How Looming Program Cuts and Tax Hikes Could Affect New York City Residents (November 2012)
- Economic Abuse: The Untold Cost of Domestic Violence (October 2012)
- Reforming NYCHA: Accountability for the nation's largest housing authority (August 2012)
- Time to Rebuild: A Blueprint for Reforming New York City's Department of Buildings (March 2012)
- Rooftop Revolution: How Solar Panels on Public School Rooftops Can Jumpstart the Local Green Collar Economy and Dramatically Expand Renewable Energy in New York City (January 2012).

ACKNOWLEDGEMENTS

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The report cover photo was taken at an AC&C shelter by Sabrina Paige.

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EXECUTIVE SUMMARY

New York City's Animal Care & Control ("AC&C") – the non-profit corporation that runs the largest animal shelter system in the Northeast – is in dire need of reform. Since 1995, AC&C has been under contract with the New York City Department of Health and Mental Hygiene ("DOHMH") for rescuing, caring for and finding loving homes for the city's homeless and abandoned animals. However, AC&C's performance falls short of this mission.

Adoptions have dropped 37 percent in the past six years while placements, which enable AC&C to pass the responsibility of caring for an animal onto a rescue group, have increased by 70 percent. Dog licensing, a viable source for significant revenue, lingers at around 10 percent, and the number of new licenses issued has declined for three straight years. Furthermore, a high rate of illness at AC&C shelters exposes thousands of animals each year to potentially life-threatening conditions. AC&C's inability to generate outside revenue has made the non-profit overly-dependent on City funding, which historically has been inconsistent and inadequate.

The root of the problem is structural: AC&C is controlled by the DOHMH. The DOHMH both administers the City's contract with AC&C and oversees its board – leaving little room for AC&C to question DOHMH priorities and decisions. In short, AC&C's Executive Director and board members lack the independence, animal care expertise and fund-raising capabilities necessary to properly fulfill their mission. As a result, AC&C has experienced years of under-funding, mismanagement and service cuts – and the animals under its control have suffered severe neglect at shelters.

Nothing reflects the organizational dysfunction of Animal Care & Control more profoundly than its management history. Since 1995, the corporation has had eleven different Executive Directors, including eight in the last ten years. Additionally, AC&C has been without a full-time Medical Director on staff since February 2010, contributing to deplorable shelter conditions and a high rate of illness among dogs and cats.

On October 29, 2012, Superstorm Sandy hit New York City, causing catastrophic damage to numerous neighborhoods and displacing thousands of residents, businesses and animals. In the days following the storm, volunteers and rescuers reported that AC&C's doors were closed and field operations ceased – preventing individuals from dropping off found animals or adopting out existing ones. Veteran rescuers said the agency effectively stopped communicating – by phone, e-mail or web postings – making it impossible to know how its animals were faring or what the agency needed.

As AC&C struggled to respond, outside groups stepped in to fill the leadership void. Many smaller rescue groups took on the sometimes dangerous tasks of searching for lost animals, while others successfully set up a new network of foster families to take in strays – both responsibilities that should have reasonably fallen to AC&C. Ultimately, the ASPCA established an Emergency Boarding Facility, thanks to a \$500,000 grant provided by television personality Rachel Ray, in the Bedford-Stuyvesant neighborhood of Brooklyn to provide temporary sheltering for scores of animals displaced by the storm. The shelter did not open until November 17, more than two weeks after the storm hit.

In addition to a moral obligation, New York City has a legal requirement to care for its stray animal population. Various State and City laws outline requirements for the humane treatment of animals as well as mandate the City to operate shelters and necessary services. AC&C's record of underperformance stands in stark contrast to New York City's history as a national leader in animal care. The American Society for the Prevention of Cruelty to Animals ("ASPCA"), the first animal welfare organization in the country, was founded in New York. Additionally, some of the nation's first and most important animal welfare laws were enacted in the city. It is time for New York to lead once again.

This report recommends a top-to-bottom restructuring of AC&C – one that reconstitutes the corporation as an independent, non-profit with a diverse board that can bring both new resources and new expertise to the City’s animal welfare system. We examine the history and current performance of the corporation, as well as successful operations in other jurisdictions. Finally, we identify new revenue sources that could boost AC&C’s annual funding by 133 percent.

Despite the passage of Local Law 59 in September 2011, which committed \$10 million in additional funding to be appropriated by July 2014 and called on the DOHMH to increase licensing compliance, AC&C continues to fall short of fulfilling its mission. Although AC&C has made some progress in recent years – including a significant reduction in the euthanization rate over the past decade – its inability to build a comprehensive animal shelter system on par with other major cities can be seen on a number of fronts:

- **AC&C’s performance continues to decline while it shifts the burden of responsibility onto rescue groups.** As shelter adoptions have decreased by 37 percent in the past six years, AC&C has shifted its focus to placements, which now account for 70 percent of all transfers. However, these placements enable AC&C to pass the responsibility for animal care onto rescue groups, leaving them to assume the burden of paying for boarding and associated medical costs while trying to find dogs and cats permanent homes.
- **Deplorable conditions at AC&C shelters.** According to the ASPCA’s Director of Medicine at its Adoption Center, there is a nearly 100 percent rate of infection among the animals that they receive from AC&C facilities. Meanwhile, AC&C has been without a full-time Medical Director on staff since February 2010. This report details incidents of animal neglect at City shelters, ranging from dogs and cats being left to wallow in their own waste to animals being stacked in cages and left in hallways.
- **AC&C lacks sustained funding and requires new revenue sources to implement essential services and effectively plan for long-term needs.** The DOHMH’s failure to implement an effective dog-licensing program costs the City millions of dollars each year in potential revenue; monies which could be used to fund the AC&C. Currently, only 10 percent of New York City’s one million dogs are licensed – well below the 90-plus percent rate achieved by cities such as Calgary, Alberta, Canada – and the number of dog licenses issued has declined in each of the last three fiscal years. Further, despite recent efforts to increase rates, New York City’s licensing fees are among the lowest in the country.

The problem, however, goes beyond a lack of municipal funding. According to AC&C’s most recent reporting, it raised \$56,276 in FY2010 – a paltry sum given the city’s passionate philanthropic community. By comparison, Stray from the Heart, a group run by part-time volunteers, raised \$156,780 in 2010 from private funds – nearly three times as much as AC&C in roughly the same time period. AC&C lacks the fundraising ability and focus to effectively solicit private donations that could supplement operations. Furthermore, many potential donors are disheartened by AC&C’s sustained record of failure and choose to give to other groups instead.

On October 19, 2012, AC&C Executive Director Julie Bank stepped down after two and a half years – the eleventh change in leadership in AC&C’s seventeen years of operation. This change presents AC&C with an opportunity to establish a new structure finally giving the non-profit the independence, expertise and revenue generating abilities it needs to fulfill its mission. This report recommends the following:

1. Restructure AC&C into an independent non-profit modeled after the Central Park Conservancy

AC&C needs a strong Executive Director with genuine authority over shelter operations, as well as an independent board with animal care and development expertise. To accomplish this, the DOHMH and other City officials should be relieved of their operational responsibilities and an expanded board should be established, comprised of expert stakeholders with broad knowledge of animal welfare issues and dedicated private citizens with a passion for supporting the City's animal shelter system.

The Central Park Conservancy offers a model that AC&C should adopt: although the Parks Department retains policy control over the park, 85 percent of Central Park's \$45.8 million annual budget – approximately \$38.9 million – is raised independently by the conservancy and its dedicated, 52-member board. If a reconstituted AC&C board raised just a quarter of what the conservancy does, that would provide over \$9 million a year.

2. Substantially Increase Revenue by Aggressively Promoting Dog Licensing Compliance

The City should work with State Legislators to transfer licensing enforcement from the DOHMH to AC&C, so that the any revenue raised can go directly to funding shelter operations. Next, the new Executive Director and board should develop a multi-faceted approach to increase revenue from pet licensing. This effort should include: mandating dog licensing at all “points of transfer” (adoptions or sales) and authorizing external entities, such as pet stores, to sell dog licenses; launching a robust publicity campaign to advertise the animal welfare benefits of licensing pets; creating an incentive rewards program to encourage licensing; and increasing enforcement and penalties for owners of unlicensed animals.

Additionally, the AC&C should work closely with State Legislators to raise the City's licensing fees, which are among the lowest in the country. Increasing licensing compliance to 30 percent and raising fees to \$20/\$50 for altered/unaltered animals – about even with the fees charged by Los Angeles and San Francisco – could generate close to \$20 million annually in revenue. In conjunction with a potential \$9 million raised from private sources (discussed in the previous recommendation) AC&C could generate \$28 million a year. That sum would increase per capita funding to \$3.90, slightly above the minimum that the ASPCA estimated in 2007 is necessary to operate a comprehensive shelter system in New York City.

3. Commit to Building Full Service Shelters in the Bronx and Queens

The reconstituted AC&C should commit to building full service shelters in the Bronx and Queens. Despite legislative changes that have relieved the City of any legal obligation to build shelters in each borough, the need for them remains very real. The DOHMH estimates construction of these shelters would cost \$25 million with an additional \$10 million annually for operation costs. While this is a significant sum of money, it is also a necessary investment in the shelter system. Section III of this report outlines ways that AC&C can substantially increase its funds in order to pay for the costs of new shelters as well other necessary services.

By implementing these sensible reforms, AC&C can finally have the independence, expertise and revenue generating ability it needs to properly fulfill its mission. And in doing so, we can re-establish New York City as a national leader in animal care.

I. INTRODUCTION: A HISTORY OF ANIMAL CARE AND CONTROL

New York City Animal Care, 1866-1995

Government-sponsored animal care in New York City dates back to 1866, when New York State authorized the American Society for the Prevention of Cruelty to Animals (“ASPCA”) to enforce animal anti-cruelty laws. Founded earlier that year by Henry Bergh as the first animal welfare organization in the United States, the ASPCA’s initial goals included educating the public on the proper treatment of animals and advocating against the inhumane treatment of horses, wild dogs and pigeons. Around 1870, the City asked the ASPCA to assume management of the municipal animal shelters, but Bergh declined because the City would not provide adequate financial and political support.¹

In 1894, to address the growing stray dog and cat problem, the State granted the City authority to designate an operator of a municipal shelter system. For a second time, the City approached the ASPCA, now overseen by a board of directors subsequent to Bergh’s death in 1888.² This time the ASPCA accepted, and for the next seven decades the organization used its private donations to provide animal care free of charge – a tremendous bargain for a city with a perpetually large stray animal population. However, as the ASPCA expanded into a national organization, its leadership questioned the wisdom of diverting funds to pay for what many viewed as a local government responsibility.

Subsequently, in 1977, the ASPCA entered into a formal contract with the Department of Health (“DOH”) – later expanded into the Department of Health and Mental Hygiene in 2002 – that compensated the organization \$900,000 annually in exchange for operating New York’s shelter system – a

1 Testimony of Stephen L. Zawistowski on behalf of the ASPCA at the September 29, 2005 New York City Council Committee on Health Oversight hearing on Animal Care and Control.

2 Ibid.

rate of nearly \$0.13 per resident.³ With the ASPCA’s new reliance on municipal funds rather than private donations to run the shelters, the inadequacy of government funding became a constant source of contention.⁴ Many perceived the lack of sustained and sufficient funding as a clear message that animal care remained a low priority for the City. In the mid-1980s the gap between costs and revenue for the ASPCA led to the closure of shelters in the Bronx, Queens and Staten Island and the establishment of receiving centers – which do not provide adoptive or medical services – in these boroughs.⁵

In 1985, the City refused to pay the ASPCA \$250,000 in overdue payments, which prompted the organization to threaten to close its Brooklyn shelter and cut back on services.⁶ Although service cuts were avoided, tensions continued to mount. In 1991, New York’s worsening fiscal condition led the City to slash the ASPCA’s contract by approximately 25 percent.⁷

By 1992, New York City was paying just \$0.53 per capita on animal care, still one of the lowest rates in the country.⁸ Advocates and volunteers became increasingly vocal about diminishing shelter conditions and high euthanasia rates.⁹ In 1994, 75 percent of shelter animals in New York City were euthanized – well above the American Humane Society’s estimate of a nation-wide average of 56 percent for dogs and 71 percent for cats between 1994 and 1997.¹⁰ Meanwhile, the ASPCA estimated that by 1993 it was running the City’s shelters at a loss of \$2 million per year.¹¹ In light of these factors, the ASPCA terminated its contract with the City in 1993, effective January 1, 1995.

3 Per capita funding is calculated by dividing the funding amount by the population level. In 1980 the population of New York City was 7,071,639 people, giving a per capita number of \$0.127.

4 <http://www.shelterreform.org/DyingForHomesPart2.html>.

5 Testimony of Stephen L. Zawistowski on behalf of the ASPCA at the September 29, 2005 New York City Council Committee on Health Oversight hearing on Animal Care and Control.

6 <http://www.shelterreform.org/DyingForHomesPart2.html>.

7 Ibid.

8 Testimony of Stephen L. Zawistowski on behalf of the ASPCA at the September 29, 2005 New York City Council Committee on Health Oversight hearing on Animal Care and Control.

9 <http://www.shelterreform.org/1993ASPCAMemo.html>.

10 <http://www.shelterreform.org/DyingForHomesPart2.html>; <http://www.americanhumane.org/animals/stop-animal-abuse/fact-sheets/animal-shelter-euthanasia.html>.

11 <http://www.shelterreform.org/DyingForHomesPart2.html>.

The Center for Animal Care and Control (CAC&C)

For the first time in nearly a century, New York City needed a new operator for its vast shelter system. While the loss of an experienced and committed operator like the ASPCA posed difficulties for the City, it also presented an opportunity to enact a new vision for animal care. However, no genuine effort at reform was undertaken, and the factors that led to the ASPCA's departure were never fully addressed.

The DOH issued a request for proposals ("RFP") for the operation of municipal shelters, but a satisfactory applicant did not emerge. The situation grew so desperate that the agency approached the ASPCA employees' union, Local 355 of the Service Employees International Union (AFL-CIO), to see if existing shelter employees would be willing to stay on and run the shelters themselves.¹²

The Giuliani administration ultimately decided that the City should establish its own non-profit entity, the Center for Animal Care and Control ("CAC&C"), to take over the ASPCA's contract. Unlike the ASPCA, which was always an independent organization, the CAC&C was placed under the auspices of the DOH.

CAC&C began its operations in January 1995. Its initial by-laws provided for a seven-member board – three of the members were appointees from the Department of Sanitation, the Police Department and the Department of Health, while the four others were "independent" directors chosen by the Mayor. The Commissioner of the Department of Sanitation was installed as chair of the board, a decision that raised questions among many animal advocates about the City's regard for animal care. The Department of Health was given responsibility for overseeing CAC&C's day-to-day operations, including setting its budget, hiring executive staff and overseeing its board.¹³

Notably, the CAC&C's initial by-laws mandated that

certain actions, such as appointing or removing officers and amending by-laws, required a unanimous vote of the three City Commissioners, even if a majority of the board had been reached.¹⁴ To many, this established a clear message that the remaining four "independent" directors, who served voluntarily and at the pleasure of the Mayor, were effectively powerless. Eleven years later, following an unsuccessful lawsuit from the Shelter Reform Action Committee ("SRAC"), the by-laws were quietly amended and this provision was removed.

Report: "Dying for Homes"

From the beginning, the CAC&C faced daunting challenges to carrying out its mission. In addition to an unwieldy organizational structure, the CAC&C inherited aging facilities that were not adequate for providing proper animal care. In 1996, the City Council Committee on Contracts, under the leadership of Councilmember Kathryn Freed, requested a comprehensive performance review of the CAC&C, pursuant to its contract with the City. The subsequent June 1997 report entitled "*Dying for Homes: Animal Care and Control in New York City*," described the CAC&C as "dead on arrival," given its severe funding and facilities challenges.¹⁵

Dying for Homes was especially critical of the structure of the CAC&C board, which it noted failed "to provide the appointed members with fixed terms and places them in a position of being dismissed at any moment," facts that, "may have a chilling effect on the exercise of independent judgment."¹⁶ The report went on to identify several systemic problems with the CAC&C, including a lack of animal care expertise on its board, inadequate funding, insufficient and inaccessible facilities, poor public relations, shoddy volunteer management and an ineffective adoption program – all problems that persist today.¹⁷

At the June 1997 City Council hearings on the CAC&C's activities, board member Dr. Louise Murray testified about her "serious misgivings as to the

¹² Ibid.

¹³ <http://www.shelterreform.org/NYCSherterHistory.html#1992-1994>.

¹⁴ <http://www.shelterreform.org/TestimonyofMurray.html>.

¹⁵ <http://www.shelterreform.org/DyingForHomesPart1.html>.

¹⁶ <http://www.shelterreform.org/DyingForHomesPart3.html>.

¹⁷ <http://www.shelterreform.org/DyingForHomesPart1.html>.

ability of [the] organization to succeed under current structural and political conditions.”¹⁸ As part of her remarks, Dr. Murray related the frustration several directors felt when the Search Committee for an Executive Director was “unable to function meaningfully due to obstructive tactics” from the Administration. Said Dr. Murray,

[the] CAC&C is trapped in a cycle of failure which can only be broken if we are released from the stranglehold of City Hall. Without the right leaders, we cannot raise funds, improve our programs, or take the kind of care we would like to of the animals in our charge. Yet we are not free to use our judgment to select this leader.¹⁹

Within hours of their testimony, both Dr. Murray and Rosemary Joyce – another board member who raised concerns about the CAC&C’s operations – were removed from their positions on the board by the Giuliani administration.²⁰ The termination of Dr. Murray and Ms. Joyce sent a clear message to directors that publicly challenging the policies of the DOH would not be tolerated.

Attempts to Fix the System and Service Cuts, 2000-Present

In the aftermath of the *Dying for Homes* report, the City Council sought to strengthen the CAC&C. In 2000, the Council passed the Animal Shelters and Sterilization Act (also known as the Shelter Act), which required the City establish full-time, full-service animal shelters in each of the five boroughs by 2002.²¹ The legislative findings of the act described shelter overcrowding as a key contributor to abusive and negligent conditions in City shelters. The findings also estimated that “67,000 unwanted, stray or abandoned dogs and cats entered CAC&C facilities in 1998, with 70 percent of animals not spayed or neutered.”²² At the time, both Manhattan and Brooklyn operated full-service shelters, while Staten

Island’s shelter provided services for 12 hours a day. Queens and the Bronx – which accounted for roughly half of the City’s population – had part-time receiving centers, where animals could only be dropped off and no other services were provided.

Citing financial difficulties following the September 11, 2001 terrorist attacks, the Mayor’s Office and the City Council extended the DOH’s deadline to submit plans for the new shelters to 2006.²³ In September 2002, the City announced budget cuts that slashed shelter hours by 50 percent.²⁴ That same year the Center for Animal Care and Control was renamed Animal Care and Control (“AC&C”), with a re-christened board to be chaired by the Commissioner of the DOH, not the Department of Sanitation.²⁵ Additionally, on July 1, 2002 the City merged the Department of Health and the Department of Mental Hygiene, establishing the Department of Health and Mental Hygiene (“DOHMH”).

In 2007, the ASPCA launched a campaign to establish a comprehensive animal care and control program in New York City. The organization proposed a new Bureau of Animal Care and Control Services within the DOHMH that would replace AC&C. According to an ASPCA memorandum submitted to the Manhattan Borough Board on February 15, 2007, the organization estimated the City was spending as little as \$0.93 per capita on animal care and control services. With AC&C failing to provide essential services, outside organizations such as the ASPCA were forced to pick up the slack. The ASPCA estimated that it spent over \$30 million on animal care services between Fiscal Years 2004 and 2006 to provide supplemental services such as spay/neuter clinics and animal placement. The ASPCA’s proposal cited a lack of compliance in dog licensing as a potential revenue stream that could generate as much as \$11.5 million for the AC&C budget each year.

Severe cuts to the AC&C budget in 2009 resulted in a dramatic reduction of essential shelter services. Cuts included the firing of shelter dog-walking staff

18 <http://www.shelterreform.org/TestimonyofMurray.html>.

19 Ibid.

20 Ibid.

21 <http://www.shelterreform.org/2000AnimalBill.html>.

22 <http://www.shelterreform.org/files/SFTHLawsuitVerifiedComplaint.pdf>, page 6.

23 <http://www.shelterreform.org/NYCSherHistory.html#2002>.

24 Ibid.

25 Ibid.

(October 2009), a halving of admission hours at the Brooklyn shelter from 24 hours a day to 12 hours a day (February 2010), and a significant reduction/elimination of the Lost and Found, Field Services, and Telephone System programs (September 2010).²⁶

The City's FY 2008 Executive Budget allocated \$15.3 million in the DOHMH 2008-2017 capital plan for the construction of new shelters in the Bronx and Queens.²⁷ However, by 2009 the City had yet to comply with the Shelter Act.

In June 2009, Stray from the Heart ("SFTH"), a local not-for-profit dog rescue organization, sued the DOHMH for failing to provide the mandatory services established by the 2000 law. In 2010 the New York State Supreme Court ruled in favor of SFTH and ordered the DOHMH to submit a plan for the immediate implementation of their compliance with the Act. The City appealed this decision, and in Spring 2011 the First Department of the Appellate Division of New York State ruled that SFTH lacked legal standing to sue because the Act, as interpreted, was related solely to human public health issues and did not address animal welfare, thereby preventing organizations such as SFTH from enforcing the Shelter Law.

SFTH filed a motion with the New York Court of Appeals requesting the Court accept their appeal of the 2011 decision on the grounds that animal rescue groups have standing to sue the City to enforce laws that are fundamentally related to animal welfare, in addition to public health. With the support of Manhattan Borough President Scott Stringer, who filed an amicus brief in support of SFTH's suit, and pro bono representation by the law firm of Kaye Scholer, SFTH's motion was successful, and on September 13, 2011, the Court of Appeals decided in favor of hearing the appeal.

However, before the appeal could be fully heard, the

²⁶ <http://www.shelterreform.org/2010ServiceReductions.html>; <http://www.nydailynews.com/new-york/aid-city-strays-dogs-budget-cuts-hurt-wayward-pooches-cats-article-1.187032>.

²⁷ http://www.nyc.gov/html/omb/downloads/pdf/mm4_07.pdf, pages 156-157.

City Council passed Local Law 59 in the fall of 2011. As part of an agreement to commit \$10 million in additional funds by July 2014 and a commitment from the DOHMH to increase licensing compliance, Local Law 59 absolved the City of its responsibility to construct these shelters.²⁸ Instead, AC&C announced it would fund vans to pick-up animals in Queens and the Bronx and take them to the already crowded shelters in Brooklyn, Manhattan or Staten Island. Funds would also go to hiring nearly 100 new staff members, implementing trap-neuter-return (TNR) rules, and requiring owners to spay or neuter all owned, free-roaming outdoor cats. Additionally, as part of this agreement, the DOHMH agreed to appoint two new independent directors to the AC&C board, bringing the total board membership to nine.

On December 11, 2012, the Court of Appeals ultimately decided that since the City law had been changed to eliminate the key requirements for full-service, citywide shelters, Stray From the Heart could no longer sue to enforce those requirements and also could not sue for damages; hence the Court dismissed the case. However, the Court emphasized in its decision that it was clear that the original law was enacted for the "benefit of the general public in New York City and for the safety of unwanted dogs and cats." This suggests that if the law had not been substantially amended, it is possible that animal welfare organizations could have sued to enforce the law's requirements.

While Local Law 59 provided a welcome increase in funding, many advocates were disappointed that the City was relieved of its legal obligation to build shelters in the Bronx and Queens, a development that undermines the City's capacity to care for animals. To many in the animal care community, the New York City shelter system is no better than it was when the CAC&C/AC&C experiment began in 1995.

²⁸ http://www.nyc.gov/portal/site/nycgov/menuitem.c0935b9a57b-b4ef3daf2f1c701c789a0/index.jsp?pageID=mayor_press_release&catID=1194&doc_name=http%3A%2F%2Fwww.nyc.gov%2Fhtml%2Fom%2Fhtml%2F2011b%2Fpr274-11.html&cc=unused1978&rc=1194&ndi=1.

II. TODAY: ONGOING PROBLEMS AT AC&C

Nothing reflects the organizational dysfunction of AC&C more profoundly than the agency's management history. Since 1995, the agency has had eleven different Executive Directors – including eight in the last ten years. Additionally, AC&C has been without a full-time Medical Director on staff since February 2010, contributing to deplorable shelter conditions and a high rate of illness among city dogs and cats.

The root of the problem is structural: AC&C is controlled by the New York City Department of Health and Mental Hygiene (“DOHMH”), an agency whose mission and expertise has not sufficiently focused on animal welfare.²⁹ As a result, AC&C has experienced years of under-funding and service cuts, and the animals in its care have suffered from neglect at shelters. The DOHMH both administers the City's contract with AC&C and oversees the non-profit – leaving little room for independent leadership or innovation. Although AC&C has made some progress in recent years – including a significant reduction in the euthanization rate over the past decade – it continues to struggle to build a comprehensive animal shelter system on par with other major cities.

In order to succeed, AC&C needs a strong Executive Director who has genuine authority over day-to-day shelter operations, as well as an independent board with animal care and development expertise. Without that commitment to a more rational structure, the agency will never attract and retain top-level talent committed to running a world-class shelter operation.

The current board structure has limited expertise in animal care and fundraising, two areas that if buttressed could greatly enhance AC&C's ability to fulfill its mission and foster stronger links to the city's vibrant animal care community. Of the two addi-

²⁹ As part of its mandate to protect public health, the DOHMH has had tremendous success in reducing animal illnesses that pose a threat to people, such as rabies. According to a February 13, 2012 DOHMH advisory on rabies (<http://www.nyc.gov/html/doh/downloads/pdf/cd/2012/12md02.pdf>), the last known case of a dog infected with rabies in New York City was in 1954. Additionally, the disease has also become rare in cats, with only one feline testing positive for rabies in 2011.

tional independent directors added this year, only one has even tangential animal care expertise. Dissenting opinions on the Board are rare.

According to AC&C's website, the non-profit is under contract with the City “to rescue, care for and find loving homes for homeless and abandoned animals” in New York City. Central to this responsibility should be finding humane ways to decrease the stray animal population of our city. There is no better way of accomplishing this than through full-service animal shelters, which provide adoption programs, spay and neutering and lost-and found services. This three-pronged approach tackles both the root of the stray population and strives to put healthy animals in loving homes. Full-service shelters also provide a platform for rescue groups and volunteers to build up programs and develop strong, community-based networks dedicated to animal welfare.

DOHMH officials estimate building full-service shelters in the Bronx and Queens would cost the City more than \$25 million for construction and another \$10 million annually for operation. While this is a significant sum of money, it is also a necessary investment in the shelter system. Section III of this report outlines ways that AC&C can substantially increase its funds in order to pay for the costs of new shelters and other necessary services.

In the year following the passage of Local Law 59, AC&C continues to fall short of fulfilling its mission. Volunteers and advocates continue to regularly document cases of abuse and neglect in our City's shelters. Despite the hiring of 30 new staffers and projections for hiring an additional 63 by July 2013, essential services like cat rescue operations and establishing a sufficient number of dog walkers have yet to be restored. Additionally, the Bronx and Queens, with a combined population that would rank among the 20 largest cities in the country, still lack animal shelters.

Response to Superstorm Sandy

On October 29, 2012 Superstorm Sandy hit New York City, causing catastrophic damage to numerous neighborhoods and displacing thousands of residents,

businesses and animals. In the days following the storm, volunteers and rescuers reported that AC&C's doors were closed and field operations ceased – preventing individuals from dropping off found animals. Furthermore, AC&C's computers were down for 11 days, during which time the nightly “kill list” (of animals at risk for euthanasia) stopped going out to rescue groups, leaving many volunteers and rescuers to question what happened to these animals.

Individuals who visited AC&C shelters during these days describe it as being unusually quiet and empty. Rob Maher, who helps to run an AC&C-certified rescue group called Dog Habitat Rescue and routinely pulls animals from City shelters, said he visited the Brooklyn AC&C shelter on Saturday, November 3, and the Manhattan shelter on Sunday, November 4 – some five days after the storm hit – and said he saw more than a dozen empty cages in both locations. “Everybody there was shocked at how quiet it was,” Maher reported. “There were so many empty cages.” He was told by AC&C staff that animals had been adopted out in the previous few days, even though the agency's computers were down and other would-be rescuers had reported being turned away at the door in the immediate aftermath of the storm.

As AC&C struggled to respond, the ASPCA and outside groups stepped in to fill the leadership void. The ASPCA established an Emergency Boarding Facility, thanks to a \$500,000 grant provided by television personality Rachel Ray, in the Bedford-Stuyvesant neighborhood of Brooklyn providing temporary sheltering for hundreds of animals displaced by the storm. Meanwhile, Maher and other rescuers put out a call for foster families and to date have placed more than 80 cats and dogs in new homes – all without any leadership from AC&C.³⁰

Shelter Tales: AC&C and Hurricane Sandy

Like a lot of veteran animal rescuers, Rob Maher knew Hurricane Sandy would force scores of terrified New York City pets out in the cold. What he and other experienced rescuers did not fully expect was the total failure of Animal Care & Control to help deal with the devastation.

The agency all but retreated into a bunker in the days just

before, during and after Hurricane Sandy, say rescuers and volunteers who were inside AC&C shelters as the super-storm swept across the city.

“No one could get in touch with AC&C - there was no phone communication, no internet communication, no website communication - no one could figure out what they were doing,” said Maher.

Maher's concern only deepened when he went to visit AC&C shelters in Brooklyn and Manhattan the weekend after the storm and saw over a dozen empty cages in each location. “This was four or five days after the storm, they hadn't been talking to anyone, and they said, ‘Oh, we had lots of adoptions in the last two to three days, in the middle of a hurricane,’” recalled Maher. “We were like, ‘OK, that's kind of crazy.’”

In fact, say volunteers at city shelters during the storm, there were two causes to the sudden decline in population: a limited number of private rescue groups were working overtime to pull animals from city shelters, and – much more unusual - AC&C all but locked its doors to new intakes from the public.

“There were animals there but they were locking the front doors, so people could not get in,” said Jeff Latzer of Adopt NY, an umbrella group representing some 45 rescue groups. “That, combined with AC&C field operations doing nothing, meant that the normal shelter population was just decimated.”

Added one experienced volunteer who worked at the Manhattan shelter every day in the week after Sandy hit: “They basically just shut down. That was their answer to the crisis – to not be open. There were no real intakes except from police.”

To try and fill the leadership vacuum and help the scores of cats and dogs made homeless by the storm, Maher's group sent out an urgent plea for new foster families, a request that usually nets about a dozen willing families. This time, more than 850 families volunteered, an overwhelming response.

Maher utilized Adopt NY's network to help get the word out about the new foster families – a basic task of most municipal shelter systems – and so far more than 80 placements have been made.

“AC&C just really wasn't doing anything,” Maher concluded. “They are supposed to be there to help animals, but if they are not doing that, then I don't know what the point is.”

30 <http://aspc.org/pressroom/press-releases/120512-1>

The following is an examination of the major ongoing problems in AC&C shelters.

A. Unacceptable Conditions in City Shelters: “A nearly 100% outbreak rate of infection”

Of the three existing shelters, only the East Harlem facility in Manhattan currently accepts stay animals 24 hours a day, as the Shelter Law had mandated. The Brooklyn and Staten Island centers provide full services only between 8 a.m. and 8 p.m. As a result, if a stray animal is picked up by a good Samaritan or police between 8 p.m. and 8 a.m., the only AC&C shelter they could take the animal to is in East Harlem.

As part of the Fall 2011 City Council agreement to relieve the City of its obligations under the Shelter Act, AC&C has until 2014 to expand hours of operations for receiving centers in the Bronx and Queens to twelve hours a day, seven days a week. Currently, there are plans to relocate the Queens facility, but it will remain a receiving center. Overall, these improvements still fall short of providing residents of the Bronx and Queens with adequate animal care services.

Receiving centers allow for the drop-off of animals but do not have medical staff or provide other services – a serious shortfall when wounded or sick animals are brought to a center or if a neighborhood resident is looking for a lost animal. When animals arrive they are placed in temporary cages and stacked one atop the other until they can be picked up by vans. Vans then take the caged animals to already over-crowded Manhattan and Brooklyn facilities.

Overcrowded shelters create conditions that foster animal neglect and illness. In January 2012, a volunteer at the Manhattan shelter posted a grim description of conditions in the temporary cages on the Shelter Reform Action Committee (“SRAC”) website. “These temporary cages are always filthy – covered with feces and no food or water. I know

that some dogs or cats can be messy, but I’m usually at the shelter for several hours straight, and I check on these cages when I come arrive [sic] and when I leave, and they stay the same: filthy with vomit, diarrhea, dirty or no water.”³¹



Photo posted on Shelter Reform Action Committee website on January 2, 2012.³²



Photo posted on the Shelter Reform Action Committee website, taken in June 2011.³³

Volunteers and anonymous employees have offered numerous eyewitness accounts of horrific conditions in the Brooklyn and Manhattan shelters: hallways lined with cages, stacked two or three high, with animals crying loudly. The smell has been described as a nauseating mixture of animal excrement and vomit.³⁴ Many cats are put into tomahawk cages, which are intended as carrying vessels but end up as permanent homes.

31 <http://shelterreform.org/blog1/2012/01/02/notes-from-the-underground-volume-6/>.

32 <http://shelterreform.org/blog1/2012/01/02/notes-from-the-underground-volume-6/>.

33 <http://www.shelterreform.org/2011AuditAnalysis2.html>.

34 <http://shelterreform.org/blog1/2012/01/13/notes-from-the-underground-volume-8/>.



Photo posted by an anonymous volunteer on the Shelter Reform Action Committee on July 25, 2012.³⁵



Photo posted by an anonymous volunteer on the Shelter Reform Action Committee website on July 25, 2012.³⁶

In November 2010, WABC Eyewitness News reporter Sarah Wallace did a three-part exposé on the terrible conditions facing shelter animals: animals in cages with soaked and soiled sheets, cages smeared with feces, cat food mixed with kitty litter, and other examples of animal neglect.³⁷

In spite of these conditions, AC&C has operated without a full-time Medical Director on staff since 2010. As one might imagine, shelter animals are exposed to a uniquely high risk of illness. The most frequent affliction is an upper respiratory infection (URI), commonly referred to as “kennel cough,” but which affects dogs and cats alike. URI is a fast-moving airborne illness that presents an immediate hazard for animals entering the contaminated shelter system. Other potentially fatal illnesses that afflict shelter animals include Canine Influenza, a highly-contagious disease which can lead to pneumonia, and Feline Leukemia Virus, which is easily transmitted through saliva or close contact.

³⁵ <http://www.shelterreform.org/2011AuditAnalysis2.html>.

³⁶ *Ibid.*

³⁷ <http://abclocal.go.com/wabc/video?id=7806880>.

Shelter Tales: Cocoa

Cocoa was a healthy female dog when she was dropped off at AC&C to be spayed on the morning of June 20, 2012. It turned out to be her last day: Cocoa died on the operating table at AC&C, which has been without a full-time medical director on staff since February 2010.

It would take some time for the rescue group Project Pet to find out how a seemingly simple procedure like spaying could prove to be fatal to Cocoa. But an independent necropsy performed on the dog, as well as medical records filled out by AC&C, eventually uncovered the cause: Cocoa died because the surgical team failed to provide her with oxygen during the operation, because of an improperly monitored valve.

“In simplest terms, the AC&C suffocated Cocoa to death, cutting off oxygen to her while she was being operated upon,” Project Pet wrote in a follow-up letter to AC&C. “So there is no misunderstanding here, this is not simply our conclusion, but that of a number of veterinarians.”

In a June 20, 2012, letter informing Project Pet of Cocoa’s demise, AC&C Director of Operations Doug Boles apologized for the lapse and said the agency was “working to ensure that such risk is minimized as much as possible” for other animals in the future.

More than six months later, AC&C is still without a full-time Medical Director on staff.

When healthy animals get sick in shelters, it can lead to dramatically higher medical costs for adopters or, worse, euthanizations that could have been avoided. Evidence submitted by animal professionals and shelter insiders suggests that illness has become rampant in City shelters. In testimony submitted to the New York City Council Committee on Health as part of the hearings on Local Law 59 in September 2011, Jennifer Lander, the ASPCA’s Director of Medicine at its Adoption Center, stated, **“When animals from AC&C arrive at our facility we see a nearly 100 percent outbreak rate of infection, typically upper respiratory infections, including influenza. These conditions can become very serious, to the point of being life-threatening, but are entirely preventable.”**³⁸

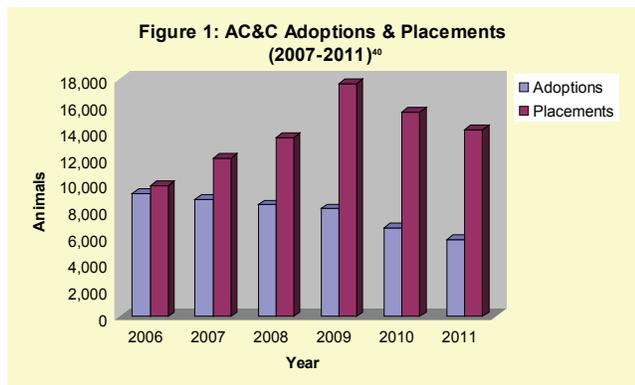
³⁸ <http://legistar.council.nyc.gov/View>.

ashx?M=F&ID=1553562&GUID=833625D7-7F15-4B9C-985C-

DOHMH officials have contested this number. At an October 9, 2009 AC&C board meeting, then Medical Director Dr. Stephanie Janeschko reportedly stated that 40 percent of shelter dogs exhibited signs of URI within 5 to 7 days of arrival. However, many animals stay in shelters for more than 5 to 7 days. As an animal's length of stay in the shelter increases, so does its risk of developing an illness. Shelter illness can lead to the animal being deemed unadoptable and therefore euthanized or being placed with a rescue group, who must assume the financial burden of nursing the animal back to health.

B. Declining Performance and Results

Over the past six years AC&C shelter adoptions have decreased by 37 percent from 9,313 in 2006 to 5,843 in 2011. AC&C has instead shifted its focus to placements, which now account for 70 percent of all shelter transfers, up from 9,937 in 2006 to 14,167 in 2012.³⁹



In an adoption the AC&C animals go directly from the shelter into a permanent home, whereas in a placement, AC&C transfers animals into the possession of a rescue group. When an adoption takes place and a dog or cat enters what is hoped to be a loving home, the journey is complete. However, when an animal leaves the shelter for place-

ment with a rescue group, its journey is just beginning. The rescue group becomes responsible not just for finding the dog or cat a permanent home, but also for the costs of interim housing and medical expenses for that animal. There is no guarantee that a placement leads dogs and cats to permanent homes.

AC&C's reporting of these numbers has created confusion as to the status of animals that leave their shelters. In some statistical reports, AC&C has provided a cumulative total of adoptions and placements while failing to make clear that it has included placements – which do not necessarily lead animals to permanent homes – in that total.⁴¹ Additionally, on the AC&C's website, under statistical reports, there is a link to see the number of "Placements," however, the hyperlink for the document refers to it as a chart for adoptions. This confusion gives the mistaken impression that AC&C is finding homes for more stray animals than is actually the case.⁴² While increasing its reliance on placements over adoptions, AC&C is effectively out-sourcing the responsibility to keep animals healthy and find them permanent, loving homes.

In 2011, 14,000 animals – over a third of those animals taken into AC&C shelters – were diverted to rescue groups through the New Hope partnership program.⁴³ Toni Bodon of Stray from the Heart says that her organization will care for a dog taken out of AC&C until a permanent, suitable home is found, while incurring boarding and medical expenses to treat serious upper respiratory conditions contracted at AC&C operated shelters. While the collaboration between rescue groups and AC&C is completely voluntary, these figures indicate how profoundly AC&C has come to rely on their partners to carry out its mission.

25FD5A0C1609, page 20.

39 <http://www.animalalliancencyc.org/about/annual2010.htm>; http://www.nycacc.org/pdfs/boardmeetings/2012Q2_PublicPresentation.pdf.

40 <http://www.animalalliancencyc.org/about/annual2010.htm>; http://www.nycacc.org/pdfs/boardmeetings/2012Q2_PublicPresentation.pdf.

41 In ACC's Second Quarter 2011-12 Review document (http://www.nycacc.org/pdfs/boardmeetings/2012Q2_PublicPresentation.pdf), page 6 includes a chart with the number of adoptions. However, the figures provided also include placements.

42 <http://www.nycacc.org/Statistics.htm>.

43 http://www.nycacc.org/pdfs/boardmeetings/2012Q2_PublicPresentation.pdf.

Shelter Tales: Lacey

In August 2012, the rescue group Stray from the Heart pulled a pit bull named Lacey from an Animal Care & Control shelter through the New Hope partnership, which coordinates with rescue groups to “pull” certain at-risk animals from City shelters.

At first it appeared that Lacey suffered from kennel cough, an airborne illness rampant in city shelters, according to the ASPCA. But like so many animals that spend time inside a New York City shelter, Lacey’s condition turned out to be much worse.

It was soon discovered that she had pneumonia and required \$5,000 worth of veterinary care, costs that fell entirely on Stray from the Heart. This is a familiar story that once again underscores the degree to which AC&C is outsourcing its responsibility to keep animals healthy and find them permanent, loving homes.

As of September, Lacey has made an almost complete recovery and SFTH is now trying to find her a permanent home – an often lengthy process. Toni Bodon of SFTH says the group is committed to finding good homes for every adoptable dog that comes into their care no matter how long it takes– even though they once had to hold onto a pit bull terrier for 2 years before finding it a family.

C. Shifting the Burden of Responsibility to Outside Groups

New York City is home to a uniquely passionate, committed and organized animal care community. Every day, countless New Yorkers work to improve the quality of life for the city’s stray animal population – whether by volunteering at a shelter, working with a rescue group, adopting a cat or dog or just by keeping watch on their block. As AC&C has continually failed to provide adequate animal care, rescue groups and volunteers have stepped up to supplement AC&C’s activities.

In 2002, the Mayor’s Alliance for Animals, a coalition of non-profit shelters and rescue groups, was founded to end the killing of healthy and treatable cats and dogs at our City’s shelters. In 2005, the

Mayor’s Alliance received an initial \$15 million grant from Maddie’s Fund, a national organization committed to making “no-kill” the standard for all municipal shelters in the country. The purpose of the grant was for the Mayor’s Alliance to work with AC&C to establish a “no-kill” shelter system for the City by 2008, though that target was later revised to 2015.

As part of its activities, the Mayor’s Alliance established AC&C’s New Hope department, which coordinates with rescue groups to “pull” (a term for removing cats and dogs from shelters by means other than adoption) certain animals from City shelters. When a rescue group pulls an animal, it automatically assumes the financial responsibility for all required medical or behavior services, kenneling or foster fees and efforts to find the animal a permanent home. Mayor’s Alliance members receive a small subsidy for each animal for whom they find a permanent home.

The majority of animals eligible for placement are deemed “unadoptable” by the AC&C – either because they have fallen ill, failed the shelter’s “temperament” testing, or suffered from conditions that the shelter does not treat, such as broken or fractured bones. As mentioned earlier, since 2006, New Hope placements have consistently outpaced AC&C adoptions.⁴⁴ In 2011, New Hope placements accounted for more than 70 percent, or 14,162 out of 20,008 AC&C shelter transfers. While the New Hope program achieves the laudable goal of relocating stray animals from City shelters – thereby reducing the shelter population, eliminating potential euthanization and also inflating adoption numbers – the reality is most of the time, the AC&C is simply shifting the burden of animal care onto rescue groups.

Jeff Latzer, co-founder of Adopt NY, which provides resources for rescue groups, recently described the working relationship between those groups and AC&C as follows: “Rescue groups are faced with mounting vet bills stemming from widespread and well-documented AC&C medical neglect, no re-

⁴⁴ <http://www.animalallianceny.org/about/annual2010.htm>.

liable behavior assessments of the animals they're pressured to pull, and a race against the clock to find quality fosters and adopters through very limited means of exposure."⁴⁵

Because of the high rate of illness in City shelters, almost all shelter animals require veterinary care ranging from antibiotics to surgery – sometimes at a cost of hundreds or even thousands of dollars per animal. The fact that so many dogs and cats receive this care is a testament to the commitment of animal rescuers, but also underscores AC&C's limited ability to care for the City's stray population.

Toni Bodon, co-founder of SFTH, says the City should be working with rescue groups to spur adoptions instead of having them pick up the bill for nursing animals back to health. Between August 2009 and September 2010, SFTH spent two-thirds of its \$156,780 operating budget on care for AC&C shelter dogs – with nearly a third of the budget going just to veterinary care alone. SFTH, like many other rescue groups, is run by part-time volunteers and raises its operating costs through private fundraising. Because SFTH spent so much on caring for AC&C animals, the organization was able to rescue fewer dogs.

Further complicating this dilemma for rescue groups are the pleas coming directly from AC&C itself. The daily e-mails that AC&C shelter staff send out to New Hope partners often include subject lines such as "HERE ARE OUR 10 SMALL DOGS AT BROOKLYN ACC WHO NEED YOU, WE ARE OVERLOADED, PLEASE HELP!", "PLEASE HELP THEM, NO ONE RESPONDING" and "ADORABLE SWEET THROWAWAY MOMMA WHO LOVES BELLY RUBS!" [sic]⁴⁶ These e-mails, which can number about six on a given day, include an assessment of the animal's behavior, health and condition, all of which offer insight into the kinds of struggles that healthy animals entering AC&C shelters confront.

45 <http://shelterreform.org/blog/2012/06/25/notes-from-the-underground-volume-15-life-after-volunteer-death/>.

46 7/1/12 AC&C e-mail to New Hope partners; 7/3/12 AC&C e-mail to New Hope partners; 8/12/12 AC&C e-mail to New Hope partners.

Shelter Tales: OptimusPrime

For rescue groups, the financial burden of taking on sick animals is often weighed against the risk of leaving them in the care of AC&C, an organization that is not above prodding rescuers with heart-wrenching e-mails about an animal's deteriorating condition.

For example, a July 26, 2012 e-mail sent out by AC&C advertised a dog named OptimusPrime. The e-mail noted that "OptimusPrime is an EXCELLENT dog!" but then added ominously that a routine exam showed that he "looks like he may be getting sick and is in [a] cage next to a dog with KC [kennel cough]."

"Please pull this vital, charming doggy; he deserves a family as awesome as he is," the e-mail beseeched.

Rescuers interviewed for this report said situations like these are common and often force them to make a tough decision – either rescue these animals and incur whatever costs are needed to nurse them back to health, or delay and risk the possibility that they will succumb to shelter illnesses resulting in an almost certain death, either by disease or euthanasia.

While the commitment of the Mayor's Alliance, rescue groups and other outside organizations is laudable, their ability to continue filling these gaps is contingent upon the availability of grants and the generosity of donors. Sustaining this burden over the long-term is exceedingly difficult. With the increased prevalence of serious shelter-borne diseases, rescue groups face escalating expenses. Many have argued that adoptions are a core function of any shelter and should be funded with public, rather than private dollars to assure continuity of services.

D. Feral Cats

It is estimated that tens of thousands of feral cats roam New York City's alleyways, backyards and other outdoor spaces.⁴⁷ Cats must be socialized at a young age to appreciate human companionship. As such, most feral cats are rarely suitable for adoption. As a result, many animal care advocates agree that the most humane solution to controlling

47 <http://www.nycferalcat.org/>.

this population is a practice known as Trap-Neuter-Return (TNR). TNR involves humanely trapping feral cats, sterilizing them, clipping their left ear tip for identification, and then returning the animal to its familiar habitat. Friendly cats and kittens young enough to be socialized are put up for adoption.⁴⁸

Surprisingly, AC&C does not perform TNR or any other practice to reduce the city's feral cat population. Instead, AC&C relies on rescue groups to do the work through the New York City Feral Cat Initiative, run by the Mayor's Alliance.

As part of AC&C's agreement with the Mayor's Alliance and Maddie's Fund, "no-kill" protections only extend to animals that are potentially adoptable. Because feral animals are not socialized, they often fail to meet AC&C's standard for being kept alive – whereas, had the animal gone to a rescue group instead, it would have received TNR and likely survived.

As passed, Local Law 59 required that the DOHMH issue regulations for animal groups to perform TNR, a curious decision given AC&C's hands-off attitude toward the practice. However, in August 2012, the City Council amended the law to remove this requirement.

E. Lack of Transparency

Tracking AC&C's costs and expenditures with any precision is difficult at best today, despite the fact that it relies on tax dollars and is overseen by a City agency. As a contractor of the City of New York, AC&C is not subject to the same disclosure requirements as a City agency. Whereas the public can easily learn about the DOHMH's fiscal activities through public budget documents, there is no line in the City budget for AC&C spending – only what the DOHMH reports as part of its overall agency spending.

Instead, as a non-profit corporation, AC&C is required to submit a Form 990 to the State Attorney General's office. While this document gives

a rough breakdown of AC&C's total revenue and expenditures on salary and infrastructure expenses, it does not require AC&C to disclose details on spending for specific services, such as adoptions, where there has been a 37 percent decline over the past six years.

III. SECURING THE FINANCIAL FUTURE

As part of the negotiations concerning Local Law 59, the City committed to a one-time infusion of \$10 million dollars into AC&C's budget. The first \$1 million was given at the time of the agreement and \$3.8 million was added into the FY 2013 budget. The remaining \$5.2 million is scheduled to be distributed over the next two years and will bring AC&C's budget for FY 2014 to \$12 million.⁴⁹ This will increase per capita spending on animal care to \$1.46 for every New Yorker – well below the \$3.75 minimum that the ASPCA estimated in 2007 is necessary in order to run a comprehensive shelter system in New York City.⁵⁰ By comparison, Los Angeles spends \$5.30 per capita and Miami spends \$4.36 per capita.⁵¹

Outside groups have dedicated their money and resources in an attempt to close this gap. In 2010 the ASPCA spent around \$20 million on direct animal care programs in the city and Mayor's Alliance contributed an additional \$6 million to supplement efforts.⁵² Additionally, hundreds of smaller rescue groups across the city spend thousands of dollars each year on similar efforts. However, throwing money at a problem is not always the solution – rather, better

49 http://www.nyc.gov/portal/site/nycgov/menuitem.c0935b9a57b-b4ef3daf2f1c701c789a0/index.jsp?pageID=mayor_press_release&catID=1194&doc_name=http%3A%2F%2Fwww.nyc.gov%2Fhtml%2Fom%2Fhtml%2F2011b%2Fpr274-11.html&cc=unused1978&rc=1194&ndi=1; <http://www.nyc.gov/html/doh/downloads/pdf/public/testi/testi20110909.pdf>.

50 September 14, 2006 memo from ASPCA Senior Vice president for Government Affairs and Public Policy, Lisa Weisberg. . DOHMH argues that a more accurate measure of spending is to consider per animal rather than per capita. The agency cites varying pet ownership rates across different cities, with New York City being lower than most. However, per capita spending is the metric used by the ASPCA, US Humane Society and other leading animal care advocacy organizations as well as most municipalities.

51 http://las.depaul.edu/chaddick/docs/Docs/Companion_Animal_Final_Report_030310.pdf.

52 Testimony of Ed Sayres President of the ASPCA, before the New York City Council Committee on Health, 12/17/2010; <http://www.animalalliance-nyc.org/about/annual2010.htm>.

48 Ibid.

management structures and improved strategies are necessary.

A. Dog Licensing

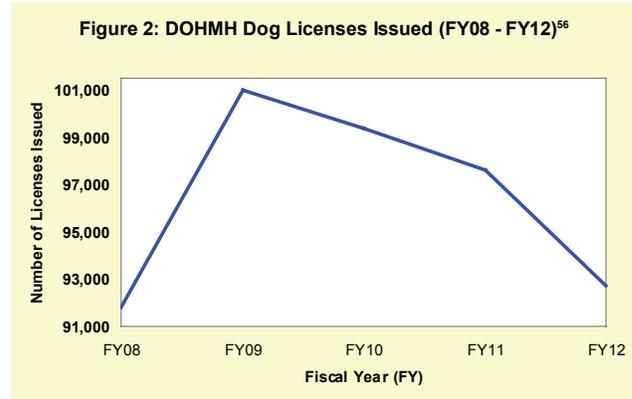
Revenue from dog licensing presents an important opportunity to supplement city spending on animal care. Cities like Seattle and Calgary, Alberta, Canada rely on these revenues to fund their animal operations. In fact, the City of Calgary Animal and Bylaw Services does not use any taxpayer funding to cover its \$5.9 million budget.

In New York City, the DOHMH is responsible for implementing dog licensing, with the majority of revenue going to the City’s general fund and – thanks to state legislation passed in 2012 sponsored by State Assemblymember Linda Rosenthal and State Senator Tom Duane – a small portion of collected fees is now directed to the Animal Population Control Fund to provide spay and neutering services for low-income individuals.⁵³ However, the AC&C only provided about a tenth of the over 67,000 spay/neutering surgeries reported in 2011 – with the ASPCA and Maddie’s Spay/Neuter project responsible for the vast majority of procedures.⁵⁴ If this revenue were fully redirected to the AC&C, then the non-profit would have the flexibility to spend the money on operational costs, as necessary.

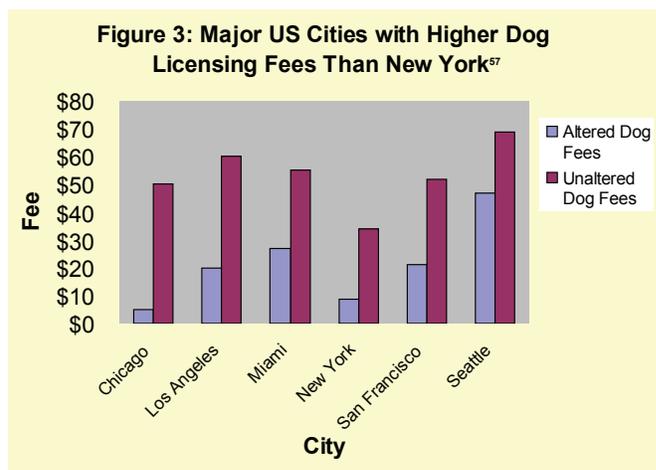
To date, New York’s City’s dog licensing program has been poorly implemented, costing AC&C millions of dollars a year in uncollected potential revenue. Currently, only 10 percent of New York City’s estimated one million dogs are licensed (the DOHMH estimates the number at closer to 500,000 dogs; however the ASPCA pegs the number at over a million).⁵⁵ This pales in comparison to cities like Calgary which has a 90 percent compliance rate. Furthermore, the situation appears to be getting worse. According to the September

53 http://www.nycbar.org/pdf/report/Control_Animal_Report061109.pdf.
 54 <http://www.nyc.gov/html/doh/downloads/pdf/vet/2012-annual-statistical-report.pdf>; <http://www.animalallianceny.org/about/progress2011.htm>
 55 September 14, 2006 memo from ASPCA Senior Vice president for Government Affairs and Public Policy, Lisa Weisberg; Testimony of Ed Sayres President of the ASPCA, before the New York City Council Committee on Health, 12/17/2010.

2012 Mayor’s Management Report, the number of dog licenses issued has declined in each of the last three fiscal years, including a 5 percent decline between Fiscal Years 2011 and 2012.



In addition to a declining rate of licensing compliance, New York City’s licensing fees are among the lowest in the country: \$8.50 for altered dogs and \$34 for unaltered (altered animals have been spayed/neutered). If increased to levels commensurate with other major cities, these fees, which are set by the State government, would provide New York City’s animal care system with millions of dollars in added revenue. Additionally, New York City does not license cats – doing so would create another potential source of revenue. Any increase in dog licensing fees or redirection of the subsequent revenue would require legislation with State approval. DOHMH has been supportive of increasing licensing fees and should continue its work with the animal care advocacy community and elected officials towards this goal.



56 http://www.nyc.gov/html/ops/downloads/pdf/mmr0912/0912_mmr.pdf.
 57 <http://chicityclerk.com/dog-registration/prices.html>; http://animalcare.lacounty.gov/cms1_153864.pdf; <http://www.miamidade.gov/animals/dog-license.asp>; <http://www.nyc.gov/html/doh/html/vet/vet-doglicense.shtml>; <http://www.sfgov2.org/index.aspx?page=2856>; <http://www.seattle.gov/animalshelter/licensing-fees.htm>.

By focusing on increasing compliance and working with the State Legislature to increase fees the City can charge for licensing, AC&C could create a new revenue model to ensure it has the necessary funds to fulfill its mission. A September 14, 2006 memo from ASPCA Senior Vice President for Government Affairs and Public Policy, Lisa Weisberg, outlines the ways that AC&C could drastically increase revenue by improving dog license compliance.

The ASPCA memo estimates there are one million dogs in New York City and roughly one third of those dogs are altered (spay/neutered). Based on those figures, the ASPCA estimates AC&C could generate a minimum of \$8.5 million per year by increasing compliance to 100 percent. Furthermore, increasing the licensing fee to a minimum of \$10 could render some \$11.5 million.

While a 100 percent – or even 90 percent – rate of compliance may be an unreasonable goal for New York to achieve given its sizable population, a boost from 10 to 30 percent is attainable. Assuming the current pricing scheme and a 30 percent rate of compliance, the AC&C could generate \$7.65 million in new revenue. Adding this sum to the Fiscal Year 2014 baseline budget of \$12 million would give AC&C \$19.65 million in funds – a 64 percent increase.

Taking these calculations a step further, if licensing fees increase to \$20/\$50 for altered/unaltered animals, comparable to the current fees of Los Angeles and San Francisco, then a 30 percent compliance rate could net the AC&C an additional \$12 million for a total of \$24 million in funds – an impressive 100 percent increase. In short, the City could double AC&C's current budget simply by aligning its licensing fees with other major cities and undertaking a pro-active campaign to license more animals.

B. Strategies to Increase Licensing Compliance

As part of Local Law 59, the DOHMH launched the “Is Your Dog a Real New Yorker” campaign to

encourage greater dog licensing. The campaign consisted of ads placed throughout the city, but ran for only about 90 days between October 2011 and January 2012.⁵⁸ It is unclear what, if any, additional strategies accompanied the ad campaign. Despite the campaign, the number of dog licenses issued declined 5 percent between July 2011 and June 2012. Furthermore, the 92,700 licenses issued during that time frame were well short of the DOHMH's stated target of 105,000.⁵⁹

While this program was a step in the right direction, clearly more needs to be done. In 2006, the ASPCA recommended several strategies that the DOHMH and AC&C could implement for increasing compliance, including mandating licensing at “points of transfer” (adoptions or sales), and authorizing external entities to sell dog licenses, such as veterinarians, humane societies, shelters, pet shops, boarding, grooming and training facilities. Unfortunately, none of these recommendations have been implemented.

Bill Bruce, who ran the highly successful City of Calgary Animal and Bylaw Services for 12 years (see Section IV), believes the secret to significantly boosting licensing compliance is a value-based approach. Simply put, pet owners are more likely to license their animal if they can see the tangible benefits of what they are paying for. Licensing should not be viewed as a burden, but rather as a value added for a pet owner. One easy-to-replicate idea is Calgary's “I Heart My Pet Rewards” program, which gives discounts on restaurant meals, hotels, car services and clothing at over 60 participating businesses. Bruce estimates most pet owners recoup their licensing fee after one or two purchases.

Moreover, because Calgary's \$5.9 million animal operation budget is funded completely with revenue collected from licensing and other fees, the agency has a strong incentive to focus on generating this revenue.

⁵⁸ <http://www.nyc.gov/html/doh/html/pr2011/pr025-11.shtml>.

⁵⁹ http://www.nyc.gov/html/ops/downloads/pdf/mmr0912/0912_mmr.pdf.

In addition to increasing awareness and enforcement, an effective licensing campaign must also eliminate barriers to licensing compliance. As such, Calgary has made licensing as convenient as possible, including automatically sending out renewal notices, establishing a 24-hour hotline to license pets, creating an online form and allowing owners to license animals at the bank or even directly through an officer.⁶⁰

Recently, Chicago has shown how a comprehensive campaign can boost dog-licensing compliance in a short period of time. Chicago is home to roughly 560,000 dogs and has historically struggled to get dog owners to license their pets, with an estimated compliance rate of 5 percent as of 2011.⁶¹ In fall 2011, Chicago City Clerk Susana Mendoza announced the City would begin a significant crack-down on pet owners who did not license their dogs following a 90-day education and public awareness campaign and a “Dog of Distinction” contest.

The results have so far been impressive: through the first quarter of 2012, 9,100 Chicagoans have registered their dogs – more than double the number of dogs registered during the first quarter of 2011.⁶² Additionally, dog-licensing revenue is up 118 percent over that same time period. While Chicago still has a long way to go, this initiative gives New York a tangible example of how a comprehensive awareness campaign can yield immediate results.

C. Fundraising and a Revenue Generation Model

A June 5, 2011 *New York Times* article estimates the United States Pet Industry generates over \$55 billion in annual revenues.⁶³ In 2007, the ASPCA estimated the industry is responsible for over \$100 million in tax revenues for New York City alone.⁶⁴

60 <http://network.bestfriends.org/groups/conferences/news/archive/2008/10/31/municipal-animal-programs-that-work.aspx>.

61 <http://www.suntimes.com/news/cityhall/8412365-418/no-dog-license-you-could-finally-face-a-ticket-in-chicago.html>.

62 Ibid.

63 http://www.nytimes.com/2011/06/05/business/05pets.html?pagewanted=all&_moc.semityn.www.

64 Source: Documents submitted to the Manhattan Borough Board on 2/15/07.

AC&C should be working with the pet services industry to boost private fundraising and form public-private partnerships to promote its operations, such as dog-licensing compliance or adoptions.

In FY 2011, AC&C reported it had raised a paltry \$56,276 from private sources – equivalent to less than half a penny per New Yorker. In contrast, Stray from the Heart, a group run by part-time volunteers, raised \$156,780 in 2010 from private funds – nearly three times as much as AC&C in roughly the same time period.

By comparison, the Central Park Conservancy raised \$38.9 million through fundraising and invested revenue. By restructuring the AC&C board to include the city’s passionate and generous philanthropic community as well as individuals with marketing expertise, the City could significantly increase private fundraising revenue.

When combined with an increase in dog-licensing compliance and a steady commitment in funding from the City, the results could be transformative for AC&C. For example, if:

- The City were to establish a baseline funding of \$10 million a year for AC&C (\$2 million less than FY 14 projections);
- Dog licensing fees were restructured to generate \$12 million a year through an increase to \$20/\$50 for altered/unaltered animals and a 30 percent compliance rate; and
- A new AC&C board raised about a quarter of the Central Park Conservancy’s annual fundraising haul – approximately \$9 million

Then the AC&C would have a robust \$32 million a year in funding to carry out its mission. That is the equivalent of \$3.90 per capita, slightly above the ASPCA’s estimate of minimum required spending in order to provide comprehensive animal care services for New York City.

IV. BEST PRACTICES: JURISDICTIONS WITH SUCCESSFUL ANIMAL CARE SYSTEMS

As part of this report, information was gathered on animal welfare systems in other cities that are independent, staffed by trained animal care experts in leadership positions and have robust fundraising operations that leverage the goodwill of their communities. All are recognized as models in the field of municipal animal shelter operation.

Calgary, Alberta, Canada

Calgary, home to 1.1 million residents, has the most impressive municipal shelter system in North America. The City of Calgary Animal and Bylaw Services, run from 2000 to 2012 by Bill Bruce, funds its entire \$5.9 million annual budget at no cost to taxpayers.⁶⁵ Instead, it relies entirely on its own revenues – a mixture of licensing, adoption, fines, and other sources. The licensing compliance rate for dogs is 91 percent and the euthanasia rate is a mere 6 percent; for cats it is 50 percent and 18 percent respectively.⁶⁶ Despite having a population one-eighth the size of New York City, Calgary boasts roughly 11,000 more licensed dogs than the five boroughs (using the ASPCA's estimate of 100,000 dogs).⁶⁷

This success starts at the top. Bruce was granted the freedom and independence to make key changes to the Calgary shelter system. His unique approach started with the belief that the emphasis in animal care should be placed on humans, rather than their pets. "Any animal that ends up in a shelter is there because the human end of the relationship failed," he says.⁶⁸ From there, Bruce implemented a three-pronged approach to responsible pet ownership: licensing, public education and enforcement.

As discussed in Section III of this report, Bruce's approach focused on creating a value for licenses. Pet

65 <http://www.thestar.com/news/article/1053251--what-cowtown-s-pound-can-teach-hogtown>.

66 <http://saveourdogs.net/2009/08/09/the-calgary-model-for-success/>.

67 <http://www.calgary.ca/CSPS/ABS/Documents/ABS-2011-Annual-Report.pdf>.

68 <http://saveourdogs.net/2009/08/09/the-calgary-model-for-success/>.

owners are more likely to license their animal if they can see the tangible benefits of what they're paying for – as seen in the successful "I Heart My Pet Rewards" program. Another clear benefit is the City's return-to-owner policy, which provides drop-off service at home for any licensed animal found alone on the street.

Calgary puts its licensing revenues to work. For instance, in 2011 the system processed 731 animals through a No Cost Spay/Neuter Program funded entirely from cat-licensing fees.⁶⁹ Revenue from the dog-licensing program goes directly to covering the cost of operations. The benefits of licensing are touted in the agency's 2011 annual report: "Licensing allows pets to be returned to their owners faster and reduces euthanization rates. Calgary has one of the highest return-to-owner and lowest euthanization rates in North America."⁷⁰

One important distinction between the approaches taken by Calgary and New York City is the cost of licensing an animal. The DOHMH charges \$8.50 for neutered dog and \$34 for non-neutered, whereas Calgary charges \$31 for a neutered dog and \$53 for non-neutered. Additionally, Calgary charges for cat licensing – \$15 for altered and \$30 for unaltered. This is a significant boost that undoubtedly helps with generating needed revenue. At the same time, the "I Heart My Pet Rewards" program allows owners to quickly recoup licensing fees through discounts.⁷¹ It is a win-win for animal owners and the shelter system.

San Diego, California

Mike Arms, Director of the Helen Woodward Animal Center (HWAC) in San Diego, believes a shelter system should be run like any successful multi-million dollar business – "Marketing, fundraising and promotion... that's the first thing you have to do." Since Arms took over in 1999, the Center's endowment has increased from virtually nothing to \$10 million. The Center is also launching a \$50 million expansion project.

69 <http://www.calgary.ca/CSPS/ABS/Documents/ABS-2011-Annual-Report.pdf>.

70 <http://www.calgary.ca/CSPS/ABS/Documents/ABS-2011-Annual-Report.pdf>.

71 <http://www.thestar.com/news/article/1053251--what-cowtown-s-pound-can-teach-hogtown>.

HWAC has the highest adoption fees in all of San Diego County, yet is one of the most popular private animal shelters in the country. Arms' approach is simple: a warm and inviting shelter and an aggressive media strategy will drive foot traffic. In 1999, HWAC launched the "Home 4 the Holidays" pet adoption campaign, which strives to reduce euthanasia by encouraging families to adopt a pet rather than purchase from a puppy mill or backyard breeder. The campaign has quickly grown from fourteen shelters in San Diego County to a national campaign that has resulted in the adoption of over seven million animals in the past twelve years.

Additionally, HWAC uses the momentum of current events as a tool to drive potential adopters to visit their facilities. During the Occupy Wall Street movement in fall 2011, HWAC staged an "#Occupyhearts protest" to raise awareness for adoptions. Animals were accompanied by signs that said "too cute to fail" and "I am the K-99%." Arms says a successful shelter should find ways to engage the media: "You have to market your product and increase footsteps by playing up the beautiful pets that you have."



Photo of puppy at Helen Woodward Animal Shelter's Occupy Hearts adoption drive on October 20, 2011.⁷²

⁷² <http://helenwoodwardanimalcenter.wordpress.com/2011/10/20/occupy-protests-gone-to-the-dogs/>.



Photo of puppy at Helen Woodward Animal Shelter's Occupy Hearts adoption drive on October 20, 2011.

Arms also believes shelter system success begins at the top with the Executive Director and that independence is necessary for effective leadership. "I can't work if my hands are tied and I can't get things done," he says. When asked how New York could adopt an incentive-based approach to encourage animal licensing compliance, Arms offered a truly outside-the-box idea: raise the base dog licensing fee from \$8.50 to \$9. Then set aside revenue generated by that extra fifty-cent increase and create a lotto where each year one owner of a licensed animal is selected and given a cash prize. Arms' point is whether you are trying to get people to comply with laws or adopt animals, it all starts with generating attention and getting people excited to be part of your solution.

Washoe County, Nevada

Public-private partnerships can provide a strong foundation for a municipal shelter system, provided there is strong leadership at the top.

One of the more unique public-private partnerships is in Washoe County, Nevada – home to Reno and approximately 430,000 residents. Since 2006, Washoe County Animal Services (WCAS) and the Nevada Humane Society have operated out of the same building and developed a joint strategy for pro-

viding animal care. In the first year, adoption rates increased by 53 percent for dogs and 84 percent for cats while the “save rate” for dogs increased county-wide by 50 percent.⁷³ Today, Washoe County boasts a 9 percent euthanasia rate – among the lowest in the nation.⁷⁴ The collaboration behind this remarkable turnaround is documented in a report by WCAS Manager Mitch Schneider entitled “*Creating a Win-Win: Reducing Costs While Improving Customer Service and Public Support.*”⁷⁵

V. A LOCAL GOVERNANCE MODEL: THE CENTRAL PARK CONSERVANCY

In addition to employing best practices from other animal welfare agencies, the City should redesign AC&C’s governance structure along the model of the Central Park Conservancy.

In the late 1970s, Central Park was in a state of disrepair and neglect. In response, the Central Park Conservancy was founded in 1980 by merging the Central Park Task Force and the Central Park Community Fund into one group. These individual groups had formed in response to concerns that Central Park was being abandoned because of its astoundingly high crime rate. Many philanthropists and community members were concerned over the fate of the park.

Today Central Park is one of the nation’s greatest public spaces, thanks largely to over \$470 million in funds raised privately by the Conservancy since its founding. Although the Parks Department retains policy control over the park, 85 percent of its \$45.8 million annual budget – approximately \$38.9 million – is raised independently each year by the Conservancy and its dedicated board.⁷⁶

The Conservancy is run by a board of trustees that has 52 members. The Mayor appoints five, and there are four ex-officio members, including the Manhattan Borough President, the Commissioner of the Department of Parks and Recreation, the President of

73 <http://www.cvent.com/events/2012-no-more-homeless-pets-national-conference/custom-17-7c5bde28f9439ca5c058e2f7300b65.aspx>.

74 <http://www.toledoblade.com/local/2011/08/06/Collaboration-results-in-reduced-dog-euthanasia-rates-officials-say-2.html>.

75 cma.org/Documents/Document/Document/303807.

76 <http://www.centralparknyc.org/about/>.

the Women’s Committee for the Central Park Conservancy, and the President and CEO of the board. The other members, who have to run for re-election every two years, are meant to support the city’s businesses and philanthropic goals and are expected to donate to help fund the restoration, maintenance, and projects of the park. The Board of Trustees elects its President and CEO, a Board Chair, Vice-Chairs, a Secretary and a Treasurer every year. There are no term limits for any elected members of the board.

The AC&C should adopt a similar model as the Central Park Conservancy. A larger board would add diversity and independence to the AC&C’s structure and improve its ability to raise private sector dollars, while also adding a level of animal welfare expertise that simply does not exist today.

VI. RECOMMENDATIONS

1. RESTRUCTURE AC&C INTO AN INDEPENDENT NON-PROFIT MODELED AFTER THE CENTRAL PARK CONSERVANCY

Under its current model, AC&C lacks the independence and funding to fulfill its mission. The best chance at reversing this trajectory and providing New Yorkers with the animal care system they deserve is by restructuring the AC&C.

As with any successful agency, non-profit or private sector company, leadership starts at the top. An Executive Director must have authority over day-to-day operations and a level of financial support that allows for the creation of a clean, safe, forward-thinking animal welfare system. The best way to accomplish this is through an expanded board comprised of expert stakeholders with broad knowledge of animal welfare issues, as well as dedicated private citizens with a passion for supporting the City’s shelter system. Such a framework would vastly expand AC&C’s ability to raise funds, while also providing a level of expert oversight that does not exist today.

AC&C currently has a nine-member board of directors, all of whom serve at the pleasure of the Mayor, and the Commissioner of the Health Department

chairs the board. As outlined in Section V, the Central Park Conservancy has a 52-member Board of Trustees – with only five appointed by the Mayor and the rest selected by fellow board members. The composition of the board includes a robust mixture of individuals with knowledge. Although the Parks Department retains policy control over the park, 85 percent of its \$37.4 million annual budget is raised independently by the Conservancy and its dedicated board.

Implementation

Changes to the AC&C's structure can be made by the corporation's Board of Directors. Additionally, the City Council could push for changes as part of contract negotiations when the current AC&C agreement with the City expires in 2015.

From there, the City should seed the new AC&C board with an initial group of roughly ten individuals who can help the new board establish new by-laws and a system for selecting new members. Initial representation on the AC&C board should include outside experts in animal care who can counsel AC&C management, such as the ASPCA, Mayor's Alliance and other organizations that have significantly invested in improving New York's homeless animal population. As with the conservancy, the board members should decide on their own system for governance, independent of municipal control. With this solid foundation in place, the reconstituted AC&C should bring on a strong Executive Director to oversee day-to-day operations.

In order to significantly boost collaboration, promotional efforts and private sector fundraising, individuals with development and marketing expertise and members of the pet services industry should be represented on the board. The DOHMH should serve as an ex-officio member and its relationship with AC&C should be similar to that of the Parks Department and the Central Park Conservancy. However, it is crucial the new board be granted the freedom to run the day-to-day operations of the City's shelters.

By bringing together these diverse stakeholders, AC&C would be able to take on a stronger leadership role in the city's animal care community and

work with outside groups on a coordinated approach to fundraising and spending. This would help ensure that spending on animal care happens in the most strategic and efficient manner.

Support

Proposals to reform AC&C's Board of Directors and re-model it based on a structure similar to that of the Central Park Conservancy have already attracted tremendous support in the animal care community. In Fall 2011, Manhattan Borough President Stringer launched the Protecting Animal Welfare and Safety (PAWS) campaign to encourage New Yorkers to support such a reform proposal. To date, the petition has received over 8,800 signatures, nearly 5,000 likes on Facebook and over 200 tweets.⁷⁷

2. SUBSTANTIALLY INCREASE REVENUE THROUGH AGGRESSIVE PRIVATE FUNDRAISING AND PROMOTING PET LICENSING COMPLIANCE

In order to attain necessary operational funds, establish appropriate shelter conditions and pay for necessary capital expenditures, the new board should develop a business plan with an emphasis on proactively identifying new opportunities to increase licensing compliance and adoptive services. One way to do this is to partner with corporations, cultural institutions and the pet service industry to raise awareness about AC&C activities. The goal should be to generate excitement and media attention around AC&C and its services.

Additionally, the AC&C board should focus fundraising efforts on necessary capital expenditures – such as new shelter facilities. People are more likely to give money if they can see the tangible benefits of their donations. Additionally, calling attention to necessary capital projects would generate interest in shelter activities. If a reconstituted AC&C board raised a quarter of what the Conservancy does, that would be over \$9 million a year – enough to double the AC&C's budget.

Currently, the responsibility for enforcing pet license compliance rests with the DOHMH, with the majority of revenue going straight to the agency and a

⁷⁷ <http://www.mbpo.org/paws/>.

small portion directed to spay/neutering services. The City and AC&C should work with state legislators to transfer this responsibility to the reconstituted AC&C. The new Executive Director and dynamic new board should then be charged with developing a multi-faceted approach to increasing revenue from pet licensing that includes:

- Mandating the issuance of dog and cat licensing at all “points of transfer” (adoptions or sales) and authorizing external entities to sell dog licenses, such as veterinarians, humane societies, shelters, pet shops, boarding, grooming and training facilities;
- Undertaking a robust publicity campaign to advertise the animal welfare benefits of licensing dogs and cats, especially now that licenses can be obtained easily and quickly online. The City should involve all relevant stakeholders – rescue groups, pet store owners, dog-run operators, city schools – to raise awareness and engage the general public. This should be a comprehensive effort that utilizes digital tools and harnesses the energy of the City’s active animal care community. The NYPD and Parks Police should be encouraged to issue warnings, and then summonses, to increase compliance; and
- Creating an incentive rewards program to encourage dog and cat licensing, modeled after Calgary’s “I Heart My Pet Rewards.” Such a program would not just incentivize compliance but also provide pet owners with an opportunity to save money on needed pet products and services.

In addition, the reconstituted AC&C should work with the State Legislature to increase the licensing fee, which at \$8.50 for spayed/neutered animals is one of the lowest fees in the country.

AC&C has the potential to more than triple its annual funds by aggressively targeting private fundraising and boosting pet compliance. As with the Central Park Conservancy model, public funding should continue to pay for a portion of animal care services, but the reconstituted AC&C should move aggressively to create its own revenue stream that would give it the

needed independence and flexibility to effectively revamp its operations.

3. COMMIT TO BUILDING FULL-SERVICE ANIMAL SHELTERS IN THE BRONX AND QUEENS

According to AC&C’s website, the non-profit is under contract with the City “to rescue, care for and find loving homes for homeless and abandoned animals” in New York City. Central to this responsibility should be finding humane ways to decrease the stray animal population of our City. There is no better way of accomplishing this than through full-service animal shelters, which provide adoption programs, spay and neutering and lost-and-found services. This three-pronged approach tackles both the root of the stray population and strives to put healthy animals in loving homes. Full-service shelters also provide a nexus for rescue groups and volunteers to create strong, community-based programs dedicated to animal welfare.

The DOHMH estimates these shelters would cost \$25 million for construction and \$10 million annually for operation. While this is a significant sum of money, it is also a necessary investment in the shelter system. Construction of the Bronx and Queens shelters would also give the reconstituted AC&C a worthy and tangible project to fundraise around – one that could potentially generate positive press attention for the shelter system.

These facilities would not just give residents access to services such as adoptions, spay and neutering and lost and found – which will help control the stray animal population in these boroughs – but would also help reduce overcrowding at the Manhattan and Brooklyn shelters. Further investment should also be made to the antiquated facilities in Manhattan and Brooklyn, which are in serious need of an upgrade.

By implementing these sensible reforms, AC&C can finally have the independence, expertise and revenue generating ability it needs to properly fulfill its mission. And in doing so, we can re-establish New York City as a national leader in animal care.



SCOTT M. STRINGER

MANHATTAN BOROUGH PRESIDENT

Municipal Building One Centre Street, 19th Floor New York, NY 10007

Tel: 212.669.8300 Fax: 212.669.4306

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***The City of New York
Office of the Comptroller
Bureau of Management Audit***

WILLIAM C. THOMPSON, JR.
Comptroller

**Audit Report on the
Shelter Conditions and Adoption Efforts of the
Center for Animal Care and Control**

ME01-109A

June 6, 2002

William C. Thompson, Jr.
Comptroller

Deputy Comptroller for Policy,
Audits, Contracts & Accountancy
Greg Brooks

Assistant Comptroller for Audits
Roger Liwer

Director of Management Audit
Faige Hornung

Assistant Director of Management Audit
Edward Carey

Audit Manager
Lisa Dogim Ableman

Auditor-In-Charge
Marianne Galgano

Auditors
Karen Barclay
Judy Louie

Report Editor
Carol Brownell

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EXECUTIVE SUMMARY

Background

The Center for Animal Care and Control (CACC) is a not-for-profit corporation that was formed for the purpose of providing animal care and control services in the City of New York. CACC's contract with the New York City Department of Health (DOH) took effect on January 1, 1995, when it followed the ASPCA as New York City's provider of animal care and control services.

CACC's contract with DOH requires that it "provide animal seizure, shelter and care services . . . and related services." In order to provide these services, CACC is to maintain an emergency telephone number for receiving complaints regarding animals, in response to which CACC is to seize "unlicensed or unleashed dogs, cats whose owners are not identified, vicious and dangerous animals, animals that have bitten, rabid or suspected rabid animals, prohibited, exotic or wild animals, and venomous reptiles and bats." CACC is also required to accept "animals which are lost, stray, homeless, unwanted or abandoned with professional caretakers," and to maintain a process by which all licensed dogs and owner-identified cats seized "may be expeditiously claimed and returned to their owners." CACC's contract further specifies that it "shall operate animal shelter facilities in the boroughs of Manhattan, Brooklyn, and Staten Island . . . open to the public on a 7 day a week, 24 hours a day schedule, every day of the year excluding major holidays." The "care of animals at the shelters shall include feeding, boarding (including bedding and cleaning of cages), watering, exercising, and provision for immediate first aid as required, including but not limited to isolation of sick animals as necessary." CACC is to "operate and maintain animal receiving facilities . . . in the boroughs of the Bronx and Queens." CACC "shall provide adoption services at the shelters and receiving facilities and shall promote

adoption as a means of placing animals.” In addition, “for all adopted dogs and cats [CACC] shall provide, or cause to be provided, spay/neuter services and administer rabies immunizations pursuant to the New York City Health Code.” The contract also requires that CACC “enlist the aid of volunteers and . . . conduct education and community outreach concerning animal control and public health issues related thereto.”

CACC’s mission statement is quoted on its website and in its *Report 1998 & 1999* as follows:

“The Center for Animal Care and Control, Inc. is dedicated to providing humane care for all New York City animals in need, while protecting the public health and safety of New Yorkers. CACC will give the most humane care possible to the hundreds of animals that are brought to our shelters each day. The CACC works together with the citizens of New York City, including area shelters and humane organizations, to reduce the number of homeless animals through increased adoption, spay/neuter programs, animal rescue services and by heightening awareness about the responsibility of having an animal companion.”

In addition, according to the description of its mission in its staff manual,

“The CACC has numerous programs and provides numerous services. These include but are not limited to sheltering animals; picking up animals that are at-large, sick, or dangerous; returning lost animals to their owners whenever possible; providing for the adoption of homeless animals to responsible persons; and, when necessary, providing a humane and painless death.”

CACC provides these services to the approximately 60,000 animals that come into its shelter system each year at five facilities—three full-service shelters in Manhattan, Brooklyn, and Staten Island, and two small receiving centers in Queens and the Bronx. The vast majority of the animals that come into CACC’s shelters are cats and dogs. The Manhattan shelter can house approximately 500 cats and dogs; the Brooklyn shelter, approximately 400; the Staten Island shelter, 150-200; and the Queens and Bronx receiving centers, 19 and 50, respectively.

CACC also has a Field Operations Division, which responds to calls from the public and government agencies, using a fleet of 15 rescue vans to pick up stray or homeless animals, animals that threaten public safety, and sick, injured or dangerous wildlife.

According to CACC’s Monthly Animal Activity Reports, during calendar year 2000 a total of 60,877 animals came into its shelters—55,376 cats and dogs,

and 5,501 other animals. Of these 60,877 animals, 14,270 were adopted, 677 were returned to their owners, and 41,203 were euthanized.

During calendar year 2000, CACC had a total budget from DOH of approximately \$8.3 million. In addition to its five animal facilities, CACC has an administrative office in downtown Manhattan. During calendar year 2000, CACC employed approximately 170 people in its shelter, administrative, and executive functions.

Objectives

The objective of this audit was to evaluate the following two aspects of CACC's services:

- the conditions under which animals are sheltered in CACC's facilities; and
- the level and success of CACC's efforts to promote the adoption of animals from its shelters.

These two aspects of CACC's services are addressed in both CACC's contract and its mission statement. Specifically, CACC's contract with DOH states that CACC "shall meet all its obligations under [the contract] in a humane manner . . ." and that CACC "shall provide adoption services at the shelters and receiving facilities and shall promote adoption as a means of placing animals." CACC's mission statement states that CACC "is dedicated to providing humane care for all New York City animals in need . . . [and] the most humane care possible to the hundreds of animals that are brought to our shelters each day" and "works . . . to reduce the number of homeless animals through increased adoption, spay/neuter programs, animal rescue services and by heightening awareness."

Other areas of CACC's services that were not covered by this audit are described in the body of this report (page 4).

Scope and Methodology

The scope of this audit was CACC's shelter conditions and adoption efforts between January 1, 1999, and June 30, 2001.

To obtain an overview of CACC's structure, services, operations, policies, and procedures, we interviewed all members of CACC's executive and managerial staff, and two members of CACC's board of directors. We reviewed CACC's written policies and procedures, the Monthly Animal Activity Reports that CACC is required to submit to DOH, CACC's staff manual, CACC's 2000 Certified Public Accountant (CPA) report, and minutes for meetings of CACC's

board of directors from January 1999 through June 2001. We also attended three board of directors' meetings. During the course of the audit, we reviewed CACC's personnel, disciplinary, financial, and marketing files, as well as data in the CACC shelter management computer system, known as "Chameleon."

To determine whether CACC is sheltering animals under humane conditions in compliance with its contract, we visited CACC's five facilities a total of 15 times between February and April 2001.

To evaluate the success of CACC's adoption efforts, we analyzed the data in the CACC Monthly Animal Activity Reports submitted to DOH for January 1999 through June 2001. To assess the level of CACC's efforts to promote adoption as a means for placing animals, we interviewed executive and managerial staff regarding adoption programs and marketing efforts, reviewed CACC's files on special events, off-site adoptions and advertising, and reviewed the CACC website.

To evaluate CACC's use of volunteers to help improve shelter conditions and increase animal adoptions, we interviewed executive and managerial staff and reviewed CACC's files on volunteer activities.

To determine how CACC's shelter operations, adoption efforts, reliance upon volunteers, and fundraising compare to those of other shelters across the country, we conducted a telephone survey of 13 municipal animal care and control centers in other major cities throughout the country. We also gathered information on several New York City area shelters to determine how CACC compares to them in terms of staffing levels, adoption efforts, reliance upon volunteers, and fundraising.

To determine the general public's level of awareness of CACC and its services, we conducted a telephone survey of New York City residents.

To determine the level of user satisfaction with CACC's adoption and shelter services, we conducted telephone surveys of CACC customers and rescue groups.

Since we were prevented from speaking to current shelter staff without a supervisor being present (See "Audit Limitations"), we interviewed former CACC employees in order to obtain information on CACC's actual practices.

To determine the merit of allegations of animal mistreatment at CACC made by former employees and rescuers, we attempted to review the personnel files maintained at CACC's administrative office, and the disciplinary action notices, notes-to-file, and managers' logbooks kept at each of the three full-service shelters.

To determine whether DOH's funding level and CACC's budget were sufficient to allow CACC to properly care for and effectively promote the adoption of the animals in its shelters, we compared DOH's funding level of CACC and the CACC calendar year 2000 budget to the standards of the Humane Society of the United States.

This audit was conducted in accordance with Generally Accepted Government Auditing Standards (GAGAS), and included tests of the records and other auditing procedures considered necessary. This audit was performed in accordance with the City Comptroller's audit responsibilities as set forth in Chapter 5, § 93, of the New York City Charter.

Audit Limitations

Throughout the audit, CACC imposed obstacles that prevented us from conducting audit tests as we deemed necessary. CACC prevented us from obtaining a complete and accurate view of its operations and from obtaining all of the information necessary to develop a full set of constructive recommendations to help improve its operations.

The limitations imposed by CACC included its refusal to allow us to interview staff members without a supervisor being present, its refusal to allow us access to certain documents, and its delays in the production of some other records. In addition, it was very difficult to arrange a meeting with the board of directors, and only two members of the board eventually met with us. The audit limitations necessitate certain qualifications to our findings, described below.

Since we were unable to independently interview any employees, such as kennel attendants, veterinarians, veterinary technicians, and adoption counselors, who would have been able to give us direct, first-person observations of CACC's actual daily operations, we could not obtain a full account of management problems, inaccuracies in the organization's records, or possible misstatements of the organization's policies and practices.

Because CACC denied us access to certain records that may have contained adverse information regarding the conditions at CACC shelters and the treatment of the animals kept there, and delayed our access to other records (providing the opportunity for the removal or alteration of records), our record review may not have uncovered the full extent of the problems of animal abuse and neglect, accidental euthanasia, and poor veterinary care described in this report.

In addition, since we could not interview all of the board members—who are ultimately responsible for overseeing CACC's operations—we may have

missed the opportunity to gain insight into the reasons for some of the problems CACC is facing.

Results In Brief

CACC does not provide humane conditions for all of the animals in its shelters and has not made aggressive efforts to increase adoptions of homeless animals. This report describes our findings in three main sections.

The first section, “Animals Are Not Always Sheltered under Humane Conditions,” discusses the inadequacies discovered during our visits to the shelters, including that dogs are rarely, if ever, exercised, animals were not provided constant access to water, contagious animals were sometimes kept in the same wards as non-contagious animals, and at the two larger shelters, animals’ cages were not consistently spot-cleaned; evidence that animals in CACC shelters are sometimes subjected to abuse and neglect; the fact that some animals have been accidentally euthanized; and evidence of poor veterinary care in CACC shelters.

The second section, “CACC Has Not Made Aggressive Efforts to Increase Adoptions,” presents recent CACC adoption statistics and discusses some of the likely reasons that adoption levels are low and have not improved over the last three years. These reasons include: limited public awareness of CACC and its adoption services and a lack of aggressive efforts by CACC to improve public awareness; inadequate use of off-site adoptions; inadequate efforts to ensure that the adoption process is encouraging to all potential adopters; CACC’s discouragement of some rescue groups that take animals from its shelters; the apparent inappropriate limitation of the pool of animals available for adoption; and a lack of adoption services at CACC’s Queens and Bronx facilities.

The third section of the report, “Possible Causes of CACC’s Shortcomings,” discusses the fact that CACC compounds the problem of underfunding by failing to aggressively raise funds on its own and by failing to take sufficient advantage of volunteers. It also discusses a problem evidenced by CACC leadership apparently interpreting the organization’s mission more narrowly than it was originally conceptualized and failing to aggressively pursue some of the goals outlined in its mission statement, such as, “providing humane care for all New York City animals in need” and “reducing the number of homeless animals through increased adoption.”

Lastly, under “Other Issues,” we discuss the facts that: CACC’s board violated its bylaws by meeting and voting on certain items without the required quorum present; CACC’s board appears to have violated the letter and spirit of the Open Meetings Law by speaking at almost a whisper and thereby preventing

attendees from hearing their discussions; and CACC's contract with DOH does not include specific and measurable performance requirements or standards.

Many of the findings in this report are supported by the results of our surveys of individuals acquainted with CACC's operations (former employees, customers, and individuals from rescue groups who work with CACC) in addition to our document reviews, observations, and interviews with CACC management. In total, six of eight former employees, 36 of 59 rescuers, and 14 of 33 customers we surveyed criticized aspects of CACC's operations and management. Their allegations and the results of our testing painted a similar picture—that of a shelter system in which: inadequate resources and staffing levels prevent the provision of some of the basic necessities for humane animal care; the frustrations of over-worked or unqualified employees are sometimes taken out on the animals; opportunities to help animals and increase adoptions are squandered; and, perhaps most notably, the status quo is perpetuated by a management that is not truly committed to all aspects of the organization's contract and mission, namely, to provide high quality, humane, animal care and place as many animals as possible in adoptive homes.

Notes Regarding Exit Conference

An exit conference with DOH and CACC officials was held on March 4, 2002. Three issues raised during this meeting should be mentioned here.

First, DOH noted an inconsistency between our finding that animals in CACC's care are not always sheltered under humane conditions, and the results of its own inspections of CACC facilities. To illustrate this point, DOH provided us with reports of 531 inspections of CACC facilities that were conducted by DOH veterinarians and public health sanitarians between January 1, 1999 and June 30, 2001. As DOH stated, those inspection reports did not reveal any cases of poor veterinary care or inhumane treatment. However, we do not believe that this is necessarily inconsistent with the findings in our report, because DOH veterinarians and public health sanitarians evaluate conditions in the shelters and the quality of care differently than we did. During their inspections, DOH veterinarians and health sanitarians look at 13 different areas, including floors, washrooms, wards, and infirmaries (many of which were not covered by our audit.) However, just as we did not cover in our audit all the areas that they cover in their inspections, they do not evaluate all of the conditions that we did (for example, how many animals had access to water at the time of the inspection). In addition, their inspections evaluate conditions more generally than we did, resulting in "yes" or "no" answers for conditions such as, "cages washable and clean," and "separate, adequate, clean area provided for sick animals"; in contrast, we counted the number of cages that were soiled, and the number of wards in which healthy and contagious animals were housed together. Lastly, DOH inspections cover a specific point in time, and therefore could not have identified

the instances of poor veterinary care, accidental euthanasia, and abuse and neglect that we uncovered through our review of CACC's records and our surveys of past employees, rescuers and customers. Thus, while DOH's inspection reports show that DOH has monitored CACC facilities through frequent on-site inspections, they are not comparable to the type of review that we conducted and therefore neither contradict nor are inconsistent with the findings in this report. (In response to this audit, DOH officials used the above-mentioned inspection reports to formally disagree with our finding regarding inhumane conditions. We therefore conducted a more thorough analysis of DOH's inspection process and reports, and the results of that analysis, which concluded that the process and reports are flawed, are described starting on page ES-11 of this report).

The other two issues worth discussing were raised by CACC. First, CACC's executive director repeated a prior claim that the mission statement quoted in this report is not CACC's mission statement. In response, we pointed out that we quoted CACC's mission statement exactly as it appears on the organization's website and in its *Report 1998 & 1999*.¹ Therefore, the mission statement as cited in this report was quoted directly from CACC's own description of its mission statement. Shortly after the exit conference, CACC's mission statement was removed from its website.

Second, CACC's executive director claimed that CACC cannot use volunteers more than it does because of prohibitions imposed by the employees' union. She stated that she would provide us with correspondence between CACC and the union documenting this fact, as well as with a copy of the union contract. The correspondence she described was never provided, and after reviewing the union contract, our attorneys concluded that the contract is very clear regarding this issue and directly contradicts the executive director's claim that CACC is limited in its use of volunteers. Specifically, the contract gives CACC the unlimited right to utilize volunteers as it sees fit, as long as the use of volunteers does not cause the layoff of any regular employee or prevent the replacement of a regular employee who leaves or is terminated.

Recommendations

The audit resulted in 41 recommendations, the most significant of which are summarized below.

- While additional funding will most likely be impossible to obtain in the near future, given New York City's financial situation after the September 11th attack on the World Trade Center, we recommend that, if it ever becomes possible, DOH consider amending CACC's contract to fund the hiring of additional kennel attendants and veterinary staff.

¹ Although the sources of the mission statement are specified in this final report and the draft report, they had not been specified in the preliminary draft report.

CACC should take the following steps, and/or DOH should monitor CACC to ensure that these steps are taken:

- Ensure that: dogs are walked; all animals have constant access to water; animals' cages are kept clean; animals are put only into dry cages; and cats, dogs, contagious, and nursing animals are kept in separate areas.
- Investigate the possibility of obtaining additional interns through area colleges to supplement staff in providing animal care.
- Immediately terminate any employee who physically abuses any animal.
- Provide more supervision of CACC employees, particularly the kennel attendants, who are directly responsible for the care of the animals.
- Provide additional training on and increase supervision of the euthanasia process to ensure that all control procedures are followed.
- Quickly terminate any veterinary staff members who are found to be unqualified or who consistently provide poor care.
- Evaluate the performance of all veterinary technicians and determine whether there is an advantage to employing licensed technicians. If there seems to be an advantage, CACC should consider hiring only licensed veterinary technicians in the future.
- Implement a process to monitor and evaluate the performance of contracted veterinary clinics.
- Ensure that the photographs posted by CACC on Petfinder are clear and attractive.
- Increase CACC's outreach, public education, and advertising efforts. CACC should speak to other shelters to obtain ideas, and pursue relationships with local media outlets and enter into partnerships with private companies willing to sponsor special events or advertising campaigns.
- Increase CACC's participation in adoption events and expand its off-site adoption program.
- Develop a formal customer service quality assurance program as required by the contract with DOH.

- Work more cooperatively with rescue groups interested in helping CACC place animals. CACC should ensure that all employees understand the importance of maintaining good working relationships with these groups, that they treat rescuers professionally and courteously, and that they return calls from rescuers in a timely fashion.
- Make the PET application process less cumbersome and less paper intensive, and inform rescue groups by letter that: CACC is implementing the PET program incrementally; it plans to eventually provide PET applications to all rescue groups; and it will not stop working with those rescue groups that have not yet received PET applications.
- Ensure that all animals initially given a “4” status are re-evaluated for temperament.
- Cease the practice of limiting the adoption of older animals.
- Use its Bronx and Queens receiving centers to show adoptable animals until the opening of the planned full-service shelters in the Bronx and Queens.
- Plan and implement additional fundraising efforts. CACC should contact other non-profit animal shelters to obtain ideas regarding effective fundraising methods.
- Aggressively increase its number of volunteers through a stronger recruitment effort aimed at individuals interested in the care of animals. CACC should consider enlisting the aid of rescue groups and other area animal welfare organizations in recruiting volunteers.
- Expand duties available to volunteers to include more direct animal care, such as dog walking, cage cleaning, and cat grooming.

We also recommend that:

- CACC’s board of directors and executive management convene to discuss the organization’s mission, to determine whether the current mission statement accurately reflects CACC’s purposes, and to reconcile its organizational and management philosophy with its contract and stated mission. If the board and executive management determine that the current mission statement is accurate, then they must develop a plan for the organization to change direction and bring its operations in line with the pursuit of all of the goals in its mission

statement. If the board and management decide that they are not interested in pursuing all of the goals in CACC's mission statement, they should change the mission statement accordingly, and negotiate any necessary amendments to CACC's contract with DOH.

- CACC's board of directors should comply with the Open Meetings Law and ensure that all board members, officers, and invited speakers speak audibly so that members of the public who attend the board meetings may hear what is said.
- DOH should amend CACC's contract to include specific and measurable performance requirements and/or standards for all appropriate service-related areas.

Agency Response

The matters covered in this report were discussed with officials from CACC and DOH during and at the conclusion of this audit. A preliminary draft report was sent to DOH officials on December 31, 2001, and a revised pre-draft was distributed and discussed at an exit conference held on March 4, 2002. On April 19, 2002, we submitted a draft report to DOH with a request for comments. We received a written response from DOH on May 6, 2002.

In its response, DOH stated that it "disagrees with the report's main findings: that animals are not sheltered under humane conditions and often receive poor veterinary care." However, DOH agreed with our adoption-related findings stating, "CACC has not been as successful as hoped in the area of increasing adoptions." DOH also agreed with our other findings, stating that its own on-site monitoring, which was expanded in July 2001, "to include a comprehensive review of all contractual requirements . . . has found deficiencies in CACC's . . . customer service, volunteer program and education and outreach efforts." DOH also committed itself to increasing its site visits to four times a year, effective July 2002. DOH's response is discussed in detail in the body of this report and is included in its entirety as an Addendum to this report.

DOH also appended a 28-page response from CACC to its own response. In its lengthy response, CACC took strong exception to nearly every aspect of the audit's methodology and conclusions. Specifically, CACC alleged that:

"Many of the conclusions reached in this audit are not credible, as evidenced by: the antagonistic tone throughout the audit; the use of words and phrases of an inflammatory nature; the failure to use experts in areas requiring specialized knowledge; the slanting of the data presented; the inadequacy of the sample taken; the failure to make explicit the significant differences between CACC and the organizations with which it is compared in the audit; the failure to

credit CACC's significant accomplishments; and the use of anecdotal information from unnamed sources holding clear potential for bias against CACC."

Moreover, CACC alleged that there was "political influence in the audit process," claiming that the audit was "motivated by the political interest of [former Comptroller Alan Hevesi]." CACC further alleged that "the audit was conducted during the Mayoral campaign in which Alan Hevesi was a candidate who supported the special interest group's call for the abolition of CACC." CACC's executive director also stated, "CACC is surprised . . . that Comptroller William Thompson could be so ill served by his staff both in reporting and the issuance of this audit; one that was clearly motivated by the political interests of his predecessor."

In addition, CACC claimed that the audit was not conducted in accordance with GAGAS. Specifically, CACC alleged that:

"The auditors established their own criteria for evaluating the performance of CACC ignoring technical standards for care . . . [The Comptroller's Office] assigned auditors with no known skills or knowledge in the areas of humane animal care, veterinary medicine or labor law . . . samples were neither random or statistically significant . . . the subject audit is neither objective nor balanced . . . [auditors] failed to provide a reasonable perspective for the findings they recorded as they have repeatedly failed to provide the proper context for the frequency of occurrences . . . four different scopes suggest that the auditors knowingly ignored the Governmental Auditing Standards relating to audit planning and that CACC was not afforded proper due process."

Obviously, there is a stark contrast between the audit's findings and CACC's response, and in order to present and discuss fully CACC's position on the matters presented in this audit, a separate section has been added at the end of this report entitled "Discussion of CACC's Response." The Comptroller's Office, after carefully reviewing CACC's response, has concluded that CACC's arguments are invalid, that they are based upon distortions and misrepresentations, and that the audit's findings should not be changed. The full text of CACC's response is included along with DOH's, as an Addendum to this report. The "Discussion of CACC's Response" begins on page 73.

As stated earlier, DOH disagreed with the audit's "main findings: that animals are not sheltered under humane conditions and often receive poor veterinary care." In support of that position, DOH argued:

"These findings are contrary to observations by DOH Veterinarians and Sanitarians. DOH has been closely monitoring the operations of CACC, the contractor that provides services to

the City under contract, since its inception, January 1, 1995. From that date through April 2002, DOH has closely monitored CACC's contract performance and conducted over 1,200 inspections of CACC facilities. During these inspections, DOH did not observe evidence of inhumane treatment or substandard veterinary care cited in your audit. Although the audit notes on pages ES7 and ES8 that differences in review methodologies may have yielded different results, the training and experience of the DOH staff who conducted these inspections provide us with a high degree of assurance that the animals in CACC's charge are appropriately cared for. While DOH did not see evidence of such deficiencies, the Department is nonetheless concerned by the audit's findings.

“During the audit period from January 1, 1999 through June 30, 2001, DOH conducted over 531 inspections of CACC facilities. Copies of these inspection reports were provided to the Comptroller's Office at the March 4, 2002 meeting. . . . These inspections included frequent unannounced visits that investigated the physical plant, ward conditions, humane treatment, rabies observation of biting animals, compliance with applicable laws and regulations, record keeping and other activities that affect shelter operations. During site visits, DOH Veterinarians inspected all caged animals and reviewed medical records.

“Based on the observations by DOH Veterinarians and Sanitarians during these inspections, we disagree with the findings of poor veterinary care and inhumane treatment reported in the audit. Specifically, DOH did not observe any cases of poor veterinary care, contagious animals being caged in general wards with healthy animals or inhumane treatment during 531 inspections conducted by DOH Veterinarians and other staff during the audit period. The auditors may have drawn other conclusions about the handling of contagious animals based on a misunderstanding of how cage cards are used by CACC. In addition, we also monitor animal bite cases and found no instances where these animals were accidentally euthanized.”

The intent of this audit was to review CACC's compliance with its contract's requirements, not DOH's monitoring of CACC. That is why only a cursory review was made of the 531 inspection reports that DOH provided, and why that review concluded (as stated in the “Notes to Exit Conference” section of this report) that there was no apparent inconsistency between DOH's inspection results and ours, mostly because of apparent differences in the inspection methodology. However, in its response, DOH uses those reports as the foundation for its disagreement with our findings regarding inhumane conditions, and we therefore conducted a more thorough analysis of those DOH reports in order to evaluate the validity of DOH's argument. The results of our analysis lead

us to conclude that if those inspection reports are truly reflective of DOH's monitoring of CACC, then DOH's monitoring process has significant weaknesses, as discussed further below.

- **No Criteria For Inspection Ratings:** When DOH officials first argued at the audit exit conference that its own inspection reports showed a different picture of shelter conditions than ours, we asked them what criteria their staff use when they conduct inspections and enter "yes" or "no" ratings on the inspection sheets. DOH officials could not provide any specifics on what would lead their staff to answer "yes" or "no" to each of the questions on the inspection reports, and stated that they do not have written criteria or standards for use by the DOH Veterinarians and Sanitarians when they perform such inspections. It is therefore clear that the DOH inspection reports are subjective in nature and may not be a reliable source to illustrate shelter conditions. (See Appendix III for a sample inspection report.)
- **Inspection Reports Indicate Near Perfect Performance:** Each of the 531 inspection sheets that DOH gave us contains 13 rating categories (e.g., "Floors," "Washrooms," "Wards," and "Infirmary") and those categories include a total of 37 "yes/no" questions (e.g., "Cages washable and clean" in the "Wards" category), for a total of 19,647 questions on the 531 reports. Of those 19,647 total questions, 18,216 had an accompanying "yes/no" entry (some were left blank), and of those 18,216 with an entry, 17,855, i.e., 98 percent, were answered "yes," indicating a near perfect performance.

Of even greater interest were the answers to the seven questions in the "Wards" category and the two questions in the "Operations" category, questions that are most similar to the areas tested by the auditors. These questions included: "Cages not overcrowded"; "Cages washable and clean"; "Cages intact"; "Animals in appropriate cages"; "Clean, appropriately filled cat litter pans provided"; "Temperature appropriate"; "Ventilation adequate"; "Veterinary protocols adhered to"; "Food protocols adhered to." Of the 3,717 questions in the "Wards" category, 3,536 had an accompanying "yes/no" entry, and of those 3,536 with an entry, 3,528, i.e., 99.8 percent, were answered "yes," indicating a close-to-perfect rating. Equally astonishing is that 100 percent of the 907 questions with entries in the "Operations" category were all answered with a "yes", indicating a perfect rating.

What makes such inspection report results even more dubious, however, is the context in which they were derived. On the one hand, the audit determined that CACC's performance was deficient in many areas, and DOH agreed, stating that "DOH monitoring has found deficiencies in CACC's adoption process, customer service, volunteer program and

education and outreach efforts.” On the other hand, DOH argues that such an organization, that is widely known to be under-funded and under-staffed, that does poorly in terms of recruiting volunteers, that needs to improve customer relations and fund raising, and whose adoption efforts need improvement, otherwise performs perfectly in terms of treating animals humanely and providing appropriate veterinary care. We are not convinced.

- **Other Obvious Flaws in the Inspection Reports:** When reviewing the 531 reports provided by DOH, we noted that 932 of the 19,647 questions were not answered at all and were left blank: specifically, in the “Wards” category, 181 questions were not answered, and in the “Operations” category, 121 questions were not answered. This indicates that these areas were not evaluated during the inspections. In addition, the DOH inspector did not sign 39 of the 531 inspection reports, and the reviewer did not sign 31 of the 531 inspection reports.
- **Likely Advance Announcements of Inspections:** One of the most disturbing outcomes of our review of DOH’s inspection reports, and one that casts even more doubt upon their validity, is the fact that some of the former CACC employees we were able to contact during this review stated that they knew of the DOH inspections ahead of time and took special steps to prepare for them.

We were able to contact four of the former employees we identified through CACC personnel files (these people stopped working for CACC between December 2000 and June 2001) and five of the former employees who either contacted us or whom we contacted as part of the background research for this audit, to ask them whether they knew of inspections in advance. Three of these nine former employees stated that they knew when inspections were soon to occur. One stated: “When we were expecting inspectors, we stepped it up a little—did a little more than normal in terms of cleaning up the kennels, washing down the halls, disinfecting, etc. . . . The manager would make it aware to me that inspectors were coming. I would have to inform all kennel staff, and there were times when I would ask additional staff to stay on or come in.” He went on to state: “There were also surprise inspections, which we were notified about on the morning of. With these we had to run around to do everything, make calls to get additional people in, do everything in a hurry.”

The second person stated that, in addition to the fact that the shelter staff knew of and prepared for inspections ahead of time, once the inspector arrived, “He would go to the manager’s office first for an hour or so, and the foreman would go around to make sure that everything was ready.”

The third person recalled a few inspections that the shelter staff knew about beforehand. She stated that the staff were instructed to “pull it together,” and that on the day of the inspection, management scheduled more people to be at work to take care of the kennel areas.

In summary, we believe that the evidence of animal mistreatment that we found during the course of this audit supports our conclusion that inhumane conditions existed, in circumstances we describe, at CACC’s shelters. We do not believe that the evidence that DOH provided to refute our findings is credible. This audit supports its finding of inhumane treatment on real documents found at CACC itself, and cites instances of inhumane animal treatment, accidental euthanasia and substandard veterinary care based upon CACC’s own documents. We found such documents in the personnel files maintained at CACC’s administrative office and in the disciplinary action notices, notes-to-files, and managers’ logbooks kept at the shelters. As mentioned in the “Audit Limitations” section of this report, we had only limited access to these documents; therefore, it is very likely that there are more instances that we could not uncover. In its response, DOH stated that it “does not agree with the findings of inhumane treatment and substandard veterinary care,” but never addresses the hard evidence we provide in the audit.

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ADDENDUM

*The City of New York
Office of the Comptroller
Bureau of Management Audit*

**Audit Report on the
Shelter Conditions and Adoption Efforts of the
Center for Animal Care and Control**

ME01-109A

INTRODUCTION

Background

The Center for Animal Care and Control (CACC) is a not-for-profit corporation that was formed for the purpose of providing animal care and control services in the City of New York. CACC was created in 1994 to assume the responsibilities of the American Society for the Prevention of Cruelty to Animals (ASPCA), after the ASPCA decided not to renew its contract to run New York City's animal shelter system. CACC entered into its own contract with the New York City Department of Health (DOH), and on January 1, 1995, followed the ASPCA as New York City's provider of animal care and control services.

CACC's contract with DOH requires that it "provide animal seizure, shelter and care services . . . and related services." In order to provide these services, CACC is to maintain an emergency telephone number for receiving complaints regarding animals, in response to which CACC is to seize "unlicensed or unleashed dogs, cats whose owners are not identified, vicious and dangerous animals, animals that have bitten, rabid or suspected rabid animals, prohibited, exotic or wild animals, and venomous reptiles and bats." CACC is also required to accept "animals which are lost, stray, homeless, unwanted or abandoned with professional caretakers," and to maintain a process by which all licensed dogs and owner-identified cats seized "may be expeditiously claimed and returned to their owners." CACC's contract further specifies that it "shall operate animal shelter facilities in the boroughs of Manhattan, Brooklyn, and Staten Island . . . open to the public on a 7 day a week, 24 hours a day schedule, every day of the year excluding major holidays." The "care of animals at the shelters shall include feeding, boarding (including bedding and cleaning of cages), watering, exercising, and provision for immediate first aid as required, including but not limited to isolation of sick animals as necessary." CACC is to "operate and maintain animal receiving facilities . . . in the boroughs of the Bronx and Queens." CACC "shall provide adoption services at the shelters and receiving facilities and shall promote adoption as a means of placing animals." In addition, "for all adopted dogs and cats [CACC] shall provide, or cause to be provided, spay/neuter services and administer rabies

immunizations pursuant to the New York City Health Code.” The contract also requires that CACC “enlist the aid of volunteers and . . . conduct education and community outreach concerning animal control and public health issues related thereto.”

Aside from the general requirements listed above, and the requirements that CACC “meet all its obligations under [the contract] in a humane manner and respecting the rights of the owners of animals as required by law,” that its shelters “hold animals and care for such animals in conformity with all applicable laws,” and that it “provide a healthy environment and humane care and treatment of animals kept at the [receiving centers],” the contract includes no performance requirements. Nor are there specific terms regarding required levels of care, staffing levels, adoption rates, extent of outreach efforts, etc.

CACC’s mission statement is quoted on its website and in its *Report 1998 & 1999* as follows:

“The Center for Animal Care and Control, Inc. is dedicated to providing humane care for all New York City animals in need, while protecting the public health and safety of New Yorkers. CACC will give the most humane care possible to the hundreds of animals that are brought to our shelters each day. The CACC works together with the citizens of New York City, including area shelters and humane organizations, to reduce the number of homeless animals through increased adoption, spay/neuter programs, animal rescue services and by heightening awareness about the responsibility of having an animal companion.”

In addition, according to the description of its mission in its staff manual,

“The CACC has numerous programs and provides numerous services. These include but are not limited to sheltering animals; picking up animals that are at-large, sick, or dangerous; returning lost animals to their owners whenever possible; providing for the adoption of homeless animals to responsible persons; and, when necessary, providing a humane and painless death.”

CACC provides these services to the approximately 60,000 animals that come into its shelter system each year at five facilities—three full-service shelters in Manhattan, Brooklyn, and Staten Island, and two small receiving centers in Queens and the Bronx.² The facilities are located at the following addresses: 326 East 110th Street in Manhattan; 2336 Linden Boulevard in Brooklyn; 3139 Veterans Road West in Staten Island; 92-29 Queens Boulevard in Queens; and 464 East Fordham Road in the Bronx. The full-service shelters hold animals; employ veterinary professionals to care for the animals; are open to receive animals from the public 24 hours a day, seven days a week (excluding major holidays); and provide adoption services for periods of from five to nine hours between 10:00 a.m. and 7:00 p.m., depending upon the shelter and the day of the week.³ The receiving centers are open from 8:00 a.m. to 4:00 p.m., Tuesday

² The Manhattan, Brooklyn and Staten Island facilities are owned by the City, and the Queens and Bronx facilities are leased by the City. All facilities are operated and maintained by CACC.

³ The Staten Island shelter became a full-service shelter on February 15, 2001. Before that, it was open from 8:00 a.m. to 8:00 p.m.

through Saturday to receive animals from the public, and provide adoption services from 11:00 a.m. to 3:00 p.m. The receiving centers do not house animals overnight, but transfer them to one of the full-service shelters within a few hours after their arrival. The vast majority of the animals that come into CACC's shelters are cats and dogs. The Manhattan shelter can house approximately 500 cats and dogs; the Brooklyn shelter, approximately 400; the Staten Island shelter, 150-200; and the Queens and Bronx receiving centers, 19 and 50, respectively.

CACC also has a Field Operations Division, which responds to calls from the public and government agencies, using a fleet of 15 rescue vans to pick up stray or homeless animals, animals that threaten public safety, and sick, injured or dangerous wildlife.

According to CACC's Monthly Animal Activity Reports, during calendar year 2000 a total of 60,877 animals came into its shelters—55,376 cats and dogs, and 5,501 other animals. Of these 60,877 animals, 14,270 were adopted, 677 were returned to their owners, and 41,203 were euthanized.⁴

During calendar year 2000, CACC had a total budget from DOH of approximately \$8.3 million. (DOH provided approximately \$8 million, and the remaining \$300,000 was funded from CACC's shelter revenues.) In addition to its five animal facilities, CACC has an administrative office in downtown Manhattan. During calendar year 2000, CACC employed approximately 170 people in its shelter, administrative, and executive functions.

Objective

The objective of this audit was to evaluate the following two aspects of CACC's services:

- the conditions under which animals are sheltered in CACC's facilities; and
- the level and success of CACC's efforts to promote the adoption of animals from its shelters.

These two aspects of CACC's services are addressed in both CACC's contract and its mission statement. Specifically, CACC's contract with DOH states that CACC "shall meet all its obligations under [the contract] in a humane manner . . ." and that CACC "shall provide adoption services at the shelters and receiving facilities and shall promote adoption as a means of placing animals." CACC's mission statement states that CACC "is dedicated to providing humane care for all New York City animals in need . . . [and] the most humane care possible to the hundreds of animals that are brought to our shelters each day" and "works . . . to reduce the number of homeless animals through increased adoption, spay/neuter programs, animal rescue services and by heightening awareness."

⁴ The remaining 4,727 of the total animals that came to CACC shelters include smaller categories, such as: animals released to freedom (e.g., pigeons), animals dead-on-arrival, and animals still remaining in the shelters at the end of the year.

Other areas of CACC’s services that were not covered by the objectives of this audit include: picking up stray animals, accepting surrendered or lost animals, returning lost animals to their owners, spaying/neutering animals prior to placing them for adoption as a means of controlling the animal over-population problem, and, when necessary, providing a humane and painless death to animals. The table below summarizes CACC’s major functions and shows which ones were covered by this audit:

Outline of CACC’s Major Functions

Function	Function Related to Contract Requirement, Mission Statement, or Both	Covered by This Audit or Not Covered by This Audit
Sheltering animals in a humane manner	Both	Covered by this audit
Reducing the number of homeless animals through adoption (includes providing adoption services, and promoting adoptions)	Both	Covered by this audit
Conducting public education and outreach, heightening awareness about the responsibilities of animal ownership	Both	Covered by this audit
Working with the citizens of NYC, including area shelters and humane organizations, to reduce the number of homeless animals	Mission Statement	Covered by this audit
Picking up animals that are at-large, sick, or dangerous	Both	Not covered by this audit
Accepting surrendered, lost, and stray animals	Both	Not covered by this audit
Returning lost animals to their owners	Contract Requirement	Not covered by this audit
Spaying/Neutering animals prior to placing them for adoption as a means of controlling the animal over-population problem in NYC	Both	Not covered by this audit
Providing a humane and painless death	Contract Requirement	Not covered by this audit

Scope and Methodology

The scope of this audit was CACC’s shelter conditions and adoption efforts between January 1, 1999, and June 30, 2001.

To obtain an overview of CACC’s structure, services, operations, policies, and procedures, we interviewed all members of CACC’s executive and managerial staff, including:

the executive director; deputy executive director/general counsel; controller; director of information technology; director of shelter operations; director of adoptions and volunteer services; director of facilities maintenance; director of human resources; director of field operations; director of external affairs; and all shelter managers and assistant shelter managers. We also interviewed two members of CACC's board of directors. We reviewed CACC's written policies and procedures, the Monthly Animal Activity Reports that CACC is required to submit to DOH, CACC's staff manual, CACC's 2000 Certified Public Accountant (CPA) report, and minutes for meetings of CACC's board of directors from January 1999 through June 2001. We also attended the board of directors' meetings held on January 4, March 15, and June 11, 2001. During the course of the audit, we reviewed CACC's personnel, disciplinary, financial, and marketing files, as well as data in the CACC shelter management computer system, known as "Chameleon."

To determine whether CACC is sheltering animals under humane conditions in compliance with its contract, we visited CACC's five facilities (the three full-service shelters and the two receiving centers) a total of 15 times between February and April 2001.

To evaluate the success of CACC's adoption efforts, we analyzed the data in the CACC Monthly Animal Activity Reports submitted to DOH for January 1999 through June 2001. To assess the level of CACC's efforts to promote adoption as a means for placing animals, we interviewed executive and managerial staff regarding adoption programs and marketing efforts, reviewed CACC's files on special events, off-site adoptions and advertising, and reviewed the CACC website.

To evaluate CACC's use of volunteers to help improve shelter conditions and increase animal adoptions, we interviewed executive and managerial staff and reviewed CACC's files on volunteer activities.

To determine how CACC's shelter operations, adoption efforts, reliance upon volunteers, and fundraising compare to those of other shelters across the country, we conducted a telephone survey of 13 municipal animal care and control centers in other major cities throughout the country. The following is a list of the organizations surveyed: Berkeley Animal Services, Berkeley, California; Humane Society of Boulder Valley, Boulder, Colorado; Chicago Animal Care and Control, Chicago, Illinois; Dallas Animal Control Shelter, Dallas, Texas; DC Animal Control, Washington, DC; Denver Animal Control and Shelter, Denver, Colorado; Dewey Animal Care Center, Las Vegas, Nevada; Bureau of Animal Regulation and Care (BARC), Houston, Texas; Maricopa County Animal Care and Control Services, Phoenix, Arizona; Pennsylvania Society for the Prevention of Cruelty to Animals, Philadelphia, Pennsylvania; San Francisco Animal Care and Control, San Francisco, California; Michigan Humane Society, Detroit, Michigan; and LA City Department of Animal Services, Los Angeles, California.

We also gathered information on several New York City area shelters to determine how CACC compares to them in terms of staffing levels, adoption efforts, reliance upon volunteers, and fundraising. Specifically, we made phone calls to and reviewed the websites maintained by: the American Society for the Prevention of Cruelty to Animals (ASPCA), which has an animal shelter in Manhattan; Bide-A-Wee, which has a shelter in Manhattan in addition to its two shelters on Long Island; the Brooklyn Animal Resource Coalition (B.A.R.C.), in Williamsburg

Brooklyn; and North Shore Animal League, on Long Island. We also reviewed these organizations' IRS Form 990s for 2000.

To determine the general public's level of awareness of CACC and its services, we conducted a telephone survey of New York City residents between March and June 2001. We surveyed a sample of 254 residents randomly selected from the White Pages telephone directories for all five boroughs of New York City. This sample of 254 residents included: 51 Bronx residents, 50 Brooklyn residents, 51 Manhattan residents, 51 Queens residents, and 51 Staten Island residents.

To determine the level of user satisfaction with CACC's adoption and shelter services, we conducted telephone surveys of CACC customers and rescue groups. We attempted to survey a random sample of 61 customers who had adopted or reclaimed an animal from CACC between January and March 2001, and were able to contact 33 of them. We were able to contact and survey 59 of 265 rescue groups that worked with CACC during calendar year 2000.⁵

Since we were unable to speak to current shelter staff without a supervisor being present (this is discussed in detail in the "Audit Limitations" section below), we interviewed former CACC employees in order to obtain information on CACC's actual practices. We were able to contact and survey eight of the 22 people we had identified through CACC's documents as being former employees who had stopped working for CACC between December 2000 and June 2001. These eight individuals had been employed in various positions at CACC, such as kennel attendant, service representative, and adoptions counselor. Two of the eight former employees had resigned from CACC, and six had been terminated.

To determine the merit of allegations of animal mistreatment at CACC made by former employees and rescuers, we attempted to review the personnel files maintained at CACC's administrative office, and the disciplinary action notices, notes-to-file, and managers' logbooks kept at each of the three shelters. (Disciplinary action notices and notes-to-file are similar to each other, with disciplinary action notices used for union employees, and notes-to-file for non-union employees.)

To determine whether DOH's funding level and CACC's budget were sufficient to allow CACC to properly care for and effectively promote the adoption of the animals in its shelters, we compared DOH's funding level of CACC and the CACC calendar year 2000 budget to the standards of the Humane Society of the United States.

This audit was conducted in accordance with Generally Accepted Government Auditing Standards (GAGAS), and included tests of the records and other auditing procedures considered necessary. This audit was performed in accordance with the City Comptroller's audit responsibilities as set forth in Chapter 5, § 93, of the New York City Charter.

⁵ Rescue groups "adopt" animals by taking them from the CACC shelter and caring for them while attempting to place them in permanent adoptive homes. Adoptions by rescue groups are termed "special adoptions" in CACC's records.

Audit Limitations

Throughout the audit, CACC imposed obstacles that prevented us from conducting audit tests as we deemed necessary. CACC prevented us from obtaining a complete and accurate view of its operations and from obtaining all of the information necessary to develop a full set of constructive recommendations to help improve its operations. In short, CACC imposed limitations upon our audit methodology, necessitating a qualification of the findings in this report.

The limitations imposed by CACC included its refusal to allow us to interview staff members without a supervisor being present, its refusal to allow us access to certain documents, and its delays in the production of some other records—causing us to question the validity and/or completeness of the records that were ultimately provided. In addition, it was very difficult to arrange a meeting with the board of directors, and only two members of the board eventually met with us. Each of these audit limitations is described in the sections below.

Denial of Full Access to Shelter Staff

CACC's official position regarding our interviews with shelter staff members was that, with the exception of shelter managers and assistant shelter managers, we would not be permitted to interview any shelter staff members without a supervisory staff member being present. As a result, we were not able to independently interview any employees, such as kennel attendants, veterinarians, veterinary technicians, and adoption counselors, who would have been able to give us direct, first-person observations of CACC's actual daily operations, as opposed to its official policies. CACC imposed this denial of full access despite our repeated explanations that we needed the views of staff members from all levels within the organization in order to form a complete and accurate picture of the organization's operations. Our repeated assurances that we would ask for the executives' explanations for any conflicting information provided by staff members had no effect on CACC's stance.

Sometimes, employees do not feel that they can speak freely with a supervisor standing next to them. After learning of this limitation, we requested few interviews with kennel staff, since we did not feel that we could rely on their supervised statements. We did interview some staff members with their supervisors present, and in those instances, it appeared that the answers of the staff members were constrained. In some cases, the supervisor present answered questions that had been addressed to the staff member, obviously making it difficult for the staff member to contradict the supervisor. Even when we interviewed members of the senior management staff, a supervisor was nearly always present. Usually this supervisor was the deputy executive director/general counsel of the organization, and he took detailed notes on what we asked and what the staff member said. These circumstances were not conducive to honest discussions of CACC's operations and of any problems that CACC might be facing.

Based upon CACC's refusal to permit us to interview staff under circumstances that would allow them to speak freely, we could not obtain a full account of management problems,

inaccuracies in the organization's records, or possible misstatements of the organization's policies and practices.

Limitations on Access to Records

CACC denied us access to certain records and, on a number of occasions, delayed our access to other records, leading us to suspect that we were intentionally prevented from viewing potentially adverse information regarding the conditions at CACC shelters and the treatment of the animals kept there.

The records which we were unable to review include the managers' logbooks and the notes-to-file at the Manhattan and Staten Island shelters. (We were specifically denied access to the managers' logbooks at both of these shelters and to the notes-to-file at the Manhattan shelter; we were told that there were no notes-to-file at the Staten Island shelter.) These documents contain written accounts of incidents that occur in the shelters, for example, when an employee abuses or mistreats an animal, when an owned animal is euthanized in error, or when an employee fails to perform his or her job properly. We can only reasonably assume that we were denied access to these records because CACC's executive management did not want us to review any potentially adverse information they contained. This assumption is supported by the fact that we did find adverse information in the manager's logbook and notes-to-file that we viewed at the Brooklyn shelter, and by the fact that CACC officials and employees attempted to mislead us—before denying us access altogether—by falsely claiming that some of these documents either did not exist or were kept elsewhere.

In addition to the denial of access to the managers' logbooks and the notes-to-file for the Manhattan and Staten Island shelters, we were also prevented from conducting a full review of CACC's personnel files. At the time when the executive director of CACC denied us access to the documents at the shelters, she also denied us any further access to all CACC documents. On September 10, 2001, we had begun an in-depth review of the personnel files at the CACC administrative offices that was interrupted by the September 11, 2001, attack on the World Trade Center. We had intended to return to the administrative offices to complete our in-depth review, but the executive director's denial prevented the completion of that review. Some of the personnel files that we had reviewed before the interruption contained evidence of employee neglect or abuse of animals. Again, we believe that CACC's actions prevented us from obtaining further evidence of serious problems at its shelters.

In addition to denying us access to certain records, CACC delayed our access to other records. Specifically, CACC delayed our access to the disciplinary action notices at the three full-service shelters and those personnel files that we were able to review before September 11, 2001. We requested access to and reviewed these documents before the executive director's denial of further access to CACC records. However, the delays between our request for and access to these documents ranged from one week to one month. We cannot be certain that the records to which we eventually gained access constitute a complete and unaltered set of the records requested. CACC officials often had explanations for the delays, such as that they were occupied with other work or that they had to check with the general counsel before handing over

the documents. However, all of the requests for access to records were made as part of our ongoing audit, after we had informed CACC management that we would need such access and that management should inform CACC staff to cooperate with our requests. Delays such as we encountered were far more frequent and disruptive to the audit than we customarily encounter while auditing City agencies or organizations with City contracts. The delays were part of an overall pattern of uncooperative behavior by CACC.

Some of the instances in which CACC denied or delayed our access to records are described in further detail in the relevant sections of this report.

Difficulty Meeting with the Board of Directors

In addition to the limitations imposed by CACC's executive management, we had difficulty arranging a meeting with the members of CACC's board of directors. It took two months to arrange a meeting with the board. After failing to return many of our phone calls, board members apparently asked the general counsel to have his secretary set up a meeting with all of the board members at once. The board members did not inform us directly of this decision. When the meeting finally took place—two months after we had begun making phone calls to arrange it—only two of the six current board members were present. (CACC's general counsel was also present at the meeting, at the request of the board members.)

Therefore, we did not obtain all of the board members' opinions regarding CACC's management and operations. This is a serious limitation, since it is the board members who are ultimately responsible for overseeing the organization's operations.

Agency Response

See audit summary, pages ES-11 to ES-16, for discussion of agency response.

**OFFICE OF THE COMPTROLLER
NEW YORK CITY**

DATE FILED: June 6, 2002

FINDINGS AND RECOMMENDATIONS

CACC does not provide humane conditions for all of the animals in its shelters and has not made aggressive efforts to increase adoptions of homeless animals. This report describes our findings in three main sections.

The first section, “Animals Are Not Always Sheltered under Humane Conditions,” discusses the inadequacies discovered during our visits to the shelters; evidence that animals in CACC shelters are sometimes subjected to abuse and neglect; the fact that some animals have been accidentally euthanized; and evidence of poor veterinary care in CACC shelters.

The second section, “CACC has Not Made Aggressive Efforts to Increase Adoptions,” presents recent CACC adoption statistics and discusses some of the likely reasons that adoption levels are low and have not improved over the last three years. These reasons include: limited public awareness of CACC and its adoption services and a lack of aggressive efforts by CACC to improve public awareness; inadequate use of off-site adoptions; inadequate efforts to ensure that the adoption process is encouraging to all potential adopters; CACC’s discouragement of some rescue groups that take animals from its shelters; the apparent inappropriate limitation of the pool of animals available for adoption; and a lack of adoption services at CACC’s Queens and Bronx facilities.

The third section of the report, “Possible Causes of CACC’s Shortcomings,” discusses the fact that CACC compounds the problem of under-funding by failing to aggressively raise funds on its own and by failing to take sufficient advantage of volunteers. It also discusses a problem evidenced by CACC leadership apparently interpreting the organization’s mission more narrowly than it was originally conceptualized and failing to aggressively pursue some of the goals outlined in its mission statement, such as, “providing humane care for all New York City animals in need” and “reducing the number of homeless animals through increased adoption.”

Lastly, under “Other Issues,” we discuss the facts that: CACC’s board violated its bylaws by meeting and voting on certain items without the required quorum present; CACC’s board appears to have violated the letter and spirit of the Open Meetings Law by speaking in a manner that prevented attendees from hearing their discussions; and CACC’s contract with DOH does not include specific and measurable performance requirements or standards.

Many of the findings in this report are supported by the results of our surveys of individuals acquainted with CACC’s operations (former employees, customers, and individuals from rescue groups who work with CACC) in addition to our document reviews, observations, and interviews with CACC management. (As discussed above, our ability to rely solely on CACC’s documents and the statements of its current staff members was limited by the organization’s uncooperative behavior.) In total, six of eight former employees, 36 of 59 rescuers, and 14 of 33 customers we surveyed criticized aspects of CACC’s operations and

management.⁶ Their allegations and the results of our testing painted a similar picture—that of a shelter system in which: inadequate resources and staffing levels prevent the provision of some of the basic necessities for humane animal care; the frustrations of over-worked or unqualified employees are sometimes taken out on the animals; opportunities to help animals and increase adoptions are squandered; and, perhaps most notably, the status quo is perpetuated by a management that is not truly committed to all aspects of the organization’s contract and mission, namely, to provide high quality, humane, animal care and place as many animals as possible in adoptive homes. We realize that some of CACC’s former employees may not be entirely objective, but their statements, when considered along with the statements of the rescuers and customers we surveyed, as well as with our own observations, present compelling evidence of the conclusions described above.

Notes Regarding Exit Conference

As stated earlier, an exit conference with DOH and CACC officials was held on March 4, 2002. Three issues raised during this meeting should be mentioned here.

First, DOH noted an inconsistency between our finding that animals in CACC’s care are not always sheltered under humane conditions, and the results of its own inspections of CACC facilities. To illustrate this point, DOH provided us with reports of 531 inspections of CACC facilities that were conducted by DOH veterinarians and public health sanitarians between January 1, 1999 and June 30, 2001. As DOH stated, those inspection reports did not reveal any cases of poor veterinary care or inhumane treatment. However, we do not believe that this is necessarily inconsistent with the findings in our report, because DOH veterinarians and public health sanitarians evaluate conditions in the shelters and the quality of care differently than we did. During their inspections, DOH veterinarians and health sanitarians look at 13 different areas, including floors, washrooms, wards, and infirmaries (many of which were not covered by our audit.) However, just as we did not cover in our audit all the areas that they cover in their inspections, they do not evaluate all of the conditions that we did (for example, how many animals had access to water at the time of the inspection). In addition, their inspections evaluate conditions more generally than we did, resulting in “yes” or “no” answers for conditions such as, “cages washable and clean,” and “separate, adequate, clean area provided for sick animals”; in contrast, we counted the number of cages that were soiled, and the number of wards in which healthy and contagious animals were housed together. Lastly, DOH inspections cover a specific point in time, and therefore could not have identified the instances of poor veterinary care, accidental euthanasia, and abuse and neglect that we uncovered through our review of CACC’s records and our surveys of past employees, rescuers and customers. Thus, while DOH’s inspection reports show that DOH has monitored CACC facilities through frequent on-site

⁶ In addition to the individuals who were part of our surveys, we spoke to six former employees, five rescuers, and three customers who either contacted us after learning of the audit, or whom we contacted as part of our background research for the audit. Since these individuals had not been selected for our surveys through our sampling methodology, we did not present information from our conversations with them in the body of the report. However, since most of them (six of six former employees, three of five rescuers, and three of three customers) also criticized aspects of CACC’s operations and management, and their statements lent further support to many of the findings in this report, we included information from our conversations with these individuals in an appendix to the report.

inspections, they are not comparable to the type of review that we conducted and therefore neither contradict nor are inconsistent with the findings in this report. (In response to this audit, DOH officials used the above-mentioned inspection reports to formally disagree with our finding regarding inhumane conditions. We therefore conducted a more thorough analysis of DOH's inspection process and reports, and the results of that analysis, which concluded that the process and reports are flawed, are described starting on page 34 of this report).

The other two issues worth discussing were raised by CACC. First, CACC's executive director repeated a prior claim that the mission statement quoted in this report is not CACC's mission statement. In response, we pointed out that we quoted CACC's mission statement exactly as it appears on the organization's website and in its *Report 1998 & 1999*.⁷ Therefore, the mission statement as cited in this report was quoted directly from CACC's own description of its mission statement. Shortly after the exit conference, CACC's mission statement was removed from its website.

Second, CACC's executive director claimed that CACC could not use volunteers more than it does because of prohibitions imposed by the employees' union. She stated that she would provide us with correspondence between CACC and the union documenting this fact, as well as with a copy of the union contract. The correspondence she described was never provided, and after reviewing the union contract, our attorneys concluded that the contract is very clear regarding this issue and directly contradicts the executive director's claim that CACC is limited in its use of volunteers. Specifically, the contract gives CACC the unlimited right to utilize volunteers as it sees fit, as long as the use of volunteers does not cause the layoff of any regular employee or prevent the replacement of a regular employee who leaves or is terminated.

⁷ Although the sources of the mission statement are specified in this final report and in the draft report, they had not been specified in the preliminary draft report.

Animals Are Not Always Sheltered Under Humane Conditions

Observations During Site Visits

CACC does not always provide adequate conditions for the animals in its facilities. During our site visits to the five CACC facilities, we found that at the three full-service shelters, where animals spend most of their stay, dogs are rarely, if ever, exercised, animals were not provided constant access to water, and contagious animals were sometimes kept in the same wards as non-contagious animals. In the two larger shelters, Manhattan and Brooklyn, animals' cages were not consistently spot-cleaned, and as a result, animals were sometimes left in soiled cages. These conditions violate the provision in CACC's contract with DOH, that requires that it "meet all its obligations under [the contract] in a humane manner." Moreover, these conditions cause animals to become sick or dirty, and as a result, not only less appealing to potential adopters but also more likely to be euthanized.

According to CACC's contract with DOH:

"Care of animals at the shelters shall include feeding, boarding (including bedding and cleaning of cages), watering, exercising, and provision for immediate first aid as required, including but not limited to isolation of sick animals as necessary."

The contract also states that CACC must perform the following cleaning duties:

- "Daily cleaning and sanitization once per day of bathrooms, public areas, offices, kitchen, lounge, and animal areas.
- "Cleaning of all kennel areas, water bowls, hallways, floors and cleaning equipment.
- "Collection and proper disposal of animal waste throughout the day."

CACC's *Shelter Operation Executive Directives and Procedure Manual* further specifies that all animals must be provided "a constant supply of fresh water," that "water should be available at all times," and that shelter management is responsible for "maintaining the highest standards of sanitation and care of animals entrusted to their care."

Since CACC's contract does not include standards for animal care, we looked to the Humane Society of the United States (HSUS) for additional objective criteria against which to evaluate the conditions in CACC's shelters. According to the HSUS *Guidelines for the Operation of an Animal Shelter*:

"Stress reduction and disease control are your goals when determining how to separate animals. Separate animals as follows: dogs from cats, sick or injured animals from healthy animals, puppies and kittens from adult animals (unless the puppies and kittens are nursing), . . . nursing mothers and their young from all others. . . . Dogs confined in cages should be exercised in runs at least 4 feet by 10 feet twice daily or walked on a leash for at least 20 minutes twice daily. . . . [For both dogs and cats] water must be available at all times."

Most of the work involved in caring for the animals in CACC’s shelters is performed by kennel attendants. According to CACC’s job description and duty checklists for kennel attendants, they are responsible for providing the animals with food and water; performing a thorough cleaning of each assigned animal area once daily (including cleaning the floors and walls of the rooms, cleaning and sanitizing all of the animal cages and the animals’ food and water bowls); maintaining and sanitizing all equipment used; handling and transporting animals to assigned areas; and continually spot-checking the cages, cleaning dirty cages, filling empty water bowls, and providing shredded paper for the animal cages when appropriate. The kennel attendants are also responsible for checking their assigned areas for sick or injured animals, broken or missing equipment, broken cages, missing animals, missing identification collars, and missing identifying cage cards, and reporting any such problems to the supervisor. According to CACC officials, during the day and up to midnight, the Manhattan shelter usually has between five and nine kennel attendants on duty to perform these tasks in caring for up to 500 cats and dogs; the Brooklyn shelter usually has between five and seven kennel attendants for up to 400 cats and dogs; and the Staten Island shelter usually has between one and four kennel attendants for up to 200 cats and dogs. There are fewer kennel attendants on duty during overnight shifts (one in Manhattan, three in Brooklyn, and two in Staten Island), but at the Manhattan and Brooklyn shelters, the thorough cleaning of all the wards and all the cages is not performed during these shifts. The Bronx and Queens receiving centers usually have between one and three kennel attendants on duty to care for the animals received at those facilities during the course of each day.

We conducted a total of 15 visits to the five CACC facilities. During these visits, we conducted 11 thorough walk-throughs, during which we reviewed and documented the conditions in every cage in each of the observable wards and animal areas,⁸ and four quick walk-throughs, during which we observed the overall conditions in the shelters.⁹ During each visit to a given facility, we did not always observe the same number of wards and animal areas since we were unable to observe some wards while they were undergoing a thorough cleaning.¹⁰ (For the remainder of this report, we will refer to wards and animal areas as “wards.”)

The shortcomings we observed during our visits to the five CACC facilities are detailed in the sections below.

⁸ A ward is a closed room usually containing approximately 20 to 40 cat cages or 20 to 30 dog cages or runs. (There are also a few smaller wards in the Brooklyn and Manhattan shelters, such as the ward for exotic animals.) In addition, some animal cages in the Manhattan shelter are located in hallways—we refer to these as animal areas.

⁹ Specifically, we conducted the following thorough walk-throughs: two at the Brooklyn shelter, three at the Manhattan shelter, three at the Staten Island shelter, two at the Bronx receiving center, and one at the Queens receiving center. We conducted the following quick walk-throughs: two at the Brooklyn shelter, one at the Manhattan shelter, and one at the Staten Island shelter.

¹⁰ This was a practical limitation, not one imposed by CACC.

Dogs Are Rarely Exercised

We found that the dogs in CACC shelters are not exercised regularly, if at all.¹¹ CACC's contract does not specify how frequently the animals must be exercised; however, according to the Humane Society of the United States (HSUS), dogs confined in cages should be exercised twice daily.

According to the director of shelter operations, dogs are exercised by being "walked on the dog runs." Our observations and interviews with shelter management revealed that this does not occur on a consistent basis.

We made three visits to the Manhattan shelter during which we viewed the dog runs, and found each time that there were no dogs in the 17 dog runs. We also observed, during our February 20, 2001 visit, a sign posted near the door leading to the dog runs that stated, "No dogs allowed in the outside runs until further notice."

We made three visits to the Brooklyn shelter during which we viewed the dog runs. During two of our visits, there were no dogs in the five dog runs, and during one of our visits, the five runs were being used to hold five dogs that had just been brought into the shelter (there was no other space for them).

We made four visits to the Staten Island shelter during which we viewed the dog runs. There were no dogs in the five dog runs during two of our visits, there were two dogs in the five dog runs during one of our visits, and there were three dogs in the five dog runs during the last visit.

According to CACC officials, all of the dogs in the Staten Island shelter are brought outside daily, but in the much larger Manhattan and Brooklyn shelters, it is more difficult to get all the dogs outside, and they have to "pick and choose" which dogs get to go in the runs.

CACC officials explained that the dogs are seldom exercised because of the lack of adequate staff. At one shelter, the shelter manager stated that there is "no staffing for exercise." Another official at this shelter stated that the only dogs that use the runs for exercise are those coming out of anesthesia after a spay or neutering operation. At another shelter, according to the shelter manager's description, the policy is to place 62 dogs in the outdoor runs in the course of each 24-hour day. However, another official at this same shelter informed us that the shelter is very short-staffed so the dogs are exercised only when the staff has some "down-time" available, or if the one CACC volunteer who walks dogs is there.

However, CACC generally does not use volunteers to supplement their staff in exercising dogs. According to CACC officials, during the time period that we conducted our audit tests, there was only one volunteer who walked dogs for the organization. This volunteer walked some of the dogs designated for adoption at the Brooklyn shelter on Saturdays, from 8:00 to 9:30 a.m.

¹¹ As the Bronx and Queens facilities are receiving centers where the animals remain only for several hours before being transported to one of the shelters, it was not appropriate to test whether animals are exercised at these facilities.

According to one official, another reason that dogs are not exercised at one of the shelters is that CACC is afraid of legal liability—and therefore does not allow staff to take dogs off the premises.

As stated earlier, CACC’s contract with DOH does not specify how frequently the dogs should be exercised. Without a clear performance requirement, DOH has no standard by which to evaluate CACC’s performance and ensure that it exercises dogs frequently enough. Moreover, without a specific performance requirement, it is difficult to calculate the money and staff needed to ensure that CACC can exercise the dogs properly, and therefore difficult to ensure that these needs are appropriately funded in the CACC contract budget.

As we observed, most dogs are kept in cages too small for them to walk around in. Keeping dogs in these cages for the duration of their stay in the shelter, without removing them to provide regular exercise, is inconsistent with CACC’s contractual obligation to DOH to “meet all its obligations under [the contract] in a humane manner.”

Animals Were Not Provided Constant Access to Water

We found during our site visits that the animals in the Manhattan and Brooklyn shelters were not provided constant access to water.

According to both CACC’s *Shelter Operation Executive Directives and Procedure Manual*, and the HSUS *Guidelines for the Operation of an Animal Shelter*, water should be “available at all times.”

At CACC’s shelters, the provision of constant access to water is supposed to be ensured by continual spot-checking throughout the day. According to CACC’s job description and duty checklists for kennel attendants, in addition to performing a thorough cleaning of each animal area once daily (during which water bowls are to be cleaned and refilled), the kennel attendants are responsible for spot-checking the cages and ensuring that water bowls are filled at all times.

Based upon our observations during our site visits, it is evident that spot-checking and refilling of empty water bowls was not occurring on a consistent basis. Although in many of the wards all of the animals had access to water, in many of the other wards, many animals did not have access to water. (In most of the cases where animals did not have access to water, the animals’ water bowls were empty; in some of the cases, the water bowls had been overturned.)

During our three thorough walk-throughs at the Manhattan shelter, we found the following. During the first walk-through, animals in three of 19 wards lacked access to water. In those three wards, the total number of occupied cages without water was five of 48 (10%), ranging from one of 18 (6%) to three of 19 (16%) in each ward. During the second walk-through, animals in 17 of 20 wards lacked access to water. In those 17 wards, the total number of occupied cages without water was 145 of 294 (49%), ranging from two of 16 (13%) to six of six (100%) in each ward. During the third walk-through, animals in two of 21 wards lacked

access to water. In those two wards, the total number of occupied cages without water was 11 of 27 (41%), ranging from six of 22 (27%) to five of five (100%) in each ward.

We observed similar conditions during our two thorough walk-throughs at the Brooklyn shelter. During the first walk-through, animals in six of 14 wards lacked access to water. In those six wards, the total number of occupied cages without water was 13 of 118 (11%), ranging from two of 38 (5%) to two of five (40%) in each ward. During the second walk-through, animals in nine of 16 wards lacked access to water. In those nine wards, the total number of occupied cages without water was 86 of 251 (34%), ranging from one of 21 (5%) to 22 of 22 (100%) in each ward.

Since there was such a disparity between the conditions in the various wards—in some wards, all animals had access to water at the time of our observations, while in others none of the animals had access to water—we concluded that they were not being consistently spot-checked for empty water bowls.

Providing the animals with constant access to water seemed to be less of a problem at the Staten Island shelter. During the first of our three thorough walk-throughs there, in one of the four wards, one occupied cage lacked water; during the second walk-through, animals in six of 11 (55%) of the occupied cages in one ward lacked water; and during the third walk-through, all animals had access to water.

Providing water for the animals did not appear to be a problem at the Bronx and Queens receiving centers, probably because these small facilities have much higher staff-to-animal ratios.

**At the Manhattan and Brooklyn Shelters,
Animals' Cages Were Not Consistently Spot-Cleaned**

During our site visits to the Manhattan and Brooklyn shelters, we found that the animals' cages were not consistently spot-cleaned, and as a result, animals were sometimes kept in soiled cages.¹²

According to CACC's *Shelter Operation Executive Directives and Procedure Manual*, shelter management is responsible for "maintaining the highest standards of sanitation." CACC's job description and duty checklists for kennel attendants describe how the animals' cages are to be kept clean. The kennel attendants are to perform a thorough cleaning of each animal area once daily (including cleaning the floors and walls of the rooms, cleaning and sanitizing all of the animal cages and the animals' food and water bowls), and throughout the rest of the day, are to spot-check and clean dirty cages.

¹² The cages were most frequently soiled with urine or feces; during one of the walk-throughs at the Manhattan shelter, a few of the cages were soiled with smeared soft food.

At the time of our site visits, however, it was evident that consistent spot-checking and cleaning was not going on in the Manhattan and Brooklyn shelters. Although many of the wards contained only clean cages, many others contained a significant number of soiled cages, indicating that they were not being continually spot-cleaned. In fact, some of the cages had obviously not been cleaned for quite some time, as they contained, for example, multiple piles of feces, partially dried-up feces, or the remaining stains from dried-up puddles of urine or diarrhea.

The following is a summary of our observations during our thorough walk-throughs at the Manhattan and Brooklyn shelters.

During the first of our three walk-throughs at the Manhattan shelter, six of 19 wards contained soiled cages. In those six wards, the total number of occupied cages that were soiled was 21 of 144 (15%), ranging from one of 37 (3%) to three of seven (43%) in each ward. During the second walk-through, 14 of 20 wards contained soiled cages. In those 14 wards, the total number of occupied cages that were soiled was 79 of 238 (33%), ranging from one of 22 (5%) to 31 of 32 (97%) in each ward. During the third walk-through, 10 of 21 wards contained soiled cages. In those 10 wards, the total number of occupied cages that were soiled was 27 of 172 (16%), ranging from one of 23 (4%) to five of five (100%) in each ward.

During the first of our two walk-throughs at the Brooklyn shelter, four of 14 wards contained soiled cages. In those four wards, the total number of occupied cages that were soiled was 12 of 46 (26%), ranging from two of 14 (14%) to two of five (40%) in each ward. During the second walk-through, nine of 16 wards contained soiled cages. In those nine wards, the total number of occupied cages that were soiled was 36 of 231 (16%), ranging from one of 20 (5%) to four of eight (50%) in each ward.

Since there was such a disparity between the conditions in the various wards—some were completely clean and some had a large number of soiled cages—we concluded that, while wards were being periodically cleaned, they were not being consistently spot-cleaned. Aside from the fact that some of the cages had obviously not been cleaned for quite some time, the fact that in some of the wards, as many as five out of five, seven out of 22, or 31 out of 32 cages were soiled (it is extremely unlikely that all of these animals soiled their cages at approximately the same time) makes it clear that continual spot-cleaning was not being performed.

Although keeping the animals' cages clean was a problem at the Brooklyn and Manhattan shelters, the cages at the Staten Island shelter were generally clean during our three thorough walk-throughs and our quick walk-through. Once again, this was also not a problem for the Bronx and Queens facilities, probably because they have higher staff-to-animal ratios.

Contagious Animals Were Kept In Wards with Healthy Animals

During our site visits, we found that contagious animals were kept in the same wards as healthy animals in all three full-service shelters. Although the Manhattan and Brooklyn shelters have separate wards for contagious cats and dogs, we saw animals that were designated on their cage cards as contagious being sheltered in wards with other, healthy animals. The Staten Island

shelter does not even have a separate ward for contagious animals; all animals are kept in either the adoption wards or the stray wards. These conditions violate both CACC's contract with DOH, which states that "care of animals shall include . . . isolation of sick animals as necessary," and the HSUS *Guidelines for the Operation of an Animal Shelter*, which states that "sick or injured animals [should be separated] from healthy animals."

At the Manhattan and Brooklyn shelters we observed contagious animals mixed in with healthy animals during each of the three visits on which we tested for this condition. (During the first thorough walk-through at each facility, we did not note whether a contagious designation appeared on animals' cage cards, since we were not yet fully familiar with the cage card coding system.) Specifically, during one walk-through at the Manhattan shelter, seven of 20 wards contained contagious animals mixed in with healthy ones; during a second walk-through, five of 21 wards contained contagious animals mixed in with healthy ones. During a walk-through at the Brooklyn shelter, seven of 16 wards contained contagious animals mixed in with healthy ones.

As mentioned above, the Staten Island shelter does not have a ward for contagious animals separate from the adoption and stray animal wards. The shelter manager and the assistant shelter manager stated that when an animal is found to have a contagious infection, the procedure followed depends upon the condition and its severity. Animals with upper respiratory conditions are kept in the bottom cages only and treated with penicillin. Animals infected with Parvovirus are euthanized so that they do not infect the other animals.¹³ The shelter manager and the assistant shelter manager, as well as two other Staten Island shelter workers, stated that these procedures were necessary since the Staten Island shelter does not have a separate ward for contagious animals.

Officials at the Staten Island shelter stated that CACC is working on converting the unused staff lounge into a medical suite, which will include a contagious animals ward.

Keeping contagious animals together with healthy ones is a violation of CACC's contract and HSUS guidelines. It obviously increases the likelihood that healthy animals will become sick and possibly be euthanized as a result.

Other Conditions Found at the Shelters

In addition to the conditions discussed above, we found the following problems at the CACC shelters:

- During one thorough walk-through at the Manhattan shelter, we noticed that all of the dogs in two wards were wet. In fact, the cages were wet. The wards had just been cleaned, and apparently the cages were not dried before the animals were returned to their cages. This is inconsistent with CACC's Cage Cleaning Procedures. Moreover,

¹³ Canine Parvovirus is a highly contagious viral disease that attacks the intestinal track, white blood cells, and in some cases, the heart muscle.

allowing animals to sit in wet cages increases their discomfort and the chance that they will become sick.

- During three thorough walk-throughs at the Manhattan shelter, two thorough walk-throughs at the Brooklyn shelter, and two quick walk-throughs at the Brooklyn shelter, we observed wards with cats and dogs in the same room, which increases the stress on the animals and is contrary to the HSUS *Guidelines for the Operation of an Animal Shelter*.
- We observed that in all three shelters there are no separate wards for nursing mother animals and their young, which is also contrary to the HSUS *Guidelines for the Operation of an Animal Shelter*.
- During our three thorough walk-throughs at the Manhattan shelter, we observed that there were some animals kept in the hallways instead of in wards. During the first walk-through, 44 dogs and 27 cats were in cages in hallways; during the second walk-through, 29 dogs and 28 cats were in hallway cages; and during the third walk-through, 20 dogs and 22 cats were in hallway cages. Hallway locations, because of their higher levels of traffic and noise, may be more stressful for animals.
- During one visit to the Manhattan shelter, we observed unidentified debris being blown out of the ventilation system. This indicates a possible problem with the ventilation system. We are uncertain about the implications of this condition for disease transmission to animals and humans.

In addition to our observations, interviews with former employees confirmed that shelter conditions need improvement. Four of the eight former employees surveyed criticized the conditions in CACC's shelters, citing unclean conditions and broken animal cages.

One of the reasons for the problems in the shelters seems to be inadequate staffing levels. Five current members of CACC shelter management and five former CACC employees made statements to us regarding the lack of adequate staffing at the shelters. Their statements linked low staffing levels to the inability to properly care for the animals, to keep the animals clean, and to exercise dogs.

A comparison of CACC kennel staff levels to those of some other area shelters shows, in fact, that CACC has a higher ratio of animals to staff. CACC employs 59 kennel staff at its five facilities to take care of the approximately 60,000 animals that come into its shelters each year—a ratio of 1,017 animals per kennel staff member.¹⁴ In comparison, the ASPCA's shelter, which has an average annual intake of 2,000 animals, employs 20 animal care technicians—a ratio of 100 animals per animal care technician; the B.A.R.C., which has an average annual intake of

¹⁴ The number of kennel staff employed by CACC was obtained from CACC's staffing status report as of December 4, 2000. We counted each of the four part-time positions as ".5." The number for kennel staff, 59, includes six full-time and one part-time positions that were vacant at the time. We did this to ensure the fairest comparison with other shelters, since it is possible that, during our interviews, the other area shelters may have reported total positions, instead of total filled positions (employees on staff at the time.)

1,200 to 2,000 animals, employs 11 kennel attendants—a ratio of 109 to 182 animals per kennel attendant; and Bide-A-Wee’s Manhattan location, which has an average annual intake of 1,500 animals, employs 12 full-time and three part-time staff members who handle customer service and medicating animals in addition to handling animals and performing kennel work—a ratio of 111 animals per staff member.¹⁵

The problem of inadequate staffing is exacerbated by the fact that CACC does not heavily recruit or rely on volunteers to supplement staff in caring for the animals in its shelters. As is discussed in a subsequent section of this report, many other shelters rely on volunteers much more heavily than does CACC.

The conditions described above indicate that CACC is not always providing humane care for the animals in its shelters, as required by its mission and its contract. Moreover, in addition to causing discomfort to the animals, a lack of water, soiled cages, lack of exercise, and exposure to contagious animals increase the chances that animals will become sick, and as a result not only be less appealing candidates for adoption, but also be more likely to be euthanized. Thus, these conditions hinder CACC in achieving one of its stated major goals, and the other main aspect of its mission—securing caring homes for animals.

Recommendations

1. While additional funding will most likely be impossible to obtain in the near future, given New York City’s financial situation after the September 11th attack on the World Trade Center, we recommend that, if it ever becomes possible, DOH consider amending CACC’s contract to fund the hiring of additional kennel attendants. (The need to increase veterinary staff is addressed in Recommendation 13.) DOH and CACC should consult other shelters and organizations such as the Humane Society of the United States to determine appropriate staffing levels at CACC shelters. Required staffing levels should then be specified in the terms of CACC’s contract and provided for in the contract budget.

Note: As discussed later in this report, increasing staff through additional City funding is not the only way CACC can improve its services. For example, CACC should recruit and use many more volunteers to supplement staff in providing animal care and should conduct fundraising to raise money to hire additional staff. These issues are discussed in detail later in the report.

Agency Response: “DOH agrees with the recommendations to consider hiring additional kennel attendants and veterinary staff if additional funding becomes available. However,

¹⁵ The number of kennel staff employed by the ASPCA’s shelter, B.A.R.C., and Bide-A-Wee’s Manhattan shelter were obtained through telephone interviews with officials at each of these shelters. We were unable to obtain staffing numbers from the fourth area shelter contacted—North Shore Animal League. The ratio of animals per staff member at Bide-A-Wee’s Manhattan location was calculated based on a total number of 13.5 staff members—each part-time staff member was counted as .5 staff members.

DOH and CACC are focusing on ways to improve services without additional DOH funding, i.e. developing a closer working relationship with the animal care community and developing strategies to better utilize current resources and increase funds raised from private entities. With increased funding from private sources, one of the potential uses will be to hire additional kennel staff for improved animal care services.”

2. We recommend that DOH amend CACC’s contract to include a specific requirement regarding how frequently dogs should be walked.

Agency Response: “The Department is currently renegotiating its contract with CACC to begin July 2002 and will include specific performance measures within the contract to enable DOH to better monitor contract compliance.”

We recommend that CACC:

3. Ensure that: dogs are walked; all animals have constant access to water; animals’ cages are kept clean; animals are put only into dry cages; and cats, dogs, contagious, and nursing animals are kept in separate areas.
4. Enforce the policy of separating contagious and non-contagious animals at all the shelters. At the Staten Island shelter, CACC should implement its plans to convert the unused staff lounge as soon as possible and set up a separate ward for the contagious animals.
5. Investigate the possibility of obtaining additional interns through area colleges to supplement staff in providing animal care.

Auditors’ Comments: See the report section entitled *Discussion of CACC’s Response*, which begins at page 73, and the Addendum for CACC’s response to each of this audit’s recommendations.

Evidence of Mistreatment of Animals in CACC Shelters

Former employees and rescuers with whom we spoke reported that animals at CACC shelters, in addition to suffering under inadequate conditions, are sometimes mistreated. They recounted incidents in which animals were neglected or abused; were caused to suffer because of poor veterinary care; and were accidentally euthanized, even though they were owned or had been claimed for adoption. We attempted to determine the extent of these problems by reviewing, for the period January 1999 through April 2001, the personnel files in CACC’s administrative office and the disciplinary action notices, notes-to-file, and managers’ logbooks maintained at the shelters. However, CACC officials prevented us from conducting a full review of all of these documents.

We were able to review the disciplinary action notices maintained at all three full-service shelters and the notes-to-file at the Brooklyn shelter.¹⁶ In addition, we were able to review the shelter manager's logbook at the Brooklyn shelter, when, in the absence of the shelter manager, we were—we believe mistakenly—given full access to all of the documents on the bookshelf in the shelter manager's office. We were also able to review the personnel files for 120 of the 312 employees who were employed at CACC at any time between January 1999 and April 2001. However, we were unable to review the notes-to-file and the shelter managers' logbooks at the Manhattan and Staten Island shelters, and the personnel files for 192 (62%) of the 312 employees. During our initial visits to review documents at the Manhattan and Staten Island shelters we were not shown the notes-to-file and the shelter managers' logbooks even though we had requested any documents related to employee disciplinary issues or incidents that occurred at the shelters. When we later returned to the Manhattan and Staten Island shelters and specifically requested access to those documents, the executive director denied us access to those and any other CACC documents. As a result of this denial of further access to any CACC documents, we were also unable to complete our review of the personnel files.

It should also be noted that CACC delayed our access to all the documents that we were able to review. (The time between our request for and actual access to each of these sets of documents ranged from one week to one month.) Therefore, we cannot be sure that even the documents we gained constitute a complete and unaltered set of the requested records.

In addition, not all the sets of documents that we obtained covered the full period that we had intended to review. The disciplinary action notices from the Brooklyn and Manhattan shelters, the notes-to-file from the Brooklyn shelter, and the personnel files we reviewed did cover the full period—January 1999 through April 2001. However, the disciplinary action notices and notes-to-file from the Staten Island shelter included records from only May 2000 through April 2001, and the Brooklyn shelter manager's logbook covered only March 2000 through April 2001.

As described below, during our review of the limited sample of documents that we had obtained access to, we came across a number of recorded instances of mistreatment of animals in CACC shelters. These preliminary findings, coupled with CACC's lack of cooperation during this audit, give rise to a serious concern that additional instances of mistreatment may not have been detected by our audit. In addition to refusing to allow us to review all of the relevant documents, CACC officials repeatedly attempted to mislead us by claiming that certain documents either did not exist or were kept elsewhere. For example, during our first attempt to review records at the Manhattan shelter, we were told that notes-to-file were not kept at the shelter—that they were kept only at the administrative office. However, during our second attempt to review records at this shelter, a non-managerial employee showed us the notes-to-file binder (before the CACC legal counsel and executive director became involved in the situation and denied our access to all documents). During this second attempt, we were also told that there was no manager's logbook, since all CACC managers had discontinued the practice of recording managers' notes on paper in 1999 when they began recording them only in the

¹⁶ We limited our review of documents to the three full-service shelters, since these are the facilities where animals spend most of their stay—animals are only kept for a few hours at the Bronx and Queens receiving centers.

computer system. However, we know that this is not the case, since we had already reviewed the Brooklyn shelter manager's logbook through April 2001.

The following three sections present the evidence of animal mistreatment that we obtained through our limited review of the relevant documents, as well as through our conversations with rescuers, former employees, and customers. Of the 42 employees at the Brooklyn shelter for whom we were able to review all relevant sets of documents (personnel files, shelter manager's logbook, and disciplinary action notices or notes-to-file), eight (19%) were cited between January 1999 and April 2001 for animal mistreatment—animal abuse or neglect, accidental euthanasias, or poor veterinary care.¹⁷ When reviewing the incomplete array of documents—to which we had gained access—that were relevant to the remaining shelter employees, we found evidence that 21 additional employees were cited for these issues. In addition, of the eight former employees interviewed, four informed us of animal abuse and neglect cases, accidental euthanasias, or poor veterinary care; of the 59 rescuers surveyed, 17 made allegations about these three types of animal mistreatment; and of the 33 customers we surveyed, five complained about poor veterinary care.

For the reasons outlined above, we believe that the extent of the problem is even greater than we were able to determine through our review of CACC's documents. This belief was confirmed when we found, in documents CACC provided to us after the exit conference, three additional cases of animal abuse, five additional errors of the type that can lead to the accidental or inappropriate euthanasia of animals, and one additional instance of poor veterinary care practices—all of which occurred during our audit period and would have been included in our document review had we been given those documents. Clearly, we have no way of knowing how many more incidents may have occurred that we did not discover through our document review.

Evidence That Some Animals Are Subjected to Abuse and Neglect

We found evidence of animal abuse and neglect during our document review, as well as during our interviews with rescuers and former employees. Of the 42 employees at the Brooklyn shelter for whom we were able to review all relevant sets of documents (personnel files, disciplinary action notices, notes-to-file, and shelter manager's logbook), two (5%) were cited for animal abuse or neglect between January 1999 and April 2001. When reviewing the incomplete array of documents—to which we had gained access—that were relevant to the remaining shelter employees, we found evidence that 10 additional employees at the Manhattan and Brooklyn shelters were cited for animal abuse or neglect. In addition, three of the eight former employees interviewed informed us of animal abuse or neglect at the shelters, and eight of the 59 rescuers surveyed reported cases of animal abuse or neglect.

¹⁷ These 42 Brooklyn shelter employees are the only employees for whom we were able to review all relevant sets of documents. Even for these employees, however, our document review was not complete, since the Brooklyn shelter manager's logbook did not include the period January 1999 through February 2000.

We found 13 instances of animal abuse or neglect involving 12 employees, during our document review. Six of these incidents occurred at the Brooklyn shelter, and seven occurred at the Manhattan shelter between January 1999 through April 2001. These incidents included, but were not limited to, an employee turning a water hose on an animal in its cage; an employee washing cages while the animals were still in them; an employee dragging a dog with a rope around its neck and mouth; and an employee hanging a cat by its foot using a “snappy snare” and, on another occasion, slapping a kitten.

According to CACC’s *Shelter Operation Executive Directives and Procedure Manual*, “physical cruelty to animals” is one of the actions that “will result in discharge or such other disciplinary action as [CACC] may determine.” In addition, the assistant manager at the Manhattan shelter informed us that a staff member who abuses an animal is immediately dismissed. However, though they were documented, not all of these animal abuse or neglect cases resulted in the dismissal of the responsible party. According to the disciplinary write-ups we reviewed, some of the employees cited for animal abuse or neglect were merely suspended for one day—including an employee who had used a cat-grabbing device without permission, resulting in the death of the cat. The employee mentioned earlier, who hanged a cat by its foot and slapped a kitten, received only a note-to-file. In fact, of the seven write-ups we saw documenting obvious physical abuse, only two resulted in immediate terminations, and four of the seven employees known to have been involved were still employed at CACC at the time of our review, as much as 23 months after being cited for animal abuse.¹⁸

Since we were unable to review many of the relevant documents, we do not believe that we saw records of all the instances of animal abuse and neglect that occurred at the shelters between January 1999 and April 2001. Even for those employees at the Brooklyn shelter for whom we were able to review all relevant sets of documents, we cannot be sure that we saw all of the recorded instances of abuse and neglect, since the delays imposed by CACC would have allowed for the alteration or removal of individual documents.

In fact, as was described above, after the exit conference, CACC provided us with documentation of three additional cases of animal abuse—documentation that we had never seen before, although all three cases were covered by the scope of our document review. The documentation provided by CACC confirmed two cases of animal abuse that had been described to us by former employees who had either contacted us or whom we contacted as part of our background research for this audit, and one case that we were not previously aware of.¹⁹ In one of these cases, an employee allowed a pitbull that he was holding by a leash to lunge and attack a caged cat. This employee was fired. In another case, someone hit a dog twice and sprayed a toxin in the dog’s eye; the dog’s cornea was reportedly “gone” as a result. Despite CACC’s efforts, the perpetrator of this act was never identified. In the third case, an employee was suspended for one day for cleaning a dog’s cage while the dog was still in the cage.

¹⁸ One of the write-ups did not include the name of the employee involved and was not included in any of the personnel files that we were able to review.

¹⁹ Since we had not seen evidence in CACC’s documents of the two cases of animal abuse that had been described to us by former employees who contacted us or whom we contacted as part of our research, we did not include them in the body of the preliminary draft report—they are included in an Appendix to the report.

We were also told of instances of animal abuse and neglect during our surveys of rescue groups and former employees of CACC.

Of the 59 rescue groups, eight reported cases of some form of animal abuse or neglect. One rescuer spoke of an incident in which she went to adopt a dog that, according to the CACC employee who had called her, had been in the Brooklyn shelter for three weeks. When she went to pick up the dog, it had a smashed femur and injured genitals. The dog had not received medical treatment for these injuries during its three-week stay at CACC. Another rescuer stated that she picked up a cat at the Manhattan shelter with lesions on its face and paws. This cat's intake card did not indicate that the cat was injured when it arrived at the shelter. The rescuer's veterinarian stated that the cat may have been doused with a chemical. Another rescuer stated that he was aware of an incident when an employee put a pitbull on a leash and had it attack a cat. (This was the same incident described by the former employee). Yet another rescuer spoke of an incident when a girl's dog was hit by a car: the girl found her dog at CACC, but upon realizing that CACC was not providing any care or treatment to the injured dog, she reclaimed the dog and removed it from the shelter. Another rescuer stated that the animals are not treated well in CACC shelters, saying, for example, that he had picked up a dog that was covered in feces. Three other rescuers also spoke about the general neglect of the animals at CACC, stating that animals are not very clean, are not taken care of, and sometimes do not even have water.

Of the eight former employees, three made allegations regarding animal abuse or neglect. One stated that he witnessed an animal handler abusing an anesthetized animal. Another stated that dogs did not get exercised and were not consistently given water or food. The third stated that animals cannot be cleaned (for example, of fleas and ticks) due to the lack of staffing.

One factor contributing to some employees' abusive or neglectful behavior towards the animals may be the fact that shelter staff are overworked. Our review of the disciplinary action notices and notes-to-file revealed that shelter staff are often forced to work double shifts. The inevitably tired, stressed kennel staff may take out their frustrations on the animals.

CACC should immediately terminate employees who physically abuse animals and take strict disciplinary action against employees who neglect animals. By keeping abusive or neglectful staff in its employ, CACC exposes other animals to similar treatment and also exposes itself to legal liability. By terminating an employee who abuses animals immediately, CACC would send a message to other employees, as well as to the community, that CACC has no tolerance for the mistreatment of the animals in its care.

Recommendations

We recommend that CACC:

6. Immediately terminate any employee who physically abuses any animal.
7. Provide more supervision of CACC employees, particularly the kennel attendants, who are directly responsible for the care of the animals.

8. Provide employee support services to help employees deal with their frustrations and to prevent them from releasing their frustrations on the animals.
9. Reconsider its forced overtime policy, possibly offering incentives for staff members to come in and work shifts for which they are not scheduled, rather than forcing employees to work two shifts in a row. Possible incentives could include: the option of swapping shifts with other employees, “merit raises” for outstanding job performance, and additional employee recognition awards.
10. Explore ways to recruit more qualified, dedicated staff, such as increasing reliance on recruiting part-time employees from animal science-related programs at area colleges.

Auditors’ Comments: See the report section entitled Discussion of CACC’s Response, which begins at page 73, and the Addendum for CACC’s response to each of this audit’s recommendations.

Evidence of Accidental Euthanasias

Some animals have been accidentally euthanized at CACC shelters. We found evidence of accidental euthanasias during our document review, as well as during our interviews with former employees and rescuers. Of the 42 employees at the Brooklyn shelter for whom we were able to review all relevant sets of documents, four (10%) were cited for actions that resulted in the euthanasia of owned or claimed animals between January 1999 and April 2001. When reviewing the incomplete array of documents—to which we had gained access—that were relevant to the remaining shelter employees, we found evidence that six additional employees at the Brooklyn and Manhattan shelters were cited for such actions. In addition, two of the eight former employees and two of the 59 rescuers spoke about the problem of accidental or inappropriate euthanasias. There was a total of 13 specific incidents of accidental euthanasias recorded in the documents reviewed or described by former employees. As a result of these incidents, at least five pets whose owners had already claimed ownership were euthanized before their owners were able to pick them up, and at least four animals that had been claimed by rescue groups were euthanized before the rescuers could take them out of the shelters.

CACC’s contract with DOH, states,

“[CACC] shall make every reasonable effort to place animals for adoption and shall euthanize animals only when required as a last resort.”

According to CACC’s written policies, an animal may have a Hold placed upon it, prohibiting anyone from euthanizing or adopting it for a specified period of time. For instance, if an animal has some form of identification, such as a traceable tag, a microchip, or a tattoo, then CACC is required to hold it for a 10-day period. If a pet owner is arrested, hospitalized, or has died, then CACC is required to hold the animal for a five-day period. Once a Hold is placed on an animal (the Hold must be indicated in CACC’s Chameleon computer system and on the

animal's kennel card), a letter is to be prepared immediately and mailed to the owner's address. The holding period starts the day after a notification letter is sent to the owner, thus allowing two days for mail delivery.

If an animal does not have some form of identification, CACC is supposed to create a Found Report in Chameleon, which should include all the information about the animal (e.g., sex, breed, color, and any distinguishing marks). This Found Report is supposed to be cross-checked against any Lost Animal Reports (which are created whenever a person informs CACC that they have lost an animal) to determine whether there are any possible matches.

When the holding period ends, if there has been no contact from the owner, then the shelter manager or assistant shelter manager may remove the Hold, releasing the animal to the shelter for adoption or euthanasia. If there has been some contact with the owner, then the owner must be given a final notice regarding the latest date and time by which he or she may come into the shelter to reclaim the animal. Once the final notice time has expired, the shelter manager or assistant shelter manager may remove the Hold.

According to CACC's policies, no Hold animal may be euthanized, even if it is included in a pre-euthanasia report (the list of animals to be euthanized, prepared before each half-day shift).

However, animals at CACC shelters are being accidentally and needlessly euthanized. During our document review, we found reports of ten accidental euthanasias between January 1999 and April 2001. Six of these incidents occurred at the Brooklyn shelter and four at the Manhattan shelter. Six of these accidental euthanasias occurred when a staff member failed to place a Hold or a memo into the Chameleon system to indicate that an animal would be reclaimed by its owner or had been chosen by a rescue group for adoption; four animals were euthanized even though a Hold had been placed on each.

Again, we must state that our delayed access to the records we reviewed, the fact that we could not review the shelter managers' logbooks or notes-to-file at the Manhattan and Staten Island shelters, and our inability to speak independently to current staff prevented us from knowing whether we viewed records of all accidental euthanasias that occurred between January 1999 and April 2001, and from understanding the true extent of the problem.

Two of the eight former CACC staff members surveyed spoke about the problem of accidental or inappropriate euthanasias. One former staff member spoke of how an employee's failure to follow-up on a rescuer's interest in an animal resulted in the euthanasia of this animal. Another former staff member spoke of a case in which he told CACC he would be willing to adopt a certain dog if no one else was willing to take it, but despite his request, CACC euthanized the dog a few days later. This former staff member also described a case in which an employee neglected to enter a memo into Chameleon and, as a result, a dog was put down two hours before the rescuer who had claimed the dog for adoption came for it. He stated that the employee who had neglected to enter a memo into Chameleon "never puts memos into Chameleon."

In addition, two of the 59 rescuers we interviewed made allegations regarding accidental or inappropriate euthanasias. One rescuer stated that CACC staff overlook Hold memos and put animals down. This rescuer described an incident when she had asked CACC to place a Hold on a dog that she was going to claim once it had been neutered, but instead, the dog was put down. This rescuer claimed that such incidents—when CACC euthanizes animals that have Holds placed on them—have occurred numerous times. Another rescuer stated that there were “tons of times” when rescuers were scheduled to pick up animals, but the animals were put down instead.

In fact, we found documentation of 34 instances in which employees made the types of mistakes that could lead to the accidental or inappropriate euthanasia of animals (the two most common mistakes were failing to enter a Hold memo into Chameleon and failing to enter correct or complete information on the animal into Chameleon). This indicates the potential for even greater numbers of accidental euthanasias.

Again confirming our belief that our document review did not reveal the full extent of the problems at CACC, documentation that CACC provided to us after the exit conference revealed an additional five instances in which employees made the types of mistakes that could lead to the accidental or inappropriate euthanasia of animals.

In conclusion, it appears that staff’s failures to enter Hold memos into Chameleon, inadequate oversight of the Hold status of animals, and poor record keeping have all contributed to the accidental euthanasia of animals. These actions undermine CACC’s goal of securing caring homes for animals.

Recommendations

We recommend that CACC:

11. Provide staff with continuous training concerning the use of the Chameleon system and the importance of entering the various types of information.
12. Provide additional training on and increased supervision of the euthanasia process to ensure that all control procedures are followed.

Auditors’ Comments: See the report section entitled *Discussion of CACC’s Response*, which begins at page 73, and the Addendum for CACC’s response to each of this audit’s recommendations.

Evidence of Poor Veterinary Care

We found evidence of poor veterinary care during our document review and our interviews with former employees, rescuers and customers. Of the seven veterinary staff members at the Brooklyn shelter for whom we were able to review all relevant sets of documents (personnel files, disciplinary action notices, notes-to-file, and shelter manager’s logbook), three

(43%) were cited for instances of poor veterinary care between January 1999 and April 2001. When reviewing the incomplete array of documents—to which we had gained access—that were relevant to the remaining shelter employees, we found evidence that five additional veterinary staff members at the Manhattan shelter were cited for poor veterinary care. In addition, one of eight former employees, 10 of 59 rescuers, and five of 33 customers criticized CACC’s veterinary care. (Again, we must qualify our finding by stating that we may not have seen all the records of reported incidents of poor veterinary care from the period January 1999 through April 2001, and we were unable to speak to current shelter staff independently regarding veterinary practices.)

According to the New York Education Law, Article 135, § 6701, the practice of the profession of veterinary medicine is defined as,

“diagnosing, treating, operating, or prescribing for any animal disease, pain, injury, deformity or physical condition, or the subcutaneous insertion of a microchip intended to be used to identify an animal.” [sic]

CACC’s job description for staff veterinarians states that,

“The Staff Veterinarian is responsible, in cooperation with the Kennel Coordinator, for the overall health and care of all CACC animals. Rounds shall be conducted and **completed** each morning by the Staff Veterinarian **before 9 a.m.**, beginning first with the Adoption wards, and any animal scheduled for surgery, to include visual observation of all animals in the CACC facility. At that time, individual health issues will be addressed by the Staff Veterinarian and either appropriate actions taken or directed to appropriate staff. . . . The Staff Veterinarian will be responsible for ensuring that all Shelter Medical procedures are adhered to and that treatments, euthanasia, and hold procedures are carried out professionally and in accordance with CACC policies. . . . The Staff Veterinarian will direct and assist Veterinary Technicians . . .with the examination and statusing of arriving animals. . . . The Staff Veterinarian will be responsible for the direct supervision and training of all . . . veterinary technicians.” [Emphasis in original.]

However, CACC has sometimes provided sub-standard care to animals. Our document review revealed various reports of poor veterinary care administered by one veterinarian and seven veterinary technicians. The following are some examples of the reports we reviewed.

A veterinarian was cited for instances of neglect dating back at least to March 1999. For example, this veterinarian was cited for approving an Owner’s Request for Euthanasia of a five-year-old poodle without examining the dog. (This is a violation of CACC’s written procedures.) Another time, this veterinarian refused to do rounds for a certain area; therefore, the veterinarian did not examine all the animals identified as requiring examination. In another incident, this veterinarian failed to see a dog that came in with severe bite marks and open wounds, leaving the animal to suffer needlessly. Despite repeated cases of neglect and outright refusal to carry out

certain responsibilities, this veterinarian continued in her position until her resignation in April 2001.

One veterinary technician was cited eight times between January 1999 and April 2001 for poor animal care practice. One report cites the veterinary technician for inappropriately classifying the status of a cat and thus failing to recommend the necessary euthanasia to relieve its obvious pain and suffering. (The cat had a large infected wound on its neck that was infested with maggots.) Another report stated that when examining a dog, the veterinary technician failed to notice that the dog's collar was too tight and injuring the dog's neck. Another report cited the veterinary technician for failing to examine tranquilized animals thoroughly. Despite these and other incidents, this veterinary technician still remains on the job.

Another veterinary technician was cited for poor animal care practices seven times between February 1999 and June 2000, including two times for leaving her shift before tending to animals. (On one of these occasions she left six animals unexamined and 17 animals not euthanized, and on the other occasion she left two injured animals unexamined.) In another instance, the veterinary technician entered a classification of "euthanized" into the Chameleon computer system for a cat that was later found alive in a cabinet of the euthanasia room. In yet another incident, this veterinary technician failed to follow proper procedures regarding an animal with a DOH Hold placed on it. In addition, documentation that CACC provided to us after the exit conference included one other incident in which this veterinary technician left at the end of her shift, even though she had been told that an injured animal was being brought in by the rescue department. Although these written citations date back to at least as early as February 1999, this veterinary technician remains on the job at CACC.

Another veterinary technician was cited for failure to work though an assigned shift, and failure to administer morning treatments to animals requiring medication. Yet another veterinary technician was cited for failing to properly examine an already neutered dog and therefore sending it to be neutered again. (The write-up stated that this was the second incident of this nature.)

In addition to the incidents of poor veterinary care cited in the documents reviewed, other incidents were revealed during our surveys of rescue groups, customers, and former employees. Because some veterinary procedures (spaying and neutering procedures and some emergency procedures) may be performed either at CACC facilities or at outside veterinary clinics,²⁰ in some cases, it was not clear whether the complaints referred to CACC personnel or to personnel at facilities under contract with CACC.

Ten of the 59 rescuers we spoke to complained about the quality of CACC's veterinary care, and six gave specific examples of poor care. One rescuer stated that an animal he adopted

²⁰ Spay/neuter procedures may be performed by outside veterinary clinics under contract with CACC. CACC entered into agreements with veterinary clinics to perform spay/neuter surgeries in order to ensure its ability to comply with the spay/neuter law that went into effect in November 2000—the law requires that all animals leaving New York City shelters be altered prior to leaving (unless a medical waiver is given or breeding documents are presented).

Emergency procedures may be performed at outside veterinary clinics that are not under contract with CACC.

had only one testicle removed during its neutering. In another case, this same rescuer took a dog from CACC and noticed that it was bleeding and unable to sit. When an outside veterinarian performed exploratory surgery on the dog, he found that the person who had performed the dog's alteration had left two gauze pads inside the dog and had attached one stitch to the bladder. Another rescuer mentioned two incidents—one in which a dog developed an infection from undissolved stitches and another in which a dog's dislocated hip went undetected by CACC's veterinary staff. One rescuer spoke of a case in which CACC had spayed a kitten that he said was too young to be altered. The kitten had cuts from the razor used to shave the area and got an infection from the procedure. This rescuer also stated that most of the female animals that he gets from CACC have infections on their abdomens, and most of the males have infections on their scrotums. Another rescuer spoke of a spayed cat she had taken from CACC; because the veterinarian had left an ovary in place, the cat went into heat and had to be re-spayed. Still another rescuer spoke of a four-month-old puppy with a broken leg that she adopted from CACC. Before she could take the puppy, CACC sent it to an outside veterinarian for care but it was apparently left without care for three days. When the rescuer went to pick up the puppy from the veterinarian, its leg was not splinted. This rescuer also stated that in her experience, the surgeries performed on CACC animals were "very sloppy." Still another rescuer stated that a kitten she was fostering developed a hemorrhage as a result of a badly performed spaying, as confirmed by her own veterinarian. (This spaying had been performed by one of CACC's contracted veterinarians.) The four other rescuers who criticized CACC's veterinary care complained about the fact that veterinarians commonly give wrong diagnoses and that CACC does not have adequate facilities or personnel to properly carry out the requirements of the new spay/neuter law, among other things.

In addition to these complaints, five rescuers stated that CACC's veterinary staff often misevaluate animals and frequently provide incorrect information on the animals' sex and age.

Our survey of 33 CACC customers revealed a few more incidents of poor veterinary care. Five of the 33 customers voiced complaints about CACC's veterinary care. One customer felt that the CACC-contracted veterinarian from whom he picked up his cats was not truthful when he released cats to him without informing him that they were infected with fleas and upper respiratory conditions. Another customer who re-claimed his lost dog from CACC was angry at CACC for not permitting him to take his dog out of the shelter before neutering it, despite the fact that he had produced special breeding documents for the dog. According to this customer, under the law, the documents should have exempted the dog from being altered and would have allowed him to use the dog for breeding purposes, as he had planned. Two customers made complaints regarding their animals' alterations. One stated that her cat's incision did not look as if it had been performed well and the other customer said that the area above her animal's scar had been infected by the stitches. Another customer complained about the lack of veterinary services at the Brooklyn shelter. Also, two customers complained that their dogs had been misevaluated.

One of the eight former CACC employees we surveyed criticized CACC's veterinary care. This former employee stated that since the veterinarian was not always present at the shelter, veterinary technicians performed many of the procedures.

Understaffing is one possible reason for the veterinary care problems described above. A comparison of CACC veterinary staffing levels to those of other area shelters shows that CACC's veterinary staff are responsible for far greater numbers of animals. According to the CACC employee list dated June 2001, CACC employs six veterinarians, 21 veterinary technicians, three of whom are part-time, and two veterinary technician interns (27.5 total veterinary staff) to provide medical care for the approximately 60,000 animals that come into its shelters each year.²¹ This is a ratio of approximately 10,000 animals per veterinarian and 2,181 animals per veterinary staff member. In contrast, the ASPCA's shelter, which has an average annual intake of 2,000 animals, employs two full-time veterinarians—a ratio of 1,000 animals per veterinarian/veterinary staff member. Moreover, ASPCA's shelter veterinarians are not responsible for performing spay/neuter procedures, as are CACC's veterinarians; all spaying/neutering for adoptions is performed at ASPCA's full-service animal hospital. B.A.R.C., which has an average annual intake of 1,200 to 2,000 animals, employs one full-time veterinarian, one full-time veterinary technician, and four part-time veterinary technicians (4 total veterinary staff)—a ratio of 1,200 to 2,000 animals per veterinarian and 300 to 500 animals per veterinary staff member. Bide-A-Wee's Manhattan location, which has an average annual intake of 1,500 animals, employs one full-time veterinarian and one full-time veterinary technician—a ratio of 1,500 animals per veterinarian, and 750 animals per veterinary staff member, overall.²²

Another cause of some of the problems with veterinary care may be the fact that CACC relies primarily upon its 21 veterinary technicians (13 (62%) of whom are not licensed), rather than veterinarians, to perform many of the examinations and treatments. Other possible causes include poor supervision of veterinary staff and the retention of poor-performing veterinary staff.

In addition, regarding the contracted veterinary clinics, CACC's executive director stated that there is no formal process in place to monitor and evaluate their performance.

Since the health and condition of animals influence their potential adoptability, it is important that all incoming animals be evaluated, examined, and treated as soon as possible after intake and receive high quality veterinary care while they remain at CACC. However, this has not been the case for all of the animals in CACC's shelters. As a result, CACC cannot ensure that all animals are treated as humanely as possible while in the shelters, and given the best chance for adoption.

²¹ We used the employee list for June 2001, rather than the December 4, 2000, staffing status report (which we used to calculate the total number of kennel attendants) because an increase in CACC's contract budget to support the spay/neuter program seems to have allowed CACC to hire additional veterinary staff since December 2000. The figures of six veterinarians and 27.5 veterinary staff members may be an over-estimate—there were four veterinarians, eight veterinary technicians, and two veterinary technician interns who were hired after the issuance of the December 4, 2000, staffing status report, and we could not determine whether they were full-time or part-time employees.

²² We obtained the numbers of veterinary staff employed by the ASPCA's shelter, B.A.R.C., and Bide-A-Wee's Manhattan shelter through telephone interviews with officials at each of these shelters. For the purpose of these calculations, part-time staff members at all the shelters were counted as .5 staff members.

Agency Response: In response to the related findings, DOH stated: “The Department disagrees with the report’s main findings: that animals are not sheltered under humane conditions and often receive poor veterinary care. These findings are contrary to observations by DOH Veterinarians and Sanitarians. DOH has been closely monitoring the operations of CACC, the contractor that provides services to the City under contract, since its inception, January 1, 1995. From that date through April 2002, DOH has closely monitored CACC’s contract performance and conducted over 1,200 inspections of CACC facilities. During these inspections, DOH did not observe evidence of inhumane treatment or substandard veterinary care cited in your audit. Although the audit notes on pages [11] and [12] that differences in review methodologies may have yielded different results, the training and experience of the DOH staff who conducted these inspections provide us with a high degree of assurance that the animals in CACC’s charge are appropriately cared for. While DOH did not see evidence of such deficiencies, the Department is nonetheless concerned by the audit’s findings.”

DOH argued further that:

“During the audit period from January 1, 1999 through June 30, 2001, DOH conducted over 531 inspections of CACC facilities. Copies of these inspection reports were provided to the Comptroller’s Office at the March 4, 2002 meeting. . . . These inspections included frequent unannounced visits that investigated the physical plant, ward conditions, humane treatment, rabies observation of biting animals, compliance with applicable laws and regulations, record keeping and other activities that affect shelter operations. During site visits, DOH Veterinarians inspected all caged animals and reviewed medical records.

“Based on the observations by DOH Veterinarians and Sanitarians during these inspections, we disagree with the findings of poor veterinary care and inhumane treatment reported in the audit. Specifically, DOH did not observe any cases of poor veterinary care, contagious animals being caged in general wards with healthy animals or inhumane treatment during 531 inspections conducted by DOH Veterinarians and other staff during the audit period. The auditors may have drawn other conclusions about the handling of contagious animals based on a misunderstanding of how cage cards are used by CACC. In addition, we also monitor animal bite cases and found no instances where these animals were accidentally euthanized.”

Auditors’ Comments: The intent of this audit was to review CACC’s compliance with its contract’s requirements, not DOH’s monitoring of CACC. That is why only a cursory review was made of the 531 inspection reports that DOH provided, and why that review concluded (as stated in the “Notes to Exit Conference” section of this report) that there was no apparent inconsistency between DOH’s inspection results and ours, mostly because of apparent differences in the inspection methodology. However, in its response, DOH uses those reports as the foundation for its disagreement with our findings regarding inhumane conditions, and we therefore conducted a more thorough analysis of those DOH reports in order to evaluate the validity of DOH’s argument. The results of our analysis lead us to conclude that if those inspection reports are truly reflective of

DOH's monitoring of CACC, then DOH's monitoring process has significant weaknesses as discussed further below.

- **No Criteria For Inspection Ratings:** When DOH officials first argued at the audit exit conference that its own inspection reports showed a different picture of shelter conditions than ours, we asked them what criteria their staff use when they conduct inspections and enter “yes” or “no” ratings on the inspection sheets. DOH officials could not provide any specifics on what would lead their staff to answer “yes” or “no” to each of the questions on the inspection reports, and stated that they do not have written criteria or standards for use by the DOH Veterinarians and Sanitarians when they perform such inspections. It is therefore clear that the DOH inspection reports must be subjective in nature and may not be a reliable source to illustrate shelter conditions. (See Appendix III for a sample inspection report.)
- **Inspection Reports Indicate Near Perfect Performance:** Each of the 531 inspection sheets that DOH gave us contains 13 rating categories (e.g., “Floors,” “Washrooms,” “Wards,” and “Infirmary”) and those categories include a total of 37 “yes/no” questions (e.g., “Cages washable and clean” in the “Wards” category), for a total of 19,647 questions on the 531 reports. Of those 19,647 total questions, 18,216 had an accompanying “yes/no” entry (some were left blank), and of those 18,216 with an entry, 17,855, i.e., 98 percent, were answered “yes,” indicating a near perfect performance.

Of even greater interest were the answers to the seven questions in the “Wards” category and the two questions in the “Operations” category, questions that most are similar to the areas tested by the auditors. These questions included: “Cages not overcrowded”; “Cages washable and clean”; “Cages intact”; “Animals in appropriate cages”; “Clean, appropriately filled cat litter pans provided”; “Temperature appropriate”; “Ventilation adequate”; “Veterinary protocols adhered to”; “Food protocols adhered to.” Of the 3,717 questions in the “Wards” category, 3,536 had an accompanying “yes/no” entry, and of those 3,536 with an entry, 3,528, i.e., 99.8 percent, were answered “yes,” indicating a close-to-perfect rating. Equally astonishing is that 100 percent of the 907 questions with entries in the “Operations” category were all answered with a “yes”, indicating a perfect rating.

What makes such inspection report results even more dubious, however, is the context in which they were derived. On the one hand, the audit determined that CACC's performance was deficient in many areas, and DOH agreed, stating that “DOH monitoring has found deficiencies in CACC's adoption process, customer service, volunteer program and education and outreach efforts.” On the other hand, DOH argues that such an organization, that is widely known to be under-funded and under-staffed, that does poorly in terms of recruiting volunteers, that needs to improve customer relations and fund raising, and whose adoption efforts need improvement, otherwise performs perfectly in terms of treating animals humanely and providing appropriate veterinary care. We are not convinced.

- **Other Obvious Flaws in the Inspection Reports:** When reviewing the 531 reports provided by DOH, we noted that 932 of the 19,647 questions were not answered at all and were left blank: specifically, in the “Wards” category, 181 questions were not answered, and in the “Operations” category, 121 questions were not answered. This indicates that these areas were not evaluated during the inspections. In addition, the DOH inspector did not sign 39 of the 531 inspection reports, and the reviewer did not sign 31 of the 531 inspection reports.
- **Likely Advance Announcements of Inspections:** One of the most disturbing outcomes of our review of DOH’s inspection reports, and one that casts even more doubt upon their validity, is the fact that some of the former CACC employees we were able to contact during this review stated that they knew of the DOH inspections ahead of time and took special steps to prepare for them.

We were able to contact four of the former employees we identified through CACC personnel files (these people stopped working for CACC between December 2000 and June 2001) and five of the former employees who either contacted us or whom we contacted as part of the background research for this audit, to ask them whether they knew of inspections in advance. Three of these nine former employees stated that they knew when inspections were soon to occur. One stated: “When we were expecting inspectors, we stepped it up a little—did a little more than normal in terms of cleaning up the kennels, washing down the halls, disinfecting, etc. . . . The manager would make it aware to me that inspectors were coming. I would have to inform all kennel staff, and there were times when I would ask additional staff to stay on or come in.” He went on to state: “There were also surprise inspections, which we were notified about on the morning of. With these we had to run around to do everything, make calls to get additional people in, do everything in a hurry.”

The second person stated that, in addition to the fact that the shelter staff knew of and prepared for inspections ahead of time, once the inspector arrived, “He would go to the manager’s office first for an hour or so, and the foreman would go around to make sure that everything was ready.”

The third person recalled a few inspections that the shelter staff knew about beforehand. She stated that the staff were instructed to “pull it together,” and that on the day of the inspection, management scheduled more people to be at work to take care of the kennel areas.

In summary, we believe that the evidence of animal mistreatment that we found during the course of this audit supports our conclusion that inhumane conditions existed, in circumstances we describe, at CACC’s shelters. We do not believe that the evidence that DOH provided to refute our findings is credible. This audit supports its finding of inhumane treatment on real documents found at CACC itself, and cites instances of inhumane animal treatment, accidental euthanasia and substandard veterinary care based upon CACC’s own documents. We found such documents in the personnel files maintained at CACC’s administrative office and in the disciplinary action notices, notes-to-files, and managers’ logbooks kept at the shelters. As

mentioned in the “Audit Limitations” section of this report, we had only limited access to these documents; therefore, it is very likely that there are more instances that we could not uncover. In its response, DOH stated that it “does not agree with the findings of inhumane treatment and substandard veterinary care,” but never addresses the hard evidence we provide in the audit.

Recommendations

13. While additional funding will most likely be impossible to obtain in the near future, given New York City’s financial situation after the September 11th attack on the World Trade Center, we recommend that, if it ever becomes possible, DOH consider amending CACC’s contract to fund the hiring of additional veterinarians and veterinary technicians. (The need to increase kennel staff was addressed in Recommendation 1.) DOH and CACC should consult other shelters and organizations such as the Humane Society of the United States, to determine appropriate veterinary staffing levels at CACC shelters. Required veterinary staffing levels should then be specified in the terms of CACC’s contract and provided for in the contract budget.

Note: As discussed later in this report, increasing staff through additional City funding is not the only way CACC can improve its services. For example, CACC should conduct fundraising to raise money to hire additional veterinary staff. This issue is discussed in detail later in the report.

Agency Response: “DOH agrees with the recommendations to consider hiring additional kennel attendants and veterinary staff if additional funding becomes available. However, DOH and CACC are focusing on ways to improve services without additional DOH funding, i.e. developing a closer working relationship with the animal care community and developing strategies to better utilize current resources and increase funds raised from private entities. With increased funding from private sources, one of the potential uses will be to hire additional kennel staff for improved animal care services.”

We recommend that CACC:

14. Ensure that staff veterinarians provide adequate supervision of veterinary technicians.
15. Ensure that there is an adequate number of medical staff at all times to address the medical needs of animals.
16. Quickly terminate any veterinary staff members who are found to be unqualified or who consistently provide poor care.
17. Investigate ways to attract more qualified veterinarians and veterinary technicians.

18. Evaluate the performance of all veterinary technicians and determine whether there is an advantage to employing licensed technicians (e.g., to perform more of the necessary medical functions and generally provide better care). If there seems to be an advantage, CACC should consider hiring only licensed veterinary technicians in the future.
19. Implement a process to monitor and evaluate the performance of contracted veterinary clinics.

Auditors' Comments: See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

CACC Has Not Made Aggressive Efforts to Increase Adoptions

Less than one quarter of the animals that come into CACC shelters are adopted, and over the last few years, CACC has done little to improve the adoption rate. Some of the reasons for the low percentage of adoptions are: limited public awareness of CACC and its adoption services and the lack of aggressive efforts by CACC to increase public awareness; the inadequate use of off-site adoptions; inadequate efforts to ensure that the adoption process is encouraging to all customers; CACC's discouragement of some of the rescue groups that take animals from its shelters; the apparent inappropriate limitation of the pool of animals available for adoption; and a lack of adoption services at CACC's Queens and Bronx facilities. The following sections describe these findings in greater detail.

Recent Adoption Statistics

According to CACC's Monthly Animal Activity Reports, during calendar year 2000, 14,270 (23.4%) of the 60,877 animals that came into CACC shelters were adopted.²³ Of those 14,270, 5,276 (8.7% of total intake) were adopted directly by customers, and 8,994 (14.8% of total intake) were taken by rescue groups. Of the remaining 46,607, 41,203 (67.7% of total intake) were euthanized, 677 (1.1% of total intake) were owned animals reclaimed by their owners, and 722 (1.2% of total intake) were still in the shelters at the end of the year.²⁴ (Note: We did not test these numbers as part of this audit.)

A review of recent CACC animal statistics shows that CACC has made no improvement in increasing the number of homeless animals that are adopted. The following two tables compare data from CACC's Monthly Animal Activity Reports: Table I compares data for calendar years 1999 and 2000, and Table II compares data for the first six months of 1999, 2000, and 2001.²⁵

²³ CACC is required by its contract to submit Monthly Animal Activity Reports to the Department of Health.

²⁴ The remaining 4,005 animals include categories such as: animals released to freedom (e.g., pigeons) and animals dead-on-arrival.

²⁵ The earliest year for which we have comparable data is 1999, because CACC modified the format of its Monthly Animal Activity Reports as of January 1999, and data in the Chameleon system dates back only to January 1999. The number of animals adopted and euthanized do not add up to total intake, as there are several other possible outcomes for animals including: returned to owner, released to freedom, and still remaining in shelter at the end of the year.

TABLE I
CACC Animal Statistics—Calendar Years 1999 and 2000

	Calendar Year 1999	Calendar Year 2000
Total Intake	61,665	60,877
Direct Adoptions- # (% of total intake)	5,411 (8.8%)	5,276 (8.7%)
Rescue Adoptions- # (% of total intake)	8,643 (14%)	8,994 (14.8%)
Total Adoptions- # (% of total intake)	14,054 (22.8%)	14,270 (23.4%)
Euthanasias- # (% of total intake)	39,810 (64.6%)	41,203 (67.7%)

TABLE II
CACC Animal Statistics—First Six Months 1999, 2000, and 2001

	Jan-Jun 1999	Jan-Jun 2000	Jan-Jun 2001
Total Intake	25,079	30,903	28,673
Direct Adoptions- # (% of total intake)	2,630 (10.5%)	2,544 (8.2%)	2,878 (10%)
Rescue Adoptions- # (% of total intake)	3,436 (13.7%)	5,575 (18%)	3,697 (12.9%)
Total Adoptions- # (% of total intake)	6,066 (24.2%)	8,119 (26.3%)	6,575 (22.9%)
Euthanasias- # (% of total intake)	14,693 (58.6%)	19,543 (63.2%)	19,286 (67.3%)

As the tables above show, over the past three years, the number of animals leaving the shelters through adoptions has remained fairly constant, at a level representing approximately one quarter of total intake. Although the number of animals taken out by rescue groups increased during the first six months of 2000, it seems to have dropped back down after that. (Possible reasons for decreased adoptions by rescue groups are discussed in a subsequent section of the report.)

Just as the total adoption numbers have not improved, the number of animals being euthanized has remained relatively constant. Given the low adoption numbers, CACC inevitably has to euthanize many animals simply due to a lack of space. According to CACC's written procedures, each shelter must ensure that, at the beginning of each day, a specific number of cages are empty and available for arriving animals. Apparently these capacity requirements

necessitate the continuous emptying of occupied cages, and lists of animals to be euthanized are prepared once or twice daily.

Obviously, CACC should seek to increase adoptions, both in order to achieve that aspect of its mission, and to reduce the number of animals that are euthanized. Some of the likely reasons for the currently low level of adoptions and the lack of improvement in adoption numbers are discussed below, along with recommendations for increasing adoptions.

Agency Response: “The Department generally agrees with the report’s finding that CACC has not been as successful as hoped in the area of increasing adoptions. DOH is working with the CACC to streamline and improve adoption procedures and has begun discussions with the animal care community, of which CACC is a part, to explore potential partnerships that will maximize animal care efforts and reduce demand for animal control services.”

Limited Public Awareness of CACC and Inadequate Efforts to Increase Public Awareness

The public is generally not aware of CACC and what it does. We conducted a telephone survey of 254 randomly selected residents from all five boroughs of New York City, to see how many were aware of CACC’s existence and its services. (See Appendix II for the survey form we used.) We found that few residents were aware of CACC’s existence, and even fewer know it is a place from which to adopt animals.

We asked the 254 residents in our survey whether they had ever heard of the Center for Animal Care and Control. Of the 254 people surveyed, 70 (28%) answered “yes,” and 180 (71%) answered “no”; four people (2%) did not respond to the question. Moreover, of the 70 people who answered that they had heard of CACC, only 15 (6% of the 254 surveyed) were able to identify the location of a CACC shelter.²⁶ Forty-six were not able to identify a shelter location or gave a non-existent location, and nine did not respond to this question.

The residents we surveyed were also asked to name three places where they could adopt a dog or cat. (They were asked this question before they were asked whether they had heard of the Center for Animal Care and Control.) Of the 254 residents, 142 (56%) were able to name at least one place. The most commonly named places were: the ASPCA, mentioned by 90 (35%) of those surveyed; North Shore Animal League, mentioned by 77 (30%) of those surveyed; and Bide-A-Wee, mentioned by 40 (16%) of the respondents. Only five (2%) of the residents surveyed mentioned CACC. Just two of these five people actually gave the name, “Center for Animal Care and Control”; the other three people were able only to identify CACC as the “shelter on . . .” and named the street where the local CACC facility is located.

²⁶ Of the 15 people who identified the location of a CACC shelter, four correctly named the street the shelter is on, one described the general area, and 10 simply stated that they were aware of a CACC shelter in a particular borough.

Our survey identified 61 potential adopters—people who answered “yes” to the question, “Have you ever considered adopting a/another dog or cat?” When we asked these 61 potential adopters, “Where would you go if you wanted to adopt a/another dog or cat?” not one of them named CACC. Similarly, of the 72 pet owners identified by our survey, only one named CACC in response to this question. (There is some overlap between the populations of pet owners and potential adopters.)

In addition, of the 72 pet owners identified, only three named CACC when asked, “If you lost a dog or cat, where would you go?”

Our survey results indicate that very few New Yorkers are aware of CACC and the services it provides, and even fewer see CACC as a place to go to adopt a pet.

Limited Outreach, Marketing, and Public Education

The public’s limited awareness of CACC is caused at least in part by the fact that CACC does not conduct sufficient outreach, marketing, and public education. This is evident from a review of CACC’s efforts and a comparison to other shelters’ efforts in these areas.

CACC’s contract with DOH states that,

“[CACC] shall promote adoption as a means of placing animals,” and that,

“[CACC] shall conduct education and community outreach concerning animal control and public health issues related thereto.”

Furthermore, the HSUS states in its *Management Information Service Report*, in an article entitled “Local Animal Control Management,” that one of the criteria for operating an effective animal care and control program is having an

“effective public education program The success of every other aspect of animal control—from licensing to leash laws to sterilization programs—depends on the cooperation of an informed public.”

Obviously, CACC needs public education and outreach programs, both to provide the educational services required by its contract and simultaneously to increase the public’s awareness of its adoption and other services. CACC also should specifically market its adoption services if the organization is to increase adoptions. As is evidenced by the results of our survey, CACC’s public education, outreach, and marketing efforts need improvement, since the organization currently does not do enough to make New Yorkers aware of its services or the fact that CACC is a source of adoptable animals.

The following is a summary of the efforts that CACC does make in the areas of outreach, public education, and marketing for adoptions.

CACC conducts community outreach, public education, and marketing of its adoption services through special events. In 1999, CACC either sponsored or participated in 15 special events, five of which featured adoptions (four were off-site adoption events, and one was an on-site “Adopt-a-Thon”). In 2000, CACC sponsored or participated in a total of 23 special events, four of which featured off-site adoptions. CACC's special events have included: one-day clinics offering free microchipping of New Yorkers’ pets;²⁷ participation in dog walks (one of which was sponsored by the American Cancer Society); participation in fairs and parades at which CACC has handed out literature; participation in off-site adoption events hosted by other organizations; and CACC off-site adoption events.

CACC advertises its adoption services on WLNY-TV (Channel 55), and on a Staten Island public television station; and, a Staten Island cable television station airs a weekly feature showing adoptable animals at the Staten Island shelter. CACC runs a classified advertisement under “pet adoptions” in *The New York Times*, and its animals are periodically featured on the pet pages of the *Daily News*, *New York Post*, and the *Staten Island Advance*. In addition, CACC ran a slideshow advertisement in six movie theatres during two months of calendar year 2000.

CACC also launched a new website in March 2001 (www.nycacc.org). This website contains information on CACC’s shelters and services, as well as some educational information—information on New York City’s new Animal Shelters and Sterilization Act (spay/neuter law), microchipping and licensing animals, and safety precautions for pets. CACC’s website contains a link to the website, Petfinder (a nationwide, searchable database of pets), which includes listings of some of CACC’s adoptable animals. This is potentially a very useful tool for both enhancing CACC’s image and encouraging people to come to its shelters to adopt animals. However, as is shown below, CACC is not realizing the opportunities offered by these websites.

We linked to Petfinder (through CACC’s website) on five different days during July and August, 2001, and found that an average of 38 percent of the listings did not include photographs of the animals. The pictures that were shown on Petfinder were of low quality, and it was very difficult see what the animals looked like—in a couple of cases it was impossible even to tell whether the animal pictured was a cat or a dog. The photographs were too dark or blurry, the animals were too far from the lens (appeared very small), the animals were not facing the camera, etc. Many of the photographs of cats were taken of the cats sitting in cages. In addition, the only information included with the listings was: animal type (dog or cat); sex; breed; age (baby or adult); a brief description of the animal’s appearance; and the fact that the animal was up-to-date with its shots.

In contrast, most other New York State shelters with listings on Petfinder included higher quality photographs for virtually all of their animals. The other shelters’ pictures were much clearer, and were mostly close-ups; it was quite easy to tell what the animals looked like. The other shelters’ listings also usually included at least a short description of the animal’s

²⁷ Microchipping involves the injection of a tiny microchip containing an identifying code under an animal’s skin at the scruff of the neck.

temperament or history, or a “statement” from the animal. Some of the listings included a lengthy description of the animal, its history, and the type of adoptive home that would be appropriate.

By not including descriptions and attractive pictures of its animals on Petfinder, CACC is losing out on an opportunity to persuade potential adopters to visit its shelters. In fact, when viewed together with other shelters’ listings, CACC’s listings may produce a negative perception of CACC and its animals and may actually encourage people to go elsewhere to adopt a pet.

A review of the outreach, public education, and marketing efforts made by other shelters across the country also shows that CACC could be more proactive in educating the public, informing the public of its services, and promoting the adoption of animals from its shelters. We conducted a telephone survey of 13 animal shelters throughout the country—eight of which are municipal shelters and five of which operate under city contracts. As part of this survey, we inquired about the shelters’ outreach, public education, and marketing efforts. While a few shelters do not surpass CACC’s efforts, most of the shelters we surveyed are far more active and innovative than CACC and employ methods that CACC should emulate.

Most of the shelters surveyed conduct outreach and public education through presentations at schools, health fairs, nursing homes, camps, public meetings, community groups, or at other venues. For example, BARC, the animal shelter in Houston, Texas, is very involved in community education and has two staff members dedicated to that purpose. BARC gives presentations at schools and health fairs, meets with civic groups, offers education programs for other agencies, and provides training programs for animal control officers. The Michigan Humane Society has a humane educator on staff who visits 450 schools every year to make presentations. In addition, the Michigan Humane Society holds presentations at its shelter for Girl Scouts, and at day care centers, civic organizations, senior centers, and other organized groups. Chicago Animal Care and Control is getting the word out in schools in another way: it recently initiated a letter-writing campaign to art teachers, asking students to draw pictures of dogs and cats to be displayed at its shelter.

Many of the shelters surveyed also advertise their adoption services more aggressively than does CACC. For example, the Michigan Humane Society has developed good working relationships with several Southeast Michigan newspapers, radio stations, and TV stations, and depends greatly upon the free advertising and publicity it receives from them. It also markets itself through press releases, public service announcements, and special events. Furthermore, it receives media attention for its investigations of cruelty to animals and its rescue department, and is often called by the media for information regarding animal news stories. To promote its animals for adoption, the Michigan Humane Society runs photographs and biographies of approximately 15 pets per week in eight area publications. In addition, it holds an annual five-hour telethon.

The Humane Society of Boulder Valley finds that the most effective marketing tool is its website, where it posts pictures of adoptable animals. In addition to the website, the society markets itself and its animals by taking adoptable animals to local businesses in its mobile adoption vehicle five days a week. It participates in an adoption program that features its

animals at a local store, and distributes posters picturing animals up for adoption for display in local stores. It also brings adoptable dogs to local fairs and farmer's markets. When it takes its dogs for day-long hikes through the parks, the dogs wear coats that identify them as available for adoption at the Humane Society of Boulder Valley.

In addition to advertising on the local television station and in the local newspaper, Berkeley Animal Services posts an advertisement as a screen saver in local theatres, and the Los Angeles City Department of Animal Services features its animals on TV shows, including the game show, "The Price Is Right."

While CACC does make some efforts at outreach, public education, and marketing similar to those of the other shelters in our survey, most of the efforts described above represent either additional tools or more aggressive approaches CACC could use to promote adoptions from its shelters. Some of them require additional funding. However some, such as free advertising and publicity from local media outlets, and cooperation with local businesses to promote adoptions, simply require more aggressive efforts on the part of CACC staff and a more open relationship between CACC, the public, and the local media.

The fact that CACC does not conduct adequate public outreach and education, or market its adoption services aggressively, prevents it from achieving one of its major goals, "securing caring homes for animals." If people are unaware of CACC and its services, CACC's adoption rates will never increase, its shelters will continue to be overcrowded, and it will, inevitably, continue to use euthanasia as an animal population control tool.

Agency Response: "With the contract period beginning July 1, 2001, DOH expanded its on-site monitoring to include a comprehensive review of all contractual requirements. DOH monitoring has found deficiencies in CACC's adoption process, customer service, volunteer program and education and outreach efforts. . . . DOH has met with CACC to begin implementation of a corrective action plan for the deficiencies found during the site visits . . .

"Effective September 2000, CACC began reporting its public education field staff activities to DOH in a monthly activity report. During the period between September 2000 and June 2001, CACC field services staff conducted 4,624 public education contacts. We are working with CACC to develop partnerships with other city agencies as well as private entities with an interest in animal care issues to increase educational and outreach opportunities."

Recommendations

We recommend that CACC:

20. Ensure that the photographs posted by CACC on Petfinder are clear and attractive.

21. Increase CACC's outreach, public education, and advertising efforts. CACC should speak to other shelters to obtain ideas, and pursue relationships with local media outlets and enter into partnerships with private companies willing to sponsor special events or advertising campaigns.
22. Interact with local animal welfare organizations and enlist their aid in promoting CACC and its adoption services.

Auditors' Comments: See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

CACC Has Made Inadequate Use of Off-Site Adoptions

CACC has failed to aggressively promote animal adoptions through adoption events and the use of off-site adoption locations. Since few New Yorkers are aware of CACC, and the shelters are located in areas that do not attract much foot traffic, adoption events and off-site adoption locations should be more effectively used to increase adoptions of the animals in CACC shelters.

CACC's contract with DOH states that CACC:

“shall provide adoption services at the shelters and receiving facilities and shall promote adoption as a means of placing animals . . . [CACC] shall make every reasonable effort to place animals for adoption and shall euthanize animals only when required as a last resort.”

However, CACC has participated in only a small number of off-site adoption events. According to CACC officials, the organization participated in four off-site adoption events during each of 1999 and 2000. Events included Adopt-a-Rama (an adoption event held at Madison Square Garden), Cat Show (a two-day event also held at Madison Square Garden), Broadway Barks (a benefit supporting New York shelters), and off-site adoptions at a Manhattan boutique.

So far this year (as of December 2001) CACC has participated in only one off-site adoption event. In addition, although CACC did participate in Broadway Barks again this year, CACC officials stated that they decided not to bring any adoptable animals to the event this year and instead, to promote their website.

CACC also has a very limited off-site adoption program. CACC animals are shown for adoption at only two off-site locations—two veterinary offices. There were a total of 125 animals adopted from these locations between January and June 2001, indicating the potential benefits of expanding the off-site adoptions program.

Some other area animal shelter organizations use off-site adoptions to a much greater extent, demonstrating that it is a viable option for CACC. Currently, North Shore Animal League offers off-site adoptions virtually every day at various locations, including many New York City locations, such as, Petland Discounts, Petsmart and Petco stores throughout the City; the Queens Center Mall; South Street Seaport; and Chelsea Piers. Mighty Mutts, a New York City animal rescue group shows its animals for adoption every weekend in Union Square in Manhattan.

CACC's lack of commitment to capitalizing upon these kinds of opportunities is shown not only by the small number of adoption events and off-site adoption locations, but also by the fact that it does not consistently and accurately track the success of the adoption events in which it does participate.

CACC was unable to provide complete data for its off-site adoption events. It is impossible to produce a report from the Chameleon system that summarizes the results of past adoption events, since animals adopted at off-site events are not specifically designated as such in Chameleon. Even the director of adoptions and volunteer services does not have all of the off-site adoption data. Although she informed us that she prepares memos that include the number of animals adopted at each off-site event, when we met with her, she was unable to produce memos for any of the four off-site adoption events that took place during 1999. In fact, she stated that she would try to obtain the numbers of animals adopted at one of the events from FIDONYC, the non-profit organization that sponsored that event.

In addition, discrepancies in CACC's records call into question the accuracy of the numbers in the memos that were prepared. For two of the four off-site adoption events that took place during 2000, there are discrepancies between the memos and the "Offsite Adoptions Daily Sheets" prepared by the volunteers working at the events. The discrepancies are as follows. According to the memo prepared for an event called Adopt-a-Rama, 14 animals were adopted and 14 animals were rescued at the event; however, according to the Offsite Adoptions Daily Sheet, 14 animals were adopted and four animals were rescued. According to the memo prepared for a two-day cat show, four animals were adopted and four animals were rescued on the second day of the show; however, according to the Offsite Adoptions Daily Sheet for the second day of the event, four animals were adopted and three animals were rescued.

CACC has also failed to consistently and accurately record the number of hours that its volunteers work at adoption events, further hampering its ability to plan future events. Based on year-end memos prepared by the director of adoptions and volunteer services and sent to the CACC controller, there appears to have been a decrease between 1999 and 2000 in the number of hours that volunteers worked at adoption events—from 2,781 to 2,071 hours. However, in a March 12, 2001, memo to the controller regarding volunteer hours for calendar year 2000, the director of adoptions and volunteers stated,

"I don't feel this is a true representation of the volunteer hours since I believe strongly that the volunteer activity picked up at the shelters in 2000 however I believe the record keeping was not as strong." [sic]

CACC management could increase adoptions both by coming up with innovative ideas and by taking full advantage of existing opportunities. As part of an effort to increase adoptions, it should thoroughly oversee its off-site adoption events. This would include keeping track of the number of animals adopted at each off-site event to determine which events are most successful and which should be repeated or expanded. Since even the individual at CACC with primary responsibility for increasing adoptions does not maintain consistent and reliable records of adoption events and the extent to which volunteers contribute to their success, it is clear that CACC is not using this information to plan and take full advantage of off-site adoption events in the future.

CACC should make a stronger commitment to using off-site adoption events and off-site adoption locations. Off-site adoptions can increase adoption rates directly by making animals readily available to the public, and can increase adoptions indirectly by increasing a shelter's exposure and enhancing its image.

Recommendations

We recommend that CACC:

23. Increase participation in adoption events.
24. Expand its off-site adoption program. CACC should consider showing animals for adoption at additional veterinary clinics and in pet supply stores, among other locations. CACC should also consider working with the New York City Department of Parks and Recreation to create pet adoption spaces where CACC animals can be shown at suitable times, such as spring, summer and fall weekends.
25. Improve its controls over record keeping for adoption events to ensure the accurate documentation of the animals adopted at each event and the number of hours that volunteers worked at each event. CACC should use this information in planning future adoption events.
26. Specifically designate those animals adopted at adoption events in the Chameleon system.

Auditors' Comments: See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

**Lack of a Formal Customer Service
Quality Assurance Program May Prevent
CACC From Ensuring That its Adoption Process
Is Encouraging to All Customers**

CACC can improve upon its efforts to ensure that its adoption process is encouraging to all potential adopters. This is evidenced by the mixed results from our customer survey, and by the fact that CACC has not developed a customer service quality assurance program, as required by its contract with DOH.

It is important that CACC make the adoption process easy and pleasant in order to ensure that potential adopters who come to the shelters and who meet the minimum criteria to adopt do so, and that these people recommend adopting from CACC to others. However, we found that although 50 percent of the customers who adopted animals from CACC made positive comments about CACC's services, 43 percent of the adopters complained about CACC's services, indicating that CACC has not done enough to ensure that the experience of adopting a pet from CACC is a positive one.²⁸

Of the 28 adopters included in our customer survey, 14 (50%) made positive comments about CACC, most of which commended CACC staff for being polite, courteous, pleasant, helpful and professional.²⁹ Twenty-one (75%) of the 28 adopters stated that if they wanted another pet, they would choose to adopt from CACC, and another two (7%) stated that they would "probably" adopt from CACC. Twenty-seven (96%) of the 28 adopters stated that they would recommend CACC to a friend, with three confirming that they had already done so. The 28 adopters gave CACC an average rating of 8.0 out of 10 for overall service provided. These results point out that a significant number of people have been happy with CACC's adoption services and may help increase awareness of CACC's adoption and other services through word of mouth. However, as the findings below demonstrate, CACC should do more to ensure that all potential adopters have positive experiences.

Of the 28 adopters we interviewed, 12 (43%) had complaints about CACC. Eight (29%) complained about the way in which they were treated by CACC staff; the gist of their complaints was that staff were unpleasant, nasty, unprofessional, or simply unhelpful while the customers were attempting to adopt animals. One person even stated that she had ended up adopting her second dog from a different shelter because CACC staff was so unpleasant to deal with—and that she would recommend that shelter to others. Five (18%) of the adopters complained about animal related services. Specifically, three (11%) criticized the quality of CACC's veterinary care; one complained about the lack of veterinary services at the Brooklyn shelter; and two stated that their dogs had been misevaluated. One person stated that his dog's paperwork indicated that

²⁸ There is some overlap between the group of adopters who made positive comments about CACC and the group who made complaints—8 adopters made only positive comments, six adopters made only complaints, and six made both. (Eight adopters made neither noteworthy positive comments nor complaints.)

²⁹ As described earlier, we conducted a telephone survey of 33 customers who dealt with CACC between January and March 2001. Of these 33 customers, 28 adopted animals from CACC. The other five reclaimed animals from CACC.

it was a male puppy, but when he got home, he noticed that it was a female. The other person stated that CACC officials told her that her dog was a pitbull, but when her veterinarian examined the dog, she was told that her dog was actually half Labrador and half retriever. In addition, one (4%) of the adopters complained that CACC does not obtain enough background information on the animals.

It is likely that one of the reasons CACC is having difficulty ensuring a consistently high level of customer service is that the organization has not developed a customer service quality assurance program, as required by its contract with DOH, which states,

“[CACC] shall develop, with the approval of [DOH], a customer service quality assurance program which monitors customer satisfaction with services provided by [CACC] and the quality of these services.”

CACC needs to develop such a program in order to identify areas of customer service that need improvement, to ensure that customer service is consistently professional and courteous, and to ensure that the adoption application process does not discourage potential adopters. These are critical first steps in improving CACC’s public image and increasing adoptions.

Agency Response: “The Department generally agrees with the report’s finding that CACC has not been as successful as hoped in the area of increasing adoptions. DOH is working with the CACC to streamline and improve adoption procedures and has begun discussions with the animal care community, of which CACC is a part, to explore potential partnerships that will maximize animal care efforts and reduce demand for animal control services.

“With the contract period beginning July 1, 2001, DOH expanded its on-site monitoring to include a comprehensive review of all contractual requirements. DOH monitoring has found deficiencies in CACC’s adoption process, customer service, volunteer program and education and outreach efforts. . . . DOH has met with CACC to begin implementation of a corrective action plan for the deficiencies found during the site visits . . .

“As a result of deficiencies in CACC’s customer service program observed during our contract monitoring process, DOH has worked with the CACC over the past several months to improve its customer service program. CACC currently makes random telephone calls to field and shelter customers to evaluate customer satisfaction. Recently they have developed a post card survey that will be mailed to customers to follow-up on their experiences with CACC services. In addition, CACC is training shelter managers and other staff in improved customer service skills. This training is ongoing and will be part of new CACC staff orientation.”

Recommendations

We recommend that CACC:

27. Develop a formal customer service quality assurance program as required by the contract with DOH.
28. Provide service representatives with additional, and continuous, training in customer service.

Auditors' Comments: See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

CACC Has Discouraged Some Rescue Groups

Rescue groups are the lifeline for most of the animals at CACC, as evidenced by the fact that the majority of CACC's animal adoptions are actually transfers to rescue groups. According to CACC reports, in the year 2000, these "Special Adoptions" represented 63 percent (8,994) of CACC's total adoptions. If it were not for the role of these rescue groups, many more animals would be euthanized at CACC. However, our survey of 59 rescuers revealed that many of them have been discouraged by their interactions with CACC, and some even indicated that CACC's actions have limited their ability to take animals out of the shelters. Again, this provides evidence that CACC is not fully utilizing all of the resources available to it to increase adoptions and decrease euthanasia of the animals in its shelters.

Although 20 (34%) of the 59 rescuers surveyed made positive comments regarding CACC, 36 (61%) complained about some aspect of the services provided by CACC. (Nine of the rescuers surveyed made neither noteworthy complaints nor positive comments regarding CACC's services.)³⁰ The 54 rescuers who rated CACC gave CACC an average rating of 6.8 out of 10 for service provided. The positive comments made by 20 rescuers were mainly centered on the helpfulness, professionalism, or dedication of the staff, or the fact that the animals seemed well cared for. The complaints made by 36 rescuers were centered on such topics as, poor customer service, poor treatment of animals, misvaluation of animals, poor job performance, unqualified staff, and management's lack of commitment to increasing adoptions.

Sixteen (27%) of the rescuers complained about poor customer service. Many of the rescuers cited the long wait for service, either when they are physically at the shelters or when they are telephoning to learn which animals are available for rescue. A common complaint was that CACC's representatives do not return phone calls. Rescuers stated that most of the times they have called they have received CACC's voice mail. Some stated that when they are eventually able to speak with someone, the CACC service representatives are rude, discourteous,

³⁰ The numbers of rescuers who made complaints, positive comments, or neither add up to greater than the total number of rescuers surveyed because there is some overlap between the groups—six of the rescuers who made positive comments about CACC also voiced complaints.

and discourage people from adopting and rescuing animals. One rescuer stated that animals that could have been taken out of the shelters have been left there because of CACC staff's rude and unprofessional behavior.

Fourteen (24%) of the rescuers complained about unqualified staff or staff's poor job performance. Several rescuers complained that staff record inaccurate or incomplete information on the animals. Another common complaint was that CACC's staff are inexperienced or undertrained. One rescuer complained that the staff do not seem to be very knowledgeable about animal health and care, while another rescuer stated that the person who evaluates animals for temperament does not have enough experience.

Seventeen (29%) of the rescuers complained about animal mistreatment in the shelters (these complaints were described in earlier sections of the report), and five (8%) of the rescuers complained that CACC miscalculates animals.

In addition, four rescuers complained about CACC's new Placement Extension Team (PET) program. According to CACC officials, the purpose of the PET program is to ensure that all the rescue groups with which CACC works have the capabilities to properly care for the animals they take from CACC and to place them in good adoptive homes. In addition, through the PET program, CACC will learn enough about the groups and their capabilities to ensure that they are taking out the appropriate types of animals. To gather information about the rescue groups, the PET program requires that each group fill out a 12-page application and submit various documents if they are to continue taking animals from CACC.

The program is being implemented incrementally. In November 2000, CACC officials stated that they were beginning implementation of the program and would be mailing out applications to some of the rescue groups that they had worked with in the past. In July 2001, CACC officials stated that they had so far mailed out 55 applications, in two batches—a first batch of 30 applications, and a second batch of 25.³¹ They said that they had completed their review of only three or four applications, as it is a very time intensive process, requiring telephone calls back and forth and repeated follow-up requests for information. CACC officials stated that they had not rejected any rescue groups to date and had not disturbed CACC's relationship with any of the rescue groups that had not yet received applications. They also stated that they plan to eventually send applications to every rescue group they work with.

However, some rescue groups have found the PET program discouraging. Two rescuers indicated that the PET program has made it more difficult for them to rescue animals, and one of these rescuers stated that she was no longer adopting from CACC because of the new program's application process. Two other rescue groups that requested PET applications had not received them yet (one was told that CACC is first sending applications to places that take a large number of animals.) These two rescue groups were apparently not informed of CACC's plans to eventually send applications to all rescue groups that have worked with CACC, and were upset that they might be excluded in the future.

³¹ According to CACC's documents, the organization worked with 265 rescue groups during calendar year 2000.

As described above, most rescue groups have not yet received the PET application. We do not know how many of the rescue groups in our survey received the application or are even aware of the program. Since we could not identify the population of rescue groups who are aware of the PET program, it was impossible to calculate the percentage of rescuers who have found the program discouraging.

In addition to the rescuers' complaints, it seems clear that the 12-page application and accompanying document request is both onerous and discouraging. As stated above, CACC officials admitted that the program involves a very lengthy application process. It certainly seems possible that, as the PET program is expanded, additional rescuers may raise complaints similar to those above, and may be discouraged from continuing to work with CACC.

Since rescue groups can and do save such a large number of animals, CACC should do everything it can to work cooperatively with these groups. Instead, CACC seems to be discouraging some rescuers through poor treatment and a new, onerous application process. In addition, there are some indications that CACC is not reaching out to some rescue groups as it has in the past. By not taking full advantage of the safety net that rescue groups offer, CACC may be causing some animals that could be placed in homes through rescue groups to be euthanized instead.

Agency Response: "The Department generally agrees with the report's finding that CACC has not been as successful as hoped in the area of increasing adoptions. DOH is working with the CACC to streamline and improve adoption procedures and has begun discussions with the animal care community, of which CACC is a part, to explore potential partnerships that will maximize animal care efforts and reduce demand for animal control services."

Recommendations

We recommend that CACC:

29. Work more cooperatively with rescue groups interested in helping CACC place animals. CACC should ensure that all employees understand the importance of maintaining good working relationships with these groups, that they treat rescuers professionally and courteously, and that they return calls from rescuers in a timely fashion.
30. Make the PET application process less cumbersome and less paper intensive.
31. Inform rescue groups by letter that: CACC is implementing the PET program incrementally; it plans to eventually provide PET applications to all rescue groups; and, it will not stop working with those rescue groups that have not yet received PET applications.

Auditors' Comments: See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

CACC Limits the Pool of Animals Available for Adoption

In addition to discouraging some rescue groups and members of the public from taking animals out of its shelters, CACC seems to have inappropriately limited the pool of animals that are eligible for adoption, thereby guaranteeing the euthanasia of certain animals with potential for adoption by the general public or rescuers.

CACC employs a status system to designate the potential adoptability of each animal it takes in. According to CACC officials, each animal is evaluated by a veterinarian or veterinary technician as soon as possible after the animal enters a CACC shelter. The veterinarian or veterinary technician assigns the animal a number that reflects the status of the animal's health and potential adoptability. The animals also receive letter designations—"C" if the animal has a contagious medical condition, "NC" if the animal has a non-contagious medical condition, "G" if the animal is pregnant, "T" if the animal has temperament considerations, and "P" if it is a pitbull. The following are the five status levels:

- Status 1—The animal is in good health, has no apparent behavioral problems, and can be adopted.
- Status 2—The animal is almost a Status 1 (i.e., healthy), but has an easily correctable health problem, minor congenital defect, or scar; the animal will also be designated as either "C" or "NC." In addition, the animal does not have any apparent temperament considerations. (According to CACC officials, with the correction of any health problems, the animal can be adopted.)
- Status 3—The animal has a long-term health problem and requires special veterinary care. The animal will also receive either a "C" or "NC" designation. All potentially adoptable Status 3 animals that have temperament considerations will be designated a "T."
- Status 4—The animal has a transitional status due to temperament considerations. At the time of examination, the animal shows temperament problems that appear to make it unadoptable, but there is still a reasonable possibility that after a 24-hour acclimation period and a reevaluation, the animal will be found to be adoptable. According to CACC officials, a Status 4 animal cannot be moved up to an adoptable status without a reevaluation.
- Status 5—The animal is not adoptable because of its temperament or for medical reasons.

Since the status of the animals determines whether they are made available for adoption or euthanized, it is important not only to examine and treat animals as soon as possible after

intake, but also to evaluate and assign their status appropriately. In addition, since many animals may be nervous upon their arrival in a shelter, it is important to reevaluate any animals that have been given an initial Status of 4.

However, CACC's own policies show that CACC does not always reevaluate Status 4 animals. CACC's written status guidelines state that "reevaluation of these animals is limited by staff and space availability and a reevaluation cannot be guaranteed for all such animals." Given the staffing shortages discussed throughout this report, it seems unlikely that most Status 4 animals are reevaluated. In fact, CACC's executive director stated that not all are reevaluated.

By not upgrading animals' status despite improvements in their behavior CACC is depriving these animals of a potential chance of getting a home and may, instead, lead to needless euthanasia.

Several rescuers indicated that CACC may be further limiting the pool of adoptable animals by failing to assign an accurate status to animals. Five of the 59 rescuers surveyed complained about the misevaluation of animals—two of the five specifically stated that CACC's staff had evaluated friendly animals as aggressive in assigning their status.

One rescuer and one former employee indicated that CACC is limiting the pool of adoptable animals by prohibiting the release of older animals. The rescuer stated that CACC operates under the rule that no dogs over eight years of age are allowed to leave the shelters—even if rescue groups want them. According to the former employee, older animals are euthanized instead of being offered for adoption; he stated that he was told by the shelter's assistant manager that they have no place in the shelter for older cats.

Based upon the evidence described above, it seems that CACC's practices may inappropriately make many animals unavailable for adoption, even by rescue groups, many of which are specifically dedicated to helping those animals that need special care or are not considered highly "adoptable."

Recommendations

We recommend that CACC:

32. Ensure that all animals initially given a "4" status are re-evaluated for temperament.
33. Cease the practice of limiting the adoption of older animals. CACC should work cooperatively with customers so they may adopt the animals most suited to their individual situations, and with rescue groups so that they can take as many animals as possible out of the shelters to be placed in adoptive homes.

Auditors' Comments: See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

CACC Does Not Consistently Use the Bronx and Queens Facilities for Adoptions

During our visits to the Bronx and Queens receiving centers, we found that CACC does not consistently offer animals for adoption at these facilities. Given the need for CACC to increase adoptions and the low level of public awareness of CACC, it is important that CACC show and offer animals for adoption in as many locations as possible, including all of its own facilities.

According to its contract with DOH, CACC is to "provide adoption services at the shelters and receiving facilities."

However, during our three visits to the Bronx receiving center, and our two visits to the Queens receiving center, we only saw one dog that was offered for adoption. On one visit, a CACC official stated that no animals had been shown for adoption at these centers during the previous month.

According to CACC officials, because of short staffing, there has been a problem with transporting animals from the shelters to be shown for adoption in the receiving centers.

An official stated that the provision of adoption services at the Bronx and Queens facilities is impeded by the shelters' hours of operation. He explained that these receiving centers close at 4:00 p.m. People come to the centers after work, but they find that the office is closed.

Eventually, these problems will be rectified when CACC builds full-service shelters in the Bronx and Queens to comply with the new spay/neuter law. In the meantime, however, the fact that the centers are closed after 4:00 p.m., only offer adoption services from 11:00 a.m. to 3:00 p.m., and do not consistently show animals for adoption, decreases CACC's chances of drawing people in to adopt animals from its shelters.³²

Recommendation

We recommend that CACC:

34. Use its Bronx and Queens receiving centers to show adoptable animals until the opening of the planned full-service shelters in the Bronx and Queens.

³² As of April 16, 2002, there are no animal adoption services in the Bronx and Queens. The Bronx and Queens facilities were closed from mid-September, 2001 through April 2, 2002. On April 2, 2002, they opened to receive animals only two days a week.

Auditors' Comments: See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

Possible Causes of CACC's Shortcomings

As discussed in the "Audit Limitations" section, we were not able to conduct as thorough an audit as we intended and were not able to determine definitively the causes of the various problems cited in this report. However, based upon the information we did gather, we were able to identify several probable sources of CACC's major problems, as follows. CACC compounds any problems caused by under-funding by failing to aggressively raise funds on its own, and by failing to recruit and use sufficient numbers of volunteers. In addition, CACC's leadership seems to have interpreted its mission in a fashion that is inconsistent with the organization's mission statement and its contract with DOH.

CACC Does Not Make Sufficient Efforts to Supplement City Funds with Donations

Because it relies almost entirely on City funding and raises very little money on its own, CACC may not have sufficient funds to obtain the staffing levels and other resources necessary to fully and properly carry out its responsibilities. Nearly the entire CACC budget is supplied by the City. This budget may not provide sufficient funds to operate an effective animal shelter system, but whether it does or not, CACC certainly has not supplemented its contract funds with any significant amounts of money from fundraising.

In 2000, New York City spent approximately \$1 per resident on animal control services.³³ This is an increase over the per capita spending of \$0.66 cited in the 1997 City Council report on CACC's performance (*Dying for Homes: Animal Care and Control in New York City*), but is still below the recommendation of HSUS, which states that an "effective community animal control program costs at least \$3 per person per year."

The City did recently provide CACC with additional funding, included as part of the fourth amendment to its contract with CACC. However, that additional money was to enable CACC to comply with the new spay/neuter law that went in effect in November 2000, which required CACC to spay or neuter all animals before releasing them. Thus, the money is to fund additional needed services.

Although CACC has stated that one cause of its problems is that the City does not provide sufficient funding to enable it to properly take care of the numerous animals that it receives daily, CACC has not exercised its own powers to redress underfunding. CACC's Certificate of Incorporation gives it the power to conduct fundraising by soliciting "grants and contributions from the public or from other sources." However, despite its need for money to supplement its City contract funds, and despite a specific recommendation from the City Council in its 1997 report that "CACC should design and implement a plan to raise funds from donors interested in improving the welfare of animals," CACC has still accomplished little in the way of fundraising.

³³ This calculation is based on the U.S. Census Bureau's estimated New York City population (as of April 1, 2000) of 8,008,278 residents, and CACC's contract budget of \$8,270,973 for January 1 – December 31, 2000.

According to CACC's CPA report, during calendar year 2000, CACC received \$206,117 in donations, the vast majority of which came from donations made by customers at the shelters (e.g., when adopters allow CACC to keep as a donation the \$25 spay/neuter deposit they pay when they adopt an animal too young or sick to be spayed or neutered at that time.) CACC has done very little to bring in additional donations. During our interviews, members of executive management acknowledged that little fundraising is being conducted. In fact, CACC's general counsel/deputy executive director stated that CACC has never held an event exclusively for fundraising and that the most it has done has been to place collection boxes on tables at events. He stated that this has so far brought in less than \$50.

CACC's director of external affairs stated that her primary role at CACC is currently to get private donations through direct mailings and through grant proposals to private companies and corporations. However, as of April of 2001, the director of external affairs stated that she had received no responses from the numerous corporations and companies she contacted. According to CACC's controller, the organization received \$11,065 in direct mail donations during 2000.

In contrast to the \$206,117 CACC raised during 2000, other shelters in the New York City area have raised significantly more. For example, during the same time period, North Shore Animal League received \$25,857,975 in donations, and Bide-A-Wee received \$4,173,749. (The ASPCA can not be directly compared to CACC, since it is a national humane organization with other functions in addition to running its shelter in New York City. However, since it is headquartered in New York City, and operates its only shelter here, it is worth noting that the ASPCA raised \$24,844,032 in donations during 2000.)³⁴

Some of the shelters in other major cities across the country also raised significantly more in donations than CACC. For example, during 2000, the Pennsylvania SPCA raised \$2,223,940, the Michigan Humane Society raised \$5,147,052, and the Humane Society of Boulder Valley raised \$2,548,967.³⁵ (Like CACC, these three shelters operate under contracts with municipalities.)

The low level of private donations is probably due both to a lack of aggressive fundraising efforts on CACC's part and the lack of public awareness of CACC.

³⁴ The amount of money these organizations received in donations was obtained by reviewing their IRS Form 990s for 2000. We were unable to obtain a copy of the Form 990 for the fourth area shelter—B.A.R.C.

³⁵ Of the 13 shelters we surveyed, eight provided us with any information on their 2000 fundraising. Three of these shelters are mentioned above; of the remaining five, four are municipal shelters, and one is a for-profit organization. According to officials at the three municipal shelters, Chicago Animal Care and Control is prohibited from soliciting donations and any donations received go to the city's Department of Revenue; Denver Municipal Animal Shelter also can not keep donations it receives—the donations go directly into the City's general fund; Berkeley Animal Services did not receive any donations during 2000; and the Los Angeles Department of Animal Services received \$31,824 in donations during 2000. The for-profit shelter, Dewey Animal Care Center, does not rely on donations.

Insufficient funds affect all CACC services. For instance, there are not enough veterinarians to care for the animals properly. There is not enough staff to keep the shelters clean and provide the animals with their basic needs, such as constant access to water and exercise. Employees are forced to work double-shifts when others are absent. The high animal-to-staff ratio, coupled with staff frequently working double-shifts, leads to tired workers, poor performance, and potential danger for workers when they are not alert and for animals that may be subject to worker frustration. In addition, the executive director admitted that CACC's low rate of pay (e.g., kennel staff start at \$8.50 an hour) prevents CACC from attracting the most qualified staff—undoubtedly a major contributor to the inadequate animal care described in this report.

CACC's senior managers have been less than energetic in pursuing new means of raising funding for CACC. Since it is uncertain whether the City will consider providing more funding for animal care and control in the future, CACC has a responsibility and should demonstrate its commitment to providing the best animal care possible by actively raising its own funds.

Recommendation

35. We recommend that CACC plan and implement additional fundraising efforts. CACC should contact other non-profit animal shelters to obtain ideas regarding effective fundraising methods.

Auditors' Comments: See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

CACC Does Not Sufficiently Rely on Volunteers

CACC currently has few volunteers and uses very few of the volunteers it does have to supplement its staff in ensuring adequate conditions for the animals in its shelters. Since CACC is understaffed, it needs volunteers to assist the employees in direct animal care activities, such as cleaning cages, walking dogs, and grooming dogs and cats. However, the positions for which volunteers are recruited—photography, data entry, and public outreach—have only an indirect connection to the actual care of the animals. A comparison of CACC to other shelters shows that CACC makes fewer efforts to recruit volunteers, uses significantly fewer volunteers, and places volunteers in fewer types of positions than many other shelters.

CACC's contract with DOH states that “[CACC] shall enlist the aid of volunteers.” In addition, CACC's Certificate of Incorporation states that one of its objectives is to “recruit and organize volunteers to assist in the implementation of [CACC's] programs and services.”

In March 2001, CACC had 41 active volunteers. Towards the end of our audit, in July 2001, CACC officials told us that they had “doubled” their volunteer ranks and that they now have approximately 65 volunteers. However, when we reviewed CACC's records, we found that

the number of volunteers had actually increased by only 12—to 53. These 53 volunteers are assigned as follows: 23 to photograph animals to be shown on Petfinder; 15 to help out at special events; three to participate in the Cage Comforter program (they work from home making comforters for cat cages and small dog cages); three to perform administrative duties; five to help out with animal adoptions; and four to perform “kennel” duties, including, grooming animals, and handling and socializing kittens.

We concluded that CACC could easily increase its volunteer ranks by making more aggressive efforts to recruit volunteers and by using more of the people who express an interest in volunteering. In response to our questions, CACC officials could not provide any evidence of recruitment efforts, stating simply that when people approach CACC to volunteer, CACC asks them to come in and fill out an application at CACC’s administrative office. CACC officials also said they place only approximately one third of the people who apply to volunteer.

Moreover, the types of assignment offered to volunteers may discourage potential volunteers. According to CACC officials and the cover letter for CACC’s volunteer application, the only positions currently available to volunteers are: photography (for Petfinder), data entry, public outreach, and the Cage Comforter program. The lack of assignments involving animals very likely discourages many of the people who inquire about volunteering at CACC, as most are probably interested in direct animal care. In fact, according to its director of adoptions and volunteers, CACC receives approximately ten telephone inquiries a week from people interested in volunteering, most of them interested in walking dogs. CACC does not maintain records adequate for us to determine what percentage of the people who make these inquiries end up volunteering at the shelters performing other than dog-walking duties. However, we do know that only 12 new volunteers began working for CACC over the four months from March to July 2001. Assuming that there are approximately ten inquiries a week, it seems obvious that most of the people who telephone to inquire about becoming volunteers at CACC never end up as such.

A comparison to other shelter organizations points out what CACC could be doing differently, as some other shelters in the New York City area and across the country have made greater efforts to recruit volunteers, use significantly greater numbers of volunteers, and use volunteers more directly to improve the conditions for animals in their shelters.

To determine how CACC’s operations and efforts compare to other animal shelters, we conducted a telephone survey of 13 animal shelters in other major cities across the country (previously discussed). Ten of the surveyed shelters have volunteer programs in place, and one shelter is just starting a volunteer program. Only two shelters—Las Vegas’s Dewey Animal Care Center and Houston’s Bureau of Animal Regulation and Care—do not have volunteer programs. The number of volunteers used by each of the shelters with volunteer programs ranges from 15 to more than 1000.

Some of the shelters that we surveyed use large numbers of volunteers. For example, the Michigan Humane Society, which takes in approximately 50,000 animals per year, has 1,085 volunteers; the LA City Department of Animal Services, which took in approximately 73,000 animals during Fiscal Year 2000, has more than 500 volunteers; and the Humane Society of

Boulder Valley, which took in 6,384 animals during Fiscal Year 2000, has 500 volunteers.³⁶ These shelters rely heavily on volunteers to carry out day-to-day operations and to assist with getting as many animals adopted as possible. According to the Humane Society of Boulder Valley, volunteers have enabled it to achieve a 100 percent placement for all adoptable animals in the past five years. The LA City Department of Animal Services is working on becoming a low-kill shelter and depends on volunteers to help it get as many animals placed as possible. The Michigan Humane Society stated that, without volunteers, it would be unable to effectively manage its day to day operations, programs, and events.

While the other surveyed shelters do not use as many volunteers, several stated that the extra help provided by the volunteers is very useful. For example, Maricopa County Animal Care and Control Services, which took in 61,025 animals during calendar year 2000 and uses more than 100 volunteers, stated that it does not have enough staff to provide additional comfort measures beyond basic cleaning, feeding, and watering, so it depends on volunteers to provide the extra care. San Francisco Animal Care and Control, which took in 13,712 animals during Fiscal Year 2000, also uses over 100 volunteers, and stated that volunteers are a very important part of operations; among other functions, they conduct outreach to the community, show animals, exercise or walk animals, groom animals, feed animals, assist with the running of special events, work on publications, and help maintain the organization's website.

Most of the surveyed shelters used volunteers in more functions than CACC does, including the direct care of animals. In fact, 10 of the 13 surveyed shelters reported that volunteers assist with the direct care of animals—socializing, feeding, dog walking, grooming, fostering, etc. Seven of the 13 shelters reported that volunteers help clean the kennels and cages.

Nine of the 13 surveyed shelters stated that volunteers help out with adoptions by providing adoption counseling, transporting animals to and from special events, helping people interact with animals, helping with off-site or mobile adoptions, and making follow-up adoption calls. The LA City Department of Animal Services stated that its mobile pet adoption unit is completely volunteer-driven. Chicago Animal Care and Control and DC Animal Control reported that their adoption rates have increased with the help of volunteers. In addition, some of the surveyed shelters would like to involve volunteers in even more areas. For example, Chicago Animal Care and Control plans to add adoption screening to the list of activities in which volunteers can assist.

Some of the surveyed shelters also make much more aggressive efforts to recruit volunteers than CACC does. For example, the Pennsylvania Society for the Prevention of Cruelty to Animals advertises for volunteers in a newsletter 11 times a year, while the Humane Society of Boulder Valley holds an information session every six weeks. At the San Francisco Animal Care and Control shelter, the head of its outreach unit visits and posts ads at local colleges, high schools, and libraries to recruit volunteers. Other surveyed shelters, like Michigan Humane Society, DC Animal Control and Maricopa County Animal Care and Control Services, reported recruiting volunteers through their websites, advertisements in local papers, public service announcements on television, at off-site events, at mobile adoption sites, during humane

³⁶ Intake and volunteer statistics are based upon documentation provided by shelter officials or statements made by shelter officials during our telephone interviews.

education presentations, or through word-of-mouth. The LA City Department of Animal Services does less recruitment since it does not have the budget for it, but tries to promote itself and its volunteer opportunities in publications that offer it free ad space.

Shelters in the New York City area also recruit and use volunteers to provide more direct care for their animals than CACC does. Bide-A-Wee uses approximately 30 volunteers in its Manhattan shelter, and 25 volunteers in its two Long Island shelters, to provide direct animal care such as, walking and bathing dogs, and helping with basic cat care. North Shore Animal League in Long Island, uses volunteers to walk dogs and perform other direct animal services, such as bottle-feeding motherless puppies and kittens. The ASPCA currently uses more than 240 volunteers in its shelter, performing such tasks as: socializing animals (thereby preparing them for adoption); walking dogs; interviewing potential adopters and helping them pick animals; and conducting outreach and humane education. B.A.R.C., has two full-time volunteers who work in the kennels and 20 volunteers who walk dogs on Saturdays and Sundays.³⁷ Additional volunteers are occasionally sent to B.A.R.C. by organizations such as NY Cares, Goldman Sachs, Liz Claiborne, GAP, Old Navy, Merrill Lynch, JP Morgan, Bushwick High School, and Americorps.

Because CACC does not aggressively recruit volunteers or allow volunteers to engage in many activities involving the direct care of animals, CACC currently uses relatively few volunteers. If CACC were to aggressively recruit and use volunteers fully, it would be able to supplement its funded staff by having significant numbers of volunteers assist the kennel staff and thereby improve the conditions for the animals in the shelters.

Agency Response: “DOH agrees with the Comptroller’s findings of inadequate use of volunteer staff and has been working with the CACC to increase the number and utilization of volunteers. Currently, CACC uses interns who are enrolled in the Veterinary Technician Program at LaGuardia College. DOH is working with CACC to identify other areas that can increase the number and improve overall utilization of volunteer services.

“With the contract period beginning July 1, 2001, DOH expanded its on-site monitoring to include a comprehensive review of all contractual requirements. DOH monitoring has found deficiencies in CACC’s adoption process, customer service, volunteer program and education and outreach efforts. . . . DOH has met with CACC to begin implementation of a corrective action plan for the deficiencies found during the site visits.”

³⁷ Information on these shelters’ volunteer programs was obtained primarily from their websites. The numbers of volunteers working at Bide-A-Wee and B.A.R.C. were obtained through telephone interviews.

Recommendations

We recommend that CACC:

36. Aggressively increase its number of volunteers through a stronger recruitment effort aimed at individuals interested in the care of animals. CACC should consider enlisting the aid of rescue groups and other area animal welfare organizations in recruiting volunteers.
37. Expand duties available to volunteers to include more direct animal care, such as dog walking, cage cleaning, and cat grooming.

Auditors' Comments: See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

CACC's Management and Operations Are Not Focused on Achieving All Aspects of its Contract and Mission

Based on our audit findings, we have concluded that there is a discrepancy between CACC's contract and mission, and its actual operations. As shown earlier in the report, some of the ways in which CACC has violated the requirements of its contract with DOH and/or its own mission are that it:

- did not provide humane care to all of the animals in its shelters;
- did not aggressively promote the adoption of the animals in its shelters through public awareness campaigns, off-site adoptions, and the use of all of its own facilities for adoptions;
- discouraged some of the rescue groups that take animals from CACC shelters to be placed in adoptive homes;
- limited the pool of animals available for adoption;
- did not make sufficient efforts to supplement its city contract through fund raising; and
- did not sufficiently rely on volunteers to improve the care of animals in its shelters.

All of this points to an organization which seems to focus on meeting only certain requirements of its contract and seems to view its mission much more narrowly than it was originally conceptualized. In essence, CACC seems to focus its efforts on "pushing animals through the system," i.e., taking them in and euthanizing them when they exceed capacity, without aggressively pursuing many of the other requirements of its contract and the other goals outlined in the mission statement, such as "providing humane care for all New York City animals in need" and "reduc[ing] the number of homeless animals through increased adoption."

As CACC has focused primarily on one function, it seems to have adopted an overly defensive organizational mentality, which was illustrated to us in several different ways during the course of the audit.

One piece of evidence demonstrating a troublesome aspect of CACC's organizational culture is an intra-office e-mail photocopied from the Brooklyn shelter manager's logbook. The e-mail, which is apparently an excerpt from a summary of a meeting on the Chameleon database system, states,

"ANIMAL STATUS - We will never change the status even if the status changes because our euth[anasia] reports will look better."

Although we do not know for certain whether this statement reflects an organization-wide policy, it certainly raises a number of concerns regarding CACC's management and its disclosure philosophy. Obviously, it points out the possibility that CACC is manipulating its data to make its reports on the number of animals euthanized "look better." We therefore question the accuracy of their reports on animal intake, numbers of animals adopted, and numbers of animal euthanized. (Note: We did not test these numbers as part of this audit.) The statement also raises concerns regarding the outcomes for many animals. It is not clear from the e-mail whether the policy is never to change the status of animals in actuality, or simply never to adjust the status of animals in a field within the database. If CACC actually never changes the status of animal, potentially adoptable animals will not be given a chance of finding homes and will be automatically designated for euthanasia based upon their initial evaluation (which CACC acknowledges may not always be accurate). Regardless of its true meaning, the statement raises obvious concerns.

Another set of events which demonstrated CACC's defensive attitude was how CACC management reacted to this audit. The obstructive tactics employed in response to this audit, most notably management's refusal to allow employees to speak to us without a supervisor present, were our first indications of management's philosophy of non-disclosure. We explained to CACC's executive management on numerous occasions that speaking openly and honestly with staff at all levels within the organization was the best way for us to obtain an accurate picture of CACC's operations, to understand the reasons for any shortcomings, and to devise constructive recommendations for improvement. However, CACC's executive management refused to change its mind on this issue, acknowledging that it would rather see a section in our audit report describing these audit limitations than allow us to speak to staff members without a supervisor present

Another illustration of the above is the fact that CACC has limited its exposure to "outsiders," such as volunteers, who have the potential to help improve services and animal care in the shelters. For example, CACC uses few volunteers and gives most volunteers responsibilities that are away from the animals and the shelters.

Yet another illustration was the behavior of the board of directors. As described earlier in the report, board members were not cooperative with our attempts to interview them. In addition, we found that during board of directors meetings, which are open to the public, board members often deliberately spoke at such a low volume as to prevent all other attendees from hearing their discussions. (This issue is discussed further in a later section of this report.)

CACC's focus on only a narrow part of its contract and mission and its defensive attitude were also the focus of statements made to us by rescue groups and former employees. Specifically, 14 of the 59 rescuers and five of the eight former employees complained about various aspects of CACC's management. Complaints about executive management revolved around several areas: lack of concern for the animals, overemphasis on protecting CACC's image, discouragement of employees who try to help animals, and lack of advertising, education, and outreach.

For example, one rescuer specifically stated that CACC is mainly concerned about its liability and about protecting itself from criticism. Three other rescuers complained that CACC's efforts to work with them in getting animals out of the shelters have decreased recently. Their reports of decreased CACC efforts all related directly to the departure of CACC staff members. One rescuer stated that CACC had not called the rescue group since the adoption coordinator for the Manhattan shelter left. Another reported the same lack of contact dating to the departure of the Brooklyn adoption coordinator. The third rescuer similarly stated that the group had not received as many calls to rescue animals since both the adoption coordinator and the rescue coordinator at the Brooklyn shelter had left.

Two former employees complained that management discourages staff members who show a real desire to help the animals. According to the former employees, such people are quickly labeled trouble-makers (sometimes because they ask too many questions about management's decisions) and are often either fired or leave on their own after becoming frustrated in their attempts to improve things.

As discussed earlier in the report, one former employee and one rescuer complained about management's prohibition against permitting adoptions of older animals. This also evidences that CACC is not aggressively working toward one of its stated goals—finding homes for as many animals as possible. Prohibiting the release of older animals does not necessarily mean that more young animals will be adopted, as some individuals specifically wish to adopt older animals, and some rescue groups specialize in caring for and placing sick, old and less “highly adoptable” animals.

During our conversations with former employees and rescuers, comments were repeatedly made that CACC's management is secretive, defensive, and vindictive. In fact, many of the rescuers who participated in our survey were initially reluctant to speak to us, expressing their fear that if CACC management were to realize that they had been critical of the organization, management would retaliate by preventing them from taking animals from CACC in the future. In addition, one rescuer refused to participate in the survey after making some negative comments regarding CACC, indicating that she feared being cut off by CACC; and another rescuer who did participate, though critical of CACC, stated that she would not say all that she wanted to because she wanted to continue rescuing animals.

None of the types of evidence discussed above (CACC's e-mail, its behavior towards us, its behavior toward “outsiders,” the board members' behavior, or the comments made by a customer, rescuers and former employees) taken on its own would have led us to the conclusion that CACC is operating under a defensive mentality that results from its primary focus on only a

narrow aspect of its contract and its mission. However, taken together, these types of evidence form a compelling image of an organization that knows that its activities are not synchronous with its contract and its mission, and therefore can only conduct its activities in a defensive mode. This inevitably leads to missed opportunities for improvement, as opportunities to collaborate with rescue groups, volunteers and other “outsiders” are squandered, and prevents CACC from fulfilling all of the requirements of its contract and achieving its full mission.

Conclusion

This last issue, regarding the discrepancy between CACC’s contract and mission and its operations is a key finding of this audit, because, unless it is addressed adequately, none of the preceding recommendations made in the report can or will be effectively implemented. Therefore, we recommend that:

38. CACC’s board of directors and executive management convene to discuss the organization’s mission, to determine whether the current mission statement accurately reflects CACC’s purposes, and to reconcile its organizational and management philosophy with its contract and stated mission. If the board and executive management determine that the current mission statement is accurate, then they must develop a plan for the organization to change direction and bring its operations in line with the pursuit of all of the goals in its mission statement. If the board and management decide that they are not interested in pursuing all of the goals in CACC’s mission statement, they should change the mission statement accordingly, and negotiate any necessary amendments to CACC’s contract with DOH.

Auditors’ Comments: See the report section entitled *Discussion of CACC’s Response*, which begins at page 73, and the Addendum for CACC’s response to each of this audit’s recommendations.

Other Issues:

CACC's Board Violated its Bylaws

During one of the three board of directors meetings we attended, the board violated its bylaws by meeting and voting on certain items without the required quorum being present.

According to CACC's bylaws, § 3.5, entitled "Quorum,"

"At all meetings of the Board of Directors, except where otherwise provided by law or these By-laws, a quorum shall be required for the transaction of business and shall consist of a majority of the entire Board of Directors, provided that at least a majority of the Ex Officio Directors are present."

In addition, according to CACC's bylaws, § 3.6, entitled "Vote Required,"

"All questions, except those for which the manner of deciding is specifically prescribed by law or these By-laws, shall be determined by vote of a majority of the Directors or Committee members or their respective Alternates present at any meeting at which a quorum is present, provided that such majority vote includes the vote of all three Ex Officio Directors for any of the following actions:

- (i) appointing or removing Officers of the Corporation, and fixing such Officers' compensation;
- (ii) appointing additional Directors to the Executive Committee; and
- (iii) adding to, amending, altering or repealing these By-laws or the Certificate of Incorporation."

It appears that the June 11, 2001, board meeting should not have taken present since there was no quorum. Only one of the three ex-officio directors was present. To constitute a quorum there should have been at least two ex-officio directors present at the meeting.

Moreover, during the June 11, 2001, board meeting, the board did not have the authority to vote on revising the bylaws (it voted to change the fiscal year ending date to June 30 from December 31), since this type of action requires the vote of all three ex-officio directors, and only one ex-officio director was present at the meeting.

Recommendation

39. We recommend that CACC's board of directors ensure that there is a quorum present when it holds meetings and votes on items.

Auditors' Comments: See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

CACC's Board Appears To Be in Violation of the Letter and Spirit of the Open Meetings Law

During two of the three board of directors meetings that we attended, CACC board members and officers appear to have violated the letter and spirit of the Open Meetings Law by speaking at almost a whisper, thereby preventing attendees from hearing their discussions.

The New York State Open Meetings Law in its legislative declaration, requires that,

“public business be performed in an open and public manner and that the citizens of this state be fully aware of and able to observe the performance of public officials and attend and listen to the deliberations and decisions.”

CACC has stated that it complies with the Open Meetings Law. However, because the directors and officers of the board spoke so quietly throughout two of the meetings we attended, we, as well as other attendees, were unable to hear much of what went on during those meetings. It is important to note here that this conduct continued despite repeated requests from other attendees that board members speak up.

Conduct similar to that of the CACC Board has been held to be in violation of the Open Meetings Law. In Goetschius v. Board of Education of the Greenburgh Eleven Union Free School District, 721 N.Y.S.2d 386, 387 (2d Dep't 2001), the Appellate Division upheld a lower court decision that determined that the Board of Education “engaged in a persistent pattern of deliberate violation of the letter and spirit of the Open Meetings law, by, *inter alia*, improperly convening executive sessions and conducting business in a manner inaudible to the public audience.” The Appellate Division also upheld the lower court’s decision to annul certain determinations the Board of Education made when it violated the Open Meetings Law. *Id.* at 388. Similarly, it was reported to the Executive Director of the State Committee on Open Government that a Morristown School Board held several meetings in which board members spoke so softly that audience members were unable to hear their deliberations, despite repeated requests by the audience to the board members to “speak up.” In an advisory opinion, the Executive Director of the State Committee on Open Government stated that the Board “must conduct its meetings in a manner in which those in attendance can observe and hear the proceedings.” Otherwise, the conduct is “unreasonable and fail[s] to comply with a basic requirement of the Open Meetings Law.” (See Committee on Open Government Advisory Opinion, July 7, 1993.)

Recommendation

40. We recommend that CACC’s board of directors comply with the Open Meetings Law and ensure that all board members, officers, and invited speakers speak audibly so that members of the public who attend the board meetings may hear what is said.

Auditors’ Comments: See the report section entitled *Discussion of CACC’s Response*, which begins at page 73, and the Addendum for CACC’s response to each of this audit’s recommendations.

Inadequacies of CACC's Contract with DOH

CACC's contract with DOH does not include specific and measurable performance requirements or standards. This prevents DOH from holding the organization accountable for providing specified acceptable levels of service.

This audit was conducted in order to determine whether CACC is operating in accordance with two major aspects of its mission—"providing humane care for all New York City animals in need" and "[reducing] the number of homeless animals." In order to assess the level and success of CACC's efforts in these areas, we often had to search for standards against which to measure the organization. For example, in some areas, we compared CACC's efforts to those of other municipal shelters throughout the country and other shelters in the New York City area, and we compared conditions in the shelters to the standards of HSUS in addition to the requirements in CACC's contract and its procedures manual. We were unable to rely solely upon the standards to which DOH holds CACC, because DOH does not hold CACC to specific, measurable standards.

In its contract with CACC, DOH outlines various categories of services that CACC must provide. The contract, however, does not include any specific and measurable performance requirements or standards for animal care. For example, although the contract requires that CACC "operate animal shelter facilities in the boroughs of Manhattan, Brooklyn, and Staten Island," and states that "animals within the possession of [CACC] shall be cared for in a humane manner in accordance with applicable law," it does not specify any standards for humane care, such as the frequency with which dogs should be exercised, the minimum amount of space each animal should be allotted, or how often and in what manner animal cages should be cleaned. The contract also requires that CACC "provide adoption services at the shelters and receiving facilities and . . . promote adoption as a means of placing animals," but does not include any requirements, targets, or goals regarding the number or percent of animals that should be placed through adoption each year or any requirements regarding the types or level of efforts CACC should make to promote adoptions. The contract requires that CACC "enlist the aid of volunteers," but does not specify how many volunteers should be recruited or how the volunteers should be used to improve services. The contract does not require that CACC conduct fundraising to supplement its contract funds, nor does it define any fundraising target.

By failing to include measurable performance requirements and standards related to many of CACC's services in the contract, DOH has failed to give CACC a clear definition of its expectations regarding the organization's performance and operations. DOH also does not have any clear criteria against which to evaluate CACC's performance. Moreover, without clearly identified minimum performance requirements, it is difficult for DOH and CACC to evaluate CACC's budgetary needs. Without knowing what the acceptable levels of service are, DOH and CACC can not determine CACC's staffing and funding requirements for achieving acceptable levels of service.

Recommendation

41. We recommend that DOH amend CACC’s contract to include specific and measurable performance requirements and/or standards for all appropriate service-related areas. The table below lists some examples of performance requirements and standards that could be incorporated in the contract.

Service Area	Examples of Performance Requirements or Standards
Humane Care of Animals in the Shelters	The amount of space each animal should be allotted, the frequency with which dogs should be walked, and the frequency with which animal cages should be cleaned.
Animal Adoptions	The number/percent of homeless animals that should be placed through adoption each year, the number/percent of animals placed through adoption that should be placed through “direct” adoptions versus those placed through rescue groups, the minimum number of off-site adoption events that CACC should hold each year, the number of animals that CACC should show for adoption at the Bronx and Queens facility each day/week/year.
Animal Seizure in Response to Complaints	The time period within which complaints must be responded to.
Use of Volunteers	The number of volunteers that should be recruited each year, and the number of volunteers that should be working for CACC in each specified service area at any given time.
Fundraising	The amount of money CACC should raise in donations each year.
Public Education Regarding Animal Control and Related Issues	The number of public education events that should be held each year, the total number of people that should be addressed at these events each year, and the topics that should be covered at these events.
Formal Customer Service Quality Assurance Program	A description of how such a program would work, and evidence of its implementation.

Agency Response: “Although the City’s current contract between DOH and CACC does not include specific performance indicators, DOH does use specific guidelines to measure performance as part of our inspection process and CACC’s overall compliance with the regulations and standards appropriate to its operations. The Department is currently renegotiating its contract with CACC to begin July 2002 and will include specific

performance measures within the contract to enable DOH to better monitor contract compliance. These measures will be based on industry standards and guidelines and nationwide ‘best practices’ for animal shelter operations.”

Discussion of CACC's Response

DOH chose to append a written response from CACC to its own response to the draft audit report, in which CACC disagreed with virtually every aspect of the audit's methodology and findings and alleged that the audit was not conducted in an objective fashion. As was stated earlier, during the fieldwork phase of this audit, CACC's executive management misrepresented many facts regarding the organization's operations. CACC's response to this audit is a continuation of this behavior. To present and discuss CACC's position on this audit, we now address CACC's main arguments below. (For the full text of CACC's response, see the Addendum of this report.)

Overview

In an apparent effort to obscure the facts and to discredit the audit's findings, CACC chose to include in its response several misrepresentations, distortions, and personal attacks on the professionalism of the audit staff. For example, CACC attempts to dismiss the audit's findings by contesting the auditors' expertise, objectivity, and independence. CACC goes as far as accusing the auditors of not visiting the wards that were being cleaned because "[the auditors'] concern about getting wet prevented them from commenting on the cleaning procedures." (In fact, the auditors did not visit those wards as a courtesy to the CACC staff and in order to not disrupt or interfere with their cleaning of those wards. However, this is a minor point considering the magnitude of CACC's other distortions).

Based on CACC's response and its inhibiting and uncooperative actions throughout the audit, it is clear that CACC management does not understand what a performance audit is. From the outset of this audit, CACC management continually obstructed the normal audit process. Its actions included limiting and denying access to CACC documents and not allowing the auditors to interview CACC employees without management present (discussed in detail in the "Audit Limitations" section of this report). Perhaps CACC believed we would simply interview management and accept its descriptions about how CACC operates without doing any test work to determine the actual practices in the shelters.

The New York City Comptroller's Audit Bureaus have conducted thousands of audits that review a wide variety of public life, ranging from medical research conducted in City hospitals, to management of farm practices in the New York City watershed, to transitional housing for homeless people with AIDS, to mention but a few. In each and every one of these endeavors, the auditors are required to interview, observe, test, conduct themselves with due diligence, and derive an objective conclusion regarding the operations of the audited organization. Our audits have produced thousands of recommendations that have enhanced City life and City service. In at least the past eight years, we can not recall a single audit where the audited organization makes the types of accusations contained in CACC's response. We believe that our reputation and past accomplishments speak for themselves.

Alleged Political Influence and Bias in the Audit Process

CACC states that this audit was “clearly motivated by the political interests of [the present Comptroller’s] predecessor.” It also states that in 1998, the Comptroller’s Office indicated to CACC that the “animal activist community in NYC was not satisfied with the results of [a] financial audit . . . and that they were pushing for a performance audit.” It further states that CACC was not contacted by the Comptroller’s Office until late 2000, when “the Comptroller’s Office indicated that the audit was, in part, the result of renewed calls from the activist community.” CACC alleges that “the areas selected for audit mirror the criticisms of [a] small, but vocal, group [of members of animal advocacy groups]” and that the audit was not objective.

The only part of all of the above that is true is that animal advocacy groups did request that an operational audit be conducted; but this was not unusual. Audits are generated based on different factors, including allegations received by the Comptroller’s Office from the public, a City Charter mandate that requires that every City agency be audited at least once every four years, and internal assessments of economic and performance “risks” at public agencies. Regardless of the source of an audit, the audit itself must be performed in an objective and independent manner. The audit process must be independent of any political influences, and must adhere to strict guidelines regarding independence and objectivity, as set forth in the second general standard for governmental auditing (GAGAS 3.11), which states:

“In all matters relating to the audit work, the audit organization and the individual auditors, whether government or public, should be free from personal and external impairments to independence, should be organizationally independent, and should maintain an independent attitude and appearance.”

Auditor independence is also a requirement of the Institute of Internal Auditors (Standard 100), as well as of the American Institute of Certified Public Accountants (Second General Standard - SAS No. 1, § 220).

Auditors are required to gather relevant information and to interview management and personnel who actually perform the functions being audited. They also collect information from various other sources, such as groups that may be critical of the audited organization, related newspaper articles, and private institutions. Throughout the audit process, auditors must employ objective testing methodologies to determine whether what they are told about the organization’s operations and its official policies is reflected in the actual day-to-day operations. Comprehensively gathered information and thorough testing enable the auditors to develop a full set of constructive recommendations that should help the audited organization improve its operations. This audit, like all other audits issued by this office, was conducted objectively and was independent of all outside influences.

Alleged Limited Audit Scope

CACC states that “in conducting a performance audit of CACC, the Comptroller’s Office ignored CACC’s contractual obligations that protect the well being of New Yorkers, and instead, focused on those aspects of the contract that provide for the well being of the animals. In doing so, the Comptroller fails to portray the full importance of CACC.” CACC goes on to say: “the Comptroller failed to audit the success of CACC’s efforts to pick up animals . . . ; its programs for accepting . . . animals at the shelters . . . ; the improvement in returning lost animals . . . ; the implementation of [a] progressive mandatory spay/neuter law . . . ; and, finally, the level of compassion and expertise employed when providing a humane and painless death to unwanted and unadoptable animals.”

CACC either misunderstands or purposely distorts the purpose of this audit. As was clearly stated at the beginning of this report, the objective of this audit was to evaluate the conditions under which animals are sheltered in CACC’s facilities, and the level and success of CACC’s efforts to promote the adoption of animals from its shelters. The auditors also noted the many different services provided by CACC that were not covered by the objective of this audit. Though CACC provides numerous services, they do not negate CACC’s responsibilities to provide humane care and promote adoptions of animals. This report has demonstrated CACC’s shortcomings in these areas.

Animal Care Issues

CACC states that it has “an aggressive and proactive approach to dealing with mistreatment of animals in our shelters. . . . CACC takes its responsibilities seriously and disciplines all such infractions up to and including termination. The evidence of animal mistreatment discovered by the audit team was found in the personnel records of CACC employees indicating that CACC not only uncovers, but also disciplines, any acts of mistreatment.”

Furthermore, CACC states that “the accountants never requested reports generated by the CACC human resources management system, ABBRA, which provide a complete accounting of all employee infractions resulting in discipline, including those that involved direct care of animals.”

Although CACC may discipline employees who commit acts of animal mistreatment, the fact is that such instances of animal mistreatment by CACC employees do occur, and that is what the audit reported. When the auditors reviewed the personnel records, CACC officials did not suggest that they should also review records maintained in ABBRA. After the exit conference, when CACC provided the auditors with individual employee print-outs from ABBRA, the auditors found that there were three additional cases of animal mistreatment (e.g., animal abuse or neglect, poor veterinary care) that they had never seen before, although all three cases were covered by the audit period of the document review. Conversely, in the auditors’ document review, they found 24 instances of animal mistreatment involving 12 employees that were not

listed in ABBRA. This raises obvious doubts that ABBRA shows a “complete accounting of all employee infractions,” as CACC claimed it does.

CACC also challenged the criterion used by the auditors as a basis for their finding that animals did not always have access to water. CACC states that the “Federal standard for humane care of animals by laboratories, dealers and transporters requires access to water for at least one hour, two times each day.” While this may be the Federal standard, CACC's own procedures require that water be “available at all times.” This CACC requirement is clearly stated as the audit criterion in the “Animals Were Not Provided Constant Access to Water” section of the report.

CACC also charges that “the auditors play loose with statistics by indicating that five of 48 animals (10%) lacked access to water during one shelter tour. In reality there were 487 animals in the building on that day.” In fact, the auditors never stated that the percentages reported were for the entire building. The audit report clearly states the number of wards in which the auditors found each condition (i.e., animals that lacked access to water, cages that were soiled) out of the total number of wards the auditors observed, and states the percentage of cages where the condition existed for those particular wards.

Veterinary Care Issues

In response to the audit’s finding of poor veterinary care, CACC states that the audit’s determination was made “largely through the unsubstantiated word of unidentified, non-credentialed persons.”

In fact, as is clearly presented in this report, much of the evidence of poor veterinary care was obtained from CACC’s own documents. Specifically, evidence of poor veterinary care was discovered during the auditors’ document review (e.g., personnel files, disciplinary action notices, notes-to-file, and shelter manager’s logbook) and this condition was further substantiated by interviews with former employees, rescuers, and customers.

After the exit conference, CACC requested that the auditors provide the identities of the former employees, rescuers, and customers, or animal identification numbers, for the instances of poor veterinary care cited in the report. However, to protect the anonymity of the sources, the auditors were unable to provide this particular information. Many of the rescuers who participated in the audit survey were initially reluctant to speak and expressed fear that if CACC management were to know that they had been critical of the organization, management would retaliate by preventing them from taking animals from CACC in the future.

CACC also alleges that the auditors “failed to provide the proper context for these disciplinary actions...,” and that “providing all the facts confirms that CACC greatly values well-trained, competent and committed veterinary medical staff and effectively supervises this staff such that failure to follow procedures is caught, documented and disciplined.”

Once again, CACC attempts to rebut a finding of poor employee performance with a statement that CACC disciplines employees for their poor performance. The fact remains that instances of poor veterinary care did occur. The instances described in this report reveal that a problem exists, even if employees are disciplined, and even if CACC treats many more animals successfully than poorly.

CACC states that “there is no factual underpinning supporting [the auditors'] claim” that contagious animals were kept in wards with healthy animals, increasing the likelihood that healthy animals might become sick and possibly be euthanized as a result. On the other hand, CACC itself acknowledged, in its response to Recommendation 4, that contagious animals may be kept in a mixed ward if a veterinarian has determined that the contagious animals do not present a threat to the other animals. Nonetheless, CACC challenges the auditors' conclusions because “the accountants on the Comptroller’s staff are not qualified to render an opinion on the judgment of licensed veterinary professionals.”

The auditors never stated that they practice veterinary medicine and are qualified to determine whether an animal is contagious. The auditors merely observed and noted when there was a “contagious” designation on the cage cards. Based on this information, the auditors concluded that there were contagious animals being kept in the same wards as healthy animals in all three full-service shelters (i.e., Manhattan, Brooklyn, and Staten Island shelters).

CACC’s claim that animals designated as “contagious” were present in non-contagious wards only because a veterinarian had determined the placement to be safe for the other animals is contradicted by statements made by CACC employees during the auditors’ site visits to the shelters. CACC employees indicated to the auditors that the reason “contagious” and “non-contagious” animals were mixed in the same wards was because of the lack of adequate space, and did not indicate that this situation was determined by a veterinarian to be safe.

In addition, CACC conveniently leaves out of its response any discussion of the Staten Island shelter. As mentioned in this report, the Staten Island shelter has no area at all for contagious animals where they can be kept separately from the adoption and stray animal wards.

Issues Concerning Adoption Efforts

CACC claims that the auditors’ analysis of its adoption rates had a “limited focus” because of their emphasis on adoptions rather than on the “rate of live release.” CACC further maintains that “even with their limited focus, their analysis is flawed” because “actual data provided to the auditors from the CACC Chameleon data base shows that in 2001 CACC increased its direct adoptions in each of three categories of adoptable animals: highly adoptable, adoptable and potentially adoptable.”

The data to which CACC refers was provided to the auditors after the exit conference, and does not match the data in the Monthly Animal Activity Reports that CACC provided to DOH for the same time periods. The data in the Monthly Animal Activity Reports to DOH was used to prepare Tables I and II on page 40 of the report. The data shows that between the first

six months of 2000 and the first six months of 2001, direct adoptions increased from 8.2 percent to 10 percent of intake (an increase of 1.8 percentage points), and total adoptions decreased from 26.3 percent to 22.9 percent of intake (a **decrease** of 3.4 percentage points).³⁸ In actual numbers, direct adoptions did increase by 13 percent, from 2,544 to 2,878, but total adoptions **decreased** by 19 percent, from 8,119 to 6,575. Notably, CACC left total adoption numbers out of its analysis, at the same time accusing the auditors of focusing their analysis too narrowly.

The Monthly Animal Activity Reports do not contain a breakdown of adoptions by animals' designated adoption status (e.g., highly adoptable, adoptable, etc.), so it is not possible to address CACC's claims regarding the increases in adoption rates of the animals with higher statuses. However, the auditors believe that the most objective method for measuring the trend in CACC's adoption rates is to compare the total number and percentage of animals adopted in each time period—not the number and percentage from particular status groups. This is the only method that avoids the influence of any possible subjectivity in the process of conferring an adoption status on animals.

CACC states that its reliance on rescue groups “to place more than 6500 animals in 2001 belies the allegation that ‘CACC has discouraged some rescue groups.’” In fact, some rescuers indicated to the auditors that, in spite of their having been discouraged by CACC or prevented from taking out as many animals as they wished, they continue to take animals from CACC because of their desire to help the animals. Moreover, the decrease by 1,878 (34%) in the number of animals CACC placed with rescue groups between the first six months of 2000 and the first six months of 2001 supports some rescuers' claims that CACC had made it more difficult for them to take animals.

CACC asserts that “the auditors wrongfully conclude that ‘CACC limits the pool of animals available for adoption,’” arguing that “CACC considers far more animals as adoptable than most open admission humane organizations.” CACC, however, has never provided any evidence to back up this claim. Furthermore, the report makes it clear that there is evidence to support the finding that CACC seems to have inappropriately limited the pool of animals available for adoption.

CACC also argues that the auditors did not understand “the implications of Status 4 (aggressive) designation,” and that Status 4 animals “represent a public safety risk if released without a complete temperament evaluation to assess the level of risk.”

In fact, the auditors did understand CACC's definition of Status 4, which states:

“Status 4 animals have temperament issues which make the animal unadoptable at this time, but for which there is a reasonable probability that a 24 hour period of acclimation and temperament reevaluation by a qualified adoption or medical personnel may result in the animal later becoming a candidate for adoption or rescue. Reevaluation of these animals is limited by staff availability and reevaluation cannot be guaranteed for all such animals.”

³⁸ In the Monthly Activity Reports, animals adopted directly by customers are reported as “direct adoptions” and animals taken by rescuers are reported as “rescue adoptions.”

Since, according to CACC, not all Status 4 animals are reevaluated, clearly some animals that may in fact have been found to be adoptable are not given a chance at adoption.

CACC states that organizations such as the ASPCA, Bide-A-Wee, and the B.A.R.C. “do not represent valid comparisons to CACC in either the number of adoptions, the cost per animal adopted, or the scope of the functions performed as each is a limited admissions shelters, while CACC is an open admission organization,” implying that the auditors used faulty methodology to arrive at their conclusions. However, CACC’s comparison is disingenuous, because the auditors never compared CACC to these other shelters in terms of adoption rates, the cost per animal adopted, or the full scope of functions performed. The auditors simply used the practices of those shelters to illustrate some methods CACC could use to increase adoptions.

CACC also states that “the Comptroller appears to disagree with [CACC's] prudent resource choice” that it “defer to [other shelter groups] those services they provide well—humane education and community outreach—and to concentrate our limited resources on the tasks they will not perform—namely animal control and care for animals who are not easily placed.” Although we agree that CACC should be prudent with its limited resources, it does not negate the contract requirement that CACC “conduct education and community outreach concerning animal control and public health issues.” The contract requirement notwithstanding, more important to CACC and the animal population are the benefits derived from a public that is informed about animal care, pet owners who are knowledgeable about their responsibilities, and finally, a public that is increasingly aware of CACC itself and the services it offers.

Issues Related to Document Access

CACC attempts to discredit the auditors' findings by discrediting the documents the auditors used to develop those findings. CACC states that the “files, log books and notes to file” that the auditors examined during their document review are “unofficial documents that are not permitted now that their existence has been brought to the attention of CACC management.”

This is a ludicrous statement that reflects either executive management’s disingenuousness or its ignorance of its own organization’s practices. The documents the auditors reviewed were maintained by shelter management. As described to the audit team by shelter management, when an incident occurs, a disciplinary action notice is filed if it involves a union employee, and a note-to-file is filed if it involves a non-union employee. These reports are then forwarded to CACC’s administrative office.

CACC denies that it did not provide access to all personnel records. CACC states that, when asked for documents or reports, it nearly always provided them “the same day or within a few days when [they were] not readily available.” CACC claims that “although CACC never denied access to personnel files for the purpose of review, when the Comptroller asked for approval to copy personnel files, CACC requested assurances that the personal identifying information would be kept confidential This request by CACC was originally made in April 2001, was eventually elevated to the level of the Comptroller’s Counsel and upon receipt in

May 2001 of this written assurance of privacy protection, access to copy the personnel files was provided. The auditors fail to acknowledge the reason for this delay in the report.”

The most critical examples of CACC’s delays in providing access to documents are described in some detail in the body of this report, so it is unnecessary to repeat here the fallacy of CACC’s claim that nearly all documents and reports were provided “the same day or within a few days.” However, we will address CACC’s implication that the auditors were not permitted full access to personnel files for legitimate reasons. The fact is that the auditors did assure CACC that all personal identifying information would be kept confidential when they requested full access to the personnel files (including the right to copy them).

In addition, as stated earlier in the report section entitled “Limitations on Access to Records,” besides the personnel files, CACC denied the auditors access or delayed their access to other records, such as the records maintained at the shelters.

CACC further states that “The auditors were again reviewing records in the central office on September 10th 2001, despite having been given access in April 2001. . . . No further requests were made by the Comptroller to return to examine our documents further. . . . it is not proper to blame us for their failure to follow up on the data gathering.”

Since the Comptroller’s Office knew that CACC’s administrative office was located within the restricted area around the World Trade Center site, we are not blaming CACC for preventing the auditors from reviewing the personnel files for reasons attributable to September 11th. However, since the shelters were not in the restricted area of Lower Manhattan, the auditors requested access to the records maintained at the shelters (e.g., managers’ logbooks, notes-to-files, etc.). As stated earlier in the report, this is when CACC’s executive director denied auditors access to the documents at the shelters, as well as further access to all CACC documents, including the personnel files. Therefore, even after access to CACC’s central office was restored, the auditors were still unable to review any documents because of the executive director’s order denying further access to CACC records.

Issues Concerning Restrictions on Staff Interviews

CACC states that it “advised the audit team that we would permit all staff to be interviewed at the auditors’ convenience, but, as had been our practice during the financial audit previously conducted by the Comptroller, all interviews would be conducted in the presence of a member of CACC Counsel’s office.”

In fact, during that financial audit, the auditors interviewed staff in the general counsel’s presence only for the initial meetings. After those meetings, the auditors were able to interview staff without the general counsel’s presence. Obviously, CACC changed its policy between the financial audit and this operational audit.

CACC also argues that “it is difficult to believe that the official position of the Comptroller’s Office is that a not-for-profit must subject its employees to interrogation by the City without the presence of a lawyer.”

It is common audit practice for auditors to interview—certainly not to interrogate—all staff who actually perform the functions being audited. Common sense dictates that employees might not always feel that they can speak freely with a supervisor or a lawyer sitting next to them and monitoring everything they say. These circumstances are not conducive to honest discussions. Under the limitation imposed by CACC, the auditors believed that they would not be given free and unfettered descriptions of CACC’s actual daily operations by CACC employees, but would, instead, hear descriptions that mirrored management’s policies.

Based upon CACC’s refusal to permit the auditors to interview staff under circumstances that would allow them to speak freely, the auditors could not obtain a full account of management problems, inaccuracies in the organization’s records, or possible misstatements of the organization’s policies and practices.

Issues Related to the Audit’s Adherence to Generally Accepted Government Auditing Standards

CACC claims that this audit failed to adhere to Generally Accepted Government Auditing Standards regarding the use of reasonable criteria for performance evaluation, the skills and knowledge of the auditors assigned, audit planning, the sufficiency and competency of evidence, and objective reporting.

The New York City Charter requires that the audits conducted by the Comptroller’s Office comply with GAGAS. GAGAS require that organizations conducting audits in accordance with these federal standards undergo an external quality control review at least once every three years. The external quality control review, which is to be conducted by an independent organization (e.g., an independent CPA firm or independent audit organization), should determine whether the reviewed organization’s internal quality control system is in place and operating effectively to provide reasonable assurance that established policies and procedures and applicable auditing standards are being followed.

The Comptroller’s Audit Bureaus have undergone external quality control reviews since 1992. These reviews have been conducted every three years, in accordance with GAGAS. The Institute of Internal Auditors (IIA) conducted the most recent review in November 2001.

IIA concluded that the Bureaus of Audit of the Comptroller’s Office generally conform to the Government Auditing Standards. In its report, IIA noted that:

- The Bureaus’ working paper documentation was excellent.
- The Bureaus used innovative, extended audit steps to determine whether fraud existed in audits of the City.
- The Bureaus hire only qualified college graduates as auditors.

- The Quality Control program is well managed and provides summary information on areas that can guide the staff to perform even better audits.

The Comptroller's Office considers the external review to be an extremely important independent check on the quality of its audit work. The IIA review refutes CACC's claim that this audit did not adhere to GAGAS.

Additional Information

Many of the findings in this report were further supported by other rescuers, former employees and customers who were not included in our surveys, but with whom we spoke during the course of the audit. Specifically, we spoke to six former employees, five rescuers, and three customers who either contacted us after learning of the audit, or whom we contacted as part of our background research for the audit. Since these individuals had not been selected for our surveys through our sampling methodology, we did not present information from our conversations with them in the body of the report. However, we are presenting this information here, because their statements lend further support to many of the audit's findings. Even though three of the additional former employees we spoke to have not worked at CACC since before 1999, their statements, as well as those of the more recent former employees, the rescuers and the customers all seem to point to the same problems cited throughout the audit report, indicating both the pervasiveness and enduring nature of these problems. In total, all six of these former employees, three of five of these rescuers and all three of these customers criticized aspects of CACC's operations and management. The following is a summary of these individuals' statements as related to the findings in the report.

Understaffing

Three of the six additional former employees we spoke with made statements to us regarding the lack of adequate staffing at the shelters. Like the former employees in our survey, these former employees also linked low staffing levels to the inability to properly care for, clean, or groom the animals.

Evidence of Mistreatment of Animals in CACC Shelters

Five of the six additional employees, two of the five additional rescuers and one of the three additional customers reported incidents of animal mistreatment in CACC shelters. Specifically, three former employees informed us of animal abuse or neglect cases; two former employees and two rescuers spoke of the problem of accidental euthanasias; and two former employees and one customer complained about poor veterinary care at the shelters.

Evidence of Animal Abuse and Neglect

Of the six additional former employees we spoke to, three informed us of animal abuse and neglect cases. For example, one former employee recounted an incident in which some employees injured a dog using bleach because of personal issues related to another employee. One former employee had a major concern that the dogs in CACC shelters never had enough water. This former employee also reported quitting after witnessing another employee setting a dog to attack a cat. Another former employee witnessed an employee hitting a dog with the metal clip of a rope

used to restrain animals.³⁹ This former employee also stated that he tried to rescue a puppy that required leg surgery, but CACC denied the animal rescue placement. These alleged incidents of animal cruelty and neglect occurred at CACC's full service shelters in Brooklyn and Manhattan. (Note: The first two incidents of abuse recounted by these former employees was substantiated by documents CACC provided to us after the exit conference.)

Evidence of Accidental Euthanasias

Of the six additional former employees we spoke to, two spoke about the problem of accidental or inappropriate euthanasias. One former staff member stated that there were many incidents in which people's pets were put to sleep by accident. Another stated that "there were a lot of stupid mistakes made, such as euthanizing the wrong animals."

Of the five additional rescuers we spoke with, two described cases of accidental euthanasia. One rescuer reported that two dogs that she was going to rescue were accidentally euthanized, even though she had asked CACC to place a Hold on both of them. According to the rescuer, CACC had told her that one of the two dogs was accidentally euthanized because its tag fell down to another cage and was mixed up with another animal's tag. As for the second dog, CACC stated only that it was euthanized because it was not adoptable, without giving the rescuer any further explanations. Another rescuer with whom we spoke stated that she had placed a cat on Hold at the Brooklyn shelter and even confirmed the hold status with the shelter manager. However, CACC later called her to report that the cat had been mistakenly put to sleep.

Evidence of Poor Veterinary Care

Of the six additional former employees we spoke with, two criticized the quality of CACC's veterinary care. One former employee complained that CACC puts people without animal expertise in managerial positions, and that these individuals then inappropriately control veterinary practice at the shelters, "practically making diagnoses" and selecting certain animals for euthanasia. The other former employee stated that the veterinarians on staff at CACC are unqualified.

One of the three additional customers we spoke with complained about poor veterinary care. This customer spoke to us regarding a dog he had adopted through a rescue group in December 2000. The rescue group had taken the dog from CACC the day before this customer adopted it. The customer complained that his dog had been subjected to an inappropriate surgery performed by a CACC-contracted veterinarian. The veterinarian had received the dog from CACC already neutered (there was a scar from the earlier neutering) but had performed exploratory surgery on the dog to confirm the earlier neutering. According to this customer's own veterinarian, as well as another veterinarian we contacted, this invasive procedure was unnecessary and inappropriate. This customer also stated that when he visited his veterinarian shortly after adopting the dog, his veterinarian told him that the dog was malnourished.

In addition to these complaints, one of the five additional rescuers complained about the

³⁹ The employee who hit the dog with the metal clip was fired.

misvaluation of animals, specifically stating that the age and sex of the animals have been wrong many times, and that there is no rhyme or reason for the status levels that they give the animals.

**Lack of a Formal Customer Service
Quality Assurance Program May Prevent
CACC From Ensuring That its Adoption Process
Is Encouraging to All Customers**

Two of the three additional customers we spoke with complained about CACC's adoption process. One stated that while she was in the waiting room of one of the shelters, she saw at least three people who were waiting to adopt animals leave because they got fed up with waiting for so long. She also stated that CACC's pre-adoption questionnaire and interview include many more questions than those of other rescue groups she has dealt with. Another customer stated that she was very unhappy with the process she was forced to go through in her attempt to adopt a cat. She said that she and her husband were made to sit through a half-hour interview during which they were asked many questions that she thought were overly intrusive, such as their income, hours they work, and the colors of the rooms in their house. The reasons for the questions were not given. At the end of the interview, she was told, without any explanation, that she could not adopt a cat that day and would have to come back Saturday. Overall, this customer thought that the adoption process was very discouraging and stated that she may not go back to CACC to adopt a cat (although she was ready to adopt the day she went). In fact, this customer eventually adopted an animal from North Shore Animal League. These complaints indicate that an even greater portion of potential adopters may have negative experiences at CACC than was reflected in our survey (which included only customers who were successful at adopting from CACC—not those who left after being forced to wait for too long, or those who were discouraged by the application process.)

CACC Has Discouraged Some Rescue Groups

Three of the five additional rescuers complained about poor customer service. One rescuer stated that CACC staff do not have office decorum, are crude, vulgar, and condescending. She described an incident when she went to look for a dog that had just been brought to the shelter by the police. Without checking the Chameleon system, CACC staff told the rescuer that they did not have the dog she described. The rescuer had to keep badgering one of the service representatives before she would look for the dog in Chameleon—when the service representative finally looked in Chameleon she found that the dog was, in fact, at CACC. This rescuer claimed that CACC staff did not want to take the time to search the Chameleon system, and that this has happened to her twice. She also stated that some of the staff at CACC lack any understanding of the needs of the animals.

Another rescuer stated that CACC service representatives are rude, uncaring, lackadaisical, and have a “just-another-paycheck” attitude. She described a situation in which a placement specialist for rescue groups forced her to wait for a half-hour before helping her (when she arrived at the shelter the placement specialist for rescue groups was smoking a

cigarette outside and asked her to go inside and wait), despite the fact that she had called ahead to make arrangements to pick up 15 cats, and had informed the service representative that a pet taxi would be waiting for her so that she could get the cats to her veterinarian before he closed for the day. This rescuer also stated that while she was at the shelter, she overheard one staff member informing another that a mother and child had been waiting to be helped for approximately three hours.

Still, a third rescuer expressed how frustrating it was to try to reach someone at the shelter; specifically she stated that no one picked up the phone, no one returned calls, and sometimes she got disconnected.

CACC Limits the Pool of Animals Available for Adoption

One additional former employee and one additional rescuer we spoke with indicated that CACC is limiting the pool of adoptable animals by prohibiting the release of older animals. The former employee with whom we spoke stated that while she was working at CACC, the executive director instituted a rule that prohibited employees from permitting the adoption of any animals more than five or seven years old (she couldn't remember the exact age). CACC's policy regarding older animals was confirmed by a rescuer who tried to take an older dog from CACC, but was told by a CACC official that the dog was 13 years old, and too old to be adopted; the official stated that it was CACC's policy not to adopt-out older dogs and cats. Unwilling to accept this, the rescuer asked the director of the rescue group to inquire about the dog during her visit to the shelter that same afternoon. Despite a second request for the dog, the director was told that it was not available for adoption, that there were "other dogs" they could choose from.

One of the three additional customers we spoke to also complained that CACC unduly restricts animals that are allowed to leave the shelters. This customer said she brought to CACC an abandoned cat she knew to be friendly. She told CACC that after CACC checked the cat out, spayed or neutered it, etc., she would like to rescue the cat (take it back and see to its adoption). While CACC initially assured her that the cat would be "tagged for finder" and that, if the cat had no fatal diseases, she would definitely be able to take the cat back, when she later contacted the shelter, she was told that although the cat was healthy, it had been categorized "unadoptable" because of its temperament, and that CACC would have to euthanize the cat. Despite her repeated calls to the shelter and to CACC's executive management to dispute the evaluation of the cat's temperament and plead for the cat's life, and her offer to sign whatever legal release necessary, this customer was unable to persuade management not to euthanize the cat. Eventually, she located the cat's original owner and worked with him to formally re-claim it. Only then did CACC release the cat.

CACC's Management and its Operations Are Not Focused on Achieving All Aspects of its Mission and Contract

All six additional former employees, three of the five additional rescuers, and one additional customer complained about various aspects of management.

One former employee stated that it was always a battle with executive level management to place animals through adoption because the executive level managers were afraid of many types of legal liability. Another former employee stated that she had requested additional help to get animals adopted but was denied help because management thought that adoption numbers did not warrant it. Yet another former employee claimed that he was fired for simply questioning why CACC was putting so many animals down when they did not have to.

Two of these former employees also complained that management discourages staff members who show a real desire to help the animals. One former employee stated that he knew of several other people who left CACC because they couldn't stand working there anymore, always fighting with management over the way things were done. Another former employee had come to CACC with extensive connections to rescue groups, but was prevented by management from placing many dogs with these outside groups—the dogs were instead put to sleep.

One of the former employees and one of the rescuers complained about management's prohibition against permitting adoptions of older animals. (These complaints are discussed in the section above.)

One customer also complained that CACC management seems to just want to push the animals through—not get them adopted. As described earlier, this customer stated that she had brought an abandoned cat to CACC, stating that after CACC checked the cat out, spayed or neutered it, etc., she would like to rescue the cat (take it back and see to its adoption). CACC designated the cat for euthanasia. Despite the customer's persistent and strenuous efforts, CACC would not reverse its stand and release the cat to her care until she found the original owner who formally re-claimed the cat.

APPENDIX II

Participant's Tel. #: ()

Interviewed by: _____

Time: _____

Date: _____

Borough: Bronx () Brooklyn () Manhattan () Queens () Staten Island ()

***Audit of the Shelter Conditions and Adoption Efforts of the
Center for the Animal Care and Control
Audit # ME01-109A***

Public Awareness Survey

Introductory Comments:

Good morning/Good afternoon, my name is _____ and I am with the NYC Comptroller's Office. We are conducting a survey on animal control issues in New York. Do you have a couple of minutes to answer a few questions concerning this?

- 1. Do you own a dog or cat? Which one? Yes No
- 2. Have you ever considered adopting a/another dog or cat? Yes No
- 3. If you wanted to adopt a dog or cat, where would you go?
- 4. If you found a stray dog or cat wandering about the streets, whom would you call?
- 5. If you lost a dog or cat or knew someone who lost a pet, whom would you call?
- 6. Can you please name **3** places where you could adopt a dog or cat?

sub-questions to #6 If CACC is mentioned, ask **How did you hear about CACC? Yellow Pages? Police Precinct? Word of Mouth? Flyers? Ad?**
If they mention just 'Animal Shelter' ask **What Animal Shelters are you aware of?**

- 7. Do you think there is a problem with stray dogs and cats in NY? Yes No
- 8. Have you ever heard of the Center for Animal Care and Control?
Can you please name the locations that you are aware of? Yes No

APPENDIX III

NYCOOH Veterinary Public Health Services
 CACC Contract Monitoring - Facility Inspection Report
 Contract Period: 01/01/98 - 12/31/00

CACC Facility 326 E 14th St NYC NY
 CACC Manager present (signature) [Signature]
 CACC Veterinarian on duty (signature) [Signature]
 VPHS Representative (signature) [Signature]
 Date of Inspection 8/25/00

Areas Requiring Inspection	Yes	No
1. Walls: a. Clean, no holes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Ceilings: a. Clean, no holes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Floors: a. Clean, no holes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water proof	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Drains clean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Lighting: a. Adequate	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Exterior Doors: a. Clean, intact, rodent proof	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Interior Doors: a. Clean, intact	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Washrooms: a. Clean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Plumbing intact and adequate ventilation provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Toilet paper, soap, single service towels provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Wards: a. Cages not overcrowded	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cages washable and clean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Cages intact	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Animals in appropriate cages	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Clean, appropriately filled cat litter pans provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Temperature appropriate	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Ventilation adequate	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Storage: a. Away from floor and walls	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Free of vermin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Feeding equipment properly stored and clean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Loose material properly stored	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Infirmary: a. Separate, adequate, clean area provided for sick animals	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Examination and treatment rooms and equipment clean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Vacuum breakers provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. All areas clean and free of vermin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Sharps container provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Medication within proper date and properly secured	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Areas Requiring Inspection (Cont'd)		Yes	No
11. Refuse:	a. Properly stored in containers with tight fitting covers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Containers clean, free of vermin, odors and residual waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c. Containers adequate for size of operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d. Hose bibb and vacuum breakers provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Records:	a. Adoption records kept	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Self-inspection current	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c. Animals kept 48 hours prior to euthanasia	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Operations:	a. Veterinary protocols adhered to	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Food protocols adhered to	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Number of animals currently held for DOH 23
 Number of Dogs 17
 Number of Cats 6
 Other _____
 Number of animals since last inspection 8

Total shelter cage capacity _____
 Number of cages available for use _____
 Number of cages currently in use _____

Action / Comments _____

*REVIEWED BY ED BOYD
 ED BOYD 8-25-00*

locked

THE CITY OF NEW YORK
DEPARTMENT OF HEALTH
OFFICE OF THE COMMISSIONER



125 WORTH STREET, CN-28
NEW YORK, NY 10013
NYC.GOV/HEALTH

THOMAS R. FRIEDEN, M.D., M.P.H.
COMMISSIONER
TEL (212) 295-5347
FAX (212) 295-5426

May 3, 2002

Roger Liwer, Assistant Comptroller for Audit
The City of New York Office of the Comptroller
Bureau of Audits
1 Centre Street, Room 1100 North
New York, New York 10007-2341

Dear Mr. Liwer:

The Department of Health (DOH) is responding to the draft audit report on shelter conditions and adoption efforts for the Center for Animal Care and Control (CACC) dated April 19, 2002. This response relates only to matters within the scope of DOH's contract with CACC. CACC's response to matters within the scope as well as those matters outside the scope of the contract has been prepared by CACC and is attached to this response for your information.

The Department disagrees with the report's main findings: that animals are not sheltered under humane conditions and often receive poor veterinary care. These findings are contrary to observations by DOH Veterinarians and Sanitarians. DOH has been closely monitoring the operations of CACC, the contractor that provides services to the City under contract, since its inception, January 1, 1995. From that date through April 2002, DOH has closely monitored CACC's contract performance and conducted over 1,200 inspections of CACC facilities. During these inspections, DOH did not observe evidence of inhumane treatment or substandard veterinary care cited in your audit. Although the audit notes on pages ES7 and ES8 that differences in review methodologies may have yielded different results, the training and experience of the DOH staff who conducted these inspections provide us with a high degree of assurance that the animals in CACC's charge are appropriately cared for. While DOH did not see evidence of such deficiencies, the Department is nonetheless concerned by the audit's findings.

The Department generally agrees with the report's finding that CACC has not been as successful as hoped in the area of increasing adoptions. DOH is working with the CACC to streamline and improve adoption procedures and has begun discussions with the animal care community, of which CACC is a part, to explore potential partnerships that will maximize animal care efforts and reduce demand for animal control services.

Inspections of Shelter Conditions and Operations: Beginning in 1995, DOH inspected all CACC

CACC Audit Response 5/3/02

shelters at least once a week. Since 1999, the frequency of CACC shelter inspections increased to twice a week. Animal-receiving facilities are currently inspected at least once a month. All inspections are performed by either New York State licensed Veterinarians or Public Health Sanitarians. The two Veterinarians conducting these inspections have more than 26 years of combined clinical experience treating small animals. The two Sanitarians conducting these inspections have all completed an intensive 6-week training course conducted by DOH's Health Academy and have more than 20 years of combined experience conducting inspections. During the audit period from January 1, 1999 through June 30, 2001, DOH conducted over 531 inspections of CACC facilities. Copies of these inspection reports were provided to the Comptroller's Office at the March 4, 2002 meeting. Of these inspections, 222 by Veterinarians took place at the Manhattan Shelter, 218 by Veterinarians took place at the Brooklyn Shelter, 31 (2 by Veterinarians, 29 by Sanitarians) took place at the Staten Island Shelter, 30 (25 by Veterinarians, 5 by Sanitarians) took place at the Queens Animal Receiving Facility and 30 (24 by Veterinarians, 6 by Sanitarians) took place at the Bronx Animal Receiving Facility. These inspections included frequent unannounced visits that investigated the physical plant, ward conditions, humane treatment, rabies observation of biting animals, compliance with applicable laws and regulations, record keeping and other activities that affect shelter operations. During site visits, DOH Veterinarians inspected all caged animals and reviewed medical records.

Based on the observations by DOH Veterinarians and Sanitarians during these inspections, we disagree with the findings of poor veterinary care and inhumane treatment reported in the audit. Specifically, DOH did not observe any cases of poor veterinary care, contagious animals being caged in general wards with healthy animals or inhumane treatment during 531 inspections conducted by DOH Veterinarians and other staff during the audit period. The auditors may have drawn other conclusions about the handling of contagious animals based on a misunderstanding of how cage cards are used by CACC. In addition, we also monitor animal bite cases and found no instances where these animals were accidentally euthanized.

Monitoring of Contractual Requirements: Since its inception, the CACC contract has been monitored by DOH through the veterinary inspections described above, the review of CACC reports, and follow-up on customer complaints. With the contract period beginning July 1, 2001, DOH expanded its on-site monitoring to include a comprehensive review of all contractual requirements. DOH monitoring has found deficiencies in CACC's adoption process, customer service, volunteer program and education and outreach efforts. Monitoring includes both operational and veterinary care contractual requirements. Aspects of the monitoring plan include adoptions, euthanasia, volunteer program, education and community outreach, customer service, intake and record keeping. The protocol requires three (3) site visits to each facility and a review of random sampling of records. The first site visits were conducted in November 2001; the second site visits were conducted in April 2002; and the third site visits will be performed in June 2002. Effective July 2002, the number of site visits will increase to four times per year. DOH has met with CACC to begin implementation of a corrective action plan for the deficiencies found during the site visits, i.e., the process of adoptions, customer service,

CACC Audit Response 5/3/02

volunteer program and outreach.

Adoptions: DOH and CACC have planned to streamline adoption paperwork. DOH has provided CACC with an electronic version of the dog license application that will be completed through the Chameleon system, thereby eliminating the need for paper processing. DOH has approved an electronic prototype of the rabies vaccination card for CACC to pilot before implementation. In addition, DOH and CACC have formed a joint committee to review current adoption procedures and develop improved strategies to increase adoption, including streamlining the adoptions process, increasing utilization of the Internet, and increasing participation in community events.

Customer Service: As a result of deficiencies in CACC's customer service program observed during our contract monitoring process, DOH has worked with the CACC over the past several months to improve its customer service program. CACC currently makes random telephone calls to field and shelter customers to evaluate customer satisfaction. Recently they have developed a post card survey that will be mailed to customers to follow-up on their experiences with CACC services. In addition, CACC is training shelter managers and other staff in improved customer service skills. This training is ongoing and will be part of new CACC staff orientation.

Volunteers: DOH agrees with the Comptroller's findings of inadequate use of volunteer staff and has been working with the CACC to increase the number and utilization of volunteers. Currently, CACC uses interns who are enrolled in the Veterinary Technician Program at LaGuardia College. DOH is working with CACC to identify other areas that can increase the number and improve overall utilization of volunteer services.

Public Education and Outreach: Effective September 2000, CACC began reporting its public education field staff activities to DOH in a monthly activity report. During the period between September 2000 and June 2001, CACC field services staff conducted 4,624 public education contacts. We are working with CACC to develop partnerships with other city agencies as well as private entities with an interest in animal care issues to increase educational and outreach opportunities.

Additional Staff: DOH agrees with the recommendations to consider hiring additional kennel attendants and veterinary staff if additional funding becomes available. However, DOH and CACC are focusing on ways to improve services without additional DOH funding, i.e. developing a closer working relationship with the animal care community and developing strategies to better utilize current resources and increase funds raised from private entities. With increased funding from private sources, one of the potential uses will be to hire additional kennel staff for improved animal care services.

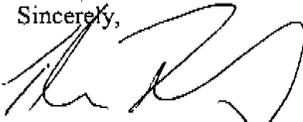
Performance Measures: Although the City's current contract between DOH and CACC does not include specific performance indicators, DOH does use specific guidelines to measure

CACC Audit Response 5/3/02

performance as part of our inspection process and CACC's overall compliance with the regulations and standards appropriate to its operations. The Department is currently renegotiating its contract with CACC to begin July 2002 and will include specific performance measures within the contract to enable DOH to better monitor contract compliance. These measures will be based on industry standards and guidelines and nationwide "best practices" for animal shelter operations.

In conclusion, the Department does not agree with the findings of inhumane treatment and substandard veterinary care. We do, however, agree with some of the other findings as described above. Beginning November 2001, discussions began with CACC concerning corrective actions required based on our monitoring. The Department continues to work with CACC toward improving animal care and control services. To that end, DOH has initiated discussions with members of the City's animal care community to strengthen public-private partnerships. DOH believes that improved public-private partnerships will enable the animal care community to improve animal care services and will help leverage the City's investment of City funds to maximize adoptions and reduce demand for CACC's control services. Such partnerships should also maximize spay-neuter initiatives to further reduce demand for control services and help educate the public on responsible pet ownership. We are committed to ensuring that the City achieves its overall goal of providing the highest level of animal care service while simultaneously reducing the need for animal control services.

Sincerely,



Thomas R. Frieden, M.D., M.P.H.
Commissioner

Attachment: CACC audit response

11 Park Place
New York, New York 10007
Tel: 212-442-2059
Fax: 212-442-2066
E-mail: mblohm@nycacc.org

Marilyn Haggerty-Blohm
Executive Director



May 3, 2002

Honorable William Thompson
Comptroller
One Center Street
New York, New York 10007

Dear Comptroller Thompson:

Attached please find the response of the Center for Animal Care and Control, Inc. ("CACC") to Audit Report of the Shelter Conditions and Adoption Efforts of the Center for Animal Care and Control/MEO1-109A. CACC anticipates that in accordance with audit protocol, this response will be amended to the Final Draft before public release. The opportunity to provide such a comprehensive response is appreciated.

Respectfully,


Marilyn Haggerty-Blohm
Executive Director

**Response of Center for Animal Care and Control, Inc. (“CACC”) to
Audit Report on the Shelter Conditions and Adoption Efforts of the Center for
Animal Care and Control
Audit Number: MEO1-109A**

Overview

Despite the inadequacy of the evidence cited in its preliminary and final draft audits, as shown by our response to them, the Comptroller’s Office chose to finalize its audit of our shelter conditions and adoption efforts (“Audit Report of the Shelter Conditions and Adoption Efforts of the Center for Animal Care and Control/ MEO1-109A”) in anticipation of its public release.

The observations reported frequently lack sufficiency, competency and relevance to the Comptroller’s conclusions, thus failing to support the conclusions reached. Moreover, the conclusions reached in the preliminary and final draft audits reflect an absence of expertise on the issues and a lack of objectivity that is to be expected of an audit conducted under the Generally Accepted Government Auditing Standards (GAGAS), which govern these types of audits.

Many of the conclusions reached in this audit are not credible, as evidenced by: the antagonistic tone throughout the audit; the use of words and phrases of an inflammatory nature; the failure to use experts in areas requiring specialized knowledge; the slanting of the data presented; the inadequacy of the samples taken; the failure to make explicit the significant differences between CACC and the organizations with which it is compared in the audit; the failure to credit CACC’s significant accomplishments; and the use of anecdotal information from unnamed sources holding a clear potential for bias against CACC.

By limiting the scope of this audit, assigning specific staff with limited relevant knowledge, ignoring critical public safety issues, and ignoring reason and common sense, the Comptroller brings the objectivity of this audit into question. His choice of audit staff is akin to asking an Animal Control Officer to balance the CACC books.

During the period of this audit, CACC facilities were inspected 531 times by licensed DOH veterinarians and Public Health Sanitarians. This is an average of one inspection each day during the audit period. During these 531 inspections by licensed professionals, no evidence was found of inhumane treatment of animals or poor veterinary care when judged by the legal and professional standards in the field. The auditors, with no experience in this area, cite the 531 inspections, and state they do not believe their findings are “necessarily inconsistent with the findings in [their] report, because DOH veterinarians and public health sanitarians evaluate conditions in the shelters and the quality of care differently than [they] did.” This is precisely CACC’s point. The audit fails to evaluate CACC against relevant standards in the field and the auditors believe they understand the issues better than licensed professionals in the field.

They also claim that their findings are more accurate because their record reviews, surveys and 15 visits are more detailed and give broader insight than the 531 DOH inspections which, according to the auditors, cover specific periods of time and could not have identified the instances they found. This is absurd on its face. They also did not visit wards that were being cleaned at the time of their visits. Thus, their concern about getting wet prevented them from commenting on the cleaning procedures

The Comptroller was never denied access to CACC's official records, regardless of the irresponsible claim made in the audit. The auditors were again reviewing records in the central office on September 10th 2001, despite having been given access in April 2001. After September 11th, CACC did not return to its offices until late October because the area was restricted by order of the NYC Police Department. No further requests were made by the Comptroller to return to examine our documents further. It is understandable that they were preoccupied with other issues at such a tragic time, but it is not proper to blame us for their own failure to follow up on the data gathering. The audit team never advised DOH that it was having problems with access to documents at CACC further undermining the credibility of their repeated allegations

These are outrageous accusations that should have been deleted in the face of the documentation provided, if not for reasons of logic and fairness alone. At the minimum, it deserves a retraction and an apology.

BACKGROUND

Political influence in the audit process

This audit was commenced, fieldwork was completed and the draft was issued under the tenure of former Comptroller Alan Hevesi. CACC is surprised therefore that Comptroller William Thompson could be so ill served by his staff both in the reporting and the issuance of this audit; one that was clearly motivated by the political interests of his predecessor. Comptroller Thompson has chosen to accept and finalize this audit despite CACC's invitation that the Comptroller conduct a new audit using veterinarians, public health sanitarians, and other licensed and/or credentialed animal care experts for fieldwork and statisticians capable of more thorough, statistically significant surveys. Instead, this well-intended and purposeful invitation was ignored by Comptroller Thompson, who has not responded to any of CACC's correspondence.

It is important to provide a context for this audit. CACC was originally approached by the Comptroller's Office in 1998 indicating that the animal activist community in NYC was not satisfied with the results of the financial audit just completed by the Comptroller and that they were pushing for a performance audit. CACC had recently received a significant increase in funding and suggested that a performance audit conducted one year hence would reveal significant improvements. CACC was not contacted by the Comptroller's Office until late 2000. When asked, the Comptroller's Office indicated that the audit was, in part, the result of renewed calls from the activist community.

Indeed, during the conduct of the audit the audit team met several times with outspoken and critical members of the special interest groups. The areas selected for audit mirror the criticisms of this small, but vocal, group.

The audit was conducted during the Mayoral campaign in which Alan Hevesi was a candidate who supported the special interest group's call for the abolition of CACC. More than once during the campaign, then Comptroller Hevesi responded publicly to questions from the special interest groups that he was auditing CACC and intended to release the audit. In fact the audit team met several times with Shelter Reform Action Committee members during the conduct of the audit. Clearly, this places the objectivity of this audit in question. The report itself answers that question.

Animal Control Issues

CACC is the only organization in the New York area that is required by law and by contract to take control of every animal brought to it, including more than 21,800 deemed vicious or aggressive, which pose a significant danger to the people of New York and 16,218 which are too injured or ill to be adoptable. CACC cares for and re-homes or finds placement for more than 15,500 animals annually, while accepting animals no other shelter will handle.

CACC handles more than 57,000 animals per year; 90% of these are dogs and cats. The remaining 10% include urban wildlife – raccoons, possums, pigeons –as well as reptiles, birds, farm animals and 'pocket' pets – hamsters, rabbits, etc. Of the dogs and cats, fully half are animals that have been found roaming the streets of New York City, posing a risk to adults, children and leashed pets from attacks, disease, and auto accidents caused by animals darting into traffic. Those animals that are not a danger to the public are themselves in danger of injury, illness, attack and starvation.

Roughly half the animals that arrive at CACC shelters are deemed too aggressive, ill or injured for re-homing. One third of these are aggressive animals. In addition to street dogs, CACC assists the New York City Police Department in cases involving roaming packs of wild dogs, fighting dogs, which are typically gang related, and dogs used by drug dealers for protection. These animals are specifically trained to be aggressive and can rarely be rehabilitated successfully enough for that aggression to be eliminated. At best these animals remain unpredictable; at worst they remain dangerous. They do not belong on the streets of New York.

In addition to removing feral cats that are not associated with managed colonics and dangerous dogs from the streets and lots of New York, CACC responds to calls of wildlife that are injured or present a danger to residents. In 2001, 14 animals picked up by CACC, including one cat, tested positive for rabies. Few New Yorkers are aware that rabies has been found in New York City. If CACC were not responding to these calls, the potential for rabies exposure would be greatly increased. CACC provides an essential service to the City of New York.

CACC is under contract by the Department of Health to *provide services that protect the health and safety of the New York City public* and is the only organization in NYC charged with protecting the public health in instances involving animals. CACC is the only open admission shelter in NYC.

In conducting a performance audit of CACC, the Comptroller's Office ignored CACC's contractual obligations that protect the well being of New Yorkers and, instead, focused on those aspects of the contract that provide for the well being of the animals. In doing so, the Comptroller fails to portray the full importance of CACC to the residents of New York City.

The Comptroller failed to audit the success of CACC's efforts to pick up animals that are at-large, sick or dangerous (15,000 animals per year); its programs for accepting surrendered, lost and stray animals at the shelters (40,948 animals); the improvement in returning lost animals to their rightful owner (up 11%); the implementation of the progressive mandatory spay/neuter law aimed at controlling pet overpopulation (6,970 animals altered in 2001)and, finally, the level of compassion and expertise employed when providing a humane and painless death to unwanted and unadoptable animals.

Animal Care Issues

In addition to these important animal control responsibilities, as an animal welfare organization, CACC is committed to sheltering animals in a humane manner; reducing the numbers of homeless animals by promoting adoptions (up 12% in 2001), and conducting public education and community outreach *concerning animal control and related public health issues* (4878 times in 2001). All are required under the terms of the contract.

Furthermore, CACC works with smaller area shelters and humane organizations to reduce the number of homeless animals, which is part of our corporate mission (6,518 animals were released to more than 200 rescue groups for placement in 2001). The Comptroller chose to audit these last two functions that represent only a part of the overall efforts of CACC.

Despite the impression given by the Comptroller's audit, CACC takes its responsibilities to care for animals seriously. The provision of adequate housing, a safe and clean environment, adequate nurturance, medical services and temperament testing are clearly among our priorities and most significant accomplishments.

With respect to safety, CACC has an aggressive and proactive approach to dealing with mistreatment of animals in our shelters. CACC has rigorous standards for conduct, oversight within and outside the organization, staff training and documentation of any occurrences of what?. CACC disciplines employees, under contract provisions, for actions of commission as well as omission that affect the well being of an animal. CACC takes its responsibilities seriously and disciplines all such infractions up to and including termination. The evidence of animal mistreatment discovered by the audit team was

found in the personnel records of CACC employees indicating that CACC not only uncovers, but also disciplines, any acts of mistreatment. The auditors were too busy trying to support unfounded accusations to recognize that CACC is very effective at policing its staff.

The auditors spend a disproportionate amount of the report chastising CACC management for not providing “full” access to documents that are not the official CACC personnel records. Yet the accountants never requested reports generated by the CACC human resources management system, ABBRA, which provide a complete accounting of all employee infractions resulting in discipline, including those that involved direct care of the animals.

The auditors conclude that “animals are not always sheltered in humane conditions” but fail to define what standard is used, if any, to reach this conclusion.. In fact, the Federal standard for humane care of animals by laboratories, dealers and transporters requires access to water for at least one hour, two times each day. CACC far exceeds that objective standard.

The auditors play loose with statistics by indicating that 5 of 48 animals (10%) lacked access to water during one shelter tour. In reality there were 487 animals in the building on that day some of which were scheduled for surgery and had water withheld for that reason. Thus, less than 1% of the animals lacked access to water at the precise moment when the auditors walked though the shelter. But even this minute percentage does not demonstrate how long it took to provide water to these animals. Their conclusion that animals “were not being consistently spot-checked for clean water bowls” is based on their observation of “such a disparity between the conditions in the various wards – in some wards all animals had access to water, ...while in others none of the animals had access to water ...”. Their conclusions in these areas are wrong. In the case of wards being cleaned, water is filled before the animals are returned to their cages. Spot water inspections are done during all visits of the staff to the wards for any reason during the day.

In another walk-through, 21 of 144 (15%) of the animals were reportedly in soiled cages. The total number of animals in the building that day was 483, thus 4% were actually observed in soiled cages. The auditors did not determine how long it took to address these conditions, but assumed that the animals would not have been watered or cleaned at any time after the visit. Their conclusions in these areas are wrong. Full cage cleanings are conducted daily in each ward and spot cleanings are done as required. The auditors did not come back to check on those cages and have no basis to determine how long it takes before a soiled cage is cleaned.

Veterinary Care Standards

Instances of sub-standard veterinary care are subject to strict disciplinary action by CACC, as evidenced in our personnel records. Largely through the unsubstantiated word of unidentified, non-credentialed persons, the auditors determined that there was “evidence of poor veterinary care.” These unfounded allegations injure the reputations of the licensed and unlicensed professionals at CACC and of our outside contract veterinarians. Such allegations are unfair in that staff is not afforded an opportunity to address their accuser. This biased and blatantly unfair tactic unfortunately is consistent with the overall tone of this audit report. Furthermore, the accountants, who should have an appreciation for numbers, failed to provide the proper context for these disciplinary actions despite the fact that we gave them information on the numbers of animals examined and treated without incident by each CACC veterinary department member.

For example, over a period of 2 ½ years, one veterinary technician was disciplined eight times for various infractions, none of which resulted in the death of an animal. During that time 27,000 animals were examined or treated by this veterinary technician. Failure to provide this context sheds doubt on CACC’s commitment to proper veterinary care. Providing all the facts confirms that CACC greatly values well-trained, competent and committed veterinary medical staff and effectively supervises this staff such that failure to follow procedures is caught, documented and disciplined.

CACC understands that the authority to perform euthanasia carries with it the awesome responsibility to be both accurate and humane. Even the most ironclad euthanasia procedures cannot protect against human error. CACC works to minimize the potential for human error by implementing strict procedures that, if followed, prevent accidental euthanasia. We regret those instances where human fallibility leads to erroneous euthanasia. This causes heartache for both the owner and the staff involved in the incident. Any discipline of employees for such matters does little to reduce their personal suffering over the animal’s death. An expert in the field of animal welfare could have assisted the auditors in understanding this dynamic.

The necessity of separating contagious and non-contagious animals by ward is determined by a veterinary evaluation based on the nature and degree of the contagion. Our contract requires the separation of these animals *only when necessary*. The auditors observed that ‘contagious animals were kept in wards with healthy animals and concluded that this “obviously increases the likelihood that healthy animals will become sick and possibly be euthanized as a result.” There is no factual underpinning supporting this claim. The Comptroller’s staff made limited visits (15 total visits to 5 shelters) and drew conclusions without the benefit of a veterinary determination. Under the State Education law, Article 130, Sub-Article 4, Section 6512, it is a class E Felony for an unlicensed person to practice veterinary medicine or to assist three or more persons in such practice. The practice of the profession of veterinary medicine is defined as diagnosing, treating, operating, or prescribing for any animal disease, pain, injury, deformity or physical condition...”. The accountants on the Comptroller’s staff are not qualified to render an opinion on the judgment of licensed veterinary professionals.

Adoption Efforts

Despite considerable evidence to the contrary, the auditors concluded that "CACC has not made aggressive efforts to increase adoptions". Humane organizations view the "rate of live release" as a true and effective measure of success in making placements. The auditors dismissed this approach to focus narrowly on adoptions. Even with their limited focus, their analysis is flawed. Actual data provided to the auditors from the CACC Chameleon data base shows that in 2001 CACC increased its direct adoptions in each of three categories of adoptable animals: highly adoptable, adoptable and potentially adoptable. Most of the gain came in the category of highly adoptable where CACC showed an increase of 16% over 2000. In the adoptable category the improvement was 9% and in the potentially adoptable category CACC doubled its efforts from 3% to 6%. Overall, 80% of the highly adoptable animals, 65% of the adoptable animals and 27% of the potentially adoptable animals are placed by CACC directly or in partnership with more than 265 rescue organizations. Indeed, in 2001 CACC increased its direct adoptions overall by 12% despite a 4% decrease in total animals in the system.

The reliance of CACC on more than 265 rescue partners to place more than 6500 animals in 2001 belies the allegation that "CACC has discouraged some rescue groups." Since CACC implemented an aggressive direct adoption policy, we have been placing more of the highly adoptable animals directly from the shelters which has reduced the number of such animals available to the rescue organizations. Collectively, the humane community of NYC must focus its energies on those animals determined to be potentially adoptable and ensure adequate resources to address the health and behavioral problems of these particular animals.

CACC makes the utmost effort to adopt out animals approved for adoption. The auditors wrongfully conclude that "CACC limits the pool of animals available for adoption." Indeed, as an expert advisor would have confirmed, CACC uses an objective statusing system to evaluate all animals. CACC considers far more animals as adoptable than most open admission humane organizations. Our work with rescue organizations in the placement of potentially adoptable animals far exceeds efforts of other humane organizations. If the auditors had read and understood the implications of Status 4 (aggressive) designation, they would have realized that these animals (typically less than 10% of all intakes) are not merely nervous upon admission but indeed represent a public safety risk if released without a complete temperament evaluation to assess the level of risk. Not putting these animals into the placement stream protects the health and well being of New Yorkers, while ensuring that, where appropriate and possible, safety can be measured against the risk of releasing these animals. CACC is doing its job properly and appropriately.

There are many fine humane organizations that have perfected the art of selecting adoptable animals and finding them good homes. CACC has forged strong partnerships with other groups involved in humane animal care -- e.g., the ASPCA, Bide-A-Wee, the Brooklyn Animal Resource Coalition and more than 200 smaller organizations -- to

provide every animal with the best chance possible of finding a loving home. However, these organizations do not represent valid comparisons to CACC in either the number of adoptions, the cost per animal adopted, or the scope of the functions performed as each is a limited admissions shelters, while CACC is an open admission organization. Worthy of note is that CACC's adoption rate today is significantly higher than the rate attained by the ASPCA before CACC took over this contract.

All other shelters and rescue groups in the New York area have the luxury of choosing to assist those animals that are most adoptable and appealing to potential families. CACC must take in all those who are unwanted by anyone else. No other shelter system deals with the diversity or volume of animals CACC does. Despite this, CACC has either rehomed or found new homes for 45,947 animals over the past 4 years, with the number of successful placements growing over time.

The success of our colleagues is premised on the limited array of services they provide and the limited types of animals they will assist. In partnerships that acknowledge the strengths and constraints of each, CACC and other shelter organizations routinely transfer animals within this much broader network in order to place each animal in the shelter where it is most likely to be adopted. It is also appropriate for CACC to defer to these colleagues those services they provide well – humane education and community outreach – and to concentrate our limited resources on the tasks they will not perform – namely animal control and care for animals who are not easily placed. The Comptroller appears to disagree with this prudent resource choice.

Staffing

Despite the deficiencies cited in the audit, the Comptroller's Office did recognize that CACC is only funded at 33 percent of the level it should be for comparable organizational functions and that as a result, CACC was understaffed to fulfill parts of our mission. In fact, going by the HSUS staffing guidelines, CACC is funded for approximately 12% of the kennel staff it requires.

Access to documents

Throughout the conduct of this audit, CACC was asked for certain documents and reports, nearly all of which were provided the same day or within a few days when not readily available. At the conclusion of the exit conference, we provided the Comptroller with a computer-generated report of all disciplinary actions. Only ABBRA, the human resources computer software system used by CACC, and the personnel files maintained at the CACC Park Place headquarters are the official personnel records of this organization. At no time had the computerized information been requested by the auditors.

All other files, log books and notes to file are unofficial documents that are not permitted now that their existence has been brought to the attention of CACC management.

Individual shelter managers have been required to discontinue the use of secondary personnel documentation.

Despite this, the preliminary and final draft audits contains the unfounded allegation that they were not provided access to all personnel records and says they “can only reasonably assume that we were denied access to these records because CACC’s executive management did not want us to review any potentially adverse information they contained.” They could reasonably assume a lot of things, but the conclusion they made is not one of them.

Although CACC never denied access to the personnel files for the purpose of review, when the Comptroller asked for approval to *copy* personnel files, CACC requested assurances that the personal identifying information would be kept confidential at all phases during the audit including upon its release. A number of CACC employees had been harassed at home by members of the animal activist community and CACC sought only to protect their privacy. This request by CACC was originally made in April 2001 was eventually elevated to the level of the Comptroller’s Counsel and upon receipt in May 2001 of this written assurance of privacy protection, access to copy the personnel files was provided. The auditors fail to acknowledge the reason for this delay in the report and instead suggest that CACC used this time to delete damaging items from existing files. The auditors had full access to CACC personnel records from May 2001 through September 10th and spent several days during that time reviewing these files. This information belies the auditors accusations that CACC denied access to personnel records.

Alleged restrictions on interviewing staff

At the time of the Entrance Conference, CACC was in the midst of negotiating a Collective Bargaining Agreement with our unionized staff. Due to the delay of the City in promulgating revised Purchase of Service Guidelines, under which CACC could negotiate financial terms, we were unable to complete the negotiations. CACC staff at that time had been without a contract since October 2000 and had not had a raise since July 1999. Tensions were running high.

Therefore, CACC advised the audit team that we would permit all staff to be interviewed at the auditors’ convenience, but, as had been our practice during the financial audit previously conducted by the Comptroller, all interviews would be conducted in the presence of a member of CACC Counsel’s office. The auditors interviewed all senior staff in this manner. At no time did the auditors indicate that as a result of this routine and reasonable request, they would decline to interview current CACC employees. In the audit report, the auditors fail to note the reason why CACC chose to have only supervised interviews although they make a number of allegations as a result of this business decision. In fact, in a legal opinion by outside counsel sought by CACC following this allegation, CACC was told “CACC was prudent in seeking to have a representative present during interviews with its employees, both for the purpose of ensuring that employee rights were considered and for the purpose of evaluating the impact upon

CACC's obligations". It is difficult to believe that the official position of the Comptroller's Office is that a not-for-profit must subject its employees to interrogation by the City without the presence of a lawyer or that someone who avails himself of counsel is automatically considered suspect. Yet, that is the position of this audit.

Unlike most animal welfare organizations, CACC is a union employer. As such, CACC faces certain limitations in practice with which few other such organizations must contend. One of these is the use of volunteers. Although CACC uses volunteers in a number of non-animal related tasks, the audit criticizes CACC for not having a more extensive volunteer program. Although our Collective Bargaining Agreement allows for the use of volunteers, CACC has never been fully staffed in union positions, resulting in the potential for clashes with the union should we elect to use volunteers to perform the functions of unionized job titles.

Audit's failure to adhere to Generally Accepted Government Auditing Standards

In addition to its other failures as noted herein, this audit report is an egregiously unfair audit, failing to adhere to the Generally Accepted Government Auditing Standards that the report claims to follow. The standards that this audit ignores, in whole or in part, are listed below:

- "Criteria are the standards used to determine whether a program meets or exceeds expectations. ... Auditors have a responsibility to use criteria that are reasonable, attainable and relevant to the matters being audited. The following are some examples of possible criteria: technically developed standards or norms, expert opinions, performance of similar entities..." [Section 6.11]

The auditors established their own criteria for evaluating the performance of CACC ignoring technical standards for care, *using standards not obtainable in the real world*, failing to engage experts in the conduct of the audit and selecting organizations for comparison that were not similar to CACC in scope, funding or size.

- "Assigning staff with the appropriate skills and knowledge for the job." [Section 6.17] "... With less experienced staff, supervisors may have to specify not only techniques for analyzing data but also how to gather it..." [Section 6.24]

The Comptroller assigned auditors with no known skills or knowledge in the areas of humane animal care, veterinary medicine or labor law to conduct an audit of a large, not-for-profit animal care organization. Furthermore given the size of potential survey fields, the sample sizes were so small as to be statistically insignificant and were referred to by a Deputy Comptroller as 'judgmental surveys'. That the auditors relied on data gathered under questionable means and with questionable validity to determine their findings and conclusions suggests that the auditors lacked the appropriate skills and knowledge and that proper supervision of the audit was lacking.

- “A written audit plan should be prepared for each audit.... The plan should include an audit program or a memorandum or other appropriate documentation of key decisions about audit objectives, scope, and methodology and of the auditors’ basis for those decisions. It should be updated, as necessary, to reflect any significant changes to the plan made during the audit...” [Section 6.19]

Although the Comptroller maintains that the matters covered in this report were discussed with officials from CACC and DOH **during** [emphasis added] and at the conclusion of this audit, the material in the report *was not* discussed with CACC before the Preliminary Draft was issued December 31, 2001. The original scope of this audit as presented at the Entrance Conference in September 2000, was changed as reflected in the Preliminary Draft released December 31, 2001. The scope again changed in the revised Pre-Draft released March 4, 2002 and the scope noted in the Final Draft released April 19, 2002 differed yet again. Despite repeated requests for a clarification and verification of the scope made by CACC during the audit itself, our requests were rebuffed. Four different scopes suggest that the auditors knowingly ignored the Government Auditing Standards relating to audit planning and that CACC was not afforded proper due process.

- “Evidence should be sufficient, competent and relevant. Evidence is sufficient if there is enough of it to support the auditors’ findings.... Evidence used to support a finding is relevant if it has a logical, sensible relationship to that finding. Evidence is competent to the extent that it is consistent with fact (that is, evidence is competent if it is valid).” [Section 6.53] “... Testimonial evidence obtained from an individual who is not biased or has complete knowledge about the area is more competent than testimonial evidence obtained from an individual who is biased or has only partial knowledge about the area...” [Section 6.54(f)]

The auditors conducted very limited sampling and admitted that the samples were neither random nor statistically significant. Interviewing 254 New York City residents out of a pool of 8 million is not a sufficient sample size from which to draw conclusions about awareness of CACC’s existence and its services. The auditors concluded that CACC is relatively unknown because 35% of the respondents named ASPCA as a place to adopt a pet while only 2% named CACC. In 2001, CACC adopted out nearly three times the number of animals as the ASPCA, a fact that is not reflected in the survey results. The auditors surveyed 33 persons out of a pool of more than 24,000 customers who had conducted business with CACC between January and June 2001. Of the 33 surveyed, 28 persons had adopted from CACC; from this limited pool (1%) the auditors formed several conclusions that are not favorable toward CACC adoption programs. Finally, the auditors surveyed 59 rescuers from a list of 265 rescuer organizations provided to them by CACC. In 2001, CACC placed more than 7,000 animals with rescue groups belying the auditors finding that “CACC has discouraged some rescue groups”. Thus the auditors’ evidence does not meet the test of sufficiency.

Nor does evidence that is presented in a deliberately misleading manner meet the test of competence. For example on page 16 the auditors record, “...During the first walk-through, animals in 3 of 19 wards lacked access to water. In those three wards, the total

number of occupied cages without water was 5 of 48 (10%)...". In actuality had the auditors not deliberately ignored the 16 wards where all animals had water, the number of animals without water in the shelter was just 5 of 487 or 1%.

Finally, the auditors admit that 6 out of the 8 former staff interviewed (the auditors chose not to interview current staff) had been terminated by CACC. The auditors do not question the possible bias of these former employees, nor do they report which comments were made by former employees who were terminated, as contrasted to those who were not terminated. They also do not reveal whether any of the people they interviewed has any undisclosed relationship with either CACC (e.g., as a prior volunteer) or with the special interest community of animal activists. Full disclosure is necessary to permit the knowledgeable reader to evaluate the testimony.

The inclusion in the Appendix 1 of some of the comments made by six former employees, five rescuers and three customers without revealing whether they had any potential bias is appalling as is the almost exclusive reference to negative comments. The audit states that most of them criticized some aspect of CACC's operation. That proves nothing. Criticizing aspects of our operation means that they also had positive comments that were not reported because they did not support the Comptroller's conclusions. Including their comments in this manner is additional evidence for our conclusion that the audit is neither balanced nor fair. Indeed, when asked for additional facts about allegations made by these persons the auditors indicted that "... to protect the anonymity of the source..." no evidence corroborating their allegations could be provided. Thus the competence of the evidence cannot be determined as it cannot be confirmed.

- The report should be complete, accurate, objective, convincing, and as clear and concise as the subject permits. [Section 7.5] ... Giving readers an adequate understanding means providing perspective on the extent and significance of reported findings, such as the frequency of occurrence relative to the number of cases or transactions tested and the relationship of the findings to the entity's operations. [Section 7.52] ... Correct portrayal means describing accurately the audit scope and methodology. [Section 7.56]

Auditors are expected to present an objective and balanced report. The subject audit is neither objective nor balanced. The auditors failed to present any of the significant improvements that occurred at CACC during the subject period including significant gains in funding levels, enhanced staffing levels, renovated facilities (Brooklyn), expanded Field Services, improved rates of adoption and the stabilization of existing and introduction of new computer management systems. Furthermore, the auditors failed to provide a reasonable perspective for the findings they recorded as they have repeatedly failed to provide the proper context for the frequency of occurrences. For example, the auditors claim that failures to properly record data in animal records occurred 44 times during the subject period although the magnitude of data entries exceeded one million. It was CACC's own personnel records that demonstrated to the auditors the existence of the

errors and demonstrated CACC's awareness and discipline of these errors within the progressive discipline set forth in our Collective Bargaining Agreement. Finally, that the audit scope changed four times without notification to CACC again suggests that the auditors were seeking specific answers and then fit the scope to these findings.

- The report should include only information, findings and conclusions that are supported by competent and relevant evidence in the auditors' work papers. If data are significant to the audit findings and conclusions, but are not audited, the auditors should clearly indicate in their report the data's limitations and not make unwarranted conclusions or recommendations based on those data. [Section 7.55] ... The audit report should be fair and not misleading, and should place the audit results in perspective. This means presenting the audit results impartially and guarding against the tendency to exaggerate or overemphasize deficient performance. [Section 7.58] ... Auditors should keep in mind that one of their objectives is to persuade, and this can best be done by avoiding language that generates defensiveness and opposition. [Section 7.59]

The allegations that were made by former staff, customers and rescuers that are not supported by fact or sufficient evidence as indicated by the auditors' failure to provide credible information on the actual occurrences shows that several of the conclusions are unwarranted and unsupported. Throughout the conduct of this audit, from the earliest days of fieldwork, the auditors used questions and made allegations that deteriorated into an environment of mistrust and antagonism. The auditors continue this atmosphere by releasing a report that is both inflammatory and adversarial. Such behavior has proven to be both unproductive and unprofessional.

Conclusion

Upon the original late 1998 phone call requesting a performance audit, CACC endorsed the idea that such an audit could be beneficial once the opportunity for new programs to take hold had occurred. Thus we welcomed this audit when re-contacted in September 2000. As such our disbelief at the tone and inferences during the conduct of this audit and our outrage at its findings and conclusions is understandable. For whatever reason, this audit team has an ax to grind and chose to use it on the hard-working, dedicated staff of CACC. That subjective, personal attacks as reflected in this audit could be endorsed by the Comptroller is astounding. What will truly be unfortunate is that once again the animals at CACC will pay a price for the callous, biased manner in which accountants, this time, rather than activists, have portrayed a shelter system they were not qualified to audit.

AUDIT RECOMMENDATIONS AND RESPONSES

There are five major areas in which the findings of the comptroller do not accurately reflect the efforts of the Center or the conditions as they existed: conditions in the shelters; accidental euthanasia of animals, animal mistreatment, inadequate veterinary care, and the failure to be aggressive in increasing adoptions.

I. Alleged Conditions in the Shelters

Recommendation 1. While additional funding most likely will be impossible to obtain in the near future, given New York City's financial situation after the September 11th attack on the World Trade Center, we recommend that, if it ever becomes possible, DOH consider amending CACC's contract to fund the hiring of additional kennel attendants. (The need to increase veterinary staff is addressed in *Recommendation 13*.) DOH and CACC should consult other shelters and organizations such as the Humane Society of the United States to determine appropriate staffing levels at CACC shelters. Required staffing levels should then be specified in the terms of CACC's contract and provided for in the contract budget.

Response CACC has aggressively pursued increased funding each year and has been successful. While the fiscal problems may impact all city-funded programs, the effect on CACC should be minimized because of its critical safety functions. An amended contract will be executed allowing for the hiring of additional kennel staff should additional funding be forthcoming.

Recommendation 2. We recommend that DOH amend CACC's contract to include a specific requirement on how frequently dogs should be walked.

Response An important fact for the public to know is that 35% of the CACC census of dogs are considered dangerous and, therefore, handling for the sake of exercise represents a risk to staff and other animals which has been demonstrated by serious injuries to experienced CACC staff. Implementing an increase in animal exercise where appropriate has fiscal consequences related to staffing not reflected in the comptroller's audit. The suggested language is not appropriate for a contract since the number of times alone is not a reasonable standard for exercise. The health and size of the animal, the type of exercise, and the duration of the exercise are factors that will be used to determine exercise requirements once space is available.

At the time of the audit assign was posted on the dog run access door in Manhattan prohibiting use of the runs because soda bottles and syringes were found in the runs, having been thrown at the animals by the residents in the neighboring building. Until CACC could assure the safety of staff and animals in the runs, they were temporarily closed.

Recommendation 3. Ensure that: all dogs are walked; all animals have constant access to water; animals' cages are kept clean; animals are put only into dry cages; and cats, dogs, contagious and nursing animals are kept in separate areas.

Response The Comptroller's staff ignored the reality of what humane housing of animals requires in favor of an unrealistic and unattainable standard. All animals in each CACC facility are provided access to water at all times, except during cleaning times when the water bowls are removed for disinfecting, and when they are scheduled for spay/neuter surgery. If an animal drinks and/or spills its water, the water is refilled during regular spot checks. During their visits to the shelters, the auditors did not revisit the wards where animals were observed without water to verify if the water had been replaced.

Cages are kept clean at all times in conformity with operational reality. Every cage is completely cleaned and disinfected each day and spot cleaned as needed during the day. The auditors use deliberate misrepresentation to depict conditions in a negative light. For instance, the report states "6 of 19 wards contained soiled cages..." then completely ignores the 13 wards with no soiled cages to state that 21 of 144 cages were soiled when in reality it was *21 of 483 cages*.

This is violation of GAGAS 7.28 which requires that "*[I]n reporting significant instances of noncompliance, auditors should place their findings in perspective. To give a reader a basis for judging the prevalence and consequences of non-compliance, the instances of noncompliance should be related to the universe of the number of cases examined. . . .*"

CACC houses all animals in dry cages. The materials used in the construction of the Manhattan T-Kennels absorb water and remain wet for a short period after cleaning. These kennels will be replaced during the upcoming renovations.

Recommendation 4. Enforce the policy of separating contagious and non-contagious animals at all the shelters. At the Staten Island shelter, CACC should implement its plans to convert the unused staff lounge as soon as possible and set up a separate ward for the contagious animals.

Response CACC uses a statusing system identifying degrees of contagious illness. If a licensed veterinarian determines that an animal's contagious condition represents a risk to other animals, it is relocated to a ward for contagious animals. In cases where the contagious condition does not present such a threat, it may be placed in a mixed ward. No reference to this veterinary determined rating was made in the audit. This policy is consistent with the Animal Welfare Act which requires that dogs or cats having or suspected of having a contagious disease must be isolated from healthy animals in the colony, *as directed by the attending veterinarian (Sect. 3.7 (e))*.

Recommendation 5. Investigate the possibility of obtaining additional interns through area colleges to supplement staff in providing animal care.

Response CACC routinely utilizes interns from the LaGuardia College Veterinary Technician program, which is the only licensed veterinary technician program in NYC.

II. Alleged Animal Mistreatment

Recommendation 6. CACC immediately terminate any employee who physically abuses any animal.

Response Any CACC staff person found to have abused an animal is terminated. Pursuant to the labor contract, an employee can only be disciplined or discharged for "just cause." CACC has the legal burden of proving just cause. To date, because of the management system of discipline review, the discipline process has worked and management's decisions have not been reversed or modified by an arbitrator.

Recommendation 7. Provide more supervision of CACC employees, particularly the kennel attendants, who are directly responsible for the care of the animals.

Response CACC provides adequate supervision to all employees, including kennel attendants. During the primary hours of service to the animals and public (8AM – 8PM) there is a ratio of one manager

for every three staff in the shelters. With additional resources, CACC can provide additional supervision where desirable on evening and overnight shifts.

Recommendation 8. Provide employee support services to help employees deal with their frustrations and to prevent them from releasing their frustrations on the animals.

Response: There is no pervasive practice of staff venting frustrations on the animals. CACC's health benefits provide for employee assistance services. CACC provides training opportunities to staff and affords them the time to attend.

Recommendation 9. Reconsider its forced overtime policy, possibly offering incentives for staff members to come in and work shifts for which they are not scheduled, rather than forcing employees to work two shifts in a row. Possible incentives could include: the option of swapping shifts with other employees, "merit raises for outstanding job performance, and additional employee recognition awards.

Response: The present method of assigning overtime is the result of collective bargaining with the Union and is controlled by provisions in the labor contract. CACC cannot unilaterally change the present system without negotiating the change with the Union. To maintain services and operations, CACC is forced to utilize available staff following the labor contract's assignment of overtime procedures. Management does attempt to accommodate employees required to work overtime. Accommodations have included allowing employees to leave at the end of their regular shift and to later return to work after a substantial break to work on the overtime shift, and to working less than a full second shift by limiting their overtime work to just certain necessary tasks. If staff arrange a 'swap' with colleagues of equal training, CACC has acknowledged and permitted this practice.

Recommendation 10. Explore ways to recruit more qualified, dedicated staff, such as reliance on recruiting part-time employees from animal science-related programs in area colleges.

Response: CACC staff are dedicated, well-trained and thus qualified staff. It is offensive for the auditors to suggest otherwise. CACC regularly attends career day events and advertises employment on several websites that are likely frequented by animal science students. Entry level salaries are a significant deterrent.

III. Accidental Euthanasia

Recommendation 11. Provide staff with continuous training concerning the use of the Chameleon system and the importance of entering the various types of information.

Response: All CACC staff receive Chameleon training at hiring and through daily supervision in the shelters. Any changes to Chameleon are handled with specific training classes. Failure to complete Chameleon data entry properly is disciplined.

Recommendation 12. Provide additional training on and increased supervision of the euthanasia process to ensure that all control procedures are followed.

Response CACC has implemented triple safeguards to ensure proper identification of animals. CACC implemented additional controls on the euthanasia process since the period of review by the Comptroller's staff (January 1999 – June 2001). If the procedures, which include matching the animal's collar to the card, the computer record and scanning for a microchip prior to euthanasia to verify the appropriate animal is being euthanized, are followed, no "accidents" can occur. If an animal is inappropriately euthanized, it is because the procedures in place have not been followed. All instances of failure to follow procedure are disciplined.

IV. Allegations of poor veterinary care

Recommendation 13. While additional funding most likely will be impossible to obtain in the near future, given New York City's financial situation after the September 11th attack on the World Trade Center, we recommend that, if it ever becomes possible, DOH consider amending CACC's contract to fund the hiring of additional veterinarians and veterinary technicians. (The need to increase kennel staff is addressed in *Recommendation 1*.) DOH and CACC should consult other shelters and organizations such as the Humane Society of the United States to determine appropriate veterinary staffing levels at CACC shelters. Required veterinary staffing levels should then be specified in the terms of CACC's contract and provided for in the contract budget.

Response CACC has aggressively pursued increased funding each year and has been successful. While the fiscal problems may impact all

city-funded programs, the effect on CACC should be minimized because of its critical safety functions. An amended contract will be executed allowing for the hiring of additional veterinary staff should additional funding be forthcoming.

Recommendation 14. Ensure that staff veterinarians provide adequate supervision of veterinary technicians.

Response: CACC veterinarians provide adequate supervision of the veterinary technician. Veterinarians oversee the work of veterinary technicians and will correct or discipline deficiencies as noted in CACC personnel records.

Recommendation 15. Ensure that there is an adequate number of medical staff at all times to address the medical needs of animals.

Response During the audit the Comptroller's staff did not perform an efficiency study that would have determined if current staffing levels are adequate.

Recommendation 16. Quickly terminate any veterinary staff members who are found to be unqualified or who consistently provide poor care.

Response: As with any CACC employee, any veterinary staff member found to be unqualified or consistently providing poor care would be disciplined up to and including termination as appropriate.

Recommendation 17. Investigate ways to attract more qualified veterinarians and veterinary technicians.

Response: This recommendation alleges that current CACC veterinary staff are less qualified. The auditors conducted no review of the credentials of CACC veterinarians with the State Education Department, the licensing body for veterinarians. Had they, it would have been evident that no complaints or disciplinary actions have been initiated against CACC veterinarians. The auditors are otherwise unqualified to make judgments on the professional qualifications of CACC veterinary medical staff.

Recommendation 18. Evaluate the performance of all veterinary technicians and determine whether there is an advantage to employing licensed veterinary technicians (e.g., to perform more of the necessary medical functions and generally provide better care). If there

seems to be an advantage, CACC should consider hiring only licensed veterinary technicians in the future.

Response CACC actively posts all positions on national recruitment boards on the websites of animal welfare organizations frequented by veterinary technicians. The New York State Veterinary Medical Association concurs that there is a shortage of licensed veterinary technicians in the northeast. CACC urges CUNY to expand its veterinary technician offerings beyond the one limited program at LaGuardia Community College.

Recommendation 19. Implement a process to monitor and evaluate the performance of contracted veterinary clinics.

Response CACC monitors our contractors for compliance with contract provisions. Any pattern of repeated or deliberate mistreatment of animals would be noted and reported by CACC. No such patterns have been observed. Evaluating veterinary practices is a responsibility of the State Education Department, the licensing body for veterinarians.

V. Allegations of failure to increase adoptions aggressively

A. Alleged limited outreach and marketing

Recommendation 20. Ensure that photographs posted by CACC on Petfinder are clear and attractive.

Response CACC continues to improve the technology used in posting photographs to Petfinder.org and reassigned responsibility for this important function. The quantity and quality of the posted photos has improved measurably.

Recommendation 21. Increase CACC's outreach, public education and advertising efforts. CACC should speak to other shelters to obtain ideas, and pursue relationships with local media outlets and enter into partnerships with private companies willing to sponsor special events or advertising campaigns.

Response CACC continues its aggressive efforts to promote awareness of our services particularly adoptions through PSAs for radio and television, movie theater advertising, posters on sanitation trucks and buses, and advertisements on LIRR and Metro North train schedules. Nonetheless, CACC has retained the services of a

Public Relations firm to assist in the development of a multi-media public relations campaign.

Recommendation 22. Interact with local animal welfare organizations and enlist their aid in promoting CACC and its adoption services.

Response: CACC interacts daily with other local animal welfare organizations as evidenced in the more than 6,500 animals we place annually with our placement partners. For 2000 and 2001, CACC participated with Adoption Alliance members on a joint subway campaign promoting shelter adoptions. CACC, ASPCA, Bide-a-Wee and Humane Society of New York were featured in this joint advertisement. CACC as noted works with Petfinder.com to insure that our adoptable pets are featured on the Internet.

B. Allegations of inadequacy of off-site adoptions

Recommendation 23. Increase participation in adoption events.

Response CACC does not endorse offsite adoption events as they often result in impulse adoptions that have a higher rate of return. We will seek to balance this reality with the desire to increase availability of CACC animals.

Recommendation 24. Extend its off-site adoption program. CACC should consider showing animals for adoption at additional veterinary clinics and in pet supply stores, among other locations. CACC should also consider working with the New York City Department of Parks and Recreation to create pet adoption spaces where CACC animals can be shown at suitable times, such as spring, summer and fall weekends.

Response CACC does not endorse offsite adoption events as they often result in impulse adoptions that have a higher rate of return. We will seek to balance this reality with the desire to increase availability of CACC animals.

Recommendation 25. Improve its controls over record keeping for adoption events to ensure the accurate documentation of the animals adopted at each event and the number of hours that volunteers worked at each event. CACC should use this information in planning future adoption events.

Response: CACC has added an adoption sub-type to the Chameleon outcome field that will reflect off-site adoption events. CACC will explore acquisition of software designed to track and report volunteer contributions.

Recommendation 26. Specifically designate those animals adopted at adoption events in the Chameleon system.

Response: See recommendation 25.

C. Allegation of failure to provide formal customer services quality assurance program

Recommendation 27. Develop a formal customer service quality assurance program as required by the contract with DOH.

Response CACC has a customer service quality assurance program in development. Following customer service training of shelter staff this program will be implemented. A September 2002 target date is set. Presently all complaints are followed up with the complainant.

Recommendation 28. Provide service representatives with additional, and continuous, training in customer service.

Response CACC has a customer service quality assurance program in development. Following customer service training of shelter staff this program will be implemented. A September 2002 target date is set. Presently all complaints are followed up with the complainant.

D. Allegations of discouraging rescue groups

Recommendation 29. Work more cooperatively with rescue groups interested in helping CACC place animals. CACC should ensure that all employees understand the importance of maintaining good working relationships with these groups, and that they treat rescuers professionally and courteously, and that they return calls from rescuers in a timely fashion.

Response CACC employees understand the importance of maintaining good working relationships with PET Partners and other 'rescue' groups and individuals. CACC staff treats all such persons and groups professionally and courteously although they are not always

treated in a like manner. CACC routinely utilizes the services of 'rescue' groups and individuals to a greater degree than most humane organizations. It is a chronic, never ending complaint of rescuers that CACC does not work well with rescue individuals and organizations, yet during the period of the review, CACC placed more than 18,000 animals with rescue groups. The auditors failed to acknowledge the success of the CACC special adoption initiative.

Recommendation 30. Make the PET applications process less cumbersome and less paper intensive.

Response CACC advised the auditors that the PET Program was in response to state legislation that would have prohibited CACC (and any other humane organization) from utilizing the services of unincorporated rescue groups. At the request of CACC, Governor Pataki vetoed this legislation. CACC provided a copy of the Governor's message and the proposed legislation to the auditors who chose to ignore this important information.

Recommendation 31. Inform rescue groups by letter that: CACC is implementing the PET program incrementally; it plans to eventually provide PET applications to all rescue groups; it will not stop working with those rescue groups that have not yet received their PET applications.

Response CACC notified all rescue groups that have previously or are currently working with CACC that the PET Program was being implemented in phases. CACC also notified rescue groups that no one would be discontinued during the transition phase unless there was just cause. Copies of this correspondence and the recipient lists were provided to the auditors and not acknowledged.

E. Allegations of limitation to the pool of adoptable animals

Recommendation 32. Ensure that all animals initially given a "4" status are re-evaluated for temperament.

Response CACC agrees that all animals should be afforded a full temperament evaluation. Current staffing levels do not permit this at this time. However, the Comptroller's staff did not report that the number of animals that receive a Status 4 designation typically represent fewer than 10% of total animals. Furthermore, as provided to the accountants, 50% of the animals statused as a 4T are cats, for which there is not an industry approved temperament

evaluation. CACC did provide information on those animals that received re-evaluations that were not reflected in the audit.

Recommendation 33. Cease the practice of limiting the adoption of older animals. CACC should work cooperatively with customers so they may adopt the animals most suited to their individual situations, and with rescue groups so that they can take as many animals as possible out of the shelters to be placed in adoptive homes.

Response CACC does not limit the adoption of animals exclusively by age. Information to this effect was presented to the audit team and was not reflected in the report.

Recommendation 34. Use the Bronx and Queens receiving centers to show adoptable animals until the opening of planned full-service shelter in the Bronx and Queens.

Response CACC is working actively with community representatives and elected officials in the Bronx and Queens to open full service shelters in both boroughs, as required by law. Due to limited funding, CACC is unable to provide adoption services in the Bronx and Queens receiving facilities at this time

VI. Allegations of failure to raise funds and use volunteers

Recommendation 35. We recommend that CACC plan and implement additional fundraising efforts. CACC should contact other non-profit shelters to obtain ideas regarding effective fundraising methods.

Response CACC has aggressively pursued City funds to establish a baseline that adequately supports the services for which CACC is contracted. To this end between 1998 and 2001 through aggressive negotiation and lobbying, CACC secured an increase of 53% in city funds.

CACC believes that private funds should be used to supplement not supplant City funds. CACC's private funding efforts are not part of the contract and not an appropriate subject of review by the Comptroller. The auditors did not request a full accounting of private resources available to CACC. CACC has maintained that the quasi-government nature of the Board of Directors limits our ability to raise private funds. Nonetheless, CACC will utilize the services of its Public Relations consultant to explore more aggressive ways to raise private funds.

It is important to note that the humane organizations to which the auditors compared CACC, that is the ASPCA and Bide-a-Wee, spend 21% and 11% of their annual budgets on fundraising respectively. The ASPCA spend more than \$8.2 million per year and Bide-a-Wee spends more than \$1.1 million per year on fundraising alone. As limited admission shelters, neither organization serves animals in the volume that CACC handles. Thus, perhaps more compelling is the percent of funds spent on program services; this is only 56% for the ASPCA and 67% for Bide-a-Wee. CACC allocates 86% of its funds to program services. Auditors have an obligation to disclose such information when using comparisons to formulate findings and recommendations.

Recommendation 36. Aggressively increase the number of volunteers through a stronger recruitment effort aimed at individuals interested in the care of animals. CACC should consider enlisting the aid of rescue groups and other area animal welfare organizations in recruiting volunteers.

Response Upon the recommendation of the Humane Society of the United States, volunteers should not be used or encouraged until CACC can complete a formal program of job descriptions, training, evaluation and supervision. Indeed, HSUS states: *“For some shelters, a volunteer program is not worth the investment. Certain animal care and control facilities, for example, do without volunteer programs because liability concerns or labor issues make it impractical or impossible to place volunteers in positions of responsibility. Other humane organizations lack the resources necessary to oversee such a program. Simply put, a shelter can be successful without volunteers.”* The auditors believe that “. . . CACC should provide more supervision of CACC employees . . . thus supporting its believe that CACC is not yet ready to launch a volunteer program. Nonetheless, CACC actively engages volunteers in tasks that are not directly involved in the care and handling of animals.

Recommendation 37. Expand duties available to volunteers to include more direct animal care, such as dog walking, cage cleaning, and cat grooming.

Response The Humane Society of the United States recommends that volunteers not be used or encouraged until CACC can complete a formal program of job descriptions, training, evaluation and supervision. Indeed, HSUS states: *“For some shelters, a*

volunteer program is not worth the investment. Certain animal care and control facilities, for example, do without volunteer programs because liability concerns or labor issues make it impractical or impossible to place volunteers in positions of responsibility. Other humane organizations lack the resources necessary to oversee such a program. Simply put, a shelter can be successful without volunteers.” As noted by the auditors, “...CACC should provide more supervision of CACC employees...” thus concurring that CACC is not yet ready to launch a volunteer program. Nonetheless, CACC actively engages volunteers in tasks that are not directly involved in the care and handling of animals.

VII. Allegations of failure of management and operations to focus on meeting contract requirements

Recommendation 38. CACC’s board of directors and executive management convene to discuss the organization’s mission, to determine whether the current mission statement accurately reflects CACC’s purposes, and to reconcile its organizational and management philosophy with its contract and stated mission. If the board and executive management determine that the current mission statement is accurate, then they must develop a plan for the organization to change direction and bring its operations in line with the pursuit of all of the goals in its mission statement. If the board and management decide they are not interested in pursuing all of the goals in CACC’s mission statement, they should change the mission statement accordingly, and negotiate any necessary amendments to CACC’s contract with DOH.

Response CACC is engaged in a strategic planning process that began with the revision of the organization’s mission statement. The Strategic Planning Committee adopted this mission statement in mid 2001 leading to the auditors’ confusion in their use of the old mission statement. CACC is aggressively pursuing all aspects of the mission statement regardless of which version is used. Nothing in the audit report supports the Comptroller’s allegation that CACC is not pursuing all the goals identified in the mission statement. Indeed, the auditors admit that they did not audit significant parts of the contract and mission statement.

Recommendation 39. We recommend that CACC’s board of directors ensure that there is a quorum present when it holds its meetings and votes on items.

Response CACC agrees.

Recommendation 40. We recommend that CACC's board of directors should comply with the Open Meeting Law and ensure that all board members, officers, and invited speakers speak audibly so that members of the public who attend the board meetings may hear what is said.

Response The CACC Board of Directors complies with all aspects of the Open Meetings Law. Persons attending the meetings can observe and hear all discussions; however hidden recording devices may not be able to record the proceedings frustrating our audience.

Recommendation 41. We recommend that DOH amend CACC's contract to include specific and measurable performance requirements and/or standards for all appropriate service-related areas.

Response Effective July 2001 CACC and DOH entered into a performance-based contract that the auditors fail to note. The specificity of the performance measures suggested by the auditors reflect the oversimplification of complex variables that they failed to grasp throughout this audit process. Clearly the auditors cannot believe that such restrictive terms that fail to account for changing field conditions would be acceptable to any contractor.

The following is the complete text of the 61-page City Council report on the Center for Animal Care and Control following its eight-month investigation. For a hard copy of this report, free of charge, call (212) 788-6882.



The Council of the City of New York
Hon. Peter F. Vallone, Speaker

**DYING FOR HOMES:
ANIMAL CARE AND CONTROL
IN NEW YORK CITY**



A Staff Report to

The Committee on Contracts

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June 1997

COUNCIL STAFF

OFFICE OF OVERSIGHT AND INVESTIGATION

Catherine McAlevey
Director

PREPARED BY:

Simón Salas
Assistant Director
Editor

Peter Mameli
Assistant Director
Consulting Editor

Ashley Hubka
Legislative Investigator
Author

Robert Gormley
Legislative Investigator
Contributing Author

AND:

Le S. Chen
Peter Del Toro
Alexander Dillon
Deirdre Feerick
Stuart Goldstein
Sabrina Jordan
Janine Manzo
Robin McClary
Antoine Montgomery
Richard Toledo

WITH THE ASSISTANCE OF:

Arik Helman
Benjamin Razi
Jana Refowitz

AND:

Latifa Mitchell
Counsel, Committee on Contracts

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EXECUTIVE SUMMARY

New York City has a population of approximately 7.3 million people and more than two million pets. Many of us have dogs, cats, and other animals as pets because they provide much-needed companionship in a hectic city. Our pets' unquestioning loyalty and affection can lead to lifelong bonds as strong as those we develop with family and close friends.

Sadly, the loyalty and affection pets give is not always returned. Many people abandon their pets when ownership becomes inconvenient--when they move or when the animal outgrows the cute puppy or kitten stage. Some people abandon their pets when they need costly veterinary care. Others lose their pets. When pets are abandoned or lost, New York City's Center for Animal Care and Control (CACC) is responsible for providing shelter. Approximately 63,000 dogs, cats and other animals entered the CACC's shelter system in 1996--an average of more than 170 animals per day. Few ever found a loving home again.

In fact, more than 45,000 of the animals which entered the CACC's shelters in 1996 were killed--an average of more than 120 animals per day. After a mandatory 48 hour holding period in the shelter system, animals who are not reunited with their owners, for whom there is not sufficient cage space, or who are labeled

"unadoptable" because they are sick, old, or unattractive, are given a lethal injection of sodium pentobarbital. After they die, their bodies are stacked in a carcass freezer to be transported out of the City and cremated.

This massive loss of animal life is especially tragic because it is largely preventable. Other municipalities have developed comprehensive and innovative approaches to animal care and control which have reduced the animal overpopulation, increased adoptions, and rendered euthanasia an option which is used less and less often.

In 1993, when the American Society for the Prevention of Cruelty to Animals (ASPCA) announced that it would no longer provide animal care and control services, the City was presented with the opportunity to institute policies and programs which would increase adoptions and reduce the high rate of euthanasia which then existed. In August 1994, the City established a new not-for-profit, the CACC, which assumed responsibility for animal care and control services pursuant to a contract with the Department of Health (DOH).

Unfortunately, the CACC was, in many respects, dead on arrival. The City purchased two shelters for its use--one which had been poorly constructed and the other in need of significant renovation. Neither of the shelters are located in areas conducive to the promotion of adoptions, and the level of City funding provided to the CACC is low in comparison to other municipalities nationwide.

The problems with the CACC shelters' infrastructure, the location of its facilities and the level of funding were immediately compounded by the City's decision to hire an individual with no direct experience running an animal shelter as the CACC's Executive Director. Under the leadership of this individual, and a Board of Directors controlled by three New York City Commissioners, the CACC has been unable to articulate or to implement a comprehensive animal care and control program. Moreover, the Executive Director's leadership allegedly fostered an organizational culture which alienated individuals and groups important to the CACC's success and has been marked by high staff turnover.

In October 1996, Kathryn Freed, Chair of the New York City Council's Committee on Contracts, requested a comprehensive performance review of the CACC, pursuant to its contract with the City. The Council's review revealed serious operational and administrative problems with the CACC. The conclusions drawn in this report are based on Council staff's assessment of the accessibility of the CACC's facilities and services, conditions in the shelters, animal care, adoption and spay/neuter policies and practices, and the CACC's record keeping system. These areas are crucial to the provision of direct services by the CACC. Council staff also reviewed the scope of the CACC's public and community relations efforts and its recruitment and use of volunteers. Finally, the Council assessed the effectiveness of the CACC's management and its Board of Directors.

This review reveals that, although the CACC's name implies that it provides care to animals, it does little more than ensure that the majority of the animals it receives are euthanized shortly after the mandatory 48 hour holding period expires. Specific findings concerning the CACC's operations and recommendations for improvement include the following:

ORGANIZATIONAL CULTURE/STRUCTURE

Findings

- The CACC has a high staff turnover rate.
- The CACC's management has failed to timely implement employee training and support programs.

- The CACC is isolated from organizations and individuals with similar missions.
- The City Commissioners who serve on the Board of Directors have disproportionate control over the CACC's policies and practices.

Recommendations

- A new Executive Director with extensive shelter experience and a national reputation should be selected as soon as possible.
- The Board of Directors should review the qualifications and job performance of all senior managers.
- The CACC should develop and implement employee and volunteer training and support programs.
- The CACC should develop cooperative relationships with organizations and individuals with similar missions.
- The CACC's By-Laws should be amended to provide that appointed Directors serve for fixed terms which are staggered, so as to provide continuity. These Directors should only be removed for cause, by a two-thirds, plus one, vote of the Board of Directors.
- The CACC's By-Laws should be amended to provide all Directors on the Board an equal vote in selecting the CACC's management. Specifically, the provision that certain actions by the Board require the vote of all three of the *ex officio* directors, should be eliminated.
- The City should immediately engage an independent entity to perform the pre-termination contract review, and all future performance evaluations required by the PPB.
- The City should create an Advisory Committee composed of local veterinarians, professionals in animal-related fields, advocates and rescuers, and representatives of pet-related commercial businesses. The Committee would assist the CACC's management and its Board of Directors with all aspects of shelter policy and could also assume a large role in special projects and in establishing public and community relations and volunteer programs.

SPAY/NEUTER POLICIES AND PRACTICES

Findings

- The CACC continues to release unspayed/unneutered animals to the public through its adoption program.
- The CACC does not have the capacity to perform a large number of spays/neuters in-house.
- The CACC only achieved a 52% redemption rate of the certificates it distributed entitling new owners to free spay/neutering of their pets in 1996.
- The CACC performs minimal follow-up to determine if a new owner has complied with the provision of the CACC adoption contract which requires a newly adopted pet to be spayed/neutered.
- The ASPCA Clinic, which provided spay/neuter and other veterinary medical services, was ordered to vacate the Brooklyn Shelter effective April 1, 1997, to accommodate renovations.

Recommendations

The CACC should:

- Meet its contractual obligation to spay/neuter animals prior to adoption.
- Open its own in-house spay/neuter clinic, or send adopted animals directly to a contracted vendor or participating veterinarian before releasing them to the public.
- Arrange for training of local veterinarians in early spay/neuter procedures and perform this procedure itself if it opens an in-house spay/neuter clinic.

- Reinststate the American Society for the Prevention of Cruelty to Animals (ASPCA) Clinic in the Brooklyn Shelter as soon as the renovations are complete-- unless it plans to open its own in-house spay/neuter clinic.

ADOPTION POLICIES AND PRACTICES

Findings

- Less than one in five animals that the CACC receives finds a new home.
- The CACC's adoption rate of 18% in 1996 was significantly lower than the national average of 24%. If the CACC had met the national average, it would have euthanized 4,022 fewer animals in 1996.
- Approximately 38% (4,302) of CACC's "adoptions" in 1996 were actually transfers to other animal shelters, which in turn offered the animals for adoption to the public.
- The CACC has failed to implement effective health and grooming protocols.

Recommendations

The CACC should:

- Develop a comprehensive plan to significantly increase its adoption rate so that it meets , if not exceeds, the national average.
- Establish effective programs to improve the health and grooming of animals.

FACILITY LOCATIONS AND HOURS OF OPERATION

Findings

- The CACC's East Harlem and East New York Shelters and Staten Island, Bronx, and Queens Receiving Facilities are located in areas lacking significant pedestrian traffic, access to public transportation, and in some instances, adequate parking.
- The CACC's weekday adoption hours are typically restricted to normal business hours. This schedule makes bringing an animal to or adopting a pet from the CACC difficult, if not impossible, for most New Yorkers.

Recommendations

The CACC should:

- Consider leasing alternate space for its Bronx and Queens Receiving Facilities, which should offer significant pedestrian traffic, convenient access to public transportation, and adequate parking.
- Re-evaluate their hours for adoption in order to maximize their accessibility to potential adopters.
- Establish more partnerships with pet stores to offer off-site adoptions, both during the week and on weekends, in each of the City's five boroughs.

FACILITY CONDITIONS AND ANIMAL CARE

Findings

- The Manhattan Shelter, although only four years old, has drains which clog, floors which are improperly pitched and a heating/ventilation/air conditioning (HVAC) system in constant need of repair.
- The Brooklyn Shelter is in need of a major renovation. It is a 30 year old facility which is noisy and has a poorly functioning HVAC system.
- Animals in the CACC's shelters sometimes do not receive sufficient water and are occasionally kept in cages soiled with urine and feces.

Recommendations

- The City should undertake a critical review of the Manhattan and Brooklyn Shelters and determine whether new shelter and adoption facilities which meet appropriate standards for humane animal treatment should be acquired. If the City decides that new facilities are not needed, then it should repair and renovate the Manhattan and Brooklyn Shelters so that they meet appropriate standards for humane animal treatment.
- DOH must actively monitor the CACC's provision of shelter, food, water, and medical treatment to animals.

PUBLIC AND COMMUNITY RELATIONS

Findings

- The CACC has conducted limited public and community relations efforts. In particular, it has failed to adequately inform the public and other City agencies of its services, locations, hours of operation, and telephone numbers.
- The CACC does not allocate sufficient resources to public and community relations, does not avail itself of free advertisements with the local media and fails to utilize volunteers to assist in community outreach and education.

Recommendations

The CACC should:

- Mount an extensive public relations campaign, including local television and radio station public service announcements which inform the public of the CACC's responsibility for animal care and control in the City.
- Conduct an extensive outreach effort to inform all relevant City agencies of its services, locations, hours of operation, and telephone numbers.

USE OF VOLUNTEERS

Findings

- The CACC's ratio of volunteers to paid staff is significantly lower than in other shelters in New York City and around the country.
- The CACC uses most of the volunteers it does have to walk dogs. While some volunteers also help with adoptions, overall, the CACC's volunteers have fewer responsibilities than their counterparts in other shelters.
- The CACC does not have a formal internship program for undergraduate and graduate students pursuing degrees in animal-related fields at local institutions.

Recommendations

The CACC should:

- Increase the number of volunteers at its various facilities.
- Redesign all aspects of its volunteer program, including, but not limited to, outreach, eligibility requirements, training, and duties.
- Further develop and implement an internship program in conjunction with educational institutions which offer undergraduate and graduate programs in animal related fields, as well as in management, business and public policy.

RECORD KEEPING SYSTEMS

Findings

- The CACC's paper-based record keeping system has contributed to its inability to develop and implement sound policies and practices, and to deliver effective animal care and control services.
- More than two years after the CACC's Board of Directors acknowledged the need for a computerized record keeping system, the City still has failed to provide it with a fully-operational system.

Recommendations

- The City should make all necessary modifications to the "Chameleon CMS" computerized record keeping system, and provide sufficient training to the CACC's staff and make the system fully operational by July 1, 1997.
- The CACC should utilize the "Chameleon CMS" to analyze the information it gathers on each animal handled to identify significant issues and trends--and thereby improve its delivery of animal care and control services.

FUNDING FOR ANIMAL CARE AND CONTROL

Findings

- The City's level of funding for animal care and control is significantly lower than the national average, lower than that allocated to other large municipal shelters and lower than the level recommended by the Humane Society of the United States.
- The CACC has raised little funding from private sources.

Recommendations

- The level of City funding for animal care and control should be reevaluated once the CACC demonstrates that it can develop and successfully implement a comprehensive and humane animal care and control program.
 - The CACC should design and implement a plan to raise funds from donors interested in improving the welfare of animals.
 - The CACC should consider opening pet supply stores in all of its shelters.
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DYING FOR HOMES: ANIMAL CARE AND CONTROL IN NEW YORK CITY

(Part 2)

INTRODUCTION

In 1866, concerned by the treatment of streetcar horses in New York City, Henry Bergh founded the American Society for the Prevention of Cruelty to Animals (ASPCA)^[1] "to provide effective means for the prevention of cruelty to Animals throughout the United States."^[2] "In its first year, the organization managed to get the New York State Legislature to pass the country's first effective animal anti-cruelty law. The following year, it began operating the first ambulance for injured horses."^[3] Mr. Bergh and the ASPCA championed the humane treatment of animals by patrolling the streets of New York City, warning and arresting offenders, investigating complaints of animal abuse and educating the public.^[4]

1 / John J. Loeper, *Crusade for Kindness: Henry Bergh and the ASPCA*, New York: Atheneum, 1991, pp. 17-19.

2 / Annual Report, ASPCA, 1995.

3 / ASPCA Homepage, World Wide Web, (<http://www.asPCA.org>).

4 / John J. Loeper, *Crusade for Kindness: Henry Bergh and the ASPCA*, New York: Atheneum, 1991, pp. 23-26.

While horses no longer roam the streets as unchecked as they did back in 1866, animals still play a vital part, as pets, in the lives of New Yorkers. Although most pet owners care dutifully for their pets until the end of their animals' natural lives, some do not. As a result, each year thousands of dogs, cats and other animals become the City's responsibility.

Until the CACC assumed responsibility for animal care in New York City in 1995, the ASPCA handled the care and control of animals which were lost or abandoned. Through 1976, the ASPCA funded these activities with private donations from its members.^[5] However, in 1977, the ASPCA sought reimbursement for the provision of animal care and control services and entered into a contract with the City's Department of Health (DOH). This first contract totaled \$900,000 per year.^[6] By 1994, the value of the contract reached \$4.5 million per year.^[7] These contracts required the ASPCA to seize stray animals, operate shelter facilities, accept owner-surrendered animals and provide euthanasia as necessary.

5 / In 1995, the ASPCA received more than \$10.3 million in contributions, grants, and membership fees. Annual Report, ASPCA, 1995.

6 / Briefing Paper, CACC Oversight Hearing, Committee on Health, New York City Council, February 9, 1995, p. 2.

7 / Agreement effective the first day of July, 1994 between the City of New York, acting by and through the Commissioner of Health of the Department of Health of the City and the American Society for the Prevention of Cruelty to Animals.

Despite the mutual benefits the ASPCA and the City initially derived from these contracts, the ASPCA's relationship with City government in relation to its animal care and control responsibilities quickly became

contentious. In the early 1980's the tension was fueled by the ASPCA's allegations that the City refused to pay the actual cost of providing animal care and control services. The relationship worsened in 1985, when the City refused to pay \$250,000 in overdue payment increases. This led the ASPCA to threaten to close its Brooklyn Shelter, pull its ambulances off the street, and fire approximately 80 employees.^[8] Although this skirmish was settled, the City's worsening fiscal condition in 1991 led DOH to cut the amount of the ASPCA's animal care and control contract by approximately 25%, from \$5.05 million to \$3.65 million.^[9] At the time, the ASPCA's Chief Financial Officer, stated that "[i]n the long run, animals on the street will suffer. They may die--and not a very humane death."^[10]

¹⁰ / Mark Mooney, "The Warp and Woof of Politics," UPI, Regional News, New York Metro/New York, AM Cycle, October 31, 1985.

¹¹ / William Bunch, "Animal Society Beggars for Funds; Says Budget Cuts Mean City Will Go to the Dogs," *Newsday*, City Edition, July 18, 1991, p. 4.

¹² / *Ibid.*

This budget reduction and past repeated disagreements about funding for animal care and control took its toll on the ASPCA's willingness to continue to contract with the City. On March 23, 1993, the ASPCA announced that it would no longer provide animal care and control services to the City.^[11] According to Roger Caras, President of the ASPCA, this decision reflected "the fact that the [C]ity would not offer a renewal contract covering the ASPCA's actual costs to operate the shelter [system]."^[12] In addition, ASPCA spokesperson Joan Paylo stated that "[Destroying unwanted or sick animals] is not what we see as our major mission, which is to stop cruelty to animals and to stop overpopulation. We would like to concentrate on the cause rather than [the] effect."^[13] Mr. Caras later indicated that the ASPCA's cost of operating the shelter system had exceeded City funding by approximately \$2 million annually during the last two years (1993 and 1994) of its contract with the City. ^[14]

¹¹ / Margaret A. Hamburg, Commissioner, DOH, Testimony, CACC Oversight Hearing, Committee on Health, New York City Council, February 9, 1995, pp. 8-9 (hereinafter referred to as Hamburg Testimony).

¹² / Roger Caras, President, ASPCA, Letter to the Editor, *New York Post*, February 13, 1997, p. 34.

¹³ / Tracey L. Miller, "ASPCA to End Contract with New York City to Destroy Animals," UPI, Regional News, New York Metro/New York, BC Cycle, March 25, 1993.

¹⁴ / Roger Caras, President, ASPCA, Letter to the Editor, *New York Post*, February 13, 1997, p. 34.

Despite the ASPCA's championing of the humane treatment of animals and the generous contributions of its members, its provision of animal care and control services in New York City had been criticized. For example, the ASPCA was accused of being cruel to the animals it received and held due to a myriad of structural problems affecting its Manhattan Shelter, such as drainage systems which did not work and pipes which leaked.^[15] In addition, the ASPCA's rate of euthanasia was high, and its rate of adoptions was low in comparison to rates nationwide. For example, in 1993, the ASPCA euthanized 71% of the animals it received and adopted out just 14%. In 1994, the last year of its animal care contract the ASPCA euthanized 75% of the animals it received and adopted out 16%. ^[16]

¹⁵ / Seifman, David and Sandy Gonzalez, "ASPCA Picks Bone With Itself," *New York Post*, December 31, 1993.

¹⁶ / Materials submitted by the ASPCA to the Committee on Contracts, November 27, 1996. These percentages do not add to 100% because some animals were dead on arrival, returned to owner, released by order, released to freedom, or placed as wildlife/exotics.

The ASPCA's decision to stop providing animal care and control services as of January 1, 1995, forced the City to find a new provider willing to fill the void. Accordingly, on October 4, 1993--approximately seven months after the ASPCA's announcement--DOH began the process of securing a new provider by issuing a Request for Proposals (RFP) for "Animal Management Services."^[17] This effort ultimately failed, however, for reasons explained by Margaret A. Hamburg, the Commissioner of DOH:

...[D]espite the nationwide outreach we had conducted and despite the widespread publicity, locally and nationally, about our interest in attracting a private organization to replace the ASPCA, only two proposals were submitted in response to the RFP by the required December [6,] 1993 date.^[18]

¹⁷ / City of New York, Department of Health, Bureau of Veterinary Public Health Services, Request for Proposals for Animal Management Services, Date of Issue: October 4, 1993, Pin No. 95AA002.

¹⁸ / Hamburg Testimony, p. 11.

Commissioner Hamburg further testified that neither proposal addressed the full scope of services detailed in the RFP.^[19] In a letter dated May 5, 1994, and addressed to the Dewey Animal Care Center, one of the two bidders, DOH's Chief Contracting Officer wrote:

The Department of Health has completed its review of proposals submitted in response to the Animal Care and Control RFP. Unfortunately, the Selection Committee could not [identify] a suitable proposal. As a result of the Selection Committee's determination the Department will not issue an award, and has terminated this solicitation.^[20]

¹⁹ / Hamburg Testimony, p. 11.

²⁰ / Letter from Richard Bonamarte, Agency Chief Contracting Officer, DOH to Drs. Eugene L. Kirshbaum and Joseph A. Freer, Dewey Animal Care Center, May 5, 1994.

Commissioner Hamburg testified that DOH had also approached the ASPCA employees' union, Local 355 of the Service Employees International Union (AFL-CIO), about assuming responsibility for animal care and control services in the City. According to Commissioner Hamburg, the union, citing a lack of management experience, declined DOH's offer.^[21]

²¹ / Hamburg Testimony, p.12.

After failing to identify a suitable provider through the RFP process, DOH began exploring other alternatives. As Commissioner Hamburg explained:

At that point, without a viable private contractor available and with approximately nine months left until the deadline to replace the ASPCA, the City's immediate options appeared to be to establish a new unit within the Department of Health or to create a new City agency for animal control. **Neither approach, however, offered the operational benefits of an outside contractor. In addition, in this era of downsizing government, the new administration preferred not to expand direct government functions.** Therefore, a decision was made to form a new, independent, not-for-profit organization that would contract with the City to provide the services we sought.^[22]

²² / *Ibid.*, p.11, (emphasis added).

The provision of animal care and control services had been largely privatized under the City's previous contract with the ASPCA. The City's decision to create the CACC and to continue to contract for animal care and control services preserved this arrangement.

The CACC was incorporated on August 23, 1994, under Section 402 of the New York State Not-For-Profit Corporation Law for "the public and charitable purposes of providing animal care and control services in the City of New York thereby lessening the burdens of government on behalf of the City."^[23] Although it is a not-for-profit corporation, the CACC's seven member Board of Directors includes as *ex officio* members three commissioners of City agencies--the Commissioner of DOH, the Commissioner of the Department of Sanitation (DOS) and the Deputy Commissioner for Community Affairs at the New York City Police Department (NYPD). The four remaining members of the Board are appointed by the Mayor.

²³ / Certificate of Incorporation of the Center for Animal Care and Control, Inc., No. 940823000, p.1.

The City and the CACC's first contract became effective on September 1, 1994, and extends through December 31, 1997.^[24] During the first four months of this contract, the ASPCA continued to provide animal care and control services while the City laid the groundwork for the CACC to assume responsibility for day-to-day operations on January 1, 1995. According to Commissioner Hamburg, the City recognized that the CACC would be unable to construct facilities immediately, and, therefore purchased, through condemnation proceedings, the ASPCA-owned Manhattan and Brooklyn Shelters for the CACC's use. In addition, the City assumed the leases on the Bronx and Queens Receiving Facilities from the ASPCA. The City had built and already owned the Staten Island Receiving Facility.^[25]

²⁴ / Agreement effective as of the first day of September, 1994 between the City of New York, acting by and through the Commissioner of Health of the Department of Health of the City and the Center for Animal Care and Control (hereinafter referred to as the Agreement.)

²⁵ / Hamburg Testimony, p. 14.

During the four-month transition period, the CACC negotiated transition issues with the ASPCA and began the purchase of new animal pick-up vehicles; solicited vendors; recruited and hired personnel; and arranged for *pro bono* legal counsel.^[26] The CACC's Board of Directors also hired Martin Kurtz, Director of DOH's Bureau of Veterinary Public Health Services, as Executive Director of the CACC, effective November 1994. In his former capacity, Mr. Kurtz had overseen the ASPCA's contract with the City. Under Mr. Kurtz's direction, "[t]he CACC hired 100 of its 140 employees from the ASPCA."^[27] With an Executive Director in place and having hired its core employees, on January 1, 1995, the CACC assumed day-to-day responsibility for animal care and control services in the City.

²⁶ / Abstracts of Minutes, Board of Directors' Meetings, CACC, September 1 - December 21, 1994.

²⁷ / Graham Rayman, "Exec Defends Pet Shelters' Death Toll," *New York Newsday*, February 10, 1995.

The ASPCA's decision to terminate its contract with DOH presented the City with an opportunity to overhaul the provision of animal care and control in the five boroughs. However, as the findings in this report clearly show, the City did not seize this opportunity for reform. Instead, it bears full responsibility for creating, controlling and overseeing an organization that has failed to effectively implement a comprehensive animal care and control program.

METHODOLOGY

Between October 1996 and June 1997, Council staff conducted a comprehensive performance review of the CACC at the request of Council Member Kathryn Freed, Chair of the Committee on Contracts. On November

15, 1996, Chairwoman Freed formally requested documents pertaining to the delivery of animal care and control services in New York City from DOH, the CACC, the ASPCA and DOS. The requested documents included contracts, statistics on animal intake and disposition, monthly and annual reports, budgets, staffing levels and patterns, minutes of the CACC's Board meetings and other records.

Subsequent letters were prepared and delivered on December 23, 1996, January 15, 1997, January 24, 1997, March 21, 1997 and May 21, 1997. These letters primarily requested clarification and completion of the responses to the initial requests as well as meetings with staff. On March 21, 1997, Chairwoman Freed also requested information from the Economic Development Corporation concerning the financing and construction of the Manhattan Shelter on East 110th Street and the ASPCA's Headquarters on East 92nd Street.

Council staff interviewed many individuals including current and former CACC employees and volunteers, rescuers and advocates, shelter directors, veterinarians, animal behaviorists, shelter architects, attorneys specializing in animal issues and current and former ASPCA employees. In addition, staff reviewed transcripts of prior Council hearings on animal care and control issues, literature on animal care and control and shelter management, and State and Local Laws pertaining to animals.

The Council's review of the CACC's operations included accompanying a CACC Animal Rescue Services team responding to calls over a period of three hours and touring all five of the CACC's facilities. In addition, to obtain a first-hand perspective on the provision of animal care and control services and the operation of other public and private animal shelters, staff visited facilities operated by the ASPCA, Bergen County Animal Shelter, Bide-A-Wee, the Humane Society of New York (HSNY), and the North Shore Animal League (NSAL).

To complement their review of the CACC's operations, between November 22, 1996 and December 3, 1996, Council staff conducted a telephone survey of all 76 New York Police Department (NYPD) precincts in the five boroughs.^[28] The telephone numbers for the precincts were obtained from the "Government Listings" section of the Nynex White Pages for each borough. Posing as the owner of a lost dog, staff telephoned each police precinct to ask what they should do. This survey was intended to test whether local police precincts, the entity many residents turn to when confronted with a crisis, knew of the existence of the CACC and its role as the City's animal care and control provider.

²⁸ / Precinct #33 was telephoned on April 25, 1997, because no number was provided for it in the "Government Listings" section of the NYNEX White Pages for Manhattan. The number called was obtained from *The 1996-1997 Green Book: Official Directory of the City of New York*.

Finally, between October 1996 and June 1997, Council staff contacted the entities responsible for animal care and control services in some of the most populous cities in the United States. Staff also surveyed several smaller municipalities located in the Northeast as well as municipalities which were described in various publications as operating successful animal care and control programs. The purpose of this survey was trifold: to explore the range of models available for the provision of animal care and control services; to request general statistical and budgetary data; and to determine whether there are any innovative practices which might be replicated in New York City.

It is important to note that although the CACC is incorporated under Section 402 of the New York State Not-For-Profit Corporation Law, the CACC's responses to Chairwoman Freed's requests were coordinated and submitted by the Mayor's Office of City Legislative Affairs, with the assistance of DOH. The CACC, DOH and the Mayor's Office often failed to respond in a complete and timely manner to the Council's requests for information.

BACKGROUND

The City of New York contracts with the CACC for the provision of animal care and control services. The City's contract specifically requires the CACC to:

- seize, accept, house, feed, water, and exercise unwanted and stray animals;
- provide adoption and spay/neuter services;
- humanely euthanize animals as necessary;
- enlist the aid of volunteers; and
- conduct humane education and community outreach ^[29]

²⁹ / The Agreement, Part 1, Sections 1 and 2. See also, Annex A.

To enable the CACC to perform these services, funds are provided pursuant to a \$15 million contract with DOH for the period of September 1, 1994 to December 31, 1997. The CACC's budget supports the operation of five facilities, one in each borough, an Animal Rescue Services Unit and the employment of 136 people.^[30]

³⁰ / All staffing information in this section is based on materials submitted by the CACC to the Committee on Contracts on December 17, 1996 and is assumed to be accurate as of that date. Changes in staffing have occurred since that date and although some of those changes are discussed in this report, the Council does not have a current list of CACC personnel. In addition, all staffing numbers include both full-time and part-time employees. Information concerning services and hours of operation is based on materials submitted by the CACC to the Committee on Contracts on December 17, 1996 as well as site visits and interviews by Council staff.

The CACC documents its expenditures and revenues pursuant to this contract by submitting monthly financial reports to DOH detailing the CACC's payroll and expenditures on Other Than Personnel Services (OTPS). These reports provide a snapshot of the CACC's spending patterns in various categories. Major costs include rent, insurance, supplies, food, medical equipment and security.

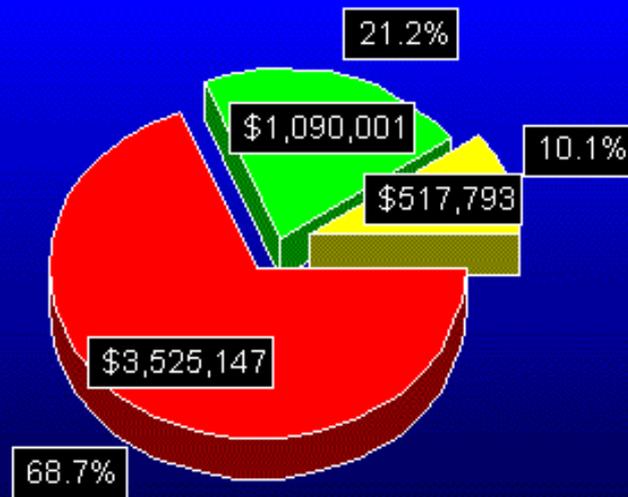
While the CACC's contract with the City pays for its annual operating expenses, the CACC also receives capital funding from the City. Such capital funds pay for major acquisitions of equipment as well as for the construction and renovation of its facilities. Current projects for which the CACC has received capital funding are described later in this report.

In calendar year 1995, the CACC expended \$5.1 million--31% on OTPS expenses and the other 69% on salaries. In 1996, the CACC expended \$5.2 million--28% on OTPS expenses and 72% on salaries.^[31] The provision of animal care and control services is very labor-intensive, and therefore a large amount of the CACC's budget is allocated to personnel expenses. A significant portion of the CACC's personnel expenses consists of salaries paid to the CACC's managerial staff.

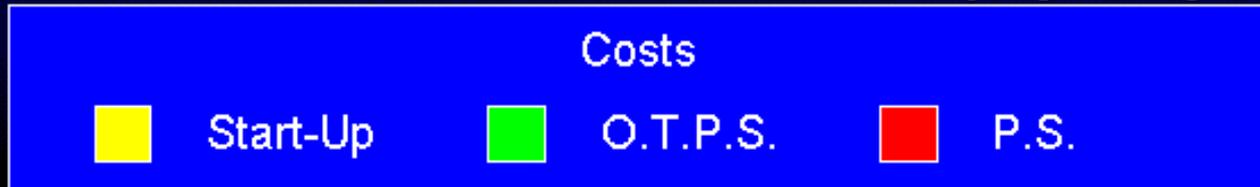
³¹ / The CACC's 1995 and 1996 budgets reflect the CACC's unadjusted end-of-year expenses.

C.A.C.C. 1995 BUDGET

\$5,132,941 Total Spent



Source: C.A.C.C. Monthly Expense Reports.

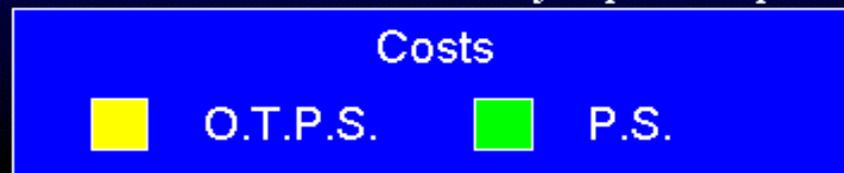


C.A.C.C. 1996 BUDGET

\$5,174,294 Total Spent



Source: C.A.C.C. Monthly Expense Reports.



A review of the CACC's monthly financial reports indicates that overspending in some of the CACC's budgeted categories during the past two years has generally been offset by under spending in others. For example, in 1996, the CACC exceeded its shelter and pet receiving facilities' budgeted amounts for medical supplies, general supplies, repairs and maintenance, food, telephones, pest control, medical equipment, postage and uniforms. These over-expenditures, however, were offset by underspending in the shelter and pet receiving facilities' budgeted amounts for gas and electricity, water and sewer charges, vehicles, modules for

vehicles, waste disposal, pet carriers and security guard services.

The following tables provide a complete account of the CACC's OTPS expenditures during 1996.

1996 Central Administration & Office O.T.P.S. Budget

	Budgeted Amount	Amount Spent	Over / Under Budget
Consultants	\$54,902	\$88,801	\$33,899 Over
Office Forms	\$1,000	\$17,899	\$16,899 Over
Miscellaneous	\$2,000	\$15,413	\$13,413 Over
Office Supplies	\$15,000	\$19,155	\$4,155 Over
Gas, Garage, Maint.	\$1,000	\$3,672	\$2,672 Over
Travel, Conferences	\$1,000	\$2,448	\$1,448 Over
Public Education	\$572	\$1,353	\$781 Over
Equipment Rental	\$12,780	\$13,508	\$728 Over
Alarm System	\$2,000	\$1,820	\$180 Under
Telephones	\$1,000	\$0	\$1,000 Under
Payroll Service	\$6,000	\$4,010	\$1,990 Under
Insurance	\$255,000	\$197,272	\$57,728 Under
TOTAL	\$352,254	\$365,351	\$13,097 Over

Source: CACC Monthly Expense Reports

1996 Shelter & Pet Receiving Facilities

O.T.P.S. Budget

	Budgeted Amount	Amount Spent	Over / Under Budget
Medical Supplies	\$108,577	\$163,644	\$55,067 Over
Supplies	\$141,944	\$181,914	\$39,970 Over
Repairs/Maintenance	\$127,895	\$157,061	\$29,166 Over
Food	\$57,365	\$79,273	\$21,908 Over
Telephone	\$43,822	\$51,879	\$8,057 Over
Pest Control	\$5,000	\$10,662	\$5,662 Over
Medical Equipment	\$5,000	\$9,022	\$4,022 Over
Postage	\$2,500	\$5,127	\$2,627 Over
Uniforms	\$11,224	\$13,614	\$2,390 Over
Gas/Electricity	\$105,278	\$104,674	\$604 Under
Water/Sewer	\$1,000	\$0	\$1,000 Under
Vehicles	\$200,000	\$196,468	\$3,532 Under
Modules for Vehicles	\$7,200	\$0	\$7,200 Under
Waste Disposal	\$11,000	\$2,754	\$8,246 Under
Pet Carriers	\$34,943	\$18,263	\$16,680 Under
Security Guard Service	\$130,000	\$107,707	\$22,293 Under
TOTAL	\$992,748	\$1,102,062	\$109,314 Over

Source: CACC Monthly Expense Reports

CACC's senior management consists of nine positions. These include: Executive Director; General Counsel; Controller; Chief Veterinarian and Director of Operations; Deputy Director of Operations; Volunteer Coordinator; Director of Human Resources; Director of Public Relations; and Director of Facilities Maintenance. In addition, each shelter and receiving facility is staffed with a Director, and the Manhattan and Brooklyn shelters both employ Adoption Coordinators. The senior managerial staff is assisted by seven administrative personnel. The CACC's Executive Director, Martin Kurtz, abruptly resigned in February, 1997, in the midst of the Council's investigation.^[32] The position remains vacant as of June 13, 1997.

³² / Mr. Kurtz is a permanent civil servant who was on a leave of absence from DOH during his entire tenure as Executive Director of the CACC, and has reportedly returned to a position within DOH unrelated to animal care and control. In response to a request for any opinions regarding Mr. Kurtz' employment status at DOH and the CACC, the DOH asserted that "[t]he Health Commissioner requested and received the advice of the Law Department in a manner that is attorney-client privileged. Letter from Frederic Winters, Associate Commissioner, DOH, to Catherine McAlevey, Director, Office of Oversight and Investigation, December 17, 1996.

While each facility has its own staff, each is also supported by one part-time Veterinarian and one part-time Animal Care Specialist who rotate among the various shelters and receiving facilities as needed. The services offered by the CACC's facilities as well as hours of operation and staffing levels vary.

The Manhattan Shelter is a full-service facility. It accepts and houses lost or unwanted animals, performs initial examinations and medical treatment, offers animals for adoption and euthanizes animals who are sick, who are labeled "unadoptable," or for whom there is not sufficient cage space. The Manhattan Shelter is located in a mixed commercial and residential area in East Harlem and is open to the public from 11:00 a.m. to 6:00 p.m. for adoptions, seven days a week. When the facility is not open for adoptions, there is at least one staff person at the facility on a 24 hour basis to handle emergencies. The facility has 16 animal wards, an examination room, an euthanasia room, a freezer for animal carcasses, and an outdoor dog run. It is staffed by a Director, an Assistant Director, a Veterinarian, an Adoption Coordinator, a Special Rescue Services

Coordinator, an Office Manager, 11 administrative, intake and adoption staff, five veterinary assistants and 28 kennel workers.

The Brooklyn Shelter, located in an industrial area in East New York, is also a full-service facility. However, it is only open to the public from 9:00 a.m. to 5:00 p.m., Tuesday through Saturday. The Brooklyn Shelter has 10 animal wards, an examination room, an euthanasia room, and a freezer for animal carcasses. The facility also houses the Animal Rescue Services Unit, including its dispatch area. All calls from City residents or agencies requesting the pick up of unwanted or stray animals are handled by this unit. Until renovations began several weeks ago, the shelter also housed an ASPCA clinic which provided spay/neuter surgeries to some animals which had been adopted from the CACC and medical treatment to the pets of Brooklyn residents. The shelter is staffed by a Director, an Assistant Director, a Veterinarian, an Adoption Coordinator, eight administrative, intake and adoption staff, three veterinary assistants, and 23 kennel workers.

The three CACC receiving facilities offer fewer services than the Manhattan or Brooklyn Shelters. The Staten Island Receiving Facility is located in the Charleston area of Staten Island and is open to the public from 8:00 a.m. to 8:00 p.m., seven days per week. It accepts and shelters unwanted animals and provides initial examinations and adoption services. Animals requiring medical treatment or which are to be euthanized are transferred to the Brooklyn Shelter. The Staten Island facility contains one arrival ward and one adoption ward, an examination room, and a freezer for animal carcasses. It is staffed by a Director, one person who performs administrative work, intakes, and adoptions, and six kennel attendants.

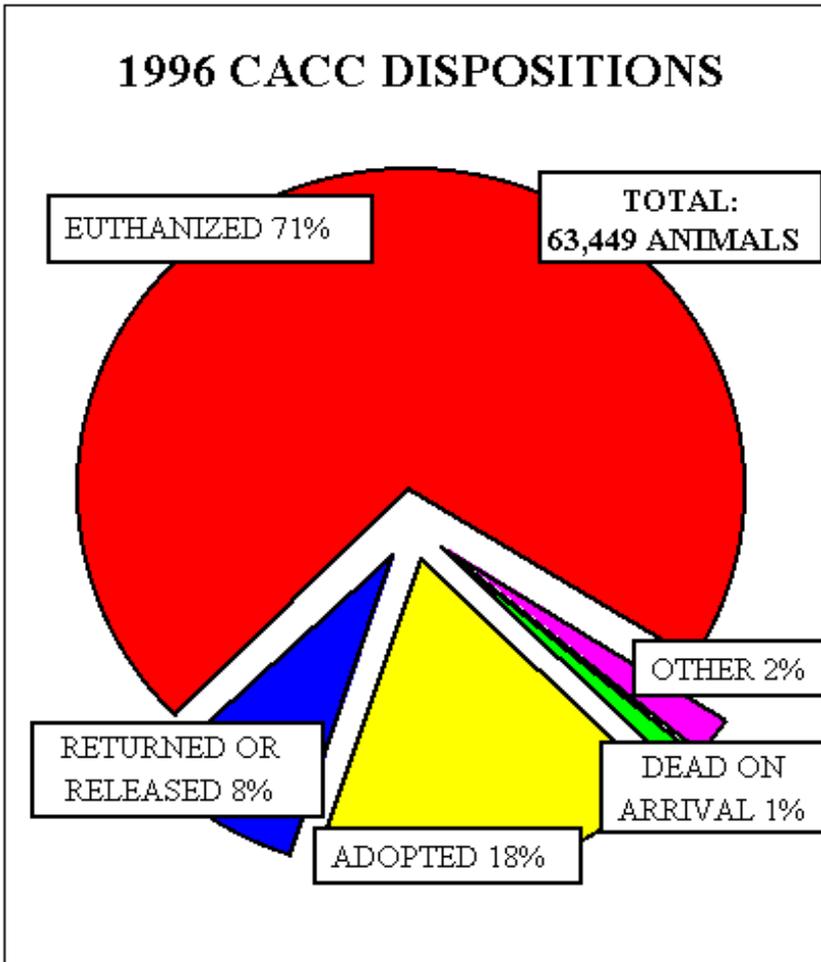
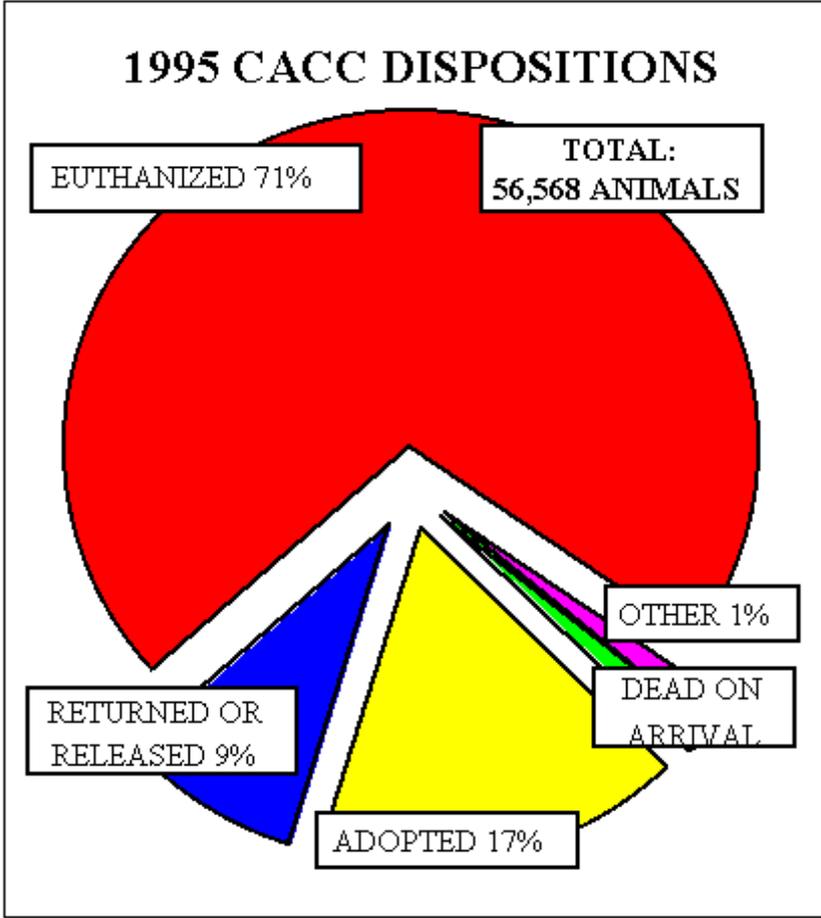
The Bronx Receiving Facility is essentially a drop-off location for unwanted animals. It is located near Fordham University in the Belmont area of the Bronx and is open to the public from 8:00 a.m. to 4:00 p.m., Tuesday through Saturday. Animals cannot be sheltered overnight at this location. Instead, a few animals are transported from the Manhattan Shelter to this facility in the mornings and offered for adoption. In the late afternoon, any animals which have not been adopted, as well as all animals accepted during the day, are returned to the Manhattan Shelter. The Bronx Receiving Facility consists of three rooms containing 45 cages and a freezer for animal carcasses. It is staffed by three kennel attendants.

The Queens Receiving Facility in Rego Park is open to the public from 8:00 a.m. to 4:00 p.m., Tuesday through Saturday. It fulfills the same functions as its Bronx counterpart. Animals to be adopted and animals received during the day are transported to and from the Brooklyn Shelter. The Queens Receiving Facility also consists of three rooms, but contains only 23 cages and a freezer for animal carcasses. It is staffed by one person who performs administrative work, intakes and adoptions, and one kennel attendant. The Bronx and Queens Receiving Facilities are managed by the same Director who divides his time between the two facilities. The two facilities are also served by a single animal rescue worker.

The Animal Rescue Services Unit operates out of the Brooklyn Shelter, 8:00 a.m. to 8:00 p.m., Monday through Friday. The unit is comprised of a Director, an Assistant Director, five dispatchers and nine animal rescue workers. Animal Rescue Services has nine 1995 GMC Duravans and two 1990 GM Safari Minivans. The Unit receives approximately 200 calls per day to pick up lost, sick, or unwanted animals. Calls are prioritized, and the most urgent ones are responded to first. According to Barry Lerner, the Director of the Unit, approximately 50% of the calls are never responded to because of the volume of calls received.^[33] Seven of the rescue vehicles are on the road continuously, at least one in each borough. The other vehicles are stationed at CACC facilities unless they are required in the field. Animal Rescue Services also conducts round-ups of stray animals, when possible. A driver, reachable by beeper, is available to handle emergencies 24 hours per day.

³³ / Barry Lerner, Director, Animal Rescue Services Unit, CACC, January 3, 1997.

The CACC's 136 staff members, together with its five facilities and animal rescue vans comprise the animal care and control system responsible for providing services to more than 7.3 million New Yorkers who own more than 2 million pets. In the CACC's first two years of operation, many of these pets have passed through the CACC's doors. In calendar years 1995 and 1996 the CACC accepted over 120,000 animals into its shelters and receiving facilities. As the following charts reveal, the CACC euthanized the vast majority of the animals it received in 1995 and 1996--71% in both years.



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DYING FOR HOMES: ANIMAL CARE AND CONTROL IN NEW YORK CITY

(Part 3)

FINDINGS AND RECOMMENDATIONS

ORGANIZATIONAL CULTURE/STRUCTURE

Allegations made by past and present staff of the CACC raise substantial questions regarding the ability of the CACC's senior management and its Board of Directors to provide effective leadership. According to these people, ineffective leadership has fostered an organizational culture characterized by the distrust of individuals and groups important to the CACC's success. These include members of the public, advocacy and rescue organizations, and the CACC's own employees and volunteers. Allegedly, the CACC has floundered under poor management since its creation, and its difficulties have been compounded by its Board of Directors' inability or unwillingness to take affirmative steps. The inability to effect change may in fact be endemic to the Board's structure. This organizational culture and structure has allegedly adversely affected the CACC's performance in all of the operational and administrative areas addressed in this report and likely contributed to:

- The CACC's high staff turnover rate.
- The CACC's failure to timely implement employee training and support programs.
- The CACC's isolation from organizations and individuals with similar missions.
- The City Commissioners who serve on the Board of Directors having disproportionate control over the CACC's policies and practices.

The CACC's allegedly contentious relations with numerous individuals and groups suggest a defensive and insular organizational environment. The CACC's response to this review of its performance by the Council is illustrative. For example, in response to a request for information from the CACC by Council Member Kathryn Freed, Martin Kurtz, Executive Director of the CACC, wrote:

It is my understanding that this investigation is limited to the "Contract Committees [sic] oversight function" relating to contract issues. Attempts to go beyond this scope into operational issues **raise serious concerns regarding the motives behind any such investigation.** [34]

³⁴ / Letter from Martin Kurtz, Executive Director, CACC to Catherine McAlevey, Director, Office of Oversight and Investigation, New York City Council, January 3, 1997 (emphasis added).

Mr. Kurtz's suspicion of the Council's review has been echoed by other City staff coordinating the production of materials requested by the Council. On April 17, 1997, a representative from the Mayor's Office of City Legislative Affairs, noted the following in her response to a request for information by Council Member

Freed:

As you know **this contract is sensitive** and any concerns Councilmembers and others have about it are important. However, it is necessary we engage in productive communication, and not resort to time consuming, fruitless investigations of the CACC to address the problem. **The intrusive nature of these investigations may jeopardize the City's continued service of this provider.**

[35]

35 / Letter from Elizabeth Shields, Legislative Representative, Mayor's Office of City Legislative Affairs to Council Member Kathryn Freed, April 17, 1997, (emphasis added.)

Long before the Council began its review and sought information from the CACC, animal advocates had been seeking information from the CACC regarding its activities. When such requests were made, the CACC's typical response was that:

The CACC is not subject to FOIL and as a result your request under FOIL is denied. Even if the CACC were subject to FOIL, your request would otherwise be objectionable. However, acting under the CACC's own corporate policy to allow access to public information to the maximum extent possible, your request for information is being considered under our own corporate policy and we expect to respond to you within two weeks. [36]

36 / Letter from Jean Addoloria, Office Manager, CACC to Sara Lee, Shelter Reform Action Committee, October 30, 1996.

The CACC's reference to its own corporate policy allowing access to public information to the maximum extent possible appears to be entirely self-serving. In fact, Robert Freedman, Executive Director of the Committee on Open Government, Department of State, State of New York opined that "[b]ased on the relationship between New York City and the CACC and the judicial interpretation of the Freedom of Information Law, I believe that the CACC is an "agency" required to comply with that statute." [37] Mr. Freedman also stated that the CACC "is essentially a creation of government not-for-profits are not [usually subject to FOIL], but in those situations where there is substantial government control, the courts have held that they are subject to the law." [38] In light of this opinion and the CACC's continued defiance of it, a coalition of more than 40 animal advocacy groups -- the Shelter Reform Action Committee -- recently filed a lawsuit against the CACC concerning its denial of requests made under FOIL and the Open Meetings Law. [39]

37 / Letter from Robert Freedman, Executive Director of the Committee on Open Government, Department of State, State of New York to Gary Kaskel, February 3, 1995.

38 / Merle English, "Animal Agency's Books Targeted," *Newsday*, March 10, 1997, pp. A7, A16.

39 / *Shelter Reform Action Committee vs. The Center for Animal Care and Control, and the New York City Department of Health*, Supreme Court, County of New York, Index No. 103410/97, Verified Petition, February 24, 1997.

A defensive organizational culture within the CACC is further suggested by the CACC's self-imposed isolation from organizations and individuals with similar missions. Senior CACC staff have failed to take advantage of offers of assistance, including offers from established shelters in the metropolitan area. For example, the Executive Vice President and Chief Administrative Officer of the ASPCA, indicated to the Council that the CACC did not take advantage of the ASPCA's offer to help the CACC with its operations during and after the September 1-December 31, 1994 transition period, when responsibility for animal care and control services was being transferred from the ASPCA to the CACC. [40]

In addition, the Director of Operations for the North Shore Animal League (NSAL), stated that he had invited CACC managers to visit his facility and to participate in NSAL training sessions.^[41] In the two years since this offer was made, unfortunately, only two CACC staff members have ever visited his facility.^[42]

⁴¹ / Michael Arms, Director of Operations, NSAL.

⁴² / Michael Arms, Director of Operations, NSAL. Mr. Arms indicated that at the invitation of CACC senior managers, he toured the Manhattan Shelter and spoke to a group of employees from all CACC facilities on March 19, 1997.

There have been other offers of assistance which have not been fully acted upon by the CACC. For example, Drs. Peter Borchelt and Linda Goodloe, licensed Animal Behaviorists, offered *pro bono* services to the CACC, including educational staff seminars on animal behavior, and the development of support and counseling programs for staff. Only one seminar has been held.

In addition to failing to take full advantage of the resources offered by organizations and individuals who share a common purpose with the CACC, the CACC has fostered a work environment which has resulted in an apparently high turnover rate. Council staff identified seven individuals in management positions who either resigned or were dismissed from the CACC during the brief period from March to October 1996. These include individuals serving in the following positions:^[43]

March 1996	Volunteer and Fundraising Coordinator
March 1996	Deputy Director of Operations
May 1996	Public Relations Coordinator
July 1996	Manhattan Shelter Director
July 1996	Rescue and Exotics Coordinator
September 1996	Adoptions Coordinator
October 1996	Volunteer and Foster Care Coordinator

⁴³ / This list was developed by interviewing former CACC employees, current and former CACC volunteers, and animal advocates, and reviewing documents provided by these parties and may not be comprehensive.

Three more senior CACC managers resigned or were dismissed in the last four months. These included the CACC's Executive Director and two other senior CACC staff persons:

February 1997	Executive Director
March 1997	Manhattan Shelter Veterinarian
May 1997	Manhattan Shelter Director

In the past fifteen months, no less than ten senior CACC managers have been fired or resigned from the CACC. These departures have allegedly had an immeasurable effect on the morale of staff, as well as the CACC's ability to maintain good animal care and control programs in the face of constant change.

Compounding the deleterious effects of CACC's high staff turnover rate, the CACC has allegedly

marginalized the role of rescuers and volunteers, individuals on whom many of the most successful shelters in the country rely. At the same time that more and more animals receive less of the loving attention which volunteers provide when they walk a dog or groom a cat, the ability of local rescue groups to remove animals from the CACC for private adoption has also reportedly declined. According to one local rescue group, the number of animal rescues have declined dramatically. The group claims to now have little contact with the CACC adoption staff, and that it is seldom if ever advised of special or needy cases.

The CACC's volunteer program has also suffered. The CACC's contentious relationship with its volunteers is best dramatized by its "firing" of six volunteers in the late Summer/early Fall of 1996, allegedly for publicly criticizing the CACC's operations. Mr. Kurtz wrote to one of the dismissed volunteers indicating the reasons for her eventual dismissal:

When you chose to publicly denounce CACC at a press conference... you effectively destroyed any trust that CACC had in you as a volunteer. With that act, you illustrated your unwillingness to work along with the dedicated volunteers and employees of our shelter, and instead chose to ally yourself with those who make unfounded attacks on CACC. [44]

44 / Letter from Martin Kurtz, Executive Director, CACC, to Sara Lee, Former CACC Volunteer, August 27, 1996.

This group of volunteers included two women who produced a cable access show featuring adoptable CACC animals, a woman who obtained approximately \$50,000 worth of donated labor to construct a dog run at the Manhattan Shelter, a woman who walked CACC dogs almost daily, and a woman who said that she regularly groomed the animals to improve their chances of adoption. In fact, in the Summer 1996 edition of its newsletter, "Tail Notes," the CACC praised the same volunteers it "fired" three months later because they dared to criticize the CACC's operations:

A daily romp in the sunshine and fresh air is now part of the lives of CACC's Manhattan shelter dogs [The dog run] was only a dream until **Jane Colton**, a dedicated volunteer, let out a cry for help.

Since it originally aired on January 6, 1996, 'Save a Shelter Pet' has been responsible for hundreds of phone calls and visits from people interested in adoption and in volunteering for the CACC and, most importantly, has led directly to nearly a hundred adoptions. It was chosen Top 10 Cable Access Show by Channel Surfer USA, a newsletter and cable show, all thanks to the dedication and talent of **Sara and Sylvia Lee**.

Nothing on her volunteer application gave any indication of the gem that had come to the CACC. **Kumiko Teroka** has quietly made herself indispensable. Better than the U.S. mail, through rain, heat or freezing cold, Kumiko comes to the Manhattan shelter four or five days a week to walk dogs. She can coax out the shyest cowerer, handle the most rambunctious barker, and do a master juggling act with her charges in the dog run.[45]

45 / Tail Notes, CACC, Vol. 3, Summer 1996 (emphasis added).

Such a high turnover of staff and firing of volunteers--regardless of the reasons--suggests that poor leadership is partly to blame. In interviews with Council staff, former employees and volunteers were uniform in describing the CACC as an organization which lacked the capacity to nurture its staffs' strengths. Former employees as well as volunteers indicated that suggestions for improvement of conditions, policies, and

practices were not welcome. In addition, they claim they were ostracized for having even raised such suggestions. Several people characterized the atmosphere of the shelters as one of fear, distrust and low morale. These criticisms were leveled at both the Executive Director and other senior staff. Most recently CACC employees circulated a petition criticizing the leadership and insensitivity of the Director of the Manhattan Shelter: Shortly thereafter, this individual left this position.

The alleged failure of leadership at the CACC appears to extend beyond the senior management to the Board of Directors. A review of abstracts of meetings of the Board reveals its failure to act on certain issues fundamental to the CACC's mission:

- At the February 1, 1995 Board meeting, Mr. Kurtz informed the Board that the CACC needed the "Chameleon CMS" record keeping software to track the thousands of animals it receives each year, and Commissioner Hamburg agreed that capital money should be made available for that purpose.^[46] Five months later at the July 31, 1995 Board meeting, a representative of DOH indicated that Chameleon CMS would not be on-line until February, 1996.^[47] At the August, 21, 1996 Board meeting, Mr. Kurtz spoke about the delay in installing Chameleon CMS.^[48] In February, 1997, two years after the acquisition of the "Chameleon CMS" software was first proposed and approved, it was finally installed at the CACC's five facilities and its administrative office. However, the software is not expected to be fully operational until July 1, 1997 as it is currently being modified.

⁴⁶ / Abstract, Minutes, Meeting of the Board of Directors, CACC, February 1, 1995.

⁴⁷ / *Ibid.*, July 31, 1995.

⁴⁸ / *Ibid.*, August 21, 1996.

- At the March 13, 1995 meeting, Mr. Kurtz informed the Board that two rooms on the second floor of the Manhattan Shelter could be converted into a spay/neuter facility. In their 1995 Annual Report, the CACC stated:

The CACC has begun planning and fundraising to build a spay/neuter clinic in the Manhattan shelter. At this clinic, the CACC could ensure that all animals would be spayed/neutered before they left the shelter, a major step in reducing the number of unwanted animals born in this city. These services would be financially affordable and readily available to all New Yorkers.^[49]

In 1995, the CACC applied for and received a \$25,000 grant from the NSAL to reimburse participating veterinarians for spay/neuter services provided to owners of animals adopted from the shelter system in conjunction with the CACC's spay/neuter certificate program.^[50] At the January 30, 1996 meeting, Mr. Kurtz reported that the NSAL had offered the services of its architects and fund-raisers to create a CACC spay/neuter clinic. On May 29, 1996, the Board discussed establishing a CACC spay/neuter clinic in the Brooklyn Shelter. More than two years after this matter was first discussed by the Board, and despite the CACC's contractual obligation to spay/neuter animals prior to adoption, the CACC still does not have an in-house spay/neuter clinic.

⁴⁹ / Annual Report, CACC, 1995, p. 7.

⁵⁰ / Steven Preston, Director of National Shelter Relations, The Pet Savers Foundation, NSAL, Telephone Interviews, May 6 and 9, 1997.

- On March 13, 1995, the Board considered a Proposed Resolution to create an advisory committee which would advise the CACC on animal care and control policies and practices and help to end the

CACC's isolation. To this day, no advisory committee has been formed.

- At the May 22, 1995 meeting, the Board reviewed draft copies of the Staff Manual and Managers' Handbook. However, former CACC employees interviewed by Council staff stated that as late as the Fall of 1996, they had not received a manual of any kind.^[51]

⁵¹ / Former CACC staff. The CACC provided the Council with a copy of a staff manual in the Spring of 1997.

- On May 22, 1995, the CACC's Adoptions Coordinator emphasized to the Board the importance of grooming in a successful adoption program. Despite its low adoption rate, one of the volunteers "fired" by the CACC in October, 1996 was a woman who had paid approximately \$2,000 to put herself through the New York School of Dog Grooming and dedicated her time at the Manhattan Shelter to grooming animals.^[52] At present, there is no organized grooming effort within the CACC.

⁵² / Former CACC staff.

- In February, 1997, in the midst of the Council's investigation, Mr. Kurtz announced his resignation. The Board of Directors was apparently not prepared for Mr. Kurtz's departure. On March 2, 1997, the CACC placed an advertisement in *The New York Times* inviting individuals with a baccalaureate degree as well as a minimum of five years experience in animal care/welfare/control programs and a minimum of two years executive management experience to submit applications for the Executive Director position.^[53] The Executive Director position remains unfilled four months after it became vacant.

⁵³ / Classified Advertisements, *The New York Times*, March 2, 1997.

The abstracts of the Board meetings do not reveal the views or votes of the individual members. However, the composition and By-laws of the Board—which is composed of three City Commissioners who serve as *ex officio* directors, and four directors appointed by the Mayor, ensures that control over important action is relegated to the three City Commissioners. Specifically, a vote to appoint or remove an Officer of the Corporation or to fix an Officer's compensation, to appoint additional Directors to the Executive Committee, or to amend the CACC's By-Laws or the Certificate of Incorporation must include the votes of all three *ex officio* Directors.^[54]

⁵⁴ / *Ibid.*, Section 3.6 (emphasis added).

Ex officio directors also have terms of office which are more favorable than those of appointed directors. They serve as a member of the Board until such time as they are no longer Commissioner of the agency which has a seat on the CACC Board. In contrast, the appointed members—whose terms run from one annual meeting to the next, and who continue until a successor is appointed, or until they resign—can be removed at any time, with or without cause, by the Mayor or the Deputy Mayor for Operations. This structure, which fails to provide the appointed members with fixed terms and places them in a position of being dismissed at any moment may have a chilling effect on the exercise of independent judgment.^[55]

⁵⁵ / By-laws, Center for Animal Care and Control, Inc., Revised February 29, 1996, Sections 2.2, and 3.6.

The Board of Directors is responsible for appointing the CACC's Executive Director, Secretary, Treasurer, and other officers, and through its leadership establishes CACC policies and priorities. To the degree that the Board's actions directly affect the CACC's performance, any assessment of the CACC's performance must necessarily include an assessment of the Board's leadership. As a matter of law, the obligation of reviewing the CACC's performance rests with the Department of Health. Pursuant to Procurement Policy Board (PPB) rules, the DOH, as the contractor agency, is required to perform annual evaluations of the performance of the CACC, including whether the CACC has complied with its contractual obligations.^[56] Additionally, not less than 120 days prior to the expiration of the CACC's contract, DOH's Chief Contracting Officer is required to make a written determination as to whether the CACC's performance for the contract period was in compliance with the requirements of the contract.^[57] Thus the DOH Commissioner, or his employee, is responsible for monitoring and reporting on the CACC's performance and contract compliance, matters for which the DOH Commissioner bears responsibility as a Board Member.

⁵⁶ / 9 RCNY 4-14 (b) (6).

⁵⁷ / 9 RCNY 4-11 (d) (1) (ii).

To the degree that any finding of poor performance by DOH of the CACC may reflect poorly upon the CACC's Board of Directors, and in particular upon the DOH Commissioner, DOH's role as manager and monitor of the CACC's performance poses, at the least, the appearance of a conflict of interest. Even though it is highly unlikely that the CACC's performance is presently being monitored or may in the future be monitored by the DOH Commissioner personally, the current situation, at a minimum, creates the appearance that those individuals at DOH responsible for conducting oversight of the CACC may be less than vigilant.

^[58,59]

⁵⁸ / Not only are the individuals at DOH who monitor the CACC responsible for passing judgment on the performance of their Commissioner in his role as a CACC Board Member, but they are also being asked to scrutinize the performance of the Sanitation Commissioner and the NYPD Deputy Commissioner of Community Affairs.

⁵⁹ / To date, this apparent conflict of interest appears not to have materialized. No such evaluations have been provided the Council, and no evaluation has been entered into the City's VENDEX System, as required by PPB rules, 9 RCNY Section 4-14 (b) (6).

RECOMMENDATIONS

- A new Executive Director with extensive shelter experience and a national reputation should be selected as soon as possible.
- The Board of Directors should review the qualifications and job performance of all senior managers.
- The CACC should develop and implement employee and volunteer training and support programs.
- The CACC should develop cooperative relationships with organizations and individuals with similar missions.
- The CACC's By-Laws should be amended to provide that appointed Directors serve for fixed terms which are staggered, so as to provide continuity. These Directors should only be removed for cause, by a two-thirds, plus one, vote of the Board of Directors.
- The CACC's By-Laws should be amended to provide all Directors on the Board an equal vote in selecting the CACC's management. Specifically, the provision that certain actions by the Board require the vote of all three of the *ex officio* directors, should be eliminated.
- The City should immediately engage an independent entity to perform the pre-termination contract review, and all future performance evaluations required by the PPB.
- The City should create an Advisory Committee composed of local veterinarians, professionals in animal-related fields, advocates and rescuers, and representatives of pet-related commercial businesses. The Committee would assist the CACC's management and its Board of Directors with all aspects of

shelter policy and could also assume a large role in special projects and in establishing public and community relations and volunteer programs.

SPAY/NEUTER POLICIES AND PRACTICES

Spay/neuter practices are an important component of any municipal animal care and control program. A comprehensive and effective spay/neuter program can dramatically reduce the costs of animal care and control.

- The CACC continues to release unspayed/unneutered animals to the public through its adoption program.
- The CACC does not have the capacity to perform a large number of spays/neuters in-house.
- The CACC only achieved a 52% redemption rate of the certificates it distributed entitling new owners to free spay/neutering of their pets in 1996.
- The CACC performs minimal follow-up to determine if a new owner has complied with the provision of the CACC adoption contract which requires a newly adopted pet to be spayed/neutered.
- The ASPCA Clinic, which provided spay/neuter and other veterinary medical services, was ordered to vacate the Brooklyn Shelter effective April 1, 1997, to accommodate renovations.

The contract between the City and the CACC requires the CACC to "provide, or cause to be provided, spay/neutering services to eligible animals **prior** to placing animals for adoption as a means of controlling the animal over-population problem in New York City."^[60] The requirement that the CACC implement a comprehensive, pre-adoption spay/neuter program is consistent with the practices of other municipalities, and essential to reducing the City's animal overpopulation. In Los Angeles, California, for example, three spay/neuter clinics handled 144,530 animals in 1970-1971, the year they opened. Ten years later, 81,661 animals--a 43% reduction--were handled.^[61] In 1973, the Humane Society of Santa Clara Valley, which includes the City of San Jose, opened a public low-cost spay/neuter clinic. Between 1976 and 1990 the number of animals handled at the Humane Society's shelter dropped by 41% from 63,805 to 37,791. ^[62] In Philadelphia, the Women's Humane Society instituted a public spay/neuter program in 1975. Between 1982 and 1990, the number of animals handled by their shelter dropped from 13,167 to 4,526--a 66% reduction.^[63]

⁶⁰ / Third Amendment effective as of the first day of January, 1997 to the Agreement, Annex A, Part B paragraph 10 (emphasis added).

⁶¹ / "Local Animal Control Management," MIS Report, Vol. 25, No. 9, Sept. 1993, p. 12.

⁶² / "Information on Selected Spay-Neuter Clinics and Programs," Companion Animals Department, HSUS, June 1991.

⁶³ / *Ibid.*

The experiences of these cities demonstrate that promotion of a comprehensive, low-cost spay/neuter program, will reduce the volume, and in time the cost, of animal care and control. In fact, a report by the Minnesota Animal Population and Control Study Commission estimated that an investment of \$1 in low-cost spay/neuter services would generate nearly \$10 of savings in animal care and control costs because fewer animals would have to be sheltered, fed and euthanized.^[64] With inflation taken into account, it was estimated that each dollar spent on low-cost spay/neuter in 1989 would produce more than \$18.00 in savings on animal care and control costs over a ten year period.^[65]

⁶⁴ / "Report to the Legislature," Minnesota Animal Population Control Study Commission, Final Draft, Adopted February 7, 1990, p. 2.

⁶⁵ / *Ibid.*

Spay/neuter not only reduces pet overpopulation and with it the cost of animal care and control, it also provides a number of other benefits. "For instance, statistics show that intact animals are over two times more

likely to bite than sterilized animals; in fact, unsterilized dogs account for 95% of all fatal maulings."^[66] The spaying/neutering of animals also significantly improves the health of companion animals.

66 / "Local Animal Control Management," MIS Report, Vol. 25, No. September 9, 1993, p. 11.

Despite these well-known benefits of spay/neuter, the CACC continues--in direct violation of its contract with the City--to release unspayed and unneutered animals to the public through its adoption program. The CACC allows adopters to take unspayed and unneutered animals from the shelter system if they agree to alter the animal at a later date pursuant to their adoption contract. Each animal not spayed or neutered prior to adoption is supposed to be accompanied by a certificate entitling the owner's pet to a free examination within 10 days of the adoption and a free spay/neuter procedure by a licensed veterinarian participating in the CACC's spay/neuter certificate program.

Approximately 50 veterinarians throughout the five boroughs participate in the CACC's spay/neuter program and accept the certificate as full payment for an initial exam and surgical alteration. New owners are responsible for contacting a participating veterinarian. Once the initial exam and alteration have been completed, the participating veterinarian submits the spay/neuter certificate to the CACC for reimbursement which ranges from \$30 to \$45 dollars, depending on the type and sex of the animal.^[67]

67 / Materials submitted by the CACC in response to requests for information by the Committee on Contracts, January 3, 1997.

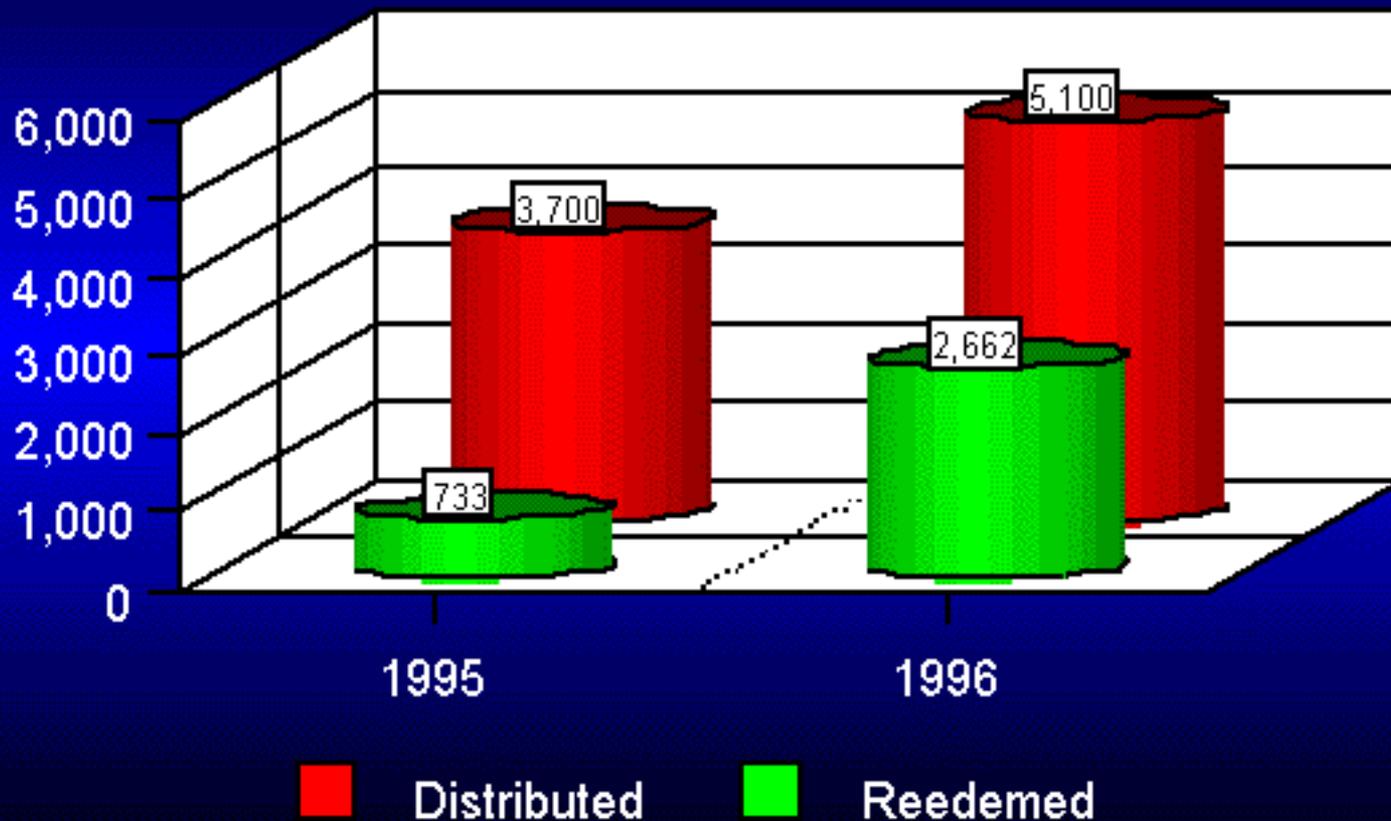
This approach, however, makes the CACC's spay/neuter program essentially voluntary, and ineffective. The CACC does not have any comprehensive program to check on adopters to determine if owners fulfilled their obligation to spay/neuter their pet once they took their pet home.^[68] However, the low redemption rate of spay/neuter certificates demonstrates that the CACC's program is a failure. Of approximately 8,800 certificates distributed to adopters during 1995 and 1996, only 3,395--or 38.6% have been redeemed.^[69] Since most veterinarians not affiliated with the CACC certificate program charge from \$60 to \$250 to do a spay/neuter procedure, it is likely that most owners of adopted animals whose certificates were not redeemed have not absorbed this additional cost, but have simply failed to alter their animals. Accordingly, the CACC is responsible for releasing approximately 5,400 unaltered animals in New York City in the past two years--animals which may very likely reproduce and contribute to the City's costs in this area for years to come.

68 / Every adopter signs an adoption contract which states that the adopter must have their pet altered. Later, the CACC sends the new owner a postcard inquiring as to whether the procedure has been performed.

69 / *Ibid.*

C.A.C.C. SPAY/NEUTER CERTIFICATES

5,445 Certificates Not Redeemed Over Two Years



Source: CACC Monthly Animal Activity Reports. According to the CACC, these numbers are approximate rather than actual. For 1996, the number of certificates distributed covered 1/1/96 to 11/3/96. All other amounts for certificates distributed and redeemed during 1995 and 1996 correspond to the full calendar year.

The CACC has tried other methods to ensure alteration prior to adoption, but their implementation has been problematic. For example, the CACC entered into an agreement with the Fund for Animals' Have-A-Heart Clinic to provide spay/neuter services.^[70] In contrast to the post-adoption spay/neuter services provided by participating veterinarians, the Have-A-Heart Clinic performs alterations prior to adoption. Animals adopted on a Saturday, Sunday, or Wednesday are transported to the Have-A-Heart Clinic to be spayed/neutered. The Have-A-Heart Clinic is reimbursed by the CACC for the spay/neuter procedure it performs at the same rates as the veterinarians participating in the certificate program.^[71] New owners pay the adoption fee and on the following Monday or Thursday evening pick up their new pet from the CACC.

⁷⁰ / The CACC indicated in a letter dated January 3, 1997 from Martin Kurtz, Director, CACC, to Catherine McAleve, Director, Office of Oversight and Investigation, that it only has an oral agreement with the Fund and that no written contract was ever prepared. The Director of the Clinic is a member of the CACC's Board.

⁷¹ / CACC Management, Queens Receiving Facility, Site Visit and Interview, January 7, 1997.

The CACC's use of the Have-A-Heart clinic to perform spay/neuter procedures, however, has not been without controversy. Between September 17, 1996 and October 17, 1996, the CACC sent 76 dogs and cats to be spayed/neutered at the Have-A-Heart Clinic. After alteration, these animals were returned to the CACC and made available for adoption. Twenty-three of the animals were never adopted; they were euthanized.^[72] Although the CACC no longer sends animals to the Have-A-Heart Clinic prior to adoption, the effectiveness of this program is limited because spaying/neutering can only be performed on certain days, and only so many procedures can be performed on any single day.

Pre-adoption spay/neuter procedures were also done, until recently, by the ASPCA clinic which operated in the Brooklyn Shelter. Animals adopted from the Brooklyn Shelter which met the relevant veterinary standards were taken to the ASPCA clinic in the same building to be spayed or neutered. The adopter then picked up her new pet at the Brooklyn Shelter one or two days later.^[73] This arrangement proved to be beneficial to adopters and also helped the CACC conveniently provide spay/neuter procedures. In December, 1996 however, in the midst of negotiations over the ASPCA's rent for this space, the ASPCA received a letter from the CACC terminating the ASPCA's occupancy in the Brooklyn Shelter. The letter from the CACC to the ASPCA, stated:

As you may be aware, the City[-]owned Brooklyn and Manhattan Shelters operated by the CACC have been scheduled for capital improvements... This will require the ASPCA to vacate the space that it presently occupies at that time.... It is with regret that I must inform you of this especially in light of our current efforts to negotiate an arrangement to spay and neuter our animals at the Brooklyn Shelter. Although our negotiations must be placed on hold as a result of this, the CACC would still like to entertain the idea of having the ASPCA return.^[74]

⁷³ / Letter dated January 3, 1997 from Martin Kurtz, Director, CACC, to Catherine McAlevey, Director, Office of Oversight and Investigation.

⁷⁴ / Letter from Martin Kurtz, Director, CACC to Anthony Shaw, Executive Vice President and Chief Administrative Officer, ASPCA, December 18, 1996.

The "eviction" of the ASPCA Clinic has further weakened the CACC's piecemeal spay/neuter program.

While the CACC is still struggling with implementing an effective spay/neuter program, humane societies and animal control agencies in other cities, such as Chicago, Miami, Los Angeles and Seattle, are moving to further reduce animal overpopulation by instituting **early spay/neuter programs**.^[75] Early spay/neuter is a procedure for animals between the ages of eight weeks and six months. Traditionally, even shelters which aggressively promoted spay/neuter allowed animals of this age to be adopted without being altered. Early spay/neuter was first endorsed by the American Humane Association (AHA) in 1991 and is now supported by the American Veterinary Medical Association (AVMA), the American Animal Hospital Association (AAHA), the American Kennel Club (AKC), and the Cat Fanciers' Association (CFA).^[76] Early spay/neuter allows shelters which adopt out animals younger than six months of age, to insure that such animals are altered before they leave the shelter, instead of relying on adopters to voluntarily comply with the spay/neuter clauses in their adoption contracts, as does the CACC.

⁷⁵ / "The Case for Early Neutering: A Tool for Companion Animal Population Control," AHA.

⁷⁶ / *Ibid.*

The City needs an effective low-cost spay/neuter program. Thousands of animals are adopted from the CACC each year and thousands more are adopted or purchased from other shelters in the metropolitan area. Most, if not all of these animals need to be spayed or neutered. Were the CACC to ensure spay/neuter of animals **prior** to adoption and provide low-cost spay/neuter services to the public at large, it could significantly reduce the animal overpopulation and, over the long run, the cost of animal care and control.

The means to address this issue--an in-house spay/neuter clinic--has been discussed by the CACC for more than two years. At the March 13, 1995 meeting of the CACC's Board of Directors, Mr. Kurtz indicated that two rooms on the second floor of the Manhattan Shelter could be converted into a spay/neuter facility.^[77]

Converting this or another space to an in-house clinic would not require excessive capital investment. A former Manhattan Shelter Veterinarian at the CACC indicated that an in-house spay/neuter clinic would not mandate a large capital outlay, requiring only the purchase of approximately three large surgical tables, four anesthesia machines, oxygen tanks, surgical packs, suture materials, intravenous stands and recirculating water blankets. While additional staff would be required to implement this or an equivalent comprehensive spay/neuter program, it is required by the terms of the CACC's contract with the City.^[78]

⁷⁷ / Abstract, Minutes, Meeting of the Board of Directors, CACC, March 13, 1995.

⁷⁸ / The CACC should explore establishing an affiliation contract with a veterinarian school or medical facility to defray the expense of staff necessary to perform spay/neutering procedures.

RECOMMENDATIONS

The CACC should:

- Meet its contractual obligation to spay/neuter animals prior to adoption.
- Open its own in-house spay/neuter clinic, or send adopted animals directly to a contracted vendor or participating veterinarian before releasing them to the public.
- Arrange for training of local veterinarians in early spay/neuter procedures and perform this procedure itself if it opens an in-house spay/neuter clinic.
- Reinstate the American Society for the Prevention of Cruelty to Animals (ASPCA) Clinic in the Brooklyn Shelter as soon as the renovations are complete-- unless it plans to open its own in-house spay/neuter clinic.

ADOPTION POLICIES AND PRACTICES

While spay/neuter policies and programs are a means of reducing the continued growth of the animal overpopulation, a successful shelter adoption program is the key to ensuring the survival of the animals who arrive at the shelter every day. Numerous factors unassociated with the animals themselves, including a shelter's location and condition, its reputation in the community, and its hours of operation (all discussed in separate sections of this report) impact the number of potential owners who visit shelters. Once in a shelter, however, an animal's appearance and health have a significant impact on whether it is adopted. The CACC has failed in all of these areas.

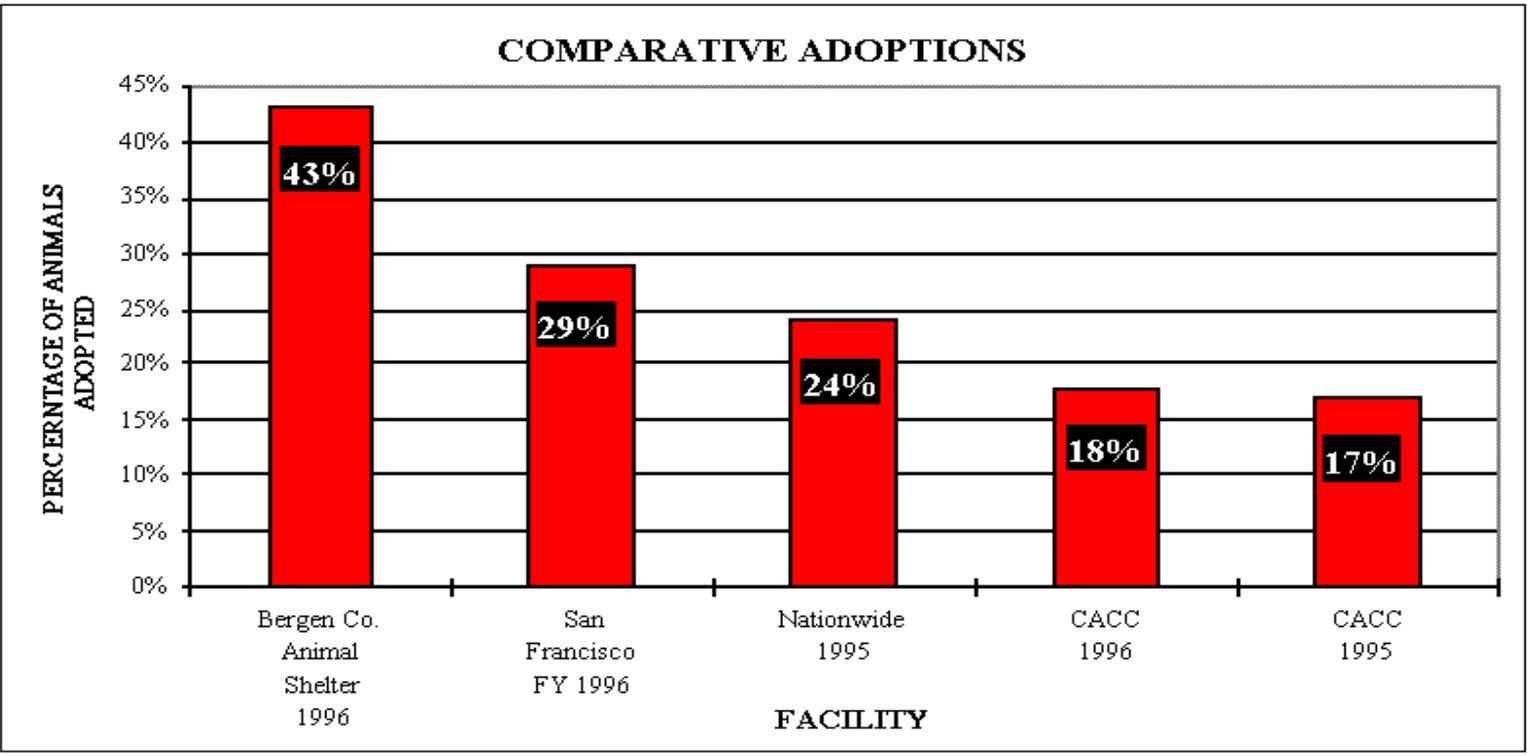
- Less than one in five animals that the CACC receives finds a new home.
- The CACC's adoption rate of 18% in 1996 was significantly lower than the national average of 24%. If the CACC had met the national average, it would have euthanized 4,022 fewer animals in 1996.
- Approximately 38% (4,302) of CACC's "adoptions" in 1996 were actually transfers to other animal shelters, which in turn offered the animals for adoption to the public.
- The CACC has failed to implement effective health and grooming protocols.

Although the City's contract with the CACC requires it to "provide adoption services at the shelters and receiving facilities and... [to] **promote adoption** as a means of placing animals,"^[79] the percentage of animals adopted from the CACC is low when compared to the shelter average nationwide and to individual shelters in urban areas. According to the CACC, in calendar years 1995 and 1996, it adopted out and transferred for adoption 17% and 18%, respectively, of the animals it received. In other words, fewer than one in five animals received by the CACC finds a new home.

⁷⁹ / First Amendment effective as of the first day of January, 1996 to the Agreement, Annex A, Part B, paragraph 5 (emphasis added).

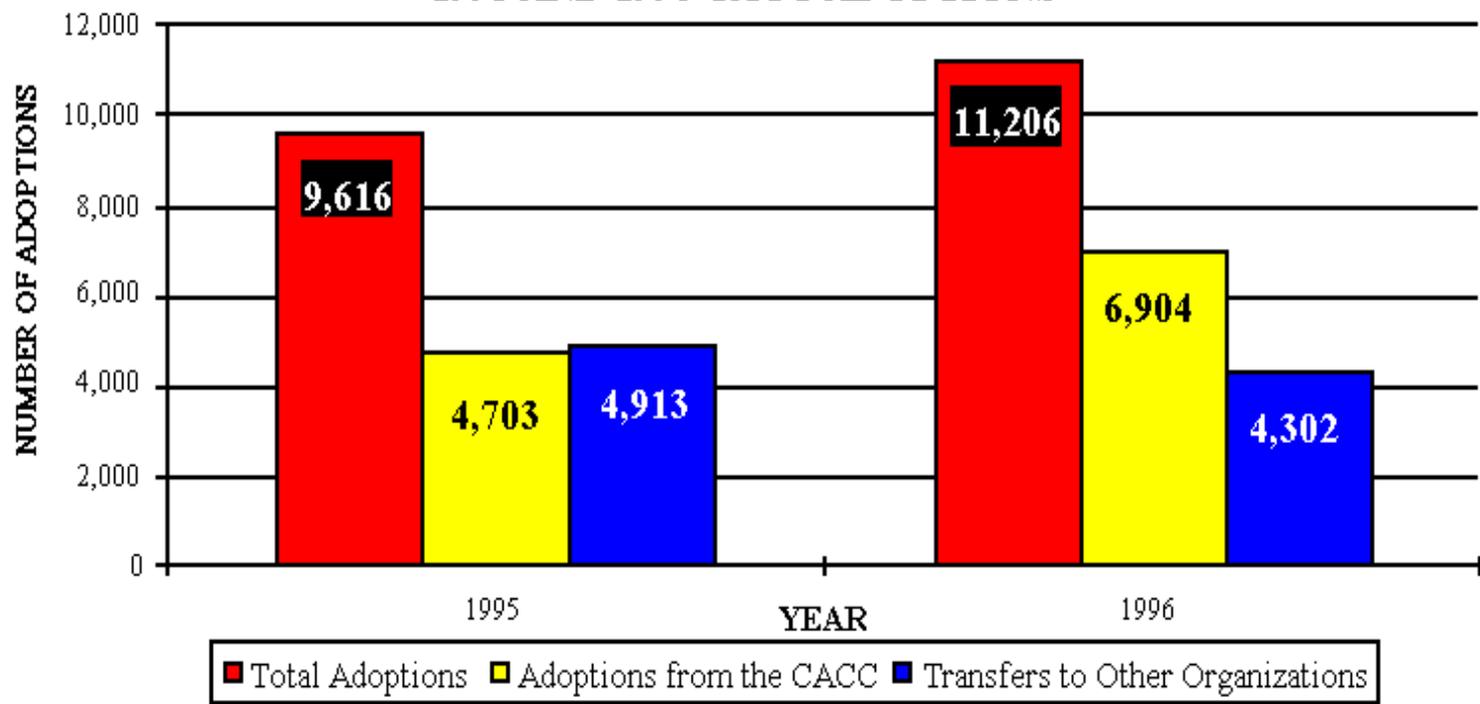
In contrast to the CACC's 17% adoption rate in 1995, 24% of animals entering shelters nationwide were adopted.^[80] Several municipal shelters significantly outperform the CACC and have better rates than the national average. For example, in San Francisco, 29% of the more than 18,000 animals which entered the shelter system in Fiscal Year 1996 were adopted.^[81] Bergen County Animal Shelter in Teterboro, New Jersey achieved even better results--a 43% adoption rate.^[82]

⁸⁰ / National Council on Pet Population Study and Policy (NCPSP), Pet Population Data Survey, 1995. NCPSP is currently gathering data from its 1996 survey.
⁸¹ / Kennel Outcome Statistics (July 1, 1995-June 30, 1996) provided by Carl Friedman, Director, Department of Animal Care and Control, City and County of San Francisco to the Committee on Contracts, November 1996.
⁸² / Animal Population Control Program, Shelter/Pound Survey of Stray Animal Intake and Disposition for Year 1995.

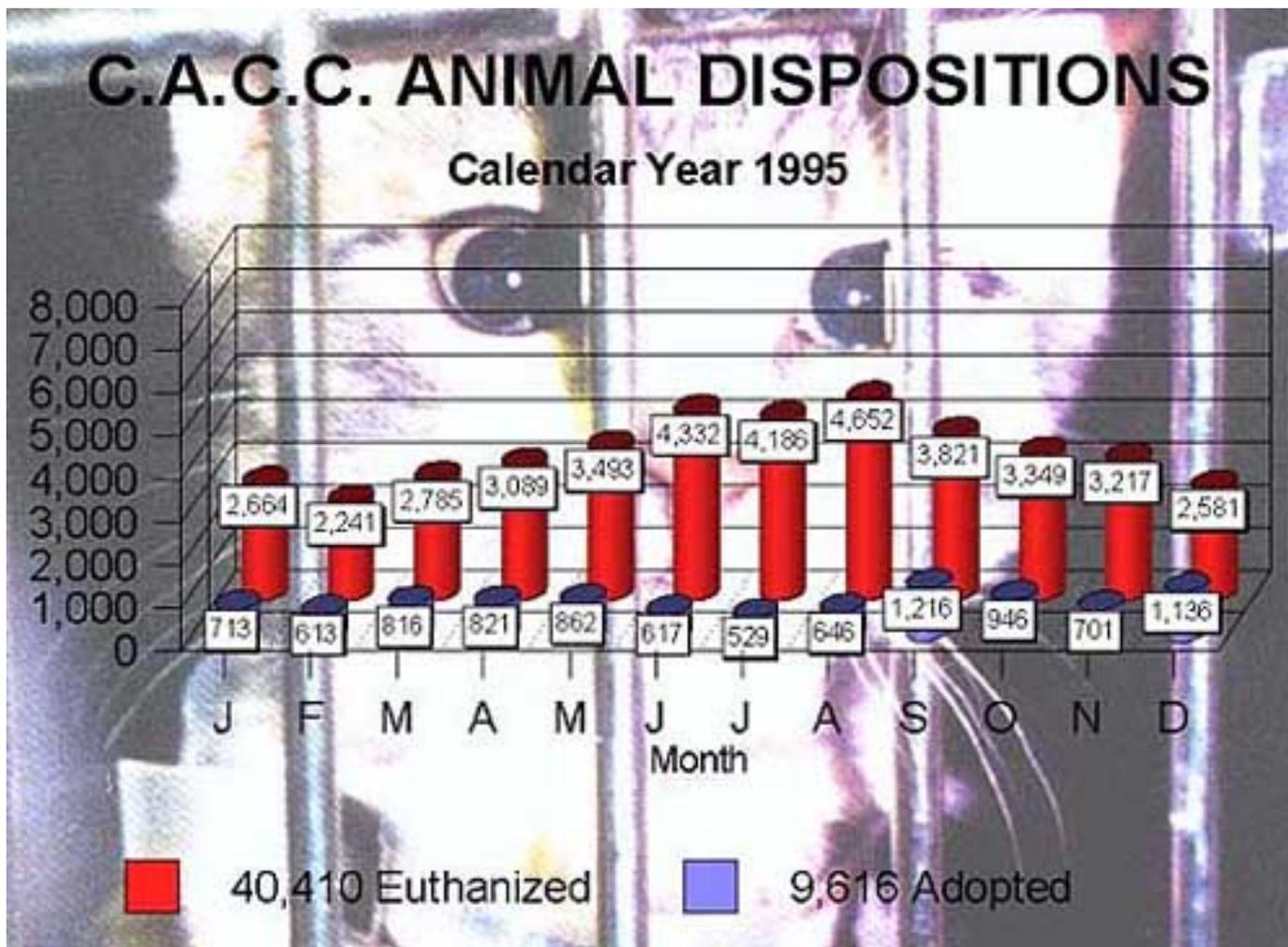


Moreover, the CACC's low adoption rate of 17% in 1995 and 18% in 1996 includes animals transferred to other shelters for eventual adoption as opposed to adopted directly from the CACC. The CACC currently transfers animals to the ASPCA, NSAL and other shelters, which in turn offer the animals for adoption to the public. In fact, for calendar years 1995 and 1996, these transfers accounted for 51% and 38%, respectively, of the CACC's total adoptions. Discounting the number of additional animals that may have been adopted by rescuers, direct adoptions by the CACC for calendar years 1995 and 1996 totaled 4,703 and 6,904, respectively.

1995 AND 1996 CACC ADOPTIONS



The poor adoption rate at CACC are directly related to the extraordinary number of euthanasias it performs. In both 1995 and 1996, the CACC euthanized 71% of the animals which entered its shelters--totaling 85,716, or approximately 120 per day. The contrast between adoptions and killings is illustrated in the following graphs.



Source: CACC Monthly Animal Activity Reports



Source: CACC Monthly Animal Activity Reports

In light of the poor siting of CACC shelters, the CACC should do everything possible to ensure that their animals make the best impression possible on potential adopters who do visit its facilities. In addition to an animal's age and size, the likelihood of its being adopted is affected by its health and appearance. One can visualize a well groomed animal as a pet in one's home. At the May 22, 1995 meeting of the Board, the CACC's Adoptions Coordinator emphasized the importance of grooming to a successful adoption program.^[83] Nevertheless, one of the volunteers "fired" by the CACC in the Fall of 1996 was a woman who stated that she had paid approximately \$2,000 to put herself through the New York School of Dog Grooming and spent her time at the Manhattan Shelter grooming animals. To date, there is still no organized grooming effort within the CACC.

⁸³ / Abstract, Minutes, Meeting of the Board of Directors, CACC, May 22, 1995.

In addition to grooming, the health of an animal will also affect its adoptability. According to a former CACC veterinarian, disease control has been a problem at the Manhattan shelter, although it has improved lately. Four of the veterinarians participating in the CACC's spay/neuter certificate program who were contacted by Council staff confirmed that animals adopted from the CACC, which they had examined, suffered from illnesses such as parvo virus, heartworm, and diarrhea.

Rescuers have also noted problems with the health and appearance of animals offered for adoption by the CACC. In a letter to Council staff dated December 20, 1996, a representative of one rescue group claimed:

We had personally witnessed many unhygienic practices in the cat adoption room staff day to day, frequent unnecessary touching of cats for adoption (usually on the face and nose where illness rapidly transmits), use of ineffective and dangerous disinfectants like Lysol instead of veterinary disinfectants.^[84]

⁸⁴ / Letter from a representative of local animal rescue group to the Office of Oversight and Investigation, New York City Council, December 20, 1996.

Representatives of local rescue groups alleged that the majority of the animals they remove from the CACC are ill--most often with severe upper respiratory infection (URI) and distemper.

RECOMMENDATIONS

The CACC should:

- Develop a comprehensive plan to significantly increase its adoption rate so that it meets, if not exceeds, the national average.
 - Establish effective programs to improve the health and grooming of animals.
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DYING FOR HOMES: ANIMAL CARE AND CONTROL IN NEW YORK CITY

(Part 4)

FACILITY LOCATIONS AND HOURS OF OPERATION

Shelters which are centrally located have greater value because of their convenience and accessibility to potential adopters. Customer amenities, such as close proximity to public transportation, extended hours of operation and the adequacy of parking are essential to attracting adopters, especially at poorly located facilities.

- The CACC's East Harlem and East New York Shelters and Staten Island, Bronx, and Queens Receiving Facilities are located in areas lacking significant pedestrian traffic, access to public transportation, and in some instances, adequate parking.
- The CACC's weekday adoption hours are typically restricted to normal business hours. This schedule makes bringing an animal to or adopting a pet from the CACC difficult, if not impossible, for most New Yorkers.

The location of the Manhattan and Brooklyn Shelters, in areas of the City which lack substantial pedestrian traffic and other customer amenities was largely predetermined. According to the New York City Zoning Resolution, animal shelters and receiving facilities are classified as semi-industrial uses of space and are restricted to C8 commercial zones of the City.^[85]

⁸⁵ / NYC Zoning Resolution, Article 3: Commercial District Regulations, Chapter 2: Use Regulations, Use Group 16, p. 219.

The Manhattan Shelter is located in a mixed commercial and residential area on East 110th Street. It is the primary adoption center for Manhattan residents, yet it is not centrally-located within the borough. It is far from major shopping and business districts, therefore there is little pedestrian traffic. Its neighbors include a Con Edison facility and parking lot, and a number of auto body shops. The shelter is close to the FDR Drive, but there is limited on-street parking.

The Brooklyn Shelter, the CACC's second major adoption facility, suffers a similar fate. It is located in an industrial area and surrounded by large-scale recycling operations. The shelter is the primary adoption center for Brooklyn residents, yet it is not centrally-located within the borough. The last stop on the Number 3 train is approximately seven blocks from the shelter. Parking is available in a CACC lot. Its location and appearance also make it less than desirable as an adoption center.

Not only are these shelters located in inconvenient areas, they are also located in areas which have some of

the highest crime rates in the City. The Manhattan Shelter is located in the 23rd NYPD Precinct. In 1995, the 23rd precinct had the second highest number of felony arrests among the 21 Manhattan precincts.^[86] The Brooklyn Shelter is located in the 75th Precinct. The 75th Precinct had the highest number of felony complaints and the highest number of felony arrests of all 23 Brooklyn precincts in 1995.^[87]

⁸⁶ / *District Resource Statement: Police Department*, Fiscal and Service Reports for Fiscal Years 1995 and 1996, Office of Management and Budget, City of New York, p. 197.
⁸⁷ / *Ibid.*, p. 101.

The Staten Island Receiving Facility is located in a fairly isolated area and is not close to other commercial businesses. The facility is inaccessible by train and is nine blocks from the nearest S74 bus stop.

The Bronx Receiving Facility is located in a commercial area. It is on the ground floor of a medical complex and across the street from Fordham University. Most of its neighbors serve the medical community. The facility is approximately seven blocks from a C and D subway stop. Parking is very limited.

The Queens Receiving Facility is located in a commercial area located at the intersection of a highway and several major roads. It is housed in a below ground floor space, and is difficult to see from the street. The facility is approximately two blocks from the nearest G and R subway stop. Parking is limited.

The CACC has compounded the effects on potential adopters of the poor siting of its shelters by failing to maintain hours and days of operation for adoption which are convenient to most residents. Only the Manhattan Shelter and the Staten Island Receiving Facility are open seven days per week. The other three facilities are closed either one or two days per week. In addition, only the Manhattan Shelter and the Staten Island Receiving Facility are open for adoptions weeknights--until 6:00 p.m. and 7:00 p.m. respectively. Adoption hours at the other three facilities conclude at either 3:00 p.m. or 4:00 p.m.. Thus, persons who work and want to adopt a pet have yet another reason to avoid the CACC.

In contrast, the ASPCA is open for adoptions until 7:00 p.m., Monday through Saturday. The ASPCA's Vice President for Animal Services in New York City informed Council staff that the adoption rate is higher between 5:00 p.m. and 7:00 p.m. than earlier in the day.^[88] Extended hours are also the norm at NSAL. It is open for adoptions until 10:00 p.m. every day of the year, except Thanksgiving and Christmas. According to Michael Arms, Director of Operations at NSAL, 50% of his facility's weekday adoptions take place between 7:00 p.m. and 9:00 p.m.^[89]

⁸⁸ / Steve Musso, Vice President for Animal Services, ASPCA.

⁸⁹ / Michael Arms, Director of Operations, NSAL.

While the CACC is solely responsible for its hours of operation, it clearly inherited its poor locations. However, there are ways to mitigate poor locations which the CACC has apparently failed to fully develop. For example, the CACC could form partnerships with pet-related commercial establishments and offer pets for adoption from their retail locations. There are more than 150 pet supply stores distributed across the City's five boroughs.^[90] In contrast to animal shelters, pet stores are classified as general retail stores and can be located in C1-C2, C4-C6, and C8 commercial zones.^[91] To generate a profit, these stores are located in areas and maintain hours of operation which are convenient for their customers.

⁹⁰ / This number is based on Council staff's examination of the 1996 NYNEX Yellow Pages for Manhattan, Brooklyn, Bronx, and Staten Island and the 1995 NYNEX Yellow Pages for Queens.

⁹¹ / *NYC Zoning Resolution*, Article 3: Commercial District Regulations, Chapter 2: Use Regulations, Use Group 6, 211-213.

According to CACC's Deputy Director for Operations, two pet supply stores recently began offering off-site adoptions of CACC animals. The CACC delivers animals to these stores on Fridays and retrieves them on Mondays. These partnerships have reportedly proven extremely successful. For example, during its first weekend offering CACC animals for adoption, Pet Superette in the Bronx completed 22 adoptions.^[92] In comparison, the Bronx Receiving Facility only generated an average of 17 adoptions **per month** between January and September, 1996.^[93] This very successful venture has yet to be expanded by the CACC to other locations, even though it has received offers from additional pet supply and grooming stores to perform adoptions of shelter animals within or in front of their stores.^[94]

⁹² / The two stores are Pet Superette in the Bronx and PetCo. in Staten Island. Michael Pastore, Deputy Director of Operations, CACC, Bronx Receiving Facility, Site Visit and Interview, January 7, 1997.

⁹³ / CACC Monthly Animal Activity Report, September 1996.

⁹⁴ / Karen's for People Plus Pets on the Upper East Side, and Pet Stop with two locations in Manhattan were among the retail stores which approached the CACC.

FACILITY CONDITIONS AND ANIMAL CARE

Poor construction and age-related deterioration have made the Brooklyn and Manhattan Shelters ill-suited for the provision of humane and sanitary care, to the animals received by the CACC.

- The Manhattan Shelter, although only four years old, has drains which clog, floors which are improperly pitched and a heating/ventilation/air conditioning (HVAC) system in constant need of repair.
- The Brooklyn Shelter is in need of a major renovation. It is a 30 year old facility which is noisy and has a poorly functioning HVAC system.
- Animals in the CACC's shelters sometimes do not receive sufficient water and are occasionally kept in cages soiled with urine and feces.

According to Dr. John Kullberg, former President of the ASPCA, when the ASPCA decided to build a new Manhattan Shelter, it also decided to separate the shelter from the new headquarters it planned to construct. It launched a search for a new location and ultimately selected 326-332 East 110th Street as the site of its new shelter. This shelter was intended to meet the animal care and control needs of three of the City's boroughs pursuant to the ASPCA's contract with the City, by receiving animals from the Bronx, Queens, and Manhattan and by providing animals for adoption to the ASPCA's new headquarters on East 92nd Street.

According to Dr. Kullberg, the 110th Street location was attractive because it was already appropriately zoned. The ASPCA also planned to purchase an adjacent piece of property at 322-324 East 110th to widen the original lot and provide access to East 109th Street. The entire site was also convenient to the Bronx and Queens via the FDR Drive and the Triborough Bridge. According to the Real Estate Directory of Manhattan, the ASPCA purchased the 326-332 East 110th Street property on April 7, 1989 for \$1.9 million, and the 322-324 East 110th Street property on November 26, 1991 for \$425,000--bringing the total cost of land for the new Manhattan Shelter to \$2.325 million.^[95]

⁹⁵ / Real Estate Directory of Manhattan, 1992/93, Volume I, Section 1, p.445.

The 110th Street shelter is a two-story masonry building, which had special plumbing, kennel, and heating/ventilation/air conditioning systems installed. Reported costs of construction have varied. For example, the cost affidavit submitted to the New York City Department of Buildings (DOB) by the construction manager, George A. Fuller Company, on December 4, 1990, listed the cost of the project as

\$2,556,000.^[96] In contrast, the cost affidavit filed with DOB by the ASPCA on June 11, 1993 reported the actual cost as \$2,795,998.^[97] The sum of the construction costs listed in the ASPCA's cost affidavit, which includes the reported cost of the land and construction, totals \$5,367,980.^[98]

⁹⁶ / Cost affidavit submitted by George A. Fuller Company to the New York Department of Buildings, Section 5, November 27, 1990.

⁹⁷ / Cost affidavit submitted by Roger James Gardella, Owner's Representative to the New York City Department of Buildings, June 11, 1993.

⁹⁸ / Other amounts for the project have also been reported in the press and referred to anecdotally. The Wall Street Journal reported that the ASPCA spent \$7.7 million on the new facility, but did not provide a description of how it arrived at this amount. Timothy O'Brien, "Rabid Infighting Brings Dogs Days to ASPCA," *The Wall Street Journal*, August 3, 1994, B1. It was also reported that "[t]he new shelter was built with funds from a \$22.8 million revenue bond issue by the New York Industrial Development Agency. The proceeds were also used to [renovate] a six story building at 424 E. 92nd Street to house the ASPCA's national headquarters and a state-of-the-art veterinary hospital." Chapin Wright, "Doggy Toilets Won't Flush," *New York Newsday*, April 17, 1992.

The ASPCA moved into its new Manhattan Shelter on February 10, 1992. Ordinarily, such a move would have been a cause for celebration. In this case, however, "failures in the [new shelter's] design soon became apparent. Poor ventilation and ill-conceived drainage systems combined to make parts of the shelter reek and ooze with animal waste."^[99] Only one week after moving into the new facility on East 110th Street, ASPCA workers were "cleaning out dog cages by hand because low water pressure [had] rendered an automated flushing system useless."^[100] According to Herman Cohen of the ASPCA's Law Enforcement Division in 1993, the amount of water pressure was 15 pounds per square inch less than was required to operate the automatic cage cleaning and flushing system in the shelter.^[101]

⁹⁹ / Timothy O'Brien, "Rabid Infighting Brings Dogs Days to ASPCA," *The Wall Street Journal*, August 3, 1994, B1, B6.

¹⁰⁰ / Chapin Wright, "Doggy Toilets Won't Flush," *New York Newsday*, April 17, 1992.

¹⁰¹ / *Ibid.*

By September, 1993, the Director of the Manhattan Shelter for the ASPCA, described the facility as "dysfunctional;" and the kennels system, as "to put it mildly a disaster" According to Ms. Morris, the floors in the kennel wards were improperly pitched, resulting in large pools of water and urine collecting in some cages. In addition, the drains malfunctioned on a daily basis rendering it impossible to properly clean the cages, which were stacked one on top of the other. Instead, Ms. Morris indicated water, urine, and feces ran from the top cages to the bottom ones, and horizontally to adjacent cages. In addition, the cages which had been constructed of galvanized instead of stainless steel as a cost-saving measure, proved to be unsafe for the animals who cut themselves on the rough wire. According to Ms. Morris, the flushing and ventilation systems were not fully operational. Runoff from wards being cleaned on the second floor leaked through to the first floor, requiring the closure of at least one ward and creating a major space problem. Ms. Morris also stated that air exchange in the building was unsatisfactory, resulting in an odor problem and that heat was also inadequate.^[102]

¹⁰² / ASPCA Intra-Office Memorandum from Julie Morris, Director, Manhattan Shelter to John Foran, Executive Vice President and Chief Administrative Officer, September 10, 1993.

In response to these problems, in November 1993, Mr. Cohen took a surprising and unorthodox approach--he served his own organization with eight citations for mistreatment of animals.^[103] "Specifically, Mr. Cohen cited the ASPCA for keeping animals in cages awash with excrement."^[104] According to the *New York Post*, the cost of the repairs to the one and one half year old facility was estimated to be \$400,000.^[105]

¹⁰³ / Timothy O'Brien, "Rabid Infighting Brings Dog Days to ASPCA," *The Wall Street Journal*, August 3, 1994, B1, B6.

¹⁰⁴ / *Ibid.*

¹⁰⁵ / Dan Janison, "Gone-to-Dogs Pet Shelters Cost City Millions," *New York Post*, January 2, 1997, p. 15.

Soon thereafter, the ASPCA performed some of the needed repairs. For example, in April, 1994, it contracted with T-Kennel Systems, Inc., to replace all existing kennels at the shelter. Ironically, the ASPCA had originally rejected the T-Kennel system as too expensive to be included in the original shelter design and instead gerry-rigged a T-Kennel-like system.^[106] In addition, an entirely new HVAC system was designed for the ASPCA by an architect who specializes in shelter design. According to the architect, the original HVAC system was "not designed for the specific needs of an animal holding facility" and was simply not adequate.^[107] The redesigned system included new outdoor air/exhaust air heat exchangers.

¹⁰⁶ / Letter from John Kullberg, Former President, ASPCA to John Foran, Executive Vice-President and Chief Administrative Officer, ASPCA, January 20, 1994.

¹⁰⁷ / Tom Johnson, Architect.

Despite these repairs, however, the problems in the Manhattan Shelter have outlasted the ASPCA's tenancy and continue today. A former director of the CACC's Manhattan Shelter cited serious problems with inadequate ventilation leading to the spread of disease, deteriorating cages, and insufficient drainage capacity resulting in weekly clogging of the drainage system.^[108] According to the CACC, the HVAC system has not always functioned efficiently. The problem was attributed primarily to inadequate maintenance by the contractor selected to provide maintenance.^[109]

¹⁰⁸ / Scotlund Haisley, Former Manhattan Shelter Director, CACC.

¹⁰⁹ / CACC Management, Manhattan Shelter, Site Visit and Interview, January 21, 1997.

When the City assumed responsibility for animal care and control in 1995, it inherited a shelter which had already undergone significant repair. However, the City was well aware of the shortcomings of both the Manhattan and Brooklyn Shelters. Early in the summer of 1993, the City had solicited the aid of two respected experts to assess the ASPCA's facilities, Carl Friedman, the Director of the San Francisco Department of Animal Care and Control, and Kenneth White, the Vice President of Companion Animals and Field Services for the Humane Society of the United States (HSUS). Mr. Friedman and Mr. White agreed to perform an evaluation of animal care and control needs and resources in the five boroughs, and visited the City in February, 1994.

On February 28, 1994, Mr. Friedman and Mr. White submitted their report to the Deputy Commissioner of Environmental Health Services for DOH. The twelve page document, "Regarding the Transfer of Animal Care and Control Service Responsibilities from the ASPCA to Municipal Government" painted a particularly grim picture of the Manhattan Shelter as a facility with major problems even though it had been in use for less than two years. Mr. Friedman and Mr. White documented puddles of water in hallways and rooms, leaking pipes, chipping paint, flies, excessive noise, water damage, an unreliable disinfectant delivery system, and two-tier cages.^[110] The two experts opined that given the brevity of their visit:

[I]t would be surprising if other major...problems would not be discovered on a more in[-]depth examination.... **[Even corrective measures] will not be adequate to bring [the Manhattan Shelter] up to the level of standards appropriate for a major municipal humane program.**

^[111]

¹¹⁰ / Carl Friedman and Kenneth White, "Regarding the Transfer of Animal Care and Control Service Responsibilities from the ASPCA to Municipal Government," p. 3.

¹¹¹ / *Ibid.* (emphasis added.)

Notwithstanding this warning, the City purchased the Manhattan and Brooklyn Shelters in 1994 for use by the CACC. According to *The New York Post*, the City made a preliminary payment to the ASPCA for the properties of \$4.1 million in 1994.^[112]

¹¹² / Dan Janison, "Gone-to-Dogs Pet Shelters Cost City Millions," *New York Post*, January 2, 1997, p. 15

Later, in February 1996, approximately one year after the CACC assumed occupancy of the Manhattan Shelter, the New York City Department of General Services (DGS) commissioned Urban Associates, Inc. to prepare a schematic study of possible renovations of the Manhattan and Brooklyn Shelters. The completed study covered the architectural, electrical, plumbing, and HVAC needs of the facilities. In sum, the study confirmed that the Manhattan Shelter was still plagued by problems which dated back to the original design and construction, and revealed that in the five years since it opened, major parts of its infrastructure had deteriorated even further.

Specifically, Urban Associates found that blockages in the plumbing system caused floor drains to back up, inundating occupied animal wards, resulting in unsanitary conditions. In addition, the report stated that whenever the second floor ward 9AS was in use, water leaked into a conference room and an animal ward on the first floor. The study also found peeling epoxy flooring in the corridors and concluded that it needed to be removed and replaced. Moreover, the study indicated that animal noise, particularly barking from dog holding wards, was audible throughout the shelter and suggested the installation of sound baffles to reduce the noise level. Urban Associates' review of the performance of the HVAC systems led it to recommend that the existing systems be balanced, that dampers and/or control devices be repaired or replaced and that shelter staff be trained in the proper operation of the systems. Finally, the study documented exposed and hazardous wiring conditions and noted that "[t]he majority of the existing lighting fixtures [were] in poor condition with dirty, cracked lenses and lamps that need replacement."^[113]

¹¹³ / *Ibid.*

Visits to the Brooklyn and Manhattan Shelters by Council staff confirmed many of the findings described above. The site visits to the Brooklyn and Manhattan Shelters were made on January 14, 1997 and January 21, 1997 respectively. In both cases, Council staff toured the administrative and kennel areas, and observed the cleanliness of cages, kennels, and other areas, the provision of food and water and the operation of the HVAC systems. Both site visits commenced at 9:00 a.m.. According to the CACC's management, major cleaning of the facilities occurs in the morning at the beginning of the 8:00 a.m. to 4:00 p.m. shift, and again in the afternoon at the beginning of the 4:00 p.m. to 12:00 a.m. shift.^[114] In between, spot cleaning of individual cages is performed as necessary.^[115]

¹¹⁴ / CACC Management, Manhattan Shelter, Site Visit and Interview, January 21, 1997.

¹¹⁵ / *Ibid.*

During both site visits, staff observed kennel workers in the midst of their major morning kennel cleaning and noted a very strong odor throughout the building. In addition, on the day of staff's site visit, January 14, 1997, the Brooklyn Shelter's HVAC system was being serviced. Several wards were very cold while others were uncomfortably warm. In different wards, staff noted that the temperature on the wall thermometers ranged from approximately 40 to nearly 80 degrees Fahrenheit.^[116] At the Manhattan Shelter, CACC management acknowledged that the shelter's HVAC system mixed air from animal wards with air from human areas.^[117]

116 / According to the HSUS "Guidelines for the Operation of an Animal Shelter," which are generally considered the established industry standards, the temperature in a shelter at floor level should be 65-70 degrees Fahrenheit for adult animals and at least 75 degrees Fahrenheit for infant animals "Guidelines for the Operation of an Animal Shelter," HSUS, p. 2.

117 / *Ibid.*

During both site visits, Council staff noted empty water bowls, feces and urine in cages, and a lack of matting in cages. In addition to being unpleasant for the animals, these conditions apparently also violate the CACC's contract with the City.^[118] Some, but not all, of these conditions could be attributed to the time of day (between 9:00 a.m. and 11:00 a.m.) during which staff toured the shelters. DOH claims that it conducts weekly inspections of all CACC facilities and addresses any issues that arise in the course of those inspections immediately on-site.^[119] Yet, Council staff observed deficiencies in the conditions in which animals are housed during scheduled site visits to multiple facilities. If DOH were conducting such weekly inspections, one would expect significantly cleaner facilities and healthier animals than Council staff observed.

118 / The contract between DOH and the CACC requires that "[c]are of animals at the shelters shall include feeding, boarding (including bedding and cleaning of cages), watering, exercising, and provision for immediate first aid as required." The Agreement, Annex A, Part B, paragraph 4.

119 / Letter from Frederic Winters, Associate Commissioner, DOH to Catherine McAleve, Director, Office of Oversight and Investigation, New York City Council, December 17, 1996.

Moreover, the observations of deficiencies in the CACC's facilities contrasted sharply with staff's observations of conditions at other local shelters, including the ASPCA, Bergen County Animal Shelter, Bide-A-Wee, HSNY, and NSAL. For example, Bide-A-Wee has a cleaning schedule similar to the CACC's. Bide-A-Wee staff perform a major cleaning every morning and spot cleaning throughout the day as necessary.^[120] During Council staff's visit to the Bide-A-Wee facility on February 16, 1997 (between 9:00 a.m. and 11:00 a.m.), they did not observe dirty cages, and it appeared that spot cleaning was being performed diligently. All animals had water and matting and there was little or no odor in the building.

120 / Julia Masucci, Assistant to the Director, Bide-A-Wee.

Council staff also toured the current NSAL facility and found it to be--in stark contrast to the Manhattan Shelter--in excellent condition. The mobile cages and fixed dog runs were clean, the drainage systems operated well, and the building did not have an excessive odor. The differences between the two facilities become even more glaring when one considers that the NSAL facility was built at about the same time as the Manhattan Shelter at a cost of approximately \$4.6 million--approximately \$1 million less than the cost of the Manhattan Shelter.^[121]

121 / Michael Arms, Director of Operations, NSAL.

The ASPCA, Bergen County, and HSNY facilities were also clean and well-ventilated. One of the major differences between these facilities and the CACC's shelters is the sound level. The ASPCA, Bergen County, Bide-A-Wee, HSNY, and NSAL animal shelters are all significantly quieter facilities. During Council staff's visits to these shelters, the animals appeared calmer and the dogs barked less often than in the CACC's shelters. Overall, the animals in these facilities appeared consistently cared for physically, medically, and emotionally.

The CACC is aware of the shortcomings of its Shelters' physical plants. According to the DOH, \$3.3 million in capital funds have been designated for renovation of the Brooklyn and Manhattan shelters.^[122] Renovations at the Brooklyn shelter commenced in Spring 1997.

¹²² / Letter from Frederic Winters, Associate Commissioner, DOH, to Catherine McAlevey, Director, Office of Oversight and Investigation, April 17, 1997.

Renovating the Manhattan and Brooklyn Shelters is a costly option which should yield improved shelter space. In light of the litany of deficiencies enumerated above, however, it is unclear whether these renovations will adequately correct the many problems of these shelters and whether these renovations represent the best use of the City's capital funds.

RECOMMENDATIONS

- The City should undertake a critical review of the Manhattan and Brooklyn Shelters and determine whether new shelter and adoption facilities which meet appropriate standards for humane animal treatment should be acquired. If the City decides that new facilities are not needed, then it should repair and renovate the Manhattan and Brooklyn Shelters so that they meet appropriate standards for humane animal treatment.
- DOH must actively monitor the CACC's provision of shelter, food, water, and medical treatment to animals.

PUBLIC AND COMMUNITY RELATIONS

To fulfill its responsibilities to control animal overpopulation, promote humane animal treatment and the adoption of animals it receives, a shelter charged with municipal animal care and control must conduct extensive public and community relations efforts. Animal care and control is a vital service which residents, businesses, and City agencies should know how to access. The Council's review revealed that the CACC has failed to adequately inform the public about its role in animal control and the other services it provides.

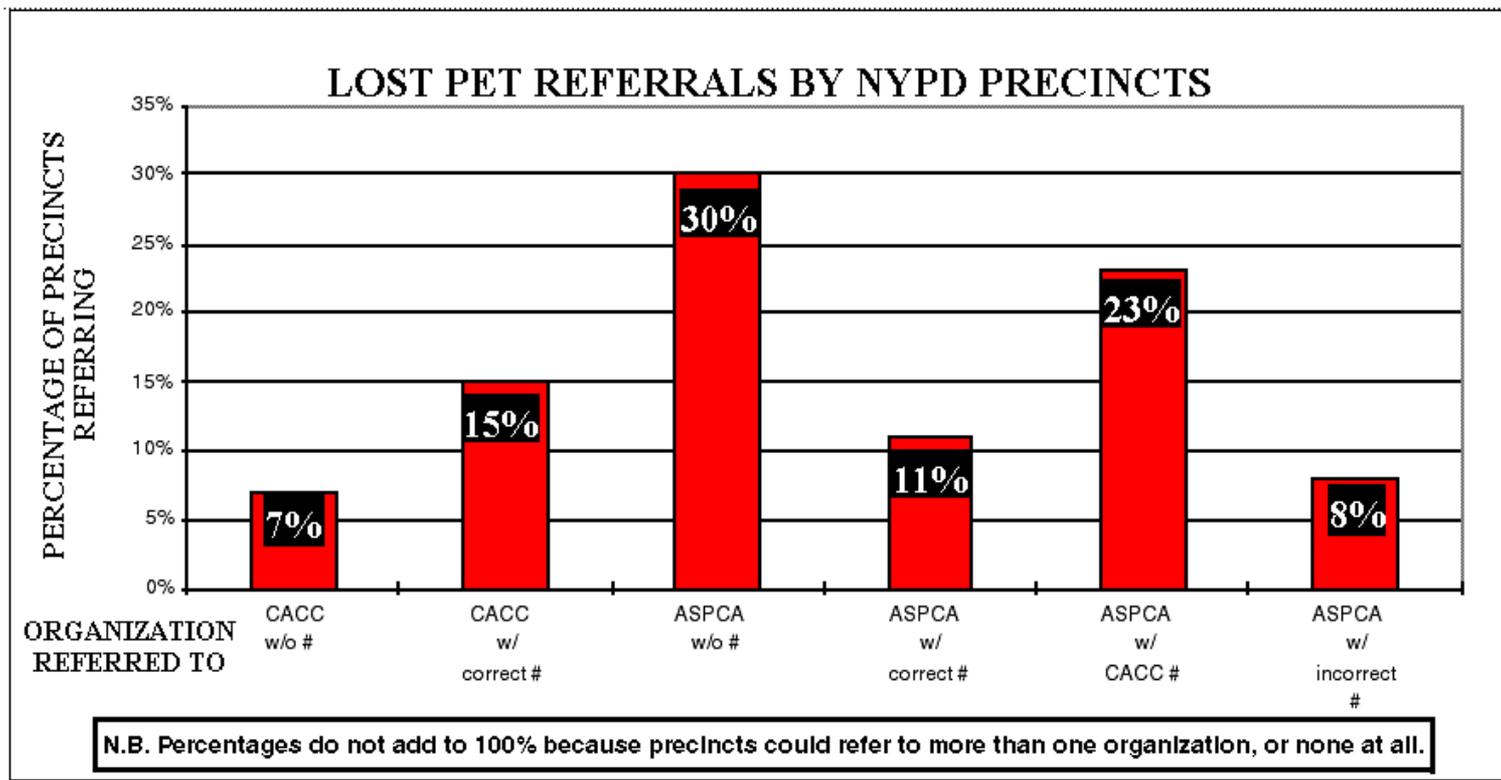
- The CACC has conducted limited public and community relations efforts. In particular, it has failed to adequately inform the public and other City agencies of its services, locations, hours of operation, and telephone numbers.
- The CACC does not allocate sufficient resources to public and community relations, does not avail itself of free advertisements with the local media and fails to utilize volunteers to assist in community outreach and education.

The CACC's contract with the City requires the CACC to "conduct education and community outreach concerning animal control and public health issues related thereto."^[123] However, the CACC's efforts in this area have been so limited that even City agencies that deal with animal control issues on a daily basis believe that the ASPCA still provides such services. In fact, the 1996-1997 Official directory of the City of New York, lists the ASPCA as the organization to call for assistance with stray animals. The telephone number provided in the Green Book, however, is the CACC.

¹²³ / First Amendment effective as of the first day of January, 1996 to the Agreement, Annex A, Part B, Paragraph 12.

The CACC's efforts have been so ineffective that the majority of New York Police Department (NYPD) precincts, a primary resource for New Yorkers in a time of crisis, are not aware of the CACC and its responsibilities. Between November 22, 1996 and December 3, 1996, staff administered a telephone survey to all 76 New York Police Department (NYPD) precincts in the City using the telephone number provided in the "Government Listings" section of the NYNEX White Pages for each borough.^[123] Callers posed as the owner of a lost dog and asked for a referral.

¹²⁴ / Precinct #33 was called on April 25, 1997 because no number was provided for it in the "Government Listings" section of the NYNEX White Pages for Manhattan. The number called was obtained from *The 1996-1997 Green Book: Official Directory of the City of New York*.



Seventy-two percent (72%) of the precincts referred callers to the ASPCA. Only 22% of precincts referred callers to the CACC. Twenty-three percent (23%) of the precincts which referred callers to the ASPCA provided a CACC telephone number, displaying a lack of clarity about the roles of the two organizations. Given that one of the three *ex officio* members of the CACC Board of Directors is the NYPD's Deputy Commissioner of Community Affairs, the Police Department's lack of knowledge of the CACC's role is especially troublesome.

A review of the CACC's budgets demonstrates the low priority accorded this contractual requirement. In 1996, the CACC spent \$1353 on public education materials and events. In calendar year 1995, the CACC spent \$528--in the same category. ^[125,126]

¹²⁵ / CACC Financial Reports through 1995 and 1996.

¹²⁶ / Materials submitted by the CACC in response to requests for information by the Committee on Contracts, December 17, 1996.

While a comprehensive public outreach campaign clearly requires more money than the CACC has expended, effective public and community relations campaigns can be mounted with moderate funds. For example, in February of this year, the CACC invited Mayor Guiliani to promote its Adoptathon '97. The CACC requested the Mayor's presence on May 3, 1997 at its Manhattan Shelter, or alternatively, a press availability at City Hall during the preceding week.^[127] On February 27, 1997, the Mayor's Director of Scheduling informed the CACC that the Mayor was unable to accept the invitation.^[128] Although the CACC's request was rejected, the Mayor accepted an invitation from NSAL to launch its Pet Adoptathon, and on May

1, 1997, he appeared in Central Park accompanied by several Commissioners.

127 / Memorandum from Faith Elliot, Director of Public Information, CACC, to Katherine Anson, Mayor's Press Office, February 20, 1997.

128 / Letter from Katherine Anson, Director of Scheduling, to Faith Elliot, February 27, 1997.

The CACC has failed to capitalize on other avenues of free publicity. For example, many not-for-profits aggressively market themselves and their mission through free public service announcements. Council staff examined the advertising policies of local radio and television stations for not-for-profit organizations. Between January 30, 1997 and April 8, 1997, staff telephoned radio and television stations in New York City. Seven radio stations indicated that not-for-profit corporations can submit a script and/or recorded announcement to be broadcast free of charge to fill dead air time. Six television stations indicated that they also accept PSAs from not-for-profit organizations. Although PSAs are a cost-effective means of creating name recognition within local communities, none of the radio or television stations could confirm that the CACC had ever attempted to place an announcement.

Other not-for-profits also make extensive use of volunteers to assist in community outreach and public relations. The CACC's 1995 Annual Report appears to acknowledge this by stating that, "[v]olunteers and staff of the CACC made it a priority last year to visit New York City schools, reaching as many school children as possible to teach humane education." [129] While the CACC's efforts in the City's school in 1995 could not be confirmed, it is clear that the CACC has abandoned this low budget effort. CACC staff confirmed that the CACC undertook no such program in 1996 and none currently exists.[130] In fact, a representative of the United Federation of Teachers Humane Education Committee indicated that to her knowledge the CACC had never contacted them about collaborating on any humane education project in the City's schools.[131] When asked, the CACC's Director of Public Information told Council staff that the CACC did not have any programs in the City's schools.

129 / Annual Report, CACC, 1995, p. 6 (emphasis added.)

130 / Faith Elliot, Director of Public Information, CACC, Manhattan Shelter, Site Visit and Interview, January 21, 1997.

131 / Sheila Schwartz, United Federation of Teachers, Humane Education Committee.

The need to conduct extensive public and community relations is not unique to New York City. HSUS emphasizes the importance of an informed and cooperative public to the success of all aspects of an animal care and control program:

Public education is probably one of the most enjoyable and creative aspects of the total animal control program. It can range in scope from a simple flyer to scheduled interviews, programs, and articles in the local broadcast and print media. It is important to remember that the well-rounded public education program must reach people of all ages, economic levels, and interests.

[132]

132 / "Local Animal Control Management," MIS Report, Vol. 25, No. 9, Sept. 1993, p. 16.

Many municipal shelter systems have learned how to develop and to capitalize on public and community relations opportunities. For example, the Animal Foundation International (AFI), a non-profit organization responsible for sheltering animals for the City of Las Vegas, visits local schools and nursing homes.[133] The Director of AFI estimates that her organization reaches 9,000 first through sixth grade children each year. This campaign teaches children at an early age how to be responsible pet owners. Another proactive

municipal shelter program is administered by the City of Houston's Animal Control Bureau. It collects vaccination information from local veterinarians, mails license applications to pet owners, and conducts door-to-door visits to the homes of owners of unlicensed pets and to neighborhoods with the highest stray populations.^[134] These practices are intended to raise the rates of licensing, rabies vaccination, and spay/neuter to decrease the animal overpopulation.

¹³³ / Mary Herro, Director, Animal Foundation International.

¹³⁴ / John Nix, Chief, Animal Control Bureau, Department of Health and Human Services, City of Houston.

In San Francisco, the Department of Animal Care and Control places advertisements in *The San Francisco Chronicle* and the Voter's Handbook and at bus shelters throughout the City, and regularly distributes PSAs to local television and radio stations.^[135] In addition, the Department participates in The Bird Affair, the San Francisco Spiders Child Safety Day, and the Gay Pride Parade--and coordinates Pet Pride Day. These extensive advertising and community outreach efforts increase awareness of the municipal animal shelter and the many services it provides to the City.

¹³⁵ / Department of Animal Care and Control, City and County of San Francisco, Community Affairs and Volunteer Division, Annual Report, July 1, 1995-June 30, 1996.

There are countless other examples of innovative programs which promote responsible pet ownership:

The Montgomery County (Maryland) Humane Society, Inc. which operates the animal control shelter gives first-time animal control law violators the opportunity to avoid a fine by attending a one-evening training session in animal control offered at the shelter.... The City of Toronto's Animal Control Services has a special Ambassador-at-large who has four legs and weighs 145 pounds. Murphy, a Newfoundland dog, helps promote both responsible pet ownership and the animal control agency at schools and events throughout the city with his owner, an animal licensing clerk.^[136]

¹³⁶ / "Local Animal Control Management," MIS Report, Vol. 25, No. 9, Sept. 1993, p. 17.

In the New York City metropolitan area, NSAL and Bide-A-Wee conduct much more extensive public and community relations programs than the CACC. For example, NSAL public relations mainstays include paid advertisements in the classified sections of the *Daily News* and *Newsday* seven days per week, in the classified section of the *New York Post* twice per week, and in *TV Guide* weekly. In addition, NSAL distributes a new PSA to local television stations once per year.^[137]

¹³⁷ / Michael Arms, Director of Operations, NSAL.

The creative efforts of other shelters described above, have led to greater awareness by the public of their mission. This level of outreach and awareness enables shelters to increase their adoption rate, and initiate programs to address animal overpopulation and decrease the number of animals that are euthanized. An effective public and community relations program also attracts volunteers and most importantly, donations. The CACC must develop and implement a comprehensive public and community relations program.

RECOMMENDATIONS

The CACC should:

- Mount an extensive public relations campaign, including local television and radio station public service announcements which inform the public of the CACC's responsibility for animal care and control in the City
- Conduct an extensive outreach effort to inform all relevant City agencies of its services, locations, hours of operation, and telephone numbers.

USE OF VOLUNTEERS

Many animal care and control entities, especially shelters that provide services to municipalities, supplement or expand the services they provide through the use of volunteers. In fact, the assistance of volunteers can often make the difference between a shelter that treats animals humanely and has a successful adoption program, and one that does not. The CACC is the model of a shelter which has failed to develop an effective and comprehensive volunteer program.

- The CACC's ratio of volunteers to paid staff is significantly lower than in other shelters in New York City and around the country.
- The CACC uses most of the volunteers it does have to walk dogs. While some volunteers also help with adoptions, overall, the CACC's volunteers have fewer responsibilities than their counterparts in other shelters.
- The CACC does not have a formal internship program for undergraduate and graduate students pursuing degrees in animal-related fields at local institutions.

While the CACC's contract requires it to enlist the aid of volunteers, the experiences alleged by former volunteers suggest that its actions are directed to discourage them.^[138] One factor which may be contributing to the current state of the CACC's volunteer program is the high turnover among its Volunteer Coordinators. Between May 1995 and June 1997, the CACC employed four different Volunteer Coordinators. Three of the four individuals resigned and the person currently holding this position has only been with the CACC for approximately six months. The shortest tenure of a person in this position was six days; the longest tenure was nine and one half months.^[139]

¹³⁸ / First Amendment effective as of the first day of January 1996 to the Agreement, Annex A, Part B, paragraph 12.

¹³⁹ / Materials submitted by the CACC in response to the requests for information by the Committee on Contracts, April 23, 1997.

While the CACC has had difficulty retaining Volunteer Coordinators, it has had even more difficulty retaining volunteers. As was previously discussed, six volunteers were "fired" by the CACC in the late Summer/early Fall of 1996. Those interviewed by Council staff reported that they believed they were asked not to return because they publicly criticized the CACC for inhumane conditions, incompetent management, and a lack of commitment to and innovation in saving animals' lives. A letter from Mr. Kurtz to one of the volunteers indicated the reason for her eventual dismissal:

When you chose to publicly denounce CACC at a press conference... you effectively destroyed any trust that CACC had in you as a volunteer. With that act, you illustrated your unwillingness to work along with the dedicated volunteers and employees of our shelter, and instead chose to ally yourself with those who make **unfounded attacks on CACC**.^[140]

Even volunteers who have not been dismissed and continue to give their time to improve the lives of animals in the New York City shelter system are affected by the CACC's apparent distrust of outsiders. In an anonymous letter to the CACC Board of Directors a current volunteer indicated that at a new volunteer orientation on March 22, 1997, it was announced that volunteers could not work in a CACC facility on two consecutive days.^[141] The volunteer further stated that:

The reason given was that volunteering at the CACC is too stressful for members of the public and should therefore be limited. It is obvious that this restriction is not motivated by a concern for stress experienced by volunteers but rather by a deeper consideration, namely that volunteers are noticing the number of animals being euthanized and they ask questions.... A shelter that cares about and appreciates [its] volunteer effort would have employed other methods of dealing with volunteer stress, such as providing a forum for communication and better understanding. Instead the CACC chose a tactic which drastically cuts the level of volunteer involvement. This is an unusual precedent for a not[-]for[-]profit charity to set, **volunteers after all are the lifeblood of charitable organizations.**^[142]

141 / Anonymous letter from a Current CACC Volunteer to the CACC Board of Directors, March 31, 1997.

142 / *Ibid* (emphasis added).

In materials recently submitted to the Committee on Contracts, the CACC admitted that it had dismissed an additional four volunteers since January 1, 1995.^[143]

143 / Materials submitted by the CACC in response to requests for information by the Committee on Contracts, April 23, 1997.

It is difficult to fathom why individuals who are willing to devote their time and energy to caring for animals are being denied the opportunity to do so. The enthusiasm volunteers bring into a shelter is good for improving staff morale and the love they give animals can make their dreary kennel lives bearable. As importantly, their networking skills are an invaluable resource for cultivating adoptions.

Given the commitment and skills which volunteers and animal advocates in New York City have demonstrated over the years, the CACC's volunteer program should be one of the largest in the country and the envy of every other shelter. Instead, the CACC has only "approximately 50 active volunteers presently participating in its program at varying degrees of involvement."^[144]

144 / The Manhattan Shelter has 39 volunteers; the Brooklyn Shelter has four volunteers; and the Staten Island Receiving Facility has six volunteers. Materials submitted by the CACC in response to requests for information by the Committee on Contracts, May 12, 1997.

Differing philosophies of animal care and control alone do not explain the CACC's dearth of volunteers. Between February 4 and March 4, 1997, four Council staff persons submitted volunteer applications in person at the Manhattan Shelter. Their affiliation with the Council was not disclosed on the application. After approximately three months, only one of the four staff persons had been contacted. Two others telephoned the CACC on multiple occasions yet never received a return call. One of the staff persons who was not contacted by the CACC had extensive experience with animals. The CACC's failure **to even contact** persons who

submit volunteer applications reflects the organization's lack of commitment to its volunteer program.

In contrast, other shelters recruit and utilize volunteers in creative and meaningful ways. For example, San Francisco's Department of Animal Care and Control manages a single municipal shelter with approximately 38 employees and maintains a corps of 80-90 volunteers.^[145] The volunteers walk dogs, socialize and groom animals, and provide lost and found services and adoption counseling.^[146] The Bergen County Animal Shelter, with a total of 23 paid staff members, enlists the aid of 60-80 active volunteers to walk dogs, conduct obedience classes, groom and foster animals, and raise funds.^[147] Bide-A-Wee's Manhattan facility employs 40-50 persons and utilizes approximately 75 volunteers who walk dogs and handle adoption applications and interviews of potential adopters.^[148] NSAL, which runs one of the largest facilities in the tri-state area, has 300 staff members and 200 volunteers.^[149] Its volunteers are trained in all the same areas as employees, but are used primarily to exercise animals and to aid the general public. The size of these shelters' volunteer programs point to an effective recruitment program and use of volunteers.

¹⁴⁵ / Carl Friedman, Director, Department of Animal Care and Control, City and County of San Francisco.

¹⁴⁶ / *Ibid.*

¹⁴⁷ / Mary Ellen Stout, Director, Bergen County Animal Shelter.

¹⁴⁸ / Julia Masucci, Assistant to the Director, Bide-A-Wee.

¹⁴⁹ / Michael Arms, Director of Operations, NSAL.

In light of the CACC's shortage of volunteers, the size and strength of the animal advocacy community in New York City and the ability of other local shelters to attract volunteers, it is apparent that after two years in operation, the CACC has not been able to develop a viable volunteer program. This is especially disheartening in light of the tremendous needs of the animal population served by the CACC.

Another resource which shelters utilize to supplement and expand the services they provide are undergraduate and graduate interns. Many entities, both public and private, use interns to conduct research, to liaison with the public and to assist with administrative projects. Two educational institutions in the New York metropolitan area offer programs relating to animal care and shelter management. The City University of New York (CUNY), in conjunction with Hunter College, offers a Ph.D. in Biopsychology which is essentially the study of animal behavior.^[150] LaGuardia Community College offers an Associate Degree in Veterinary Technology.^[151] In addition, Dr. Jane Bicks, a former CACC Board Member, is the lead professor for a six week course in shelter management offered at LaGuardia Community College which began in February, 1997.^[152] Students in other professional disciplines--including public, not-for-profit, or business administration, public policy, and psychology--are also candidates for CACC internships. According to the CACC, it has not fully implemented a formal internship program.^[153]

¹⁵⁰ / Ellen Breheny, Secretary, Biopsychology Program, Hunter College.

¹⁵¹ / Sharie Seyffer, Doctoral Program Review Office, Department of Education, State of New York.

¹⁵² / Jane Bicks, D.V.M., Former CACC Board Member.

¹⁵³ / Letter from Martin Kurtz, Executive Director, CACC to Catherine McAlevey, Office of Oversight and Investigation, December 17, 1996.

RECOMMENDATIONS

The CACC should:

- Increase the number of volunteers at its various facilities.

- Redesign all aspects of its volunteer program, including, but not limited to, outreach, eligibility requirements, training, and duties.
 - Further develop and implement an internship program in conjunction with educational institutions which offer undergraduate and graduate programs in animal related fields, as well as in management, business and public policy.
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DYING FOR HOMES: ANIMAL CARE AND CONTROL IN NEW YORK CITY

(Part 5)

RECORD KEEPING SYSTEMS

Accurate record keeping is critical to a well-run shelter. The facts distilled from analyzing data regarding a shelter's animal population can be used to plan programs and to support requests for additional funding. Accurate record keeping equips shelter management and staff with the statistics they need to plan programs. The CACC's current record keeping system, however, does not allow it to input, aggregate and analyze data in the same manner as does a computerized database.

- The CACC's paper-based record keeping system has contributed to its inability to develop and implement sound policies and practices, and to deliver effective animal care and control services.
- More than two years after the CACC's Board of Directors acknowledged the need for a computerized record keeping system, the City still has failed to provide it with a fully-operational system.

The CACC's contract with the City requires it to "develop, implement, and maintain an adequate record keeping system to ensure adequate identification of animals, location within [its] shelter system, whether [the] animal is a candidate for adoption...."^[154] In addition, the contract also requires the CACC to "coordinate all intake, management and disposition of animals through an **automated system of hardware and software** as specified and provided by the Department [of Health]."^[155]

¹⁵⁴ / First Amendment effective as of the first day of January 1996 to the Agreement, Annex A, Part B, paragraph 8.

¹⁵⁵ / *Ibid* (emphasis added).

Despite this contractual requirement, the CACC, to date, does not have a fully operational computerized record keeping system. The failure to implement such a system can have profound effects. As consultants to the City noted, Animal care and control "**is a record-intensive industry. Data improperly maintained results in mistakes in all fields; in this work, a mistake can mean the needless death of an animal with consequent emotional, public relations and liability concerns.**"^[156] In fact, Council staff was told of horrific stories involving the CACC's premature euthanasia of animals. While the Council did not corroborate these anecdotal stories, the volume of animals entering the CACC's shelter system daily, and the records attendant thereto, creates the opportunity for deadly mistakes.

¹⁵⁶ / Carl Friedman and Kenneth White, "Regarding the Transfer of Animal Care and Control Service Responsibilities from the ASPCA to Municipal Government," February 28, 1994, p. 6, (emphasis added).

The CACC's current record keeping system consists of a quadruplicate intake form, chronological log books, and index card files. When an animal is seized or accepted by Animal Rescue Services, or accepted at any of the CACC's five facilities, the CACC completes an intake form. One copy of the form is given to the customer, if applicable. Another copy is forwarded to the CACC's controller. A third copy is filed in the records of the accepting shelter or receiving facility. The final copy accompanies the animal during its stay in the shelter system.

In addition, if an animal is adopted from a CACC facility, the name and address of the adopter, a description of the animal and its intake number, and the deadline for spay/neuter are recorded in a chronological log book.^[157] This sheer volume and movement of records creates the risk that data will not be accurate, will be lost, or unutilized. A computerized database would minimize, if not eliminate, these possibilities.

¹⁵⁷ / In contrast to the other CACC facilities, the Staten Island Receiving Facility also generates and files by adopter's last name, an index card indicating when a spay/neuter reminder should be sent. This description of CACC's record keeping system is based on site visits to all five CACC facilities, including Council staff's observations and conversations with CACC personnel.

At the February 1, 1995 meeting of the CACC's Board of Directors, Mr. Kurtz informed the Board that the CACC needed an animal tracking and record keeping system called "Chameleon CMS."^[158] The Chameleon program has fairly widespread acceptance in the animal shelter community. For example, the San Francisco Department of Animal Care and Control and the ASPCA use versions of the Chameleon program in their shelter operations.^[159] At the meeting, Commissioner Hamburg, President of the Board, agreed that capital money should be made available for the purchase of computers.^[160] While the CACC's Board easily supported acquisition of the Chameleon CMS program, the same cannot be said of the City's progress toward securing the necessary hardware and software.

¹⁵⁸ / Abstract, Minutes, Meeting of the Board of Directors, CACC, February 1, 1995.

¹⁵⁹ / Carl Friedman, Director, San Francisco Department of Animal Care and Control. Anthony Shaw, Executive Vice President and Chief Administrative Officer, ASPCA.

¹⁶⁰ / Abstract, Minutes, Meeting of the Board of Directors, CACC, February 1, 1995.

Five months later at the July 31, 1995 Board meeting, a representative of DOH indicated that the Chameleon CMS would not be on-line until February 1996.^[161] Since then, the timeline for the installation of Chameleon CMS software and additional hardware has been repeatedly postponed. At the August, 21, 1996 meeting of the Board, Mr. Kurtz reiterated DOH's reasons for the delay in installing the Chameleon CMS.^[162]

¹⁶¹ / Abstract, Minutes, Meeting of the Board of Directors, CACC, July 31, 1995.

¹⁶² / Abstract, Minutes, Meeting of the Board of Directors, CACC, August 21, 1996. The abstracts include the "events" of the meeting, but offer no substantive detail.

Two years after the Board approved the acquisition of the Chameleon system, the Associate Commissioner of DOH informed the Council that the "installation of Chameleon CMS was completed in February [1997]. Capital funding of \$223,731 has been expended for this project."^[163] While installation of the system is a promising first step, it hardly brings closure to this issue. First, the Chameleon system will not be fully operational until at least July 1997. According to the Associate Commissioner, the period "from March 1 through approximately mid-July [1997] represents a start-up phase during which any system problems will be identified and addressed and the software will be customized."^[164] Second, the eventual users of the record keeping system--CACC managers and shelter staff--were not informed about the Chameleon's capabilities.

¹⁶³ / Letter from Frederic Winters, Associate Commissioner, DOH to Catherine McAlevey, Director, Office of Oversight and Investigation, New York City Council, April 17, 1997.

During Council staff's visit to the Brooklyn Shelter on January 14, 1997, the CACC's Chief Veterinarian, Deputy Director of Operations and the Director of the Brooklyn Shelter, indicated, when asked, that they had not been involved in discussions with DOH regarding the Chameleon system and, thus, were not aware of its capabilities and had not been trained in its use.^[165] The need to train staff in the use of the Chameleon system will prolong the start-up phase and the realization of benefits of computerized record keeping. The City's prolonged delay in acquiring this software and related equipment represents another missed opportunity on the part of the City to support and enhance the entity it created to provide animal care services.

¹⁶⁵ / Brooklyn Shelter, CACC, Site Visit and Interview, January 14, 1997.

RECOMMENDATIONS

- The City should make all necessary modifications to the "Chameleon CMS" computerized record keeping system, and provide sufficient training to the CACC's staff and make the system fully operational by July 1, 1997.
- The CACC should utilize the "Chameleon CMS" to analyze the information it gathers on each animal handled to identify significant issues and trends--and thereby improve its delivery of animal care and control services.

FUNDING FOR ANIMAL CARE AND CONTROL

The provision of successful animal care and control services is dependent on several factors. As in any other endeavor, such a program needs to have a service delivery plan which clearly defines its mission and which includes measurable goals and objectives. The service delivery plan must define the type and level of services to be provided, explain how such services will be provided and must be adequately funded. Most importantly, a program needs a leader who can develop and articulate a vision, prepare and implement a plan, and secure the necessary funding to carry it out.

- The City's level of funding for animal care and control is significantly lower than the national average, lower than that allocated to other large municipal shelters and lower than the level recommended by the Humane Society of the United States.
- The CACC has raised little funding from private sources.

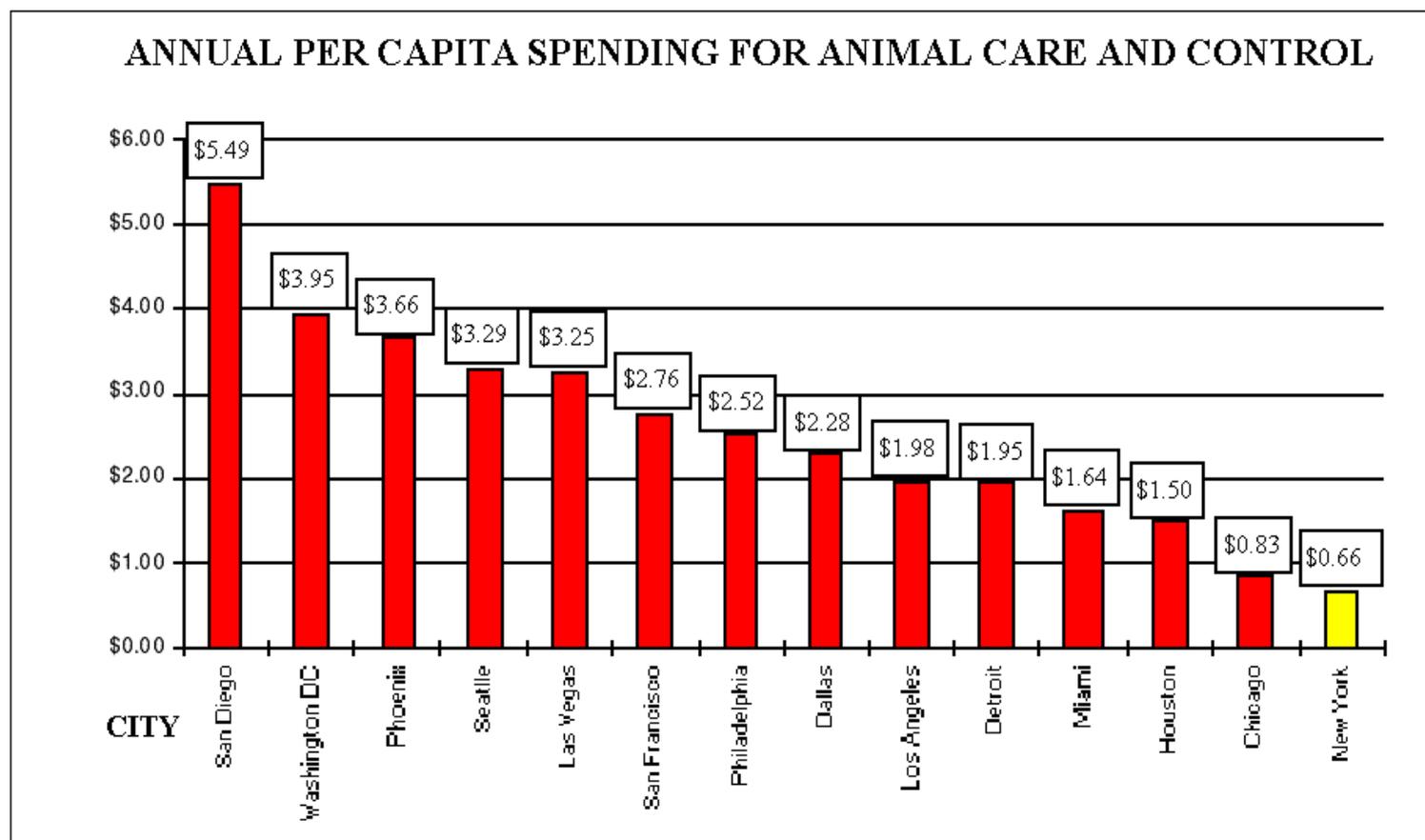
New York City spends approximately \$0.66 per resident per year on animal control services.^[166] A survey conducted by *Animal People Magazine* demonstrated that "in the nation's 50 largest cities, spending for animal control averages \$1.18 per human resident [per year]."^[167] According to the Humane Society of the United States (HSUS), an "effective community animal control program costs at least \$3 per person per year."^[168] A Council survey of some of the most populous cities in the United States, as well as several smaller municipalities which are located in the Northeast, or mentioned in various publications as operating successful animal care and control programs, revealed that these municipalities provide essentially the same animal care and control services as New York City. However, the level of funding allocated to these entities to provide animal care and control services is significantly higher than that received by the CACC.^[169]

166 / This calculation is based on the U.S. Census Bureau's estimated New York City population (as of July 1, 1995 based on the 1990 Census) of 7,312,076 residents, and the CACC contract amount for January 1-December 31, 1997 of \$4,851,938. U.S. Census Bureau. Third Amendment to the Agreement effective as of the first day of January 1997.

167 / Douglas Martin, "Same Creature Discomforts Plague the New City Pound," *The New York Times*, February 26, 1995, p. 33.

168 / "Local Animal Control Management," MIS Report, Vol. 25, No. 9, Sept. 1993, p. 1.

169 / These figures were derived by requesting the most recent operating budgets of the subject city's animal care and control organizations and then dividing these budget sums by the overall city populations. City populations were drawn from *The World Almanac and Book of Facts, 1994* which updates 1990 U.S. Census totals to 1993 levels.



Clearly, funding should be reevaluated. However, any reevaluation would need to determine whether current management would make effective use of the funds allocated. The findings in this report suggest that they would not. Given the CACC's poor track record in implementing many budget-neutral program initiatives, new management must be put in place before additional funding would be considered fiscally responsible.

A new executive director must be able to develop and implement changes concerning the major issues discussed in this report. While some of the recommendations would require that additional funds be allocated to the CACC, others do not. For example, the CACC needs to take advantage of the resources which rescuers offer to increase adoptions; revamp and revitalize its volunteer recruitment program and once again welcome volunteers into its shelters; expand the use of off-site adoptions by working in partnership with retail pet stores and other appropriate pet-related businesses; and utilize free public service announcements and develop a public education campaign.

Moreover, the CACC must consider other means of increasing the amount of funding for animal care and control. The CACC's Certificate of Incorporation grants it the power to raise funds to supplement the monies it receives from the City under contract.^[170] However, the CACC has not effectively availed itself of this opportunity. Incredibly, it has raised virtually no funds. New Yorkers are generous and contribute to many worthy causes year after year. Wherever there is a need to be filled there are New Yorkers ready and willing to help. Simply by virtue of its size, New York City's base of charitable donors is one of the largest in the country. Thus there is a large untapped potential to raise additional funds for the CACC's activities. Obviously, potential donors would have to be convinced that the CACC was worthy of their generosity. Once the CACC addresses the operational and administrative issues described in this report and articulates a policy and plan for improving the provision of animal care and control in the City, it should design and implement

There are other strategies the CACC could employ in addition to direct fundraising to increase the amount of money available for animal care and control. For example, NSAL has implemented a retail strategy. It established a small pet supply store on-site in the Fall of 1995. By October 1996, the store, staffed by one employee, was selling \$28,000 worth of pet supplies and grossing \$10,000 per month.^[171] According to the CACC's Director of Operations, the CACC began selling Iams and Eukanuba pet food at the Staten Island Receiving Facility in the fall of 1996.^[172] The CACC should consider expanding this initiative to all of its facilities.

171 / Michael Arms, Director of Operations, NSAL.

172 / Susan Kopp, Chief Veterinarian and Director of Operations, CACC, Staten Island Receiving Facility, Site Visit and Interview, December 18, 1996.

Rather than expanding fund raising efforts, the CACC appears to be reducing them. Recently the CACC withdrew from one of its few fundraising efforts, the Heinz-sponsored Homeless Homer program. This program enables shelters to redeem Homeless Homer and Morris the Cat symbols clipped from pet food purchases for unrestricted grants. Participating shelters can also receive free adoption kits, win free food, and access PSAs featuring Homeless Homer or Morris the Cat. According to the public relations firm which coordinates the program, the CACC enrolled in the program in April 1996, never redeemed any symbols for cash, and withdrew from the program approximately one year later. According to a Heinz representative, the CACC indicated that it did not have sufficient staff to collect and submit the symbols or to train volunteers, or sufficient volunteers to manage the program.

RECOMMENDATIONS

- The level of City funding for animal care and control should be reevaluated once the CACC demonstrates that it can develop and successfully implement a comprehensive and humane animal care and control program.
- The CACC should design and implement a plan to raise funds from donors interested in improving the welfare of animals.
- The CACC should consider opening pet supply stores in all of its shelters.

CONCLUSION

Animal care and control in New York City cannot be improved without both a vision of, and a commitment to, change. The animal shelter system operated by the CACC is far from perfect--and far from its own potential. Ultimately, responsibility for animal care and control in the five boroughs rests with the City. This report reveals that the present animal care and control services do not meet the high standards one expects of New York City. The City's failure appears to be attributable to ineffective leadership, inadequate facilities, poorly managed shelter operations and unsatisfactory monitoring by the DOH.

The City's inability to improve the delivery of animal care and control or to involve the public in this effort has frustrated local groups who initially viewed the transition from the ASPCA to the CACC as an opportunity to effect change in the shelter system. These failures are especially disheartening because the CACC, one of the largest shelter systems in the country, is filled with animals in need. As time has passed and various groups have found themselves unable to participate in the CACC's formal planning processes, they have captured public attention and promoted their views in other ways. For example:

- In September, 1994, advocates formed a coalition of approximately 45 local groups-the Coalition for New York City Animals-to focus attention on deficiencies within the existing animal care and control system and on the opportunities to remedy those deficiencies in organizing the CACC.
- On October 17, 1994, the Association of the Bar of the City of New York, Committee on Legal Issues Pertaining to Animals, Companion Animal Subcommittee wrote a letter outlining a series of actions to improve the shelter system. In particular, the Subcommittee called for the implementation of a well-publicized adoption program, low-cost spay/neuter services, a public education campaign concerning responsible pet ownership, and expansion of the CACC's Board of Directors to include representatives of the rescue and legal communities.
- In the Summer and Fall of 1996, the local press took an interest in the CACC's operations. *The Village Voice* noted that "[d]espite a report commissioned by the [C]ity, which judged the ASPCA's facilities inadequate, Guiliani purchased the Brooklyn and Manhattan shelters for the CACC."^[173] *The Village Voice* took the CACC to task for failing to advertise adoption opportunities, to implement a coherent spay/neuter program, or to conduct public education and outreach.^[174]

¹⁷³ / Elizabeth Hess, "New York's Secret Animal Crisis: The City's Animal Shelter System May Be the Worst in the Country," *The Village Voice*, 6 August 1996, p. 27.

¹⁷⁴ / *Ibid.*

- An article in the June 17, 1996 issue of *New York Magazine* reported that "[l]ast year, [the] CACC spent only around \$21,000 of the \$76,000 of public donations it collected. Meanwhile, [Scotlund] Haisley [the former Manhattan Shelter Director] and others charged that the shelters lacked basic equipment to care for the animals."^[175]

¹⁷⁵ / Norman Vanamee, "In the Dog House," *New York Magazine*, June 17, 1996, p. 14.

- On August 7, 1996, The Animal Connection, Inc., United Action for Animals, Inc., New Yorkers for Companion Animals, Inc., the Animal Adoption League, and the Coalition for New York City Animals held a joint press conference at City Hall. According to the press release, the CACC "is under attack for what animal advocates, shelter volunteers and a growing number of former CACC employees cite as incompetent management and horrendous conditions."^[176] The press release also accused the CACC of conflicts of interest and misallocation of funds.^[177]

¹⁷⁶ / The Animal Connection, Inc., United Action for Animals, Inc., The Coalition for NYC Animals, Inc., New Yorkers for Companion Animals, Inc., Animal Adoption League, "Coalition of Humane Groups Demand City Council Investigation into Corrupt Animal Control Agency. Cruelty and Mismanagement Cited," Press Release, August 7, 1996.

¹⁷⁷ / *Ibid.*

- On September 26, 1996, these same organizations, along with Save a Shelter Pet, organized a rally in front of the DOH and DOS offices on Worth Street, and led a march to City Hall. According to the press release, these events were intended "to protest [the CACC's] unusually cruel treatment of NYC's

shelter animals."^[178] The press release also indicated that "[a]nimal protection groups and concerned New Yorkers are demanding the immediate replacement of CACC Executive Director, Martin Kurtz with a reputable animal care professional experienced in working with shelter animals."^[179]

¹⁷⁸ / The Animal Connection, Inc., United Action for Animals, Inc., The Coalition for NYC Animals, Inc., New Yorkers for Companion Animals, Inc., Animal Adoption League, Save a Shelter Pet, "Rally in Defense of Shelter Animals: CACC Continues Torture and Slaughter of Helpless Dogs, Cats, Puppies and Kittens," Press Release, September 26, 1996.

¹⁷⁹ / *Ibid.*

- On October 25, 1996, CACC volunteers who were dismissed in the late Summer/early Fall of 1996 held a press conference at City Hall. According to the press release, "[s]ix volunteers who have donated their time, money and services to help these shelter animals, have been fired for blowing the whistle on inhumane conditions and corruption at the CACC."^[180]
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¹⁸⁰ / Jane Colton and Sara Lee, "Sad Tails of the City: Volunteers **Barred** from Helping NYC's Caged Pound Pups," Press Release, October 25, 1996.

- On April 18, 1997, the Shelter Reform Action Committee held a press conference on the steps of City Hall to kick off a ballot initiative to create a New York City Department of Animal Affairs. According to the press release, "a coalition of humane groups and individuals spent four months with a team of lawyers writing legislation which will amend the City Charter to create a Department of Animal Affairs to advocate for lost and stray animals, perform animal control functions and run the city animal shelters... The mandate will attack some of the root problems for animal overpopulation and expand animal control and shelter services."^[181]
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¹⁸¹ / "Citizens Kick Off Ballot Initiative to Form NYC Department of Animal Affairs--Current Shelter System Run by Mayoral Appointments Declared Intolerable Zone of Inhumane Mismanagement," Press Release, April 18, 1997.

There is a strong, vocal, and committed animal advocacy community in New York City. Each of the events described above constitute missed opportunities for the City and the CACC to enlist the support of pet owners, concerned individuals, and advocates in accomplishing a common mission: to improve the quality of animals' lives in New York City.

This report documents specific reasons for the CACC's poor performance in the nearly two and one half years since it assumed responsibility for the provision of animal care and control services in New York City. With the recent departure of the CACC's Executive Director, and the impending expiration of the CACC contract, the City is once again at an important juncture. Unless the fundamental changes recommended in this report are implemented, the CACC will continue to fail the animals it is supposed to serve. During the remaining term of its contract with the City, the CACC needs an Executive Director with experience and expertise in animal care and control, demonstrated management skills, and a commitment to New York City's animals. The City now has what few of its lost, stray and abandoned animals ever get--a second chance--to create a shelter system worthy of the name "Center for Animal Care and Control."

ATTACHMENTS

A-1 [The Friedman-White report](#)

| [DYING FOR HOMES- Part 1](#) |

| [SRAC HOME PAGE](#) |

A F F I D A V I T

STATE OF CALIFORNIA)
)ss.:
COUNTY OF LOS ANGELES)

EDWARD BOKS, being duly sworn, deposes and says:

1. I am currently the general manager of Los Angeles Animal Services. I began this position on January 2, 2006. LA Animal Services is a municipal department and I report directly to the Mayor of Los Angeles. We serve 3.9 million people over a 400 square mile area and operate six shelters on a \$20.1 million annual budget.

2. Prior to joining LA Animal Services, I was the executive director of Animal Care & Control of New York City, Inc. ("AC&C"), the contractor to the City of New York that performs animal control services and operates animal shelters in Manhattan, Brooklyn and Staten Island, and intake centers in Queens and the Bronx. AC&C is a 501(c)(3) not for profit corporation and I reported to its board of directors, the chairman of which was the Commissioner of the NYC Department of Health and Mental Hygiene ("DOH"), Dr. Thomas Frieden.

3. Prior to joining AC&C I was the executive director of the Maricopa County Animal Care & Control ("MCAC&C"), which was the largest animal control program in the U.S., providing services to 24 cities and towns and the unincorporated area of Maricopa County, Arizona. It's a community of about 9,200 sq. miles with a population of 3.2 million people. We processed about 62,000 animals a year. The agency was a division of the Maricopa County Department of Health. When I started, our budget was about \$4 million. When I left it was about \$9 million after negotiating cost recovery contracts with the towns and cities we served.

4. My involvement with managing animals goes back to my youth. I worked my way through high school and a couple years of college as a veterinary technician in a private veterinary hospital, Harper Woods Veterinary Hospital in Michigan, from about 1965 to 1971. I wound up as manager of the kennel operations and a veterinary technician.

5. I moved to Arizona in 1976. I was pastoring at the Grace Chapel of Phoenix. We started a private K through 12 private school for which I met the credential requirements to be the administrator and principal. There were 60 to 70 students at any one time. It was a very successful program. We had kids coming from other states to participate. The school became a very costly endeavor and that's where I was getting my salary. My pastoring was pro bono. So the school was eventually closed in 1985.

6. There was a job available at Maricopa County's Rabies/Animal Control, as it was known in those days, so I took that job and over the course of several years, I moved up through the ranks. I worked as an entry-level kennel officer where I cleaned kennels, cared for animals, euthanized animals, and worked on adoptions. I then became a field officer where I was in enforcement, enforcing animal control ordinances and issues. I then went into training, developing the training manual and policy manual that provided the training for staff. I then was promoted to director of field operations, after which I became the chief of staff working directly with the executive director. In early 90s, I resigned from the ministry and got involved with animal welfare full time.

7. I did take three years off to put together the Maricopa County Management Institute with Arizona State University that trained all the Maricopa County supervisors, middle managers and high-level executives in effective management theory and techniques. And it was an award-winning program. It won the National Association of Counties Award and also was cited in Governing Magazine.

8. I was called out of managing the Management Institute at a critical time for Maricopa County Rabies/Animal Control, as the department was falling apart and receiving a lot of bad press. I had long made it known to the chief executive office of Maricopa County that there was a department I could manage effectively, so in 1998 I was appointed director of Maricopa County's Rabies/Animal Control.

9. I went in and put together a strategic management plan and over the course of the next several years. We dramatically reduced the euthanasia rate and increased the adoption rate, embraced the no-kill philosophy and became a national model so much so that I had a reputation and was being recruited by municipalities all across the US to come to their communities. I was doing pro bono consulting, I was on the lecture circuit, and I was doing a lot of work for the humane community to get the message out that euthanasia need not be the methodology of choice for animal control departments.

10. During my tenure at Maricopa County Rabies Animal Control, I started an organization called Friends of Animal Care & Control, which was a 501(c)(3) separate organization whose mission was to raise funds for Animal Care & Control's life-saving programs. By the time I left, it was raising in the area of a quarter million dollars per annual event along with other funding from a Thrift Store and a Pet Calendar.

11. My first contact with the board of directors of AC&C of New York City was in 2003 when they reached out to recruit me as executive director. In particular, Dr. Jay Kuhlman, Sarah Hobel and Dr. Thomas Frieden initially contacted me by phone and then they set up a telephone conference interview. They made several offers over several months, which I continued to refuse because I was pretty content in Arizona and didn't want to come to New York. But after being persuaded by a lot of folks in the animal welfare community, including the folks at Best Friends, Nathan Winograd, Mathew Scully and others, that this would be good for animals not just in New York but across the country, I finally agreed to come on a part-time basis as a consultant for six months, which I did in July 2003. From July to December 2003, I ran the programs for both Maricopa County and New York City.

12. At the end of the six months, I felt I had sufficient confidence in the Maricopa County staff that I could move on comfortably and I also saw that there was a lot of potential for doing really good things in New York, so I agreed to take the job.

13. During the process of interviewing it was my believe that they did a full background check of me, and there was an understanding on my part that they understood my "no-kill" philosophy, which was rather new or an emerging philosophy in the animal control field. Also that my leadership management of the organization would be to implement programs which I knew were successful in Maricopa County, perhaps with some modification to address NYC needs, as it's generally agreed that there are a certain number of programs that can be replicated in any community with significant results.

14. Up until I signed the contract, everybody was pretty open to just getting me here. Once I was here, I had a conversation with Dr. Frieden where he suggested that I not use the term "no-kill" because it was too divisive. And I said it was only divisive if we defend the killing. But if we in animal control say that we want to take a lead in ending the killing, who's going to argue with that?

15. But, Dr. Frieden continued to insist that I not use the terminology "no-kill" and I continued to respectfully disagree with him. I was never directed by the entire board not to use that terminology, so I continued to do so. Eventually, by the time I left two years later, when it was announced that I would not be renewing my contract with the city, the first thing that Dr. Frieden wanted to do was reassure the entire community that he supported the no-kill initiative, it would continue and it would have his full backing. So he made a 180-degree conversion, at least in rhetoric, with respect to no-kill. I don't have any evidence that he was not sincere. I haven't seen the numbers since I left New York. But it is my understanding that they stopped posting them on the AC&C website.

16. After a short time on the job, I discovered a lot of problems with respect to the statistical data collecting processes of the organization. I had a very uneasy feeling that Steve Zeidman, the I.T. person who developed the reports for tracking statistics, didn't have the skill level necessary to effectively track the information appropriately.

17. One of the things about I.T. in this day and age is so few administrators and managers have the competence to question their I.T. people. So they come off as the high priest of information. And I just had this gut feeling that something was not right here. Fortunately, Steve was offered another job and moved on and I was able to get someone in there with the appropriate skills. He astounded us with what he found.

18. His name was Paris Treantafeles and he used to work for NASA. It was a long arduous process. He started reviewing the code that was written for these reports line by line and found that Steve was pulling data from the most ridiculous places and none of the reports were trustworthy because they were so full of flaws. Bottom line was that he completely redid the reports in such that we could historically go back and get the reports in an accurate fashion.

19. Based on the new data, I would write very thorough in-depth 20- to 30-page reports each month documenting what we were doing and what we were implementing. Dr. Frieden would take tremendous issue with anything of a negative nature in these reports, particularly when it came to the numbers.

20. And it finally exasperated Dr. Frieden so that he had John O'Connor come to my office and say that I had to stop telling an epidemiologist, whose whole life is statistics, that the statistics that he's been getting for the last several years are untrustworthy. He said, "That's just pissing him off, Ed. You got to stop it." And I said, "John, it is what it is."

21. He basically said that Tom Frieden and I were like two peas in a pod, we were very much alike and that we were just going to continue to repel each other because we were too bull headed and too head strong.

22. I told John O'Connor I wasn't going to falsify statistics or anything in my reports because I had been asked by Dr. Frieden once before to falsify a statement in a report shortly after I first arrived. It was my Inception Report in which I referred to the

findings by Sipes and Partners, Inc., the consultants we hired to do an on-site inspection and evaluation of the five AC&C shelter facilities.

23. The Sipes Report documented that the Department of Health inspectors were routinely falsifying their inspection reports and saying that things in the shelters were okay. The Sipes Report contained pictures and documentation clearly showing otherwise. For example, the DOH inspectors were reporting as acceptable conditions where the roof was caved in and water was leaking onto computers and wires that were exposed. The whole place was a firetrap. In the prior two years of inspecting the AC&C facilities, they never issued one violation despite the obviously substandard conditions. So I stated that DOH inspectors had falsified the inspection reports.

24. Dr. Frieden complained that "falsify" was too strong a word, that I needed to somehow change it. So I did change it without changing the meaning. But he emphatically didn't want the word "falsify." And when John O'Connor came in and said that my report was telling Tom Frieden that statistics over the last several years were problematic and I that I had to stop doing that, I said that I was not going to stop telling the truth. I was going to fix the problem so we can go back and give him good numbers. I thought any responsible public servant would be happy to understand this.

25. I think that John O'Connor thought that he was coming in as a peacemaker. But over the course of several months, my phone conversations with him became more and more hostile. He clearly didn't like me. He wanted to gag me on every issue we disagreed on.

26. An example was Intro 189, the so-called Pets in Housing bill that was pending in the New York City Council, that had to do with grandfathering pets in apartments. I was very much being looked to by the humane community to speak up on this issue, and it was an important issue to our organization because it meant saving more lives by creating a broader marketplace for people who could adopt our animals. The ASPCA and other animal groups had spoken up in favor of the bill. But John O'Connor came down on me like a ton of bricks. I don't know if he had connections to the real estate industry, but he said I was not to speak out on this issue. Period.

27. I responded, "Well, John, I respect your opinion, but I would like to hear from the entire board on whether or not I should or shouldn't be able to speak out on this issue." And I submitted it to the board, and the board just fell mute. They never commented one way or another. But I did very much feel that I would probably lose my job if I spoke out. So I decided to choose my battles and there was just too much work to do inside the shelters. And I explained to the advocates in the community the predicament I was in and most of them were very understanding and disappointed to be sure, as was I, but what was my alternative at that point? Lose my job and let the department fall back into chaos, or focus on turning the department around?

28. Two conversations with Dr. Frieden in particular come to mind in which I really felt he was acting in detriment to our mission. One was in an open public meeting, when we were trying to get the board excited about the fact that euthanasia was falling dramatically and adoptions were up. Dr. Frieden very surprisingly said, "Look, Ed, you have to understand that from a public health perspective, I wouldn't lose a moment's sleep if you were to euthanize every animal in your shelters if it meant that not one child was going to be bitten," or something to that effect.

29. And I was just stunned. And I tried to assure him that with proper adoption counseling and behavior assessment techniques that our staff was well qualified, or could be trained to be well qualified, to ensure that we would not adopt out an animal that would harm a child or anybody else.

30. Curiously, every time that there was a report in a newspaper of a dog mauling, I would get an email from Dr. Frieden that very day if not the first thing the next morning saying, "Was this one of your animals?" And we would do the research and it was never one of our animals. Every mauling that occurred during my tenure, that I recall, was from an animal brought in by someone that had moved here from another state.

31. Another comment that Dr. Frieden made was in a session with he and Ed Butts and myself. Dr. Frieden and I had another long-standing argument during my tenure over the fact that he put a lot of weight in what was called the "length of stay" statistic. He considered the length of stay a direct budgetary issue that the longer an animal was in the shelter the more it was costing the Department of Health. And it just wasn't efficient. And he said, "Look Ed, you're required to hold these animals 48 hours. I want you to be able to have a disposition ready in the 49th hour for every animal."

32. And I said, "Tom, that's never going to happen. I actually put no stock in the length of stay statistic. I report it to the Department of Health because it's important to you, but it's not important to us in operations. As we move closer and closer to no-kill and better management of our animals in our shelters, we may actually see an increase in length of stay if we keep animal healthy enough until we find loving homes for them. I still think in the long run, we will reduce the cost of animal control if that's what you're concerned about."

33. It was brought to my attention by my Controller that over the years as AC&C increased revenues DOH reduced the contract amount.

34. There was no funding for life-saving programs. Which is why we started the "Big Fix" spay/neuter program to stem the tide of unwanted animals. This program was completely funded by donations.

35. This was another situation that came up that went to the DOH's lack of commitment. At one point, our Big Fix program ran out of money. This story was covered in an article written by Heidi Singer in the New York Post. This article caused New York State Assemblyman Pete Grannis to contact me. He said, "What do you mean you're out of money? We've got a million dollars sitting in a fund up here in Albany and we contacted the Department of Health months ago and asked them if they wanted it for spay/neuter, and the Department of Health said, 'No,' they didn't need it."

36. I was shocked. I said, "Absolutely we need it and what can we do to get this back on track?" So, generously, the Assemblyman's office set up meetings with the DOH and us and we pulled in the ASPCA and others to discuss how we could get the funds flowing as the State Legislature intended.

37. But, the Department of Health was absolutely obstinate in not wanting to administer the funds, or even wanting to receive the funds. They didn't want to be responsible for the funds. They thought it was too much work. Ed Butts of the DOH was the most vocal in that meeting and Alan Goldberg was there, too.

38. Alan had always been somewhat of a peacekeeper between the DOH and AC&C, and I considered him somewhat of an ally. It was a difficult position because one of the things that became very clear throughout my whole time was the negative culture at the DOH. Many of the employees of the DOH would talk about this "reign of terror." That Tom Frieden held a very tight leash and everybody was scared of their jobs, scared to death of disagreeing with him.

39. From the very time that I was recruited and taken on tours of the facilities and things of that sort, individuals from the DOH really pressed me to reconsider my decision. I thought this was a very strange recruiting technique.

40. The Sanitation Commissioner, John Doherty, who was an AC&C board member at the time, actually interviewed me and he also was an individual who thought I was crazy for accepting the job. On a personal level, he seemed to be very likeable and we got along great and we had a very good interview and he thought that I would be an outstanding candidate for the job, but basically he thought I was nuts for wanting to come to New York and take on the responsibility. He was very serious about the fact that he was delighted not to be on that board anymore. He was replaced by the Parks Commissioner, and it was my understanding that that decision was made by the board in response to the activist community's criticism that the Sanitation Commissioner on the AC&C board was inappropriate and sent the wrong message.

41. There were DOH employees warning me not to come to New York, that I would find it very difficult to work with the DOH. And I kind of wrote it off as people who just didn't understand or didn't want to see a change, and so I didn't take any of it to heart. Ed Boyce of the DOH's bureau of veterinary public health services was one, in particular, who warned me that I would find it difficult to work with the Department of Health and that I would be sorry. Consequently, during my two and one half years there, every time I would have a bad encounter with Department of Health, as we're walking out, he would say, "I told you so." He proved to be quite the prophet.

42. But over the course of the next couple of years working with everybody from every area of that department, there was just this dread and fear of either their immediate boss at the DOH or Tom Frieden, the Commissioner, and that they were under orders not to help us. There are employees I can quote that were told to resist, and they told me there were certain high officials at the DOH who "hated Boks" and said they "will not let him succeed." I can only think that this came down from Commissioner Frieden, because they wouldn't know me from Adam, otherwise.

43. There was a veterinarian named Pat Glennon, who was the DOH's director of veterinary public health services that managed the bite holding cases. When she first came on board she was very cooperative, then she suddenly turned 180 degrees and became very obstructionist, very contrary, making it a full time battle to meet her needs and demands.

44. She wanted us to quarantine animals for 10 days when there was no possible human exposure to rabies. Her policies took up valuable kennel space requiring healthy animals to be killed due to space constraints. The DOH really bent over backwards on the side of caution. Even in cases that came in where involving a minor cat scratch that did not

draw blood, she would order a quarantine, even if the cat had been in the shelter for weeks and had accidentally scratched an employee.

45. That's 10 kennel days where you could have saved 10 other dogs or cats perhaps. So we were trying to clear this and other issues up, but her behavior was so erratic and so uncooperative that I had to go to Dr. Frieden and say that I had concerns about this individual's ability and mental health, and he took great umbrage at that and was very offended. But over time, I had discovered from other employees that my opinion of her was also the consensus at the DOH and whether she resigned or was let go, it's really unclear to me, she just vanished under a veil of intrigue.

46. After she left, Ed Butts came in and took on the responsibility of working with us and interfacing with us primarily on the facilities issues with the Manhattan and Staten Island Shelters, as they had the most critical needs. He was a very amiable, very nice guy. Again, he wanted to see things change and become more productive between the two departments. But unfortunately, we would meet on a weekly basis and these meetings would be for half a day or longer. But every time we would get together, it would be like starting all over again. Everybody would leave with an assignment. We'd come back and people with key assignment pieces couldn't be at that meeting. So, for over a year, we just met and it never felt like we got past A to B. It was like there was just no forward progress.

47. As for finding the site locations for the Queens and Bronx shelters that have yet to be built, the DOH felt very strongly that it was our responsibility to go out and find those locations, which we did. We went out and we found locations. And we'd bring them to the DOH and then James Dougherty, who was the DOH official in charge of facilities, would do the research and start to track them down. But again, James, for whatever reason, took a tremendous amount of umbrage working with me. He didn't want to help us. It was clearly my perception from conversations with him and members of his staff that there was a conscious effort not to work with or cooperate with AC&C. And they were utilizing a Muhammad Ali technique that we referred to as "rope-a-dope." They would stall, they would drag their feet, and they would just play these fancy footwork games and cause us to jump through hoops unnecessarily. And it just became very tiresome and very weary. Bottom line is, six years after the City Council allocated money to build full-service animal shelters in two of the most populous and needy boroughs, the shelters still haven't been built and AC&C is still struggling to serve these areas. Half the people in New York City live in these two boroughs.

48. One of the things I had in my employment contract was that I would work with the press. One of the reasons that I was brought here was to help turn around the image of what was then known as the Center for Animal Care & Control, or the CACC, which had a decade of negative press behind it and a very tarnished public image due to the grass roots humane activists that used the press to point out CACC's deficiencies, and used it effectively.

49. So my first goal was to make the organization more customer friendly, pet friendly, and more endearing to the community, and at the same time boost the moral of our employees. And the only way to do that is to tell the story of what we do as an organization. There were some wonderful things that happened in our shelters that weren't getting out there. At my impetus, we changed the corporate name to Animal Care & Control of NYC and created a new life-affirming mission statement, vision statement, value statement and service theme, all geared toward bringing the community together.

50. And, as a result, I began being quoted in the local media. In one article in The New York Times, I was quoted about the dog-licensing program, which I believed, for economy of scale and for effectiveness, really should be under the purview of animal control as it is in almost every community I am aware of. In New York City, it's under the Department of Health, but it has nothing to do with health. The licensing program has nothing to do with vaccinating dogs. It's just a revenue-generating tool, which is ridiculous. Licensing is supposed to ensure a communities' pet population is protected from rabies. That correlation does not exist in New York City. It is a very irresponsible program.

51. And so I approached the Department of Health about our taking over and managing the program and increasing licensing there was just an absolute stonewalling of that issue. They didn't want to let it go, even though it's extraordinarily ineffective. So, after talking to the Times, the paper characterized my comments in the article as the licensing program was "anemic." Well, Tom Frieden came unglued at that, even though he clearly admitted it was true. He said in a closed executive session of an AC&C board meeting that it was indeed a very weak and ineffective program, "But for God sakes, Ed, you don't tell The New York Times that." So he was very offended about that, and I then sat through the closed session as the board hammered out a gag order. They had excused the public from the executive session and then they called everybody back in the room and then John O'Connor expressed the gag order for which Frieden had given him the exact words.

52. I think the board interpreted executive session for discussing personnel and performance issues, and I think they construed this as a performance issue when it was clearly a policy issue and it was a contractual issue as well. They seemed to be completely oblivious of their contractual agreement that I would be responsible for all media and all press releases and everything that came out of the AC&C. And again, it was a matter of choosing my battles. Sensing the hostility of the board, I just didn't feel that this was a battle worth fighting at that time. I did discuss it with Tom Frieden afterwards. I said, "Tom, you need to know that this is a violation of my contract." And he reviewed my contract and said, "Ed, I have to disagree with you. It's not." But it clearly was. I talked to a labor attorney who said that I could sue.

53. Again, my primary interest was to do as much as I could within my two-year contract, and not jeopardize the progress of the community. And there was such a momentum building that these things in retrospect seem very huge because they ultimately led to what they led to. But at the time they seemed very minor in comparison to what we were doing and what we were trying to accomplish. So pissing off Tom Frieden, because it seemed to trickle through the organization, and everything would come to a stop, and we would get no cooperation anywhere, could be terribly counterproductive.

54. For two years, we tried to get into cost-recovery contract negotiations without success. By the last six to eight months I was there, meeting after meeting was cancelled by Ed Butts. Week after week, we just could not get a meeting together. And I kept reminding them that the contract was going to come to an end, and in June 2005 we really needed to hammer out an agreement now. Because it takes time to do these. I've done over 24 municipal contracts and to hammer out these cost-recovery contracts is not easy. They clearly did not want a cost-recovery contract, also known as a fee-for-services contract, because that would require, in my opinion, much more oversight on their part and they would no longer be able to obfuscate the real cost of animal control services, which was higher than they were willing to pay. They liked the idea of giving AC&C a lump-sum budget

and say, "Do the best you can," which I was often told by both Tom Frieden and Ed Butts. "This is your budget. Work with it."

55. Cost-recovery / fee-for-services contracts allow a City to determine the level of service it wants to receive. The level of service could be clearly defined in a contract with a fee menu. The city can say we want this service and we know its going to cost this much. Field service, for instance, you know how much it's going to cost per field officer and there is an economy of scale. The more field officers you have buys down that per-officer cost. There is a way for a city to know exactly what it's paying for animal control services. I can tell you right now that the City of New York does not know what's its paying for its field operations, does not know what's its paying for its shelter operations. Does not know what it's paying for any of its services. Simply because they're not managing it. I'm sure animal control could tell you that and give them a report on what it's costing, but that doesn't figure into their budget negotiations.

56. I do not know how they arrive at the \$7.2 million figure, or how it went from \$7.6 million to \$7.2 million.

57. There is another issue of \$11 million set aside at one point to upgrade the Manhattan shelter. By the time I was being recruited, that had suddenly fallen to \$7 million. By the time I was actually hired, it had fallen to \$3 million. By the time that we had actually got it secured, so that we could use it, it was \$2.5 million. There was never an explanation to what happened to that original \$11 million. No accounting for it.

58. New Yorkers should be aware of the many compromises in the operations of AC&C as a result of not having a cost-recovery / fee-for-services contract. The fact is, there are no field operations on the weekends. There are no field operations after 8 o'clock at night. And then there is a hidden cost to the city as a result, because when there is a mauling or attack or something that requires an animal control officer after hours, you have to call a police officer at two or three times the pay to do what they are not trained to do. Often times the animal ends up getting shot. It just compounds the cost to the City and I made that argument to the DOH on numerous occasions as well the health committee of the City Council. It just didn't seem to register with anybody.

59. John O'Connor was the AC&C treasurer. And there were a lot of budgetary concerns, but he was almost completely uninvolved. When I arrived, there was a CFO there by the name of Mike Galub, and, again, I just had this overwhelming sense of incompetence. In fact, I brought in Sarah Hobel, who was on the board and used to be in acquisition banking, and had her review the budget. And then I had another board member, Bruce Doniger, talk with Mike and everybody came back with this feeling that this guy was a master of double speak. And nobody really knew for sure what was going on with the books and it was very disconcerting.

60. One of the big things that the Department of Health had done before I arrived was enter into an insurance contract with Citywide Insurance, a City agency that offered a shared risk-shared liability insurance pool for all the New York City agencies. It was the biggest disaster of all time and created a financial shortfall that the board had the audacity to blame me for despite the fact that this was something that they approved before I arrived under John O'Connor's oversight.

61. Marilyn Haggerty-Blohm, my predecessor, purchased the Citywide insurance policy. She was a former employee of the Mayor's Office of Operations and apparently saw AC&C as a City agency. She was paying \$12,000 a year for insurance for the whole department at first, so it was a low ball at entry level. But AC&C shared both the risk and the liability with all the other participating City agencies and departments, some of which were having problems with people getting killed, which of course caused big insurance payouts for things we had nothing to do with. And suddenly, \$12,000 went to \$35,000 to \$250,000 to \$400,000, which was clearly not in the budget, due to what the director of Citywide attributed to the narrow minded, shortsighted management style of John O'Connor and Tom Frieden. They had this inflexible attitude that you got \$7.2 million, you better make it work. They were holding me responsible for their irresponsible decisions. Despite that, I did come up with a plan to significantly minimize this shortfall, but they were ruthless and felt that even an \$8,000 deficit, which is what I think we got it down to, was too much. At this point I knew they were just being reckless and had no concern for AC&C whatsoever. This was a time for the board to have rallied together; instead they headed for the hills and left me holding the bag.

62. The only time I would hear from John O'Connor was when he would call at the behest of Dr. Frieden and it was to chastise me for one thing or another. We discussed the insurance problem, but when we actually sat down with the insurance company and met with them, John couldn't be bothered to come in. I think he phoned in. He was on the phone and kept saying, "I can't hear." He didn't really play a meaningful role in understanding the seriousness of the impact on our budget the Citywide costs had become.

63. I would call John, but because he was a very difficult person to communicate with, I would call him on an as-needed basis. I certainly called him with respect to the pets-in-housing bill and tried to explain to him why that was important to AC&C and to the animals that we cared for. And he didn't care. He just said, "Ed, you don't know how the mayor thinks about this. The mayor is a friend of mine; this is not something that we want to get involved in. And I'm telling you: don't get involved."

64. My interactions with AC&C's board were sporadic. There was no scheduled timetable for meetings. Even though the bylaws required that they meet on a certain regular basis, often they wouldn't and the meetings would bunch up at the end of the year where they knew that they had to get them in. In fact, at one point at a public board meeting I said that this is clearly the most laissez-faire board that I've ever worked with in my life. I had an open door policy; I invited the entire board to be as involved as they possibly wanted to be. They just were not interested or were too busy elsewhere. Bruce Doniger, to his credit, made himself available. Sarah Hobel also made herself available, and they were very helpful to the degree that they could be.

65. Not once did I have any interaction with the police board member. In fact I could not even tell you who that person was. We reached out on our own and made our own police contacts. There was, on occasion, a woman named Joyce Stevens who sat in on some board meetings for the police department and I actually met her once about a program that we wanted to reinstitute. She was very excited about it and said she would help us move it forward, but it never went anywhere.

66. John O'Connor, the treasurer, when I first came on board was signing off on the budgets, but he started to feel uneasy about being responsible for the budget at a cost for services that didn't make sense. So towards the end, he refused because I was raising

so many questions about our costs. John just suddenly wanted to distance himself from the responsibility.

67. I never had any communication with the mayor but was always told by Tom Frieden that the Mayor's Office was very upset with me. When I asked if I could meet with the Mayor's staff to better understand their continual displeasure, he would make excuses that that was not possible; I had to take his word for it. Rather than helping the Mayor understand the truly historic progress NYC was making with respect to animal control, Frieden seemed intent on creating a sense of hostility between the two offices, as though he played us against each other so he always looked good at the expense of others.

68. Most of the contact I had was with the Department of Health. There was very little contact with the board. And with the exception of Dr. Kuhlman, there was just no representation on the board for the animal loving community. The fundraising expertise needed is glaringly absent from the existing board. Those skill-sets are clearly needed. They demonstrate time after time their desire to control without allowing AC&C to grow or have any real authority of its own. I know of no other shelter system that runs like New York City's does. This is a very unorthodox, unwieldy and very ineffective corporate arrangement. I'm not aware of any other set up like this. The norm is either a stand-alone 501(c)(3) or a city department, but you just can't have it both ways. The HSUS pointed the same thing out in their evaluation report of AC&C several years ago.

69. Before I first signed my contract, I had conversations with Dr. Frieden about his participation on AC&C's board at the same time he headed the Health Department, because I thought this was a unique arrangement. He felt that wearing the two hats was open to conflict and he was very candid about that. He readily admitted the conflict of interest that existed between the existing structures and that after the six-month time, if I came on in a permanent capacity, he would step down as the chair of the board and he would just be a member of the board. But he never did step down and, in fact, actually pulled a power-play with the board to stay on as chairman into my second year, contrary to his promise to step down six months after my arrival.

70. That power-play occurred at the annual meeting, which I attended. One board member, Sarah Hobel, was going to nominate Jay Kuhlman as chairman. When John O'Connor got wind of this he hit the ceiling and went to Dr. Frieden. When Dr. Frieden came in and realized he was one vote short from winning the election, he delayed the meeting and had a representative from the police department show up to vote for him in the election. This was a rep who had never been at a meeting before or since. All the independent board members, except for John O'Connor, were very intimidated by the whole proceeding.

71. I understood the concept that we were a 501(c)(3) with a contract with the city. But I saw the inherent conflict with that arrangement given the composition of our board and the Mayor's authority over it. I actually called the Department of Internal Affairs to question this arrangement. I can't remember who I talked to but whomever it was told me that this was not an uncommon arrangement for the City and I just didn't understand how the City of New York operates, that this was perfectly legitimate and if this is how the by-laws are set up, then there is no conflict because it agrees with the by-laws.

72. In New York City, we were never able to negotiate. Dr. Frieden told me in no uncertain terms more than once that the budget is what it is. I would have to manage the department within the \$7.2 million budget. There was some discussion about the fact that

the original contract called for \$7.6 million and how it was brought down to \$7.2 million for my tenure. They were not open to discussing that. They said that \$7.2 million was it. Learn to live with it. You're stuck with it. And that was it.

73. I think the City's fear and the reason they feel they have to continue to control AC&C is that they don't want a repeat of what happened with the ASPCA when they just walked away. They don't want to create another entity that can choose not to renew the contract. I understand their concerns. But, I think that if they made it a stand alone department, a city department with a 501(c)(3) auxiliary like we did in Maricopa county, like we're doing in LA, that might be more effective.

74. Certainly having it report to the DOH is problematic and I don't know exactly why. You just can't get deep enough into the intrigue of the DOH to understand their motivation or wanting to protect licensing programs that do not work, which could be a real strong, viable funding source for animal welfare. It is a mystery why they want to keep it from succeeding. It is a mystery why they don't want to see humane shelters built. It is a mystery why they don't even want to maintain the current shelters. It is a mystery why they don't want to provide humane habitation for the animals in the shelters. There just seems to be no interest in those things.

75. Dr. Frieden has said that when you have the competing priorities of women and infants and AIDS victims, I can certainly understand animal welfare falling to the bottom. That's why animal welfare in New York City needs an advocate that can make the case for the animals in its care. Nobody is able to make that case on a budgetary level. We can't negotiate it. We can't argue the case. The City Council is completely unaware to my knowledge about how much money is being allocated to animal welfare in the budget. It's buried deep inside the DOH budget. If it's anywhere, it's some miniscule line item probably under the division of Ed Butt's unit. But it's not something that City Council can say, "How much are we giving to animal control this year?" I don't think City Council ever discusses that question. They certainly never included AC&C in any such discussions, nor did DOH other than to dictate the budget amount.

76. Dr. Frieden never really advocated for AC&C on any issue that I can think of. There was a former DOH official by the name of Gregory Carmichael who fought the licensing program I proposed tooth and nail and for whatever reason. If we could manage the program, we could increase revenues coming in so that we could buy down what the City was paying for animal control by increasing the fees. That argument was absolutely lost. I guess that Carmichael had some past with animal control and Dr. Frieden considered him his on-staff expert. But, he thwarted all improvements on shelter operations. The City's Department of facilities management had done a \$500,000 study on how to improve the Manhattan shelter. That study sat on a shelf for years until I got there. I pulled it off the shelf and it was like a surprise. And nobody at DOH wanted to look at it, and nobody wanted to implement it.

77. I left for two reasons. One, I was being recruited by the city of Los Angeles and two, I knew from my two and a half years working with the DOH and even the members of the board who had become hostile during my tenure there, that it was going to be a losing battle. That there was no way that this board wanted to see change, or was open to change. There weren't going to be new shelters, there wasn't going to be new funding and I was being approached by a city that really understood the importance of animal welfare,

provided a more adequate budget, was building six state-of-the-art humane animal shelters, and was light years ahead of New York City.

78. All the difficulty came from working with the New York City Department of Health directly. They were clearly not interested in making it work from my perspective. The city has to figure out if it wants an animal control department of its own or if it wants to contract with a 501(c)(3). One or the other; you can't have it both ways. It's just too much of a conflict of interest. What it has now is just fraught with peril and conflict and the results are as clear as day. Look at the shelters. Nothing is happening. Two years of meeting on a weekly basis, trying to move forward on the facilities aspect and nothing getting done. Or, what little being done taking extraordinary lengths of time when it was just unnecessary.

79. Other than the conversations I had with Tom Frieden about the conflict of interest and the Department of Internal Affairs, I had conversations with Dr. Kuhlman, Bruce Doniger and Sarah Hobel and I think everybody acquiesced or agreed on an informal level to accept the conflict of interest and let's see what we can accomplish in spite of it.

80. I think the conflict that existed between the DOH and myself resulted from the fact that I refused to behave as an employee of the DOH and I was an advocate for the animals and AC&C and what they were looking for was a yes-man that would do what he was told, not advocate for programs and for making AC&C better. I actually talked to the Comptroller, Bill Thompson, before I left and he said the City was never going to let me succeed within this existing system. He said it was critical to the success of the Department that an independent 501(c)(3) fundraising organization be formed. That was said in front of my development officer, Don Sutton, at the time.

81. So I tried, and Tom Frieden and members of the board did everything they could to eviscerate the effort. They would not attend events. They never made a donation. They were just unsupportive.

82. The culture of fear at the DOH seemed to be a fear of embarrassing the mayor, that we have to protect the mayor at all cost. Even the cost of animals lives. John O'Connor as well as Dr. Frieden expressed that on occasions, as did the entire board from time to time, explicitly or implicitly, that protecting the mayor was paramount.

83. I think with an extended board it could work, a board with animal welfare expertise. With the exception of Dr. Kuhlman, there's really no one on the board who has any real vested personal interest in the success of AC&C. I think that AC&C needs a board of 20 to 30 people with fund raising experience, animal rights and welfare experience, animal law experience, all of that. And there is just none of that. There is just no interest. Getting the existing board just to meet was just like pulling teeth.

84. If the concern or question is, does the Department of Health have the best interest of AC&C, or the animals in its care, at heart? The answer is clearly, "No, they do not." They don't support innovative programs, they don't support the executive director, they expect executive directors to kowtow and do as they're told. They don't expect them or want them to be innovative and progressive. They don't want them to be cutting-edge or leading-edge. They are basically looking for someone who is a yes-person willing to maintain the status quo.

85. In my professional opinion, if it takes a court order to remedy the very destructive conflicts of interest that cause AC&C to be a dysfunctional child of the Health Department, then that should happen.

Dated: Los Angeles, California
September 15, 2006

/s/ _____
EDWARD BOKS

Sworn to before me, this 15th day
of September, 2006.

/s/ Catherine D. Campana
Notary Public
Commission # 1422038 exp 6/3/07

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

H. Haas Regen

44 Remsen Street

Brooklyn, NY 11201

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Sincerely,
Sunjit Singh

146th pl

Flushing, NY, 11367

"Testimony in support of Intro 1378 (foie gras sales ban)

Please take the necessary steps to end the inhumane and sickening practice of torturing ducks and geese to provide a non-essential and frankly disgusting "food." This needs to be banned. Myself and many members of the community are asking in earnest for your help. Please do the right thing.

Thank you,

Colleen Stufflebeem

Dear Members of the Committee on Health,

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Sincerely,

Johanna Rutrsia

9th st

LIC NY 11106

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Sincerely,
Aron Shevis

302 Windsor Pl

Brooklyn, NY 11238



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Sincerely,

Jesse Kessler

105 Duane Street

NU, NY 10007

June 17, 2019

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay. Your help is greatly appreciated!

Sincerely,

Marlene Pendergast

1st avenue

New York, NY 10009

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

I don't live in New York at the present time, but I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced

by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat,

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Sincerely,

Irena Franchi

301 174 St.

Sunny Isles Beach, FL 33160-3240

Ilene Arce

210 174 St.

Sunny Isles Beach, FL 33160

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Pedro Mier

erkuyo@yahoo.com

Jun 17, 2019

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Sincerely,

Jodie Zupancic

Dear Members of the Committee on Health,

I write today in support of bill 1378.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

Such a horrific price for the ducks to pay so humans can eat! I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Arthur Massei
W 23rd St
NY NY 10011

<https://www.pinterest.com/arthurmassei/actors-adults/>

<https://www.pinterest.com/arthurmassei/actors-children/>

We need to ban sales of foie gras and stop this disgusting force feeding practice NOW.

Candace Mohr

Greenwich Avenue

NYC 10011

--

Candace Mohr

candacemohr@gmail.com

Jun 17, 2019

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Sincerely,

Franklin Matias

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Sincerely,

Kendra Roth

Testimony in support of Intro 1378 (foie gras sales ban) - D. Muraco

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Sincerely,

D. Muraco

New York, New York

Support of Intro 1425!!!

I am a NYC resident who lives on West 67th Street by the Park and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and beyond.

Please support Intro 1425!

Thank you for your attention.

Sincerely yours,

Claudia Cinardo Esq.

West 67th Street

ccinardo@gmail.com

Support for Intro 1425 - Humane treatment of the horses

My name is Alyssa Lindsey Ceto and I am a NYC resident who lives at 40 Central Park South, 6A, NY NY 10019. I have a view of the park, plus walk my dog 3x's a day in the park. I want to thank you for moving the horses off of the street and into the park entrances. This is a wonderful start to more humane treatment, but on behalf of myself, and everyone in my building, we are VERY opposed to the drivers keeping the horses out in extreme heat. I witness this treatment of the horses all summer during high temps. It is inexcusable. The horses noticeably suffer. We live in one of the most advanced cities in the world, yet we still allow this.

I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

PLEASE PASS 1425!!!

PS-when are the horse stables in the park going to be ready to house the horses vs. the 42nd street stables. The horses need grass and more humane conditions to live in.

Please feel free to reach out to me at anytime for additional verbal or written statements.

The Best,

Alyssa Lindsey Ceto

BeautyScience Design, Inc.

www.beautysciencedesign.com

alyssaceto@me.com

(310) 867-1680

June 17, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health:

As a veterinarian and animal welfare specialist, I write today in support of the proposed ban on the sale and production of foie gras in New York City, Intro 1378.

A large body of scientific evidence has shown that the practice of force-feeding ducks and geese for foie gras production is detrimental to animal welfare. Force-feeding induces hepatic steatosis, a pathological transformation of the liver which impairs the good functioning of the hepatic cell and causes undeniable animal suffering. Mortality rate in force-fed birds is 10 to 20 times higher than normal, and the induced steatosis progresses to death if force-feeding is continued beyond the typical 2-week period.

In addition, the capture and handling involved in force-feeding are stressful to ducks and geese. The practice of force-feeding, which is instrumental and necessary for the production of foie gras, overrides animal preference and homeostasis, and animals are fed past the point of satiety, causing pain and suffering. The constant insertion of the feeding tube and expansion of the distal esophagus cause aversion and discomfort during force-feeding and immediately afterward, with an increased risk for esophageal damage and associated pain.

The force-feeding of ducks and geese for the production of foie gras is inherently cruel and should be prohibited by law. I proudly support Intro 1378 and respectfully ask that the committee pass this bill without delay.

Sincerely,

Giovana Vieira

Giovana Vieira, BVetMed, MVedMed, PhD

Animal Welfare Specialist



June 17, 2019

Re: Testimony in support of the proposed ban on the sale of foie gras (Intro 1378)

Dear Members of the Committee on Health,

As both a New York resident and US Executive Director of the international farmed animal protection organization Compassion in World Farming, I'm writing today to humbly request that you pass Intro 1378.

Compassion supports this proposed ban on the sale and production of foie gras in New York City. Founded by a dairy farmer in the 1960s who became concerned by the increase in intensive factory farming, Compassion today works globally to end the worst of the worst factory farming practices.

Unfortunately, the production of foie gras is one of those cruel practices.

Foie gras is produced by force feeding ducks or geese, which causes immense pain and suffering. Inserting the feeding tube, pipe, or funnel can cause bruising, perforation of the esophagus, or other injuries. Further, ducks and geese on foie gras farms will never set foot in a pond or swim in any body of water—a natural behavior of these water birds. If animals are deprived of the ability to express their natural behaviors, their wellbeing is severely compromised.

Compassion works closely with major food businesses to address supply chain policy changes that reduce animal suffering. A recurring theme in my discussions with food leaders is the economic risk an entity faces if they choose to do nothing in regard to improving animal welfare. Passing Intro 1378 is not only the right thing to do but is in the best economic interest of New York City.

Compassion stands with the majority of NYC voters, veterinarians, and nonprofit organizations like ours who support a ban on the sale of foie gras from force-fed birds. I know firsthand how difficult it can be to face the realities of factory farming, but we cannot turn a blind eye to the unnecessary, inhumane treatment of animals.

Thank you for your time and consideration. A representative from Compassion will be providing oral testimony at the June 18th hearing. Please reach out for any follow up questions you may have, as we are happy to provide more information.

Sincerely,

A handwritten signature in black ink that reads "Rachel Dreskin".

Rachel Dreskin
US Executive Director
Compassion in World Farming

June 17, 2019

SUBJECT: Request Support for Intro 1425 – Carriage Horse Heat Index

To The Honorable New York City Council Members, Emily Balkan, Policy Analyst for the Committee on Health and Amy Slattery, Legislative Director for Council Member Levine

My husband and I are, unfortunately, out of town and unable to attend the hearing on Tuesday, 6-18-19. We are, therefore, writing to ask for your support of Intro 1425, the Carriage Horse Heat Index proposal.

WHY?

We have a bird's-eye view of Columbus Circle from our apartment and witness, on a daily basis, the suffering of these horses working long hours in hazardous traffic conditions, pulling heavy carriages often full of passengers.

It is clear to us that hot and humid days only exacerbate the horses' stress and effort. They walk noticeably slower; their heads are lowered, with a marked jutting back and forward motion with each step.

When we are on the streets or in Central Park in close proximity to the horses, we can see their rapid breathing as they struggle to tolerate the heat and humidity. They have labored breathing and excessive drooling.

So concerned were we about the excessive salivation, we sought out information from veterinarian resources and learned that it can be caused by:

1. Heat and humidity
2. An obstruction in the throat
3. Dental disease
4. Rabies (in unvaccinated horses) The "drool" itself can actually infect humans with this fatal virus. (Q: Are NYC carriage horses vaccinated against rabies?)
5. COPD (Chronic obstructive pulmonary disease aka "heaves.")

TWEET BY CARRIAGE HORSE SPOKESWOMAN CHRISTINA HANSEN – SUMMER 2018 (Attached)

We saw the Tweet posted by Ms. Hansen in which she alarmingly revealed that some of the carriage horses are actually sick with heaves aka: COPD - flippantly referring to them as "our heav-y horses." Ms. Hansen also revealed that these sick horses are given a drug called Vetipulmin "in hot weather."

In other words, Ms. Hansen believes that sick horses can work as long as they are drugged.

Ms. Hansen further wrote: "Say 'Ventipulmin' to any horse person and they'll know you mean business about taking care of your horses and doing right by them." She's right! However, any astute horse person would also be outraged at Ms. Hansen's practice of working sick horses under any condition. To the contrary, horses with COPD/Heaves need rest, access to pasture and a clean environment without exposure to dust to reduce their suffering – conditions that do not exist for these unfortunate animals.

WHY IS IT NECESSARY FOR THE PUBLIC TO SPEAK OUT FOR CARRIAGE HORSES?

Answer: We wouldn't have to if carriage horse operators took adequate care of them!

While operators profess great love for their horses, they invite outcry by the way they treat them. It is self-inflicted criticism.

THE CITY KNOWS HOW TO PROVIDE HUMANE CARE FOR WORKING HORSES

Simply spend a few moments observing the NYPD Mounted Horse Unit. The horses are clean, brushed, have good hoof care, appear healthy, and never appear stressed. They are perfect examples of how to care for and treat working horses. Why can't the city demand the same of the carriage horse owners?

CARRIAGE OWNERS AND DRIVERS ARE UNWILLING TO SELF-REGULATE

- They work their horses in excessive heat and humidity. To now be made aware that these horses have compromised health conditions, makes this practice especially egregious.
- They work their horses in below-freezing temperatures, blizzard conditions with almost zero visibility and without blankets.
- They vigorously opposed (**rather than advocated**) a move of their hack line from Central Park South into Central Park for their "beloved" horses," electing to expose them on a daily basis to potential injury/death from heavy traffic just inches away from their horses.
- They often begin work two (2) hours before the approved start time
- They consistently run red lights – endangering the public as well as their horses.
- They scan their cell phones while driving in heavy traffic, with passengers - leaving it up to the horse to decide when to proceed through traffic-light-controlled intersections based on the sound and movement of surrounding traffic
- They pick up passengers at unapproved sites: Rockefeller Center, Tavern on the Green and, in heavy traffic at the entrance to Central Park at Columbus Circle – blatantly "thumbing their noses" at recent legislation.

My husband and I are eyewitnesses to all of the above violations and have documented them with photographs, videos and license numbers. This evidence was provided to NYCLASS and to the City.

In closing, we would like to say "Thank You" for supporting the move of the hack line to a safer, less stressful area for the horses; "Thank You" for your work on Council in making New York City the most wonderful city in the world. We love living here! And, please support Intro 1425.

Sincerely,

Mrs. Eileen & Dr. Donald McAfee
301 West 57th Street #21-D
New York, New York 10019
(804) 339-1016
eileenmcafee@yahoo.com
dmcafee@mcafeescientific.com



Tweet

worried. Do you feel OK?

1 1 1



Christina Hansen @Carriage... · 16h

You're hyperventilating here too. I can call you a vet, if you'd like. Ventipulmin is \$250 a bottle of you'd like the same care as our heave-y horses in hot weather. The vet accepts VISA, MC and AMEX.

2 1 1

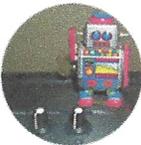
Hansen's response to Edita after E. posted a video last summer of heat-stressed carriage horse in NYC



Edita Birnkrant @Edita_NYC · 16h

You're making jokes in reference to a suffering carriage horse in distress that your drivers had out during a dangerous heatwave? Appalling. Animal abuse isn't a laughing matter, Christina. Have you no shame?

2 2 1



Eddie Sullivan @promixr · 16h

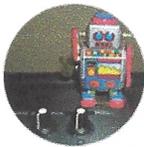
So Edita, am I reading that the carriage industry keeps the horses out until they develop a condition

Tweet your reply





Tweet



Eddie Sullivan @promixr · 16h

So Edita, am I reading that the carriage industry keeps the horses out until they develop a condition that requires a \$250 a bottle prescription to treat?



Christina Hansen @Carriage... · 16h

Oh, your reading comprehension is poor, as is your lack of vet knowledge. We could get Edita started at \$250 a bottle. Go from there. It's on-going. Say "ventipulmin" to any horse person and they'll know you mean business about taking care of your horses & doing right by them.



Eddie Sullivan @promixr · 16h

Wow so you're admitting that you have to drug your horses so you can keep forcina them to perform in dirty

Tweet your reply



ERICA R. SHEINART
626 2nd Street, Apartment #4
Brooklyn, New York 11215
DISTRICT 39- COUNCILMEMBER BRAD LANDER
COMMITTEE ON HEALTH
STATEMENT IN SUPPORT OF INTRO 1378 -FOIE GRAS SALES BAN

Hearing on Intro 1378- June 18, 2019

Dear Members of the Committee on Health:

Thank you, Committee members and all members of the New York City Council, for giving me and so many other New Yorkers the opportunity to present to you why we feel so strongly that Intro 1378 should be passed into law by your committee.

Having learned about the Foie Gras industry and the awful pain and agony that gentle geese and ducks undergo in order for their livers to become a bizarre luxury item for human consumption, I implore you to pass Intro 1378, the bill to ban the sale of Foie Gras in New York City.

I grew up in Queens, New York into a family of animal lovers. As a child, my parents took my sister and I to many parks on Long Island. One of these is Roslyn Park, which is known for its lovely duck pond. We would happily feed both geese and ducks pieces of bread. The ducks and geese were so sweet and friendly and would take the bread right out of your hand. It was such a lovely experience that I have never forgotten. I have attached a photo of myself, age 4, feeding geese that were almost as tall as I was!

I now know that relatives of these adorable geese and ducks are forced to undergo horrible suffering in order for their livers to be used as Foie Gras pate'. Foie Gras is prolonged torture for these birds. They are confined to pens where they are force-fed three times a day for several weeks. A metal or plastic foot-long pipe is painfully shoved down their throats, and excessive amount of feed is pumped into them. After undergoing this terrible procedure for several weeks, their livers swell up to ten times its normal size and becomes diseased. Frankly speaking, why would anyone enjoy eating Foie Gras?

Please try to imagine the terror that these lovely birds feel, as well as the physical pain they suffer as the metal or plastic pipe is repeatedly jammed into their throats, sometimes causing perforation of the esophagus, hemorrhages, and inflammation of the neck. Often, improperly forced food into the trachea causes asphyxia. Their brief lives are sheer hell. Death must be a relief for them after this barbaric treatment.

Foie Gras is a luxury item that is the result of terrible, horrendous cruelty. There is no longer any desire for the majority of New Yorker to purchase or eat Foie Gras. 81% of New York City residents support a sales ban on force-fed Foie Gras and would not purchase or eat it in restaurants. The time has come to end the sale of Foie Gras in New York City. I respectfully ask you, members of the Committee on Health, to stop this awful torture of innocent geese and ducks. Please pass Intro 1378 into law in New York City as soon as possible. Thank you for listening. Sincerely, Erica R. Sheinart



Committee on Health
New York City Council
250 Broadway
New York, NY 10007

June 17, 2019

Dear Committee Members,

I am writing on behalf of Animal Equality in support of Int.1378-2019, a bill that would ban the sale of certain poultry products that are the result of force-feeding birds. Animal Equality is an international animal protection organization working with society, governments, and companies to end cruelty to farmed animals. The organization is located in and operates throughout the United States, Brazil, the United Kingdom, Spain, Germany, India, Mexico, and Italy.

As you are likely aware, foie gras is produced via the force-feeding of ducks and geese. This process is extremely cruel, as is the resulting effects on the birds' health and wellbeing. To further expand on the cruelty and abuse the production of foie gras requires, I am attaching a statement from our Executive Director in the United Kingdom, Dr. Toni Vernelli, and expert in animal behavior, who has seen these abuses first-hand and who has spearheaded Animal Equality's efforts to ban the import of this cruel product into the UK.

Experts agree that there is no humane way to produce foie gras. On behalf of our members, Animal Equality respectfully requests that you support Intro 1378 and ban this cruel product from being sold in New York City.

Thank you for your kind consideration.

Sincerely,



Cailen LaBarge
General Counsel, Animal Equality
CailenL@animalequality.org
(518) 330-9539

Testimony of Dr. Toni Vernelli, Animal Equality UK

In August 2018, I visited [La Ferme de Turnac](#), a foie gras farm in Perigord, France, that runs daily tours which include watching the 'gavage', or force-feeding, process. They also showed us around the farm, including the sheds housing the caged ducks and geese who were in the gavage phase of production.

The tour began in the fields where the geese roam relatively free-range for the first few months of their lives. The farmer took great pride in showing us how the geese came when she called them, and she talked about the bond she had with the birds. We observed broken wings on many of the geese in the flock, presumably from the wing-clipping procedure which had been performed on all of the birds.

We then moved to the sheds housing the caged birds. After a few months in the fields, the birds are locked into these cages for 2-3 weeks during the force-feeding stage. This must be exceptionally stressful for birds who have had relative freedom since birth.

The conditions in these sheds was shocking. The geese were held three to a cage that was so small they could only extend their neck fully by forcing it out through one of the gaps in the wire mesh roof. The cages were completely barren – no perches, no bedding, no enrichment; the birds spent their days and nights standing on a wire mesh floor. The ducks lived in similar cages, but in larger groups – 6 to 7. These birds looked extremely ill and were clearly near the end of the force-feeding stage. As we approached the cages they panicked and tried frantically to get as far away from us as possible. They were clearly terrified, associating people with the force-feeding process.

Just outside the shed housing the caged geese, there was one cage with two geese who were about to be force-fed. As the farmer approached the cage the geese turned to face the back wall and flapped frantically. The stark contrast with the birds in the field who came when she called could not have been more obvious. She then reached into the cage and pulled one goose forward as it struggled to get away. The bird's neck was clapped down with a metal hook to hold it in place, and the long feeding tube was inserted into its throat. The farmer showed us with her finger where the tube ended inside the bird; it was where its neck adjoined the chest. The bird's eye was wide with much of the whites showing.

As the wet maize started being pumped down the bird's throat it began to struggle and she had to hold its neck. The food kept coming for several minutes and the goose struggled throughout. As soon as it was released from the neck hold it ran to the back of the cage and faced the wall. The process was then performed on the second bird who struggled just as the first.

This experience leaves me in no doubt that force-feeding is extremely unpleasant for these birds and the prolonged impact of overfeeding leads to illness and severe fear of people. The barren cages where they spend 2-3 weeks of their lives would be illegal for hens on egg farms in the EU which are required to provide various forms of enrichment. This was all viewed on a public tour of a farm that promotes itself as humane. If this is the 'best' that foie gras production can be, it clearly has no place in any society that cares about animal welfare.

Toni Vernelli, PhD (Animal Behaviour)
Executive Director (UK)
Animal Equality

Dear Members of the Committee on Health,

I write today to passionately ask that Intro 1378 be passed by your committee.

As a New Yorker, I am greatly disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

81% of NYC voters support a sales ban on force-fed foie gras. I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
H. Ashley Hager

Lincoln Place

Brooklyn NY11217

H. Ashley Hager

Learning Center Director (Grades 1-8)

Magen David Yeshivah
2130 McDonald Avenue
Brooklyn, NY 11223

718-676-0215 x3320
ahager@mdyschool.org



June 17, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)
Dear Members of the Committee on Health,

I write to ask that Intro 1378 be passed by your committee.

As a citizen of New York, It disturbs me that foie gras is allowed to be sold at NYC restaurants. The way that it is produced (shoving a metal or plastic foot long pipe down an sentient animal's throat, and excessively force feeding it three times a day to the point that it's liver becomes swollen and diseased) is extremely violent and cruel.

No animal should have to suffer in this way. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Mary Ortega

16th St

Brooklyn, NY 11215

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Aurelia Saunier

lily_saunier@yahoo.fr

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

My name is Corrina Giglio and I reside in Bay Ridge, Brooklyn. Today, I am asking for Intro 1378 be passed by your committee.

As a New Yorker, a lover of animals, and hater of pain and suffering put upon innocent animals, I am deeply disturbed that by the practice that produces foie gras. As you probably already know, ducks are barbarically force fed with long metal tubes, which are shoved down the throats of these peaceful birds, thus force feeding them an exorbitant amount of food in order to force the liver to swell up, becoming diseased. This is the luxury item foie gras which can be sold at NYC restaurants. It is time to get rid of this horrible practice and leave ducks alone. Please be the example and ban the sale of foie gras in this wonderful city of ours.

Those birds who are forced to be raised for the production *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. It is for this reason that over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Corrina Giglio

Bay Ridge Ave

Brooklyn, NY 11220

Dear Council,

My name is Nancy Barca I am a resident of New York for 58 years. I also advocate and network animals on the NYC AT RISK LIST.

In late November 2016 I adopted my cat Cambrie Id# A1097510 around the time of the Avian Flu outbreak at the NYC ACC shelter in Manhattan. Cambie was very ill she quickly dropped weight and was not eating. We had to do very aggressive care to keep her from dying. She required subcutaneous fluid injections, antibiotics, chest xrays and had to be dropper fed. Her treatment cost me around \$800 just to help her survive. Cambrie is not the only pet I have adopted from the ACC that was sick when they arrived.

If the shelter was properly cleaned and these animals were treated immediately fewer would die.

I ask you this question is it fair for a new pet owner who adopted from the ACC to have to burden these expenses and heartbreak?

I also mentioned that I network the animals on the At Risk List. I share them to groups in hope of them getting fostered or adopted before they are euthanized. I read their bio's and feel the heartbreak of pets just discarded some in their senior years. I spend hours, give up breaks and lunch at my job just sharing and searching for interested parties to adopt or foster. I am so stressed out and feel so depressed to the point that I cry when I see these beautiful adoptable animals euthanized because no one came for them. No human who has any heart would feel any different.

I also see family dogs, dogs that are so scared because the shelter is not the kind of environment they are use to euthanized. Just because they didn't conform. Just because they were scared.

There are also animals the public does not see and do not have any chance at adoption or foster that are euthanized.

This is why I support intro 1478 and 1502.

In closing I would like the council to support them as well

Thank you for reading my email.

Sincerely,

Nancy Barca

Dear Members of the Committee on Health,

I am writing to urge your committee to pass Intro 1378.

As a New Yorker, I feel that foie gras should not be allowed to be sold at NYC restaurants. Foie gras is a luxury food that involves force-feeding, which is the cruel standard practice of violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer terribly from numerous diseases, illnesses, and injuries. Over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Rochelle Goldman

Brighton 12th St

Brooklyn, NY 11235

June 18, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I ask that your committee pass Intro 1378, and this excerpt from an investigator's report encapsulates the reasons I do:

"We could tell when we were getting close to the farm because of the smell...a mixture of feces, vomit and death..."

"When we turned on the lights, we saw row after row of ducks crowded into filthy pens. Most of them were covered in vomit and often blood from body cavities and gaping wounds."

This is the kind of report we see again and again from those strong enough of heart and stomach to bear first-hand witness to what happens behind closed doors of places that fiendishly call themselves "farms."

Please, let's stop turning a blind eye as the technology of torture becomes more and more sophisticated and consumer welfare more and more disregarded every day.

Birds raised for *foie gras* suffer grotesquely. That's the bottom line. It's why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

Please pass this bill without delay.

Sincerely,
Kathryn Casey
East 52nd Street,
New York, NY 10022
kathryncasey59@gmail.com

Dear Council,

I am a citizen who adopted from the NYCACC in December, 2018, 6 short months ago. I had a horrid experience. I do not wish to waste your time. Rather, I have provided in my attached document a clear accounting of the ineptitude, negligence, misrepresentation and incompetence I experienced while attempting to adopt my Lulu during the period of December 3, 2018 to December 18, 2018. I was successful, but not because of any assistance from the NYCACC.

I am asking you to read my experience, attached, and at the end, after reading my summary, to support Intro 1478 and Intro 1502. You would be doing the right and just actions for the NY citizenry if you support these bills, and furthermore, protect the citizens and companion animals doing business with the NYCACC.

I hope that you take the time to review my history with the NYCACC adoption process. It's worth the read. I would also be happy to provide more detail than presented if you are interested in learning what the entire experience involved, I've only provided a synopsis.

Thank you for your time and support of Intro 1478 and Intro 1502 tomorrow.

Regards,

Dr. Deborah A. DeLuca, JD

SUPPORT for INTRO 1478 and INTRO 1502 tomorrow, June 18, 2019

hearings@council.nyc.ny.us
thepawsouls@gmail.com

Dr. Deborah A. DeLuca, JD
23 Divan Way
Wayne, NJ 07470

Deborah.A.DeLuca@gmail.com or derbyboo@hotmail.com

Monday, June 17, 2019

Dear Council,

I am writing to you today in support of Intro 1478 and Intro 1502, both which authorize the Department of Animal Welfare to oversee the Animal Care Centers (hereinafter NYCACC). *Currently it appears that the DOH has no concern for welfare of the shelter animals. Therefore it is important and necessary that an independent organization outside of the DOH, particularly the Department of Animal Welfare, be immediately positioned to: 1) ensure humane treatment of NYC's homeless animals and 2) creating a community based task force to have input for best practices to promote the welfare of shelter animals.*

I am from NJ, and if you are wondering why I am taking the time to write to you in support of Intro 1478 and Intro 1502, it is because I had the personal, unexcusably horrendous experience of adopting from the NYCACC in December, 2018, six short months ago. The terminology that I can offer in regard to this experience, is ***"negligent misrepresentation."*** ***I was misled into believing that I could adopt my "Lulu," a small Chihuahua, prior to her scheduled euthanasia, and the panic and hell that I experienced over approximately 15 days, from December 3 to December 18, was wholly unnecessary and exemplary of a mismanaged organization that clearly has no regard for the care, custody or control of the animals placed in their care, nor competence to adequately and appropriately facilitate adoption by interested and qualified candidates.*** As someone who sat on the Board of Directors of a true animal sanctuary in Kingsville, TX from 2004 to 2011, I can certify that the NYCACC is out of control and is incompetently managed, dependent on the political and financial relationships developed with Mayor Bill DeBlasio's office, and therefore, requires immediate, objective, third-party oversight by a community based task force that is only focused on the appropriate care, custody and control of the companion animals placed in their care.

I need you to see my Lulu, from the NYCACC, #47446, on her intake at the NYCACC, December 3, 2018. She was an owner surrender.



She was “New Hope Rescue Only.” I tried to adopt her as soon as she crossed my timeline on December 2. Thanks to the great assistance of two women who do not work for the NYCACC but advocate for the companion animals sent there, I was able to begin the process of adopting. ***What you need to understand, Council, is that the NYCACC did nothing to facilitate this adoption. My story began here:***

Ann (@gaviota330) tweeted at 6:35 PM on Sun, Dec 02, 2018:

LULU

ID#47446

#NYC ACC 2 KILL 12/3

NEEDS NH RESCUE <https://t.co/pubSak21sM>

10 Y OLD LITTLE GIRL

7 LBS

VERY AFRAID

TREMBLING
LIKES 2 SLEEP
OWNER DIED
MISHANDLED
NEGLECTED
SAVE ME!
FOSTER/ADOPT
FOSTERING FREE/ TEMPORARY
GUIDANCE:
<https://t.co/pV3hfOX4Qp>
MustlovedogsNYC@gmail.com <https://t.co/HyGlBmmH64>
(<https://twitter.com/gaviota330/status/1069374449240154112?s=02>)

Based on this initial information that I was given by a woman who advocates for the animals in NYCACC's domain, I sent the following inquiry to the address provided.

Deborah DeLuca
Mon 12/3/2018 7:24 AM
Hello, I have been tweeting everyone I can think of about this little girl chihuahua LULU. This is a **SERIOUS INQUIRY**.
Read 2 diff things. I have a chi, not afraid of them and what they are like (boy 2 yrs).
Have 16 year old female beagle bassett, docile.
One rep says she's aggressive. Other says abandoned, scared.
I need to know what she is like for real. I also need to know what "new hope only" means.
Please reply.
In NJ.
Ty. Deb D derbyboo@hotmail.com or DM @DrDebD on twitter.
Ty!!

Please note the time, 7:24 AM EST Monday morning. I had already begun making phone calls to the NYCACC, the BACC at 6 AM; I had sent e-mail requests to the NYCACC and BACC and left my phone number. I heard nothing until late in the morning at which time I was told she was "in the euth room already." I demanded that they remove her, that I was a serious adoption inquiry and that I wanted to pick her up as soon as practicable. I offered the \$350 adoption fee. ***At no time did anyone from the BACC or NYCACC, and I spoke to both locations, explain to me what a "New Hope Rescue" was.*** Honestly, that's the most ridiculous categorization of Lulu that I have seen, and I see that ***"New Hope Rescue" is the default designation*** for so many of the adoptable animals at NYCACC/BACC. I have since come to learn what that means, and honestly, it is so wrongly designated, seemingly as an excuse to set animals for euthanasia, even when fosters and adopters are in the process of attempting to secure the animals. This is ***gross mismanagement*** with an agenda that should never be tolerated.

Nonetheless, I pursued. The NYCACC told me that there was free transport to any of several states, of which NJ is one of them (I live 15-20 miles from NYC). I offered to meet their transport at a park location near the GWB. At no time did NYCACC attempt to ask me for an

application for adoption, although I asked for the paperwork or link (I do not use Facebook). I was told that I would be able to meet them, and that I would receive information on the details for the transfer later in the morning.

By the time I was given the New Hope link (<https://newhope.shelterbuddy.com/Animal/List#>) from the NYCACC, Lulu's information and photo was already removed, indicating that she was scheduled for euthanasia. The level of panic that ensued was beyond describable, as I thought I had a legitimate commitment for this little sweet waif. Please look at this thread:

Deborah DeLuca

Mon 12/3/2018 8:13 AM

I have been trying to contact you. It is near impossible for someone who doesn't know the system. I would like to adopt LULU. Can someone please contact me today?? @DrDebD on twitter or this email is best. Also deborah.deluca@shu.edu works. PLEASE!! TY.

|

MLD NYC <MustlovedogsNYC@gmail.com>

Mon 12/3/2018 12:45 PM

Hi Deborah,

Lulu is reserved. Maybe you can help one of the other dogs?

The dogs rated "rescue only" can not be pulled by approved rescues, so I can post apps for you. Where are you located?

|

Deborah DeLuca

Mon 12/3/2018 12:54 PM

I still hope by some miracle I could adopt her. I am in North Jersey about 15 miles from NYC.

I would help another small FEMALE, either spaniel, bichon/mix/poodle, beagle mix, chihuahua... anything like that, but I want Lulu if I can have her first.

But pls put my app out there if you are willing.

D.

Please note that at no time on the NYCACC website was Lulu "reserved." Why would the NYCACC lead me to believe I could adopt a dog that was already supposedly reserved, yet in the euthanasia room? Does this make sense to you, Council?

This was the last correspondence I received from the NYCACC, 4 hours after our conversation by phone, and 4 hours after I was told Lulu would be reserved for me to adopt. I waited to see if my application was placed, nothing. I left several other voicemails throughout the day and never received another phone call or e-mail. By 3 PM in the afternoon I was beside myself, and I sought the assistance of advocates on Twitter, all of whom did whatever possible to find out what happened to Lulu.

At 6 PM EST, a full 9 hours after I began the quest to adopt Lulu, and with the help of the advocates, I wrote the following message to *NextStopForever*, a New Hope Rescuer.

From: derbyboo@hotmail.com

To: nextstoprescue@aol.com

12/3/2018

URGENT SERIOUS REQUEST TO ADOPT LULU Little 10 Yr Old Female Chi Taken from NYCACC/BACC

Hello,

My name is Dr. Deborah A. DeLuca. I have been trying to find out how to adopt Lulu today all day. I was working with MustSaveDogsNYC and they said she was reserved; I now see that you pulled her. Is there any way we can work together so I can rescue Lulu and give her a special home? I'm not a newbie to Chis. I'm not afraid of them. I can take great care of her and give her a great life. I have rescued 6 dogs, animal assisted therapy trained them, I'm not inexperienced. I live in North Jersey, 15 miles from NYC. I can arrange to meet someone for transport.... please, please, please reply to me.

Thankyou in advance. Hope we can work this adoption out. BTW - I'm a twitter girl @DrDebD not a Facebook person; I don't use it and I'm terrible on it. You can DM me on twitter or e-mail me here. Please i hope we can work this out.

Thank you. Dr. DebD.

I should mention that Lulu was also improperly characterized by the NYCACC, stated to be much older than her 5 years. She was designated as having a serious heart ailment, probably to discourage someone from adopting. She was characterized, as you can see in my threads herein, as aggressive. ***It was as though the NYCACC had no interest in even trying to promote an adoption, rather that they would have financial gain for her slight 6 pounds if she was euthanized.*** She had none of these conditions; rather she was terrified in the shelter environment and as a victim of neglect, desperate for human contact and care. She is an incredible dog today!

All of this time, it was the responsibility of the NYCACC, not advocates on Twitter, to communicate properly with me, a serious adopter. If it wasn't for the advocates I contacted, there is no way I would even know that Lulu had been picked up the same day by this NewHopePartner, and moved to VERMONT! But she was supposed to be trucked to me, at the GWB!

At this point, a two-week process ensued. The New Hope Partner who had Lulu in Vermont was terrible about communication. I was told several times that although NYCACC told them they had a "potential adopter" they had no application from me (and recall that the NYCACC was going to post my application) and I had to fill out a new application. ***Again, it was NYCACC's responsibility to follow through on my adoption to make this happen.*** By this time, Lulu already had 4 local Vermont applications, and the New Hope Partner told me on several occasions that it was "their inclination" to adopt Lulu to a local Vermonter, not to me, although I had the history and commitment from the NYCACC to adopt her. I had to wait and harass the New Hope Partner in order to get response, and when I finally did, ***I was given – no kidding – 6 hours to get from New Jersey to Vermont – with less than 12 hours notice – to pick Lulu up or "she was going to be given to someone local who wants to adopt her."*** I made that happen on Monday, December 18, 2018, and she is now mine, in a loving home environment where she is thriving.

The problem, Council, is that there is no management that is appropriate at the NYCACC and no one cares or is interested in proper care, custody and control of the animals presented to them for rehoming/adoption.

First, Lulu was hardly a risk and did not require the type of intensive “rescue” characteristic of a New Hope qualified animal. She was a neglectful owner surrender (I’ve had 7 dogs since 1991, I know what I’m talking about, and I have had 4 of my dogs totally certified from Canine Good Citizen to Therapy International and used them in teaching at the University where I am employed). NYCACC is not accurate or truthful in their assessments and characterizations of perfectly adoptable animals.

Second, the New Hope Designation is being used incorrectly as a justification to prevent adoptions.

I have been watching and interacting with the listings nightly from the NYCACC and New Hope = Euthanasia unless a New Hope Partner located within the NY Metro area is interested and able to secure an animal from the NYCACC.

Third, NYCACC does not advocate for adoptions/rehoming. They essentially rely on people such as myself and the women who advocated for me to get Lulu, to do all of the animal promotion.

Fourth, NYCACC is great at “silent kills” - what Intro 1502 speaks to – preventing the NYCACC from taking in and euthanizing animals for non-humane reasons. These unfortunate animals are never listed or promoted, but are quietly accepted into the system and euthanized soon thereafter, often after enduring painful spay/neuter surgery which is wholly unnecessary if the intent is to intake and kill. But, recall that the NYCACC receives funding for every “kill” – where is their incentive to save animals that are adoptable? There is none. This is why Intro 1502 is so important along with Intro 1478.

Fifth, NYCACC does not communicate, does not inform, does not guide potential adopters or fosterers through the system as they should so that perfectly adoptable animals can be rehomed. **They are not operating according to their Charter.** Spay/neuter/kill is their prime directive, and they need to be stopped.

Sixth, NYCACC demonstrates clear ***fraudulent and negligent misrepresentation*** of who they are, what they are supposed to be serving the NYC community in exchange for the good citizens’ taxpayer money, and have no regard for proper care, custody or control of the animals given to them. They also have **no regard** for citizens who are interested in fostering or adopting.

Seventh, the NYCACC does not have the capability to process serious inquiries and track what is happening to the animals – how many have been killed with active fosters and adopters in line? Too many that I see every week. ***The NYCACC is OUT OF CONTROL and they are incapable of functioning as they are organized to do!***

Shelters are shelters, not killing machines. The NYCACC is out of control. If it wasn’t for the help of some wonderful animal advocates, Lulu would be dead-euthanized – hell, I saved her from the euthanasia room December 3, 2018 and got a ***terrible taste of what incompetence and disregard for animal life the NYCACC has during the next two weeks, when there was no communication with me, no assistance to even understand what a New Hope Rescue Only meant, was told incorrect information to begin, and was essentially left to my own ingenuity to figure out how to secure her adoption.*** This is all in direct contravention to the NYCACC Charter. They require oversight NOW.

The NYCACC is a disgrace. This is why I have taken the time to briefly articulate my journey to adopt Lulu, and to inform you of the incompetence occurring there daily. ***Supporting Intro 1478 and Intro 1502 is not a want, it is a NECESSITY.*** I would be happy to give you much more detail of what occurred during the period of December 3, 2018 to December 18, 2018 if you are interested.

Thank you for reading my story and for supporting Intro 1478 and Intro 1502. It is high time an ***objective oversight committee is assigned to the NYCACC*** so that its charter to save and shelter those companion animals without homes and hope can be cared for and rehomed to adopters who apply and wish to rescue these sentient beings.

I would love to have the opportunity to provide you with more detail and speak with you if you are interested. As someone who served on a Board of Directors of a true animal sanctuary in Texas, I know what proper animal care, custody and control is. Without Intro 1478 and Intro 1502, ***the citizens of NYC are being misled and their taxpayer dollars are being misused and abused. Please support Intro 1478, Intro 1502 and the formation of an appropriate, objective community based oversight committee immediately for the NYCACC.*** Our animals and human counterparts wishing to adopt, foster and care for sentient beings require, no demand, your support!

Thank you sincerely for your time. I look forward to hearing your favorable reply and support for Intro 1478 and Intro 1502. The animals need you, adopters/fosterers need you and the NYC taxpayers need you.

Deborah A. DeLuca, JD
Adopter of “Lulu” from NYCACC

12/3/18

Dear council,

I support intro 1478 & intro 1502. Both of these bills are imperative to be enacted to ensure animal rights and care for homeless animals in New York City.

The lack of animal rights and compassion via NYC ACC & NYC DOH is displayed daily to the public. In their unrelenting quest to kill healthy, treatable and traumatized animals utilizing irrelevant false behavior evaluations. It is incumbent these bills be enacted for the protection of the NYC animals to oversee the welfare of their rights to compassion and care.

The care of homeless animals who enter NYCACC is neglectful and borders on medical malpractice which would be unacceptable if given by a private veterinarian treating our companions.

First, I will address the neglectful medical care meted out to homeless animals with a few examples that are commonplace occurrences by the ACC medical staff.

These examples of the medical neglect as well as questionable non-treatment of medical needs while at ACC are representative. By no means are these isolated incidents but a full list would be lengthy and burdensome to review.

--Butterz #61079- 9 y/o Owner Surrender dog- possible kidney failure- cannot afford cost.

Euthanized 10 days later citing medical issues.

While at ACC- Butterz received no treatment, no bloodwork, no medication and no traditional requirement to treat with fluids was given. He languished for 10 days at ACC declining until he was euthanized. Owner notes noted his condition.

--Crunchy #64217 - 7 y/o cat--Left Femur fractured and ulcerated mass on paw.

Given one dose antibiotics, one dose pain meds...No treatment of his fracture nor mass.

Died in kennel 7 days later without treatment.

--Officer Moo #61934- 10 y/o Cat- Completely healthy intake.

Developed a Upper Respiratory Infection, sent to temporary ACC foster home, returned for medical care.

Severely ill with URI and blindness occurred while ACC. He required offsite ER medical treatment- Ignored.

Tonometry (eye pressure test) and Ophthalmic exam recommended----- Both Tools are Broken at ACC

Died in Kennel two weeks after entering ACC- Rescue arranged offsite medical care. He died that night with the rescue on the way.

--Miguel #61913 10 y/o Cat- Diagnosed with diabetes. Required insulin-

One estimate of insulin given- Blood Glucose machine broken...A partial dose of antibiotics given "Not enough in the bottle at ACC and "will give the next day".

Euthanized the day after arrival without proper care.

Trazodone (Canine Behavior anxiety medication_

This medication is routinely given for dog stress for every dog who enters ACC. (Supposedly a pilot program for 3 months for a staff member thesis) Continuing over a year later.

ACC dispenses this at high dosages and without the manufacturers recommended blood work prior to prescribing it. The warning is due to affecting animals with heart disease and kidney disease which is

known with strays incoming at ACC. The manufacturers recommendation of starting with low dosages and discontinued over a length of time is also ignored by NYCACC. Dogs are adopted and rescued without the gradual withdrawal of Trazodone.

These are a few of the medical negligence occurring at NYCACC and needs an independent welfare organization to oversee the animals care.

Secondly- I'd like to address a paramount issue which causes many animals to inappropriately euthanized unfairly. Again, a task force needs to be in place as an intervention for mislabeling traumatized animals as behavioral issues.

The behavioral evaluations are based on data which are archaic and denounced by experts in the canine behavioral sciences.

Dr. Emily Weiss- The developer of the Safer behavior testing utilized by NYCACC published information claiming the testing has proven to be outdated, flawed and never intended as a tool to destroy animals.

Canine Behavioral Clinical studies published in Canine behavior journals and Fornesic MRI conducted on dogs further substantiate their findings that the testing is inaccurate and irrelevant in an artificial environment.

The preponderance of evidence of utilizing behavior testing has no meaning is overwhelming. So why is NYCACC still using behavior testing as their standard to label animals for adoptability and aggression? Other progressive shelters in the US no longer use testing to determine behavior issues. To label a young pup for grabbing a leash to play or jump up on an assessor is merely a minor training issues as many of us adopted young animals. Certainly not a rationale to label aggressive and kill them.

ACC evaluates know family dogs who have lived happily in homes without any issue. Yet, many dogs are evaluated within a few days, labeled with their check list and killed. Great family companions.

A new study finds that there is not a single temperament test used to evaluate shelter dogs that is reliable in predicting behavior. The study authors are calling for a moratorium on their use by pounds to determine whether dogs live or die.

The authors evaluated over 25 years of research to determine “the validity or reliability” of temperament testing “used or intended for screening shelter dogs for behavior labeled aggressive and/or for adoption suitability.” The conclusion: there is “no evidence that any canine behavior evaluation has come close to meeting accepted standards for reliability and validity.”

Thank you so much for your time and attention and I truly hope you will enact intro 1478 and intro 1502 for the sake of these innocent homeless animals in NYC so in need of a champion. I have been sharing and networking NYC animals and advocating as well as donating financial support to aid in their placement for over 10 years.

Deborah Lea Collins

The authors evaluated over 25 years of research to determine “the validity or reliability” of temperament testing “used or intended for screening shelter dogs for behavior labeled aggressive and/or for adoption suitability.” The conclusion: there is “no evidence that any canine behavior evaluation has come close to meeting accepted standards for reliability and validity.”

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Lauren Porsch

lporsch@gmail.com

Dear Council

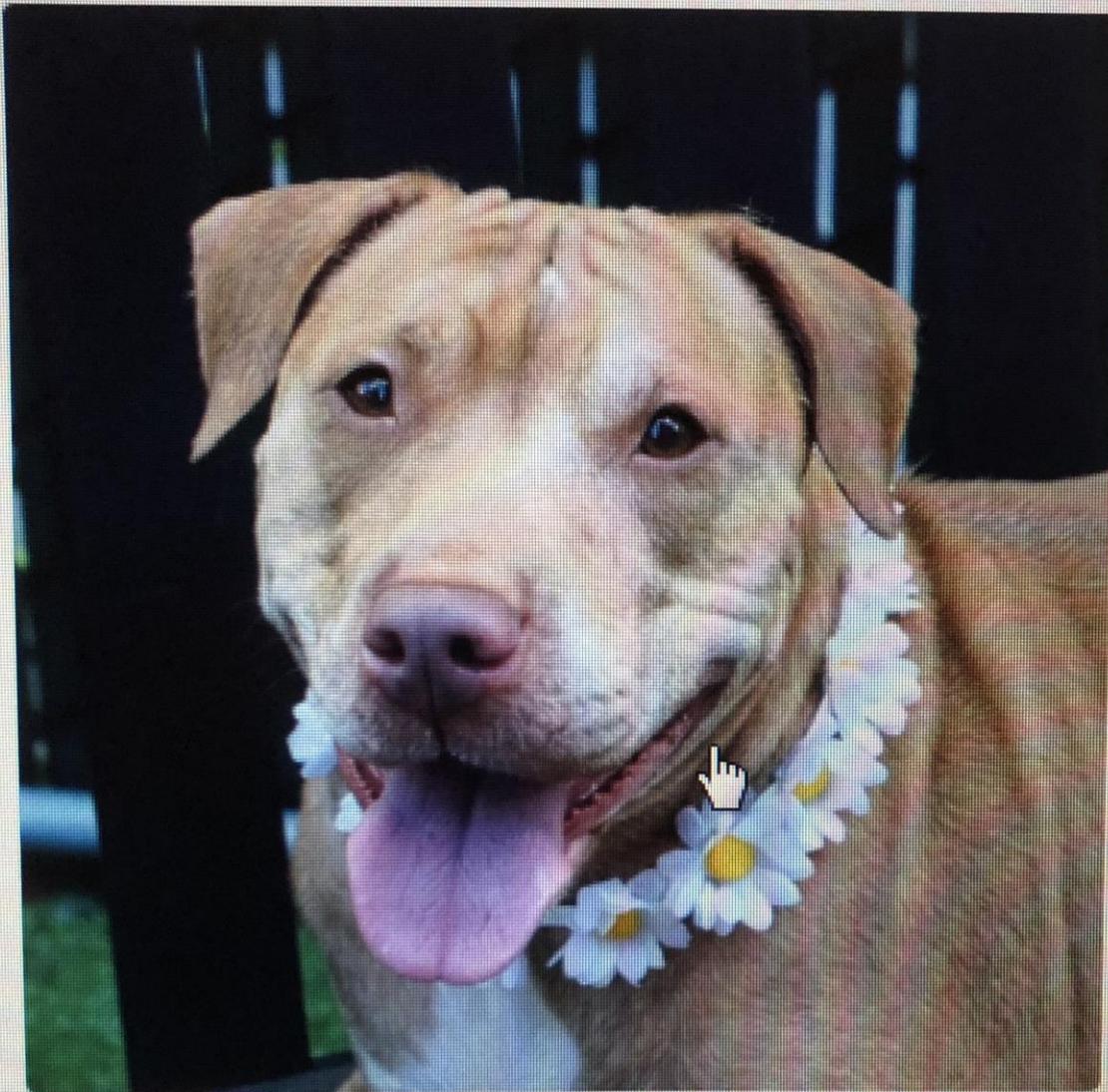
I support intro 1478 & intro 1502. –

On August 9th, 2018, I went down the the Manhattan Acc to bring home a dog I intended to foster (eventually I adopted this dog). The dog's was named "Suki". Suki is a six year old retriever mix dog.

Upon bringing Suki home, I was shocked at the terrible condition that she was in. Suki had a violent cough. She was also sneezing over and over again and a copious amount of blood would come out of her nose each time she sneezed. Suki's nails were extremely long and curled under her feet, so much so, that she had trouble walking. She was in such bad shape, I felt compelled to take her to my local veterinarian on the same day I brought her home from the animal care center. Suki had a severe respiratory infection and required several different medications to treat her condition.

I believe that the DEPT OF HEALTH, who oversee the Animal Care Centers should be replaced with a Dept of Animal Welfare to ensure humane treatment of our city's homeless animals. Sadly, I believe the Dept of Health has no true concern for welfare of the shelter animals.

Thank you for reading my testimony.



Suki

Female · 6 years old

Manhattan Animal Care Center

Sincerely,
Barbara A. Fiedler
Resident of Piermont, NY

I am writing to ask for your support of Intro 1425, The Carriage Horse Heat Relief Bill. Carriage Horses suffer tremendously, including being exposed to all kinds of weather extremes. The heat and humidity of the intense summer months is especially grueling for them. The carriage horse drivers deliberately withhold their water so that they do not urinate on the street and cause foul odors. The horses are always thirsty, but when temperatures reach into the high 80's and 90's their risk of severe dehydration becomes extremely probable. In addition the horses give off heat from each other, they are weighted down with heavy gear and a 1000lb carriage, and the pavement beneath their feet can rise to 200 degrees. The buildings and the city traffic also release heat into the atmosphere. A majority of the horses also have breathing problems and lung conditions such as COPD from inhaling exhaust fumes and pollution and from poor ventilation in the stables where they are housed.

Passage of Intro 1425, The Carriage Horse Heat Relief Bill would offer the horses some improvement over current existing conditions. I have had arguments with the drivers in the past about keeping the horses out when temperatures rise to sweltering levels. The drivers themselves are standing in the shade in hats and protective clothing. They also are able to consume fluids if they wish. They care nothing about the horses and are abusive and defensive and often profane when I attempt to address them about the matter. Even with legislation in place, they do what they want when no one is around to monitor them.

I urge you to consider the plight of the horses, many of whom have collapsed over the years as a result of high temperatures and humidity. Intro 1425 would give them some modest relief. Please support this critical welfare legislation for the horses.

Very truly yours,
Melanie Spear
New York, NY 10022

MELANIE SPEAR

LICENSED REAL ESTATE SALESPERSON

[DOUGLAS ELLIMAN REAL ESTATE](#)

THE ALLY OF IGNORANCE IS SILENCE

DIRECT: 212.769.6535

OFFICE: 212.362.9600

FAX: 646.497.3808

MSPEAR@elliman.com

1995 BROADWAY, NEW YORK, NY 10023

Testimony in support of intro 1378 foie gras sales ban

Dear members of the committee of health,

I beg you to support Intro 1378 to ban foie gras sales in New York City.

I am deeply disturbed that this luxury food item is allowed to be sold. Its production involves the force feeding of animals which makes them suffer horrible cruelty.

I am a New York City native and resident and I believe it is time to end the sale of a food item that stems from extreme cruelty to animals. Please do the right thing and support Intro 1378.

Sincerely,

Audrey Morse
1 Columbus Place
New York, NY 10019

From: Naomi Semeniuk Email: stargazy377@aol.com .

As a vegan & and an animal activist & NY writer I am in full support of intro 1378. In case the city council isn't aware that animal rights activists with the priority of living in a city of animal rights are waging a revolution for animal rights justice & advancement. Foie gras is one of the most barbaric animal atrocities that causes great pain & grief & fatal injuries for ducks & geese & because it's high time to end this abusive animal cruelty business. Ban this metal rod down the throats of ducks & geese & carry the beacon rods of light & animal rights justice! I am also a sponsor of a duck in Farm Sanctuary & all rescued ducks who deserve to live in a decent healthy fashion deserve the best care & chance at life at its best for them. I sponsor & give to my Farm Sanctuary duck who I sponsor every month & no duck or goose there ends up dead or fatally injured from Foie Gras so this primitive juggernaut of ancient cruelty to ducks & geese must end now today!The city council must past this compulsory ban for New York. New York is in the stage of progress & advancement when it supports animal rights because New York can not go forward unless animal rights laws for animal rights are in effect!! In 2004 then Governor Schwarzenegger signed a ban of foie gras so New York must rise to the occasion & pass intro 1378 to seal this advancement for animals & humans sealed with great commitment to the cause for animal rights. Many primitive animal abusive businesses are in the death heap of history & no longer can anyone justify the scourge of foie gras has to terminate now which is why I am supporting intro 1378. Veganism is also a wide spread revolution so get into the driving force for animal rights because it's now an irresistible force.

by Naomi Semeniuk

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Elizabeth DeLoma

eonyx134@aol.com

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Aron Shevis

ashevis@nygoexpress.com

Subject: 1425

To Whom It May Concern:

I would like to briefly state that the bill "1425", is one that carriage horses, & animals period need, especially, in view of climate change. These animals should be treated with respect. They have fought in wars, often dying "in the line of duty". They stare down criminals in their everyday duty. Please do what you can to make this bill LAW!!

Olga Cotto

I am a NY State licensed psychologist with a clinical practice in psychotherapy and psychoanalysis, and I write and lecture about animal welfare issues and cruelty to animals, I most strongly urge the passage of Intro 1478, which would establish a department of animal welfare. The safety and wellbeing--and the very lives--of New York City's animals are at stake and would be protected by such a department. Shocking numbers of healthy dogs and cats are killed in our dysfunctional "shelters," while many other animals are killed and are victims of cruelty of all kinds in this city. Gandhi said "The greatness of a nation and its moral progress can be judged by the way its animals are treated." Please support intro 1478 and make New York City the moral place it should rightly be.

Deborah Tanzer dtanzer32@gmail.com

To members of the committee on health, I, a student living in nyc ask for intro 1378 to be passed immediately.

The actions that takes place to these helpless animals are absolutely inhumane. Forcing metal rods down these animals throats till their body becomes diseased all for money is no way acceptable, and no way these animals should be forced living.

Nyc does not support these actions, as 81% support this intro. We and I a student living here all my life, asks for this practice to be banned for good.

I stand with intro 1378.

Thank you

Ellison Montes

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society. It's a barbaric practice and unnecessary.

Sincerely,

Sandra Garvin

sgarvinnyc@gmail.com

Dear Ms. Balkan,

My name is Allison Thaler, and I am a life long nyc resident. I am very much in favor of intro 1425. I've watched countless horses struggle to carry people in their carriages in our hot humid summers. It is imperative that we vote to give them relief. Nobody wants to see animals suffer, this is one way to help. I can't imagine any nyer wanting us to vote against this bill, once they understand it is to provide relief to animals and to prevent suffering.

Very Truly Yours,

Allison Thaler
Kappock st
Bronx, NY 10463

Voices for Shelter Animals

Marilyn Galfin
helpanimalsnyc@gmail.com
Land: 212-989-8589

Craig Seeman
Craig@Planet3Video.com
718-456-0072

Supporting Intro 1478 the creation of the Department of Animal Welfare and Advisory Board.

Introduction

Since the NYC Animal Care & Control (ACC) became the contractor to administer public and city services for NY's homeless and abandoned animals, the Department of Health and Mental Hygiene (DOH) has never been adequately constructed and staffed to properly administer, provide oversight or support for the ACC.

The inadequacies comes from the fundamental objective of the DOH which focuses on human health and an archaic approach in which animals are viewed only in relation to danger and diseases contagious to humans. The provided supporting documentation exposes such.

A Department of Animal Welfare (DAW) focused on animal care and the administration of the contract with the ACC, compliance, improving standards as the field of animal care and their relationship with human guardians advances, will benefit, animals, humans, the ACC, New York City's human population. A staff with the proper understanding of the field will meet the needs of all stakeholders (human and non) far more expeditiously to the benefit of NYC.

DOH lack of assistance to ACC on animal Health Care

The NYC ACC Manhattan, Brooklyn, Staten Island are still without proper Isolation (ISO) facilities for sick and injured animals. In the April 2018 City Council Health Committee hearing, when questioned if the Manhattan Garage conversion would open up space for improved ISO facilities, Corrine Schiff of the DOH provided no response and, as ACC Dir. Risa Weinstock continued she evaded answering by alluding to space concerns. This despite the fact that ACC intake has dropped precipitously over the last decade (cut in half) and continues to drop. This shows a lack of commitment and guidance by the DOH in improving the health care of the animals.

DOH/ACC testimony Council Health Committee April 2018 on whether Garage conversion to an adoption center creates an opportunity for improved ISO facility
<https://youtu.be/oThYrqKUweo>

Rescue reports that many of the animals pulled from the ACC have Upper Respiratory Infections (URI in cats and CIRDC in dogs) go back over 20 years.

Then City Council Contract Committee Chair Kathryn Freed in her 1997 report "Dying for Homes"

Representatives of local rescue groups alleged that the majority of the animals they remove from the CACC are ill--most often with severe upper respiratory infection (URI) and distemper. and

Four of the veterinarians participating in the CACC's spay/neuter certificate program who were contacted by Council staff confirmed that animals adopted from the CACC, which they had examined, suffered from illnesses such as parvo virus, heartworm, and diarrhea.

Then Comptroller William Thompson 2002 CACC audit

Our survey of 33 CACC customers revealed a few more incidents of poor veterinary care. Five of the 33 customers voiced complaints about CACC's veterinary care. One customer felt that the CACC-contracted veterinarian from whom he picked up his cats was not truthful when he released cats to him without informing him that they were infected with fleas and upper

respiratory conditions.

Comptroller Scott Stringer's 2015 AC&C audit, 13 years later, continues to point out issues with isolation, this in Brooklyn.

Potentially longer term problems observed included isolation rooms for sick animals and service rooms with healthy animals that share the same HVAC system, and doors to the dog isolation room that did not close fully in the Brooklyn shelter.... there is a large underutilized garage with approximately 2,500 square feet of space attached to the facility used for storage.

As per the April 2018 Health Committee hearing, the DOH/ACC acknowledges Manhattan also has inadequate Isolation facilities.

While ACC intake reports continue to show a commendable decline often resulting, by observation, empty kennels, the garage space has yet to be converted. ACC responded to Stringer's audit noting *In 2015, the city and DOHMH announced that it would commit capital funding of \$5 million to create an adoption center where the garage currently stands.*

A year after Comptroller Stringer's audit an April 2016 Press Release by Mayor deBlasio states: *Added \$5 million in capital funds for the Manhattan shelter to convert underutilized garage to an adoption center.*

Two years after that Press Release, during the April 2018 Council Health Committee hearing the DOH and ACC again refer to the garage conversion.

Four years after the Stringer audit the garage conversion to an adoption center has not yet begun. A Dept focused on Animal Welfare may have greater focus to shepherd through this project or otherwise report to the city the setback and delays.

Potentially longer term problems observed included isolation rooms for sick animals and service rooms with healthy animals that share the same HVAC system, and doors to the dog isolation room that did not close fully in the Brooklyn shelter. Additionally, the Manhattan shelter did not have a backup generator, and animals are housed in overcrowded conditions while there is a large underutilized garage with approximately 2,500 square feet of space attached to the facility used for storage.

As further evidence the DOH is focused predominantly on human health, they responded to the Avian Flu outbreak amongst cats in early 2017 by relocating them and cleaning the facilities, because Avian Flu can be transmitted to humans. Yet the DOH has shown no short term or long term equivalent interest in URI and CIRDC, a diagnoses that can result in an animal be At Risk for Euthanasia. While the response by creating the "sniffles" adoption fee discount for those less severely affected may be a commendable contingency, the DOH doesn't take more dramatic steps to do periodic thorough relocation and cleaning since only the animals and not human lives are at stake.

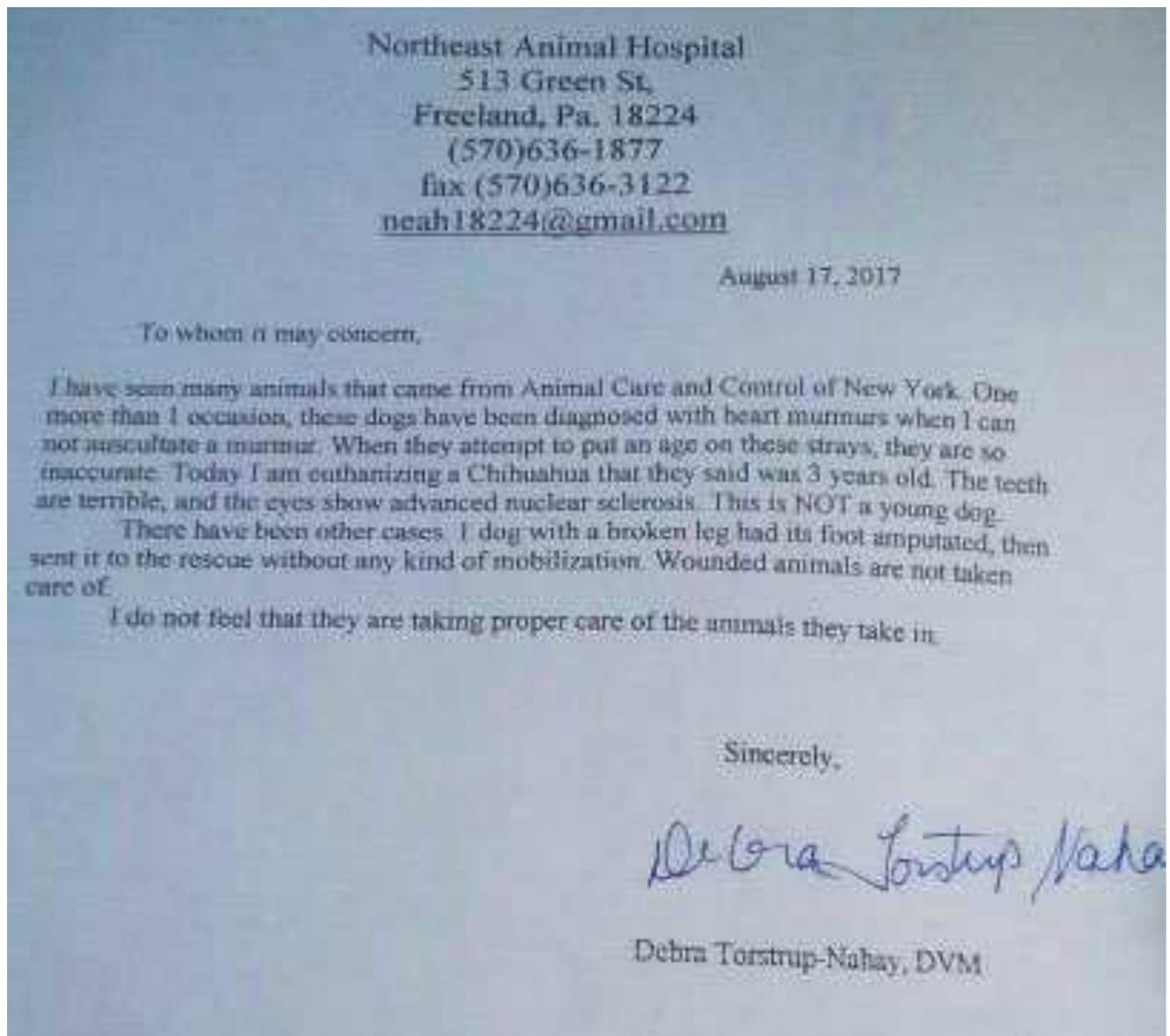
In fact, rescues continue to report to us (Voices for Shelter Animals) that animals which may be diagnosed with CIRDC (Kennel Cough for Dogs) or URI (for cats) may actually be developing much more critical pneumonia (dogs) or calicivirus (cats). Unfortunately rescues are reluctant to be publicly vocal about such issues since they fear having their New Hope Partnership status punitively revoked for being troublesome.

Rescues should be able to speak freely about such health crisis and a responsive Dept would not only welcome such information but respond with the short term and long terms resources the ACC would need to address the crisis. The lack of confidence in the DOH/ACC relationship regarding such issues is palpable and why we feel a Dept of Animal Welfare focused specifically on animals would prioritize this and similar animal health issues.

Video Testimony of Veterinarian Debra Torstrup-Nahay from North East Animal Hospital in Freeland, PA Commenting on the poor state of the patients she's seen coming from from the NYC ACC

<https://www.youtube.com/watch?v=spptcd4NHxU>

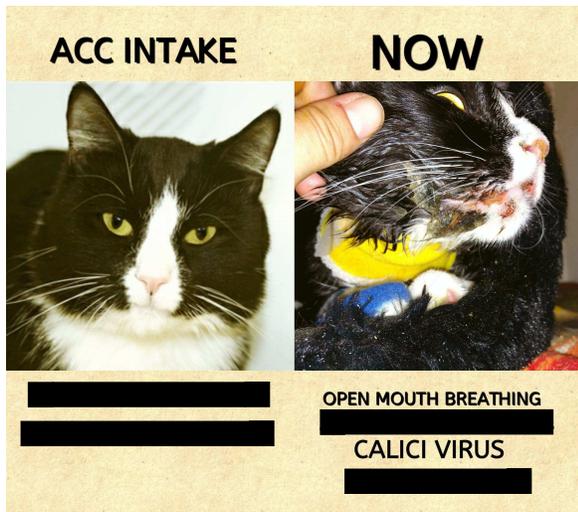
With the following written testimony



The following video is from a woman who adopted a dog from the ACC who had an undiagnosed “kennel cough.” He died shortly after the adoption of pneumonia.

<https://youtu.be/Mrw8veQj06k>

Two of many recent photos we’ve received by rescues of ACC Intake of apparently health cats but subsequently developing potentially fatal case of Calicivirus. **THE RESCUES REQUEST THE FOLLOWING GRAPHICS NOT BE SHARED WITH DOH OR ACC FOR FEAR OF RETRIBUTION**



Cat named Super Start pulled by a Rescue (that chooses to remain anonymous) with Necrotic Tail. **THE RESCUES REQUEST THE FOLLOWING GRAPHICS NOT BE SHARED WITH DOH OR ACC FOR FEAR OF RETRIBUTION**



Rescue reported the following which we've abridged:

"[Rescue] recently pulled Super Start from the NYC ACC euthanasia list, just moment before he was scheduled for euthanasia....Intake 12/28/17. His notes state he was found caught on a barbed wire fence, tranquilized and brought in by NYPD. His medical notes stated "Fur matted with burrs, debris and some feces. No parasites noted no masses noted. No wounds noted - no swelling, bleeding or lameness." His neuter surgery was performed on 12/29, post op 12/30 was noted uneventful.

When Super Star arrived to his amazing foster Chris we were not prepared for that happened next.... vet, who shaved the remainder of his severely matted fur, uncovering the true extent of his injuries. His entire tail was dead, stiff, necrotic... Our vet felt it had been this way for many days and he was suffering in pain. We also believe he may have been cut with a clipper while being shaved for his neuter surgery... Our vet rushed him not emergency surgery which was risky because he is also suffering from an upper respiratory infection, thin and dehydrated,..

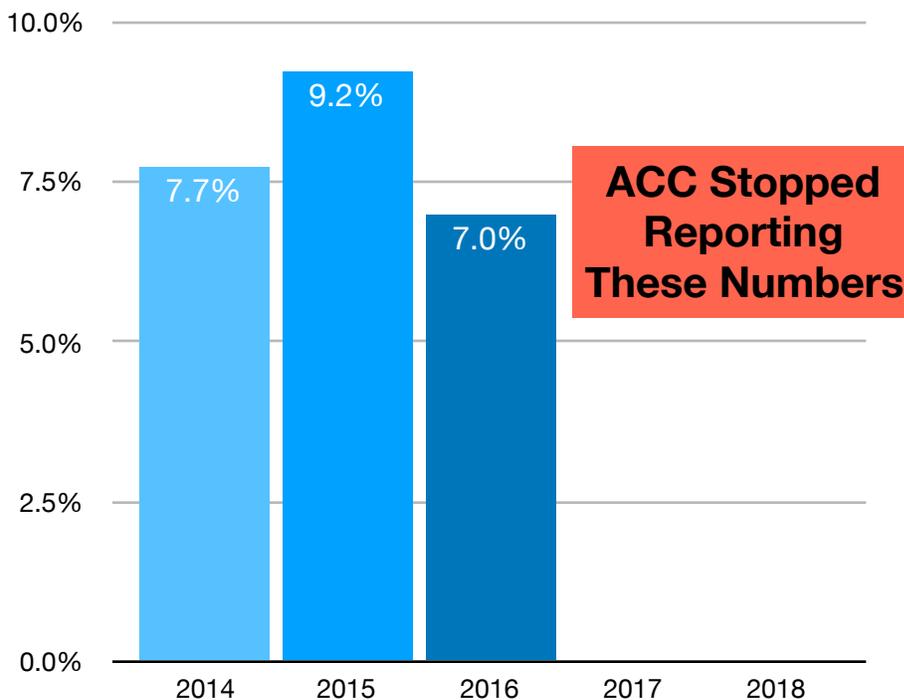
We can only wonder how the ACC missed this and also wonder if this would have happened had there been a Dept monitoring the health and Isolation conditions at the ACC. This is one more reason why a Dept of Animal Welfare is imperative. We are attaching more complete details on this case.

Additional rescues and adopters recounting their experiences are attaching showing ongoing health and diagnostic issues are attached:

DOH lack of Asilomar health data collection

ACC Asilomar reporting through 2016 shows that only roughly 7% of the animals transferred to New Hope Partner Rescues are classified as healthy. Such reports ceased throughout 2017 and 2018 except for the month subsequent to the aforementioned hearing. That it was reported for one month may well indicate that documentation existed. It also indicates the DOH was remiss in ensuring such reports were collected and posted. This information is critical to understanding the ongoing health crisis at the ACC facilities. The New Hope Partner rescues are adversely impacted as they are encumbered by mounting veterinary bills which, in turn, limits their ability to pull animals. Finally in 2019 the ACC began posting these statistics again. It's too early to note any significant improvement.

Percentage of Animals Transferred Healthy



That the DOH permitted this two year lapse once again shows no great concern or oversight in this badly needed statistical reporting on the Asilomar rating of animals transferred to partners. As we see anecdotally from the rescues, animals being pulled have a preponderance of health concerns.

DAW focused on animal health assistance to ACC and Rescues

Such information could bring New Hope Partner Rescues, the ACC and a proactive DAW together so all stakeholders can work with the shared information to improve the health conditions, address the poor ISO facilities alleviating some of the financial burden on the Rescues. That in turn, can increase their capacity to pull, shorten the length of stay (and lower associated long term costs to counter balance any ISO costs) which can further improve the live release rate.

DOH and the relationship to ACC

The DOH as it has been functioning can limit the ACC's Director's ability to creatively solve problems and advance solutions through independent action. Ed Boks, ACC Director from approximately 2003-2006 recounts the obstacles presented to him in the attached affidavit. This may have colored the DOH's approach to hiring Directors and staff that may seek innovative solutions outside of the DOH's constricted view of the ACC's objectives. Ed Boks states in his affidavit: *"Most of the contact I had was with the Department of Health... And with the exception of Dr. Kuhlman, there was just no representation on the board for the animal loving community... They demonstrate time after time their desire to control without allowing AC&C to grow or have any real authority of its own. I know of no other shelter system that runs like New York City's does. He adds: "I think the City's fear and the reason they feel they have to continue to control AC&C is that they don't want a repeat of what happened with the ASPCA when they just walked away. They don't want to create another entity that can choose not to renew the contract. I understand their concerns. But, I think that if they made it a stand alone department, a city department with a 501(c)(3) auxiliary... that might be more effective."* While what we ask for deviates from Boks slightly we do agree that a stand alone DAW working with the ACC 501c3 will serve to be a much better partnered relationship. Boks concludes: *If the concern or question is, does the Department of Health have the best interest of AC&C, or the animals in its care, at heart? The answer is clearly, "No, they do not." They don't support innovative programs, they don't support the executive director, they expect executive directors to kowtow and do as they're told. They don't expect them or want them to be innovative and progressive. They don't want them to be cutting-edge or leading-edge.*

While one may think this was a singular aberration, in then Manhattan Borough President's Scott Stringer's 2013 report "Led Astray" continues the theme: *"The root of the problem is structural: AC&C is controlled by the DOHMH. The DOHMH both administers the City's contract with AC&C and oversees its board – leaving little room for AC&C to question DOHMH priorities and decisions. In short, AC&C's Executive Director and board members lack the independence, animal care expertise and fund-raising capabilities necessary to properly fulfill their mission. As a result, AC&C has experienced years of under-funding, mismanagement and service cuts – and the animals under its control have suffered severe neglect at shelters."* He adds: *"AC&C needs a strong Executive Director with genuine authority over shelter operations, as well as an independent board with animal care and development expertise. To accomplish this, the DOHMH and other City officials should be relieved of their operational responsibilities and an expanded board should be established, comprised of expert stakeholders with broad knowledge of animal welfare issues and dedicated private citizens with a passion for supporting the City's animal shelter system."*

The current 34-year \$1.4 billion contract continues to restrict the ACC to speak freely. *Publicity: ACC shall not give any interviews, issue any press releases, make statements to news media, post any social media that is confidential... wither the prior review and written consent of the Department,*” which adds, *“Information related to positive news... shall not require prior review and written consent of the Department,”* can stifle warranted public appraisal, critique and input. Happy news is OK but all else might be construed as confidential given the language expressed in this contract. Given the history as exemplified in Boks affidavit and Stringer’s report, there’s a clear and ongoing pattern which inhibits action, speech and impacts programmatic development. While progress may certainly occur, the atmosphere would make it glacially slow while the lives of animals are at stake and, more broadly advance in a vital city service is inhibited.

Rescues Afraid to offer critique of ACC

The inability to speak extends to the New Hope Partner rescue who fear their ability to pull will be punitively removed. Rescues have been reporting this to us. One gave us anonymous testimony in late 2018 which we have attached.

Excerpting: I am writing this statement anonymously because although it is absolutely necessary to start speaking out at this point regarding the conditions of New York City Animal Care and Control, it is also well known that if complaint is made by a rescue and in the case of several volunteers, people responsible for those complaints are immediately "removed." Although others may argue the point that it is not the case, if someone would bother to do any research, it is 100% completely true. Rescues are not allowed to speak out, argue, voice their opinion on anything, even when they see blatant neglect and abuse taking place at the New York City shelters. No-one involved in animal rescue in general should ever have to operate under those conditions....Rescues are demanding to know why there is no support from New York City ACC or the DOH when needed. Rescues are demanding change. Rescues are demanding that DOH relinquish all responsibility from New York City ACC and have set forth a new plan for action. NYC needs to revamp the entire system and offer individuals who truly care for animals and who truly can help these animals achieve success.”

The acrimony is self evident. The lack of specificity may be noted but this is because they don’t want to include any information that can be used to identify them. Such details would provide leads. Despite the lack of details we’re compelled to include this because we must make clear the toxic environment which may be more readily observable on social media (Facebook and Twitter).

DOH Lack of Enforcement of Dog Licenses

Although the DOH has the responsibility to collect dog license they’ve never effectively enforced the law. The revenue could be redirected to support the NYC ACC. Then Manhattan Borough President Scott Stringer points out in his 2013 report “Led Astray:” *To date, New York’s City’s dog licensing program has been poorly implemented, costing AC&C millions of dollars a year in uncollected potential revenue. Currently, only 10 percent of New York City’s estimated one million dogs are licensed.... This pales in comparison to cities like Calgary which has a 90 percent compliance rate....the ASPCA estimates AC&C could generate a minimum of \$8.5 million per year by increasing compliance to 100 percent.* Roughly four years later. the New York City Economic Development Corporation reports that: *“As of February 2017, there were 85,085 dogs in New York City with active licenses. Dogs are required to be licensed by the*

Department of Health and Mental Hygiene, although only about 20% of dogs are licensed.” So compliance has only improved compared to where it should be.

Extended period without Medical Director

In Stringer’s January 2013 report “Led Astray” while discussing a dog who died while being spayed he notes the lack of a Medical Director from February 2010 through the delivery of the report in January 2013. A Medical Director was finally hired in January 2014 although she may have lacked shelter medical experience. This multi year lapse would indicate to us a serious lack of interest in animal welfare. A dedicated Animal Welfare Dept would be attentive to such a staffing crisis.

Thompson Comptroller Comments on contract in 2002 Audit

CACC’s contract with DOH does not include specific and measurable performance requirements or standards. This prevents DOH from holding the organization accountable for providing specified acceptable levels of service.

CACC states that this audit was “clearly motivated by the political interests of [the present Comptroller’s] predecessor.” It also states that in 1998, the Comptroller’s Office indicated to CACC that the “animal activist community in NYC was not satisfied with the results of [a] financial audit . . . and that they were pushing for a performance audit.

We at Voices for Shelter Animals find those comments are still valid 17 years later

17 years later and any many advocates still want a performance audit. We’ve found irregularities in the 2018 reporting in which some revisions in which the number of Treatable animals were moved to Untreatable in the Euthanasia/Live Release numbers. We presented this to the ACC and they acknowledged they fixed database reporting errors. Given the claimed Live Release rate, extended period without Asilomar reporting for Transfers to Rescues may certainly warrant an audit. This would cue something a Dept.of Animal Welfare may undertake.

Additionally, the 34 year contract continues to lack any performance standards nor reference organizations that develop such standards such as American Pets Alive, Maddie’s Fund, Journal of Veterinary Behavior. Without such references there’s ability to make comparative assessments. There’s no clear practices on health care, behavior evaluations, adoption protocols, Rescue outreach protocols before a euthanasia decision is made. We believe a Dept of Animal Welfare would have interest in referencing organizations that set such evolving standards yet still give the ACC latitude to innovate beyond them

Voices for Shelter Animals

Marilyn Galfin
helpanimalsnyc@gmail.com
Land: 212-989-8589

Craig Seeman
Craig@Planet3Video.com
718-456-0072

The Story

**** CRITICAL CARE FOR OUR BEAUTIFUL BOY SUPER STAR****

HELP US HELP HIM PLEASE!!

[REDACTED] recently pulled SUPER STAR from the NYC ACC euthanasia list, just moments before he was scheduled for euthanasia.

Super Star came into NYC ACC as a 2 yr unneutered male, stray intake on 12/28/17. His notes state he was found caught on a barbed wire fence, tranquilized and brought in by NYPD. His medical notes stated "Fur matted with burrs, debris and some feces. No parasites noted, no masses noted. No wounds noted – no swelling, bleeding or lameness." His neuter surgery was performed on 12/29, post op 12/30 was noted uneventful.

When Super Star arrived to his amazing foster Chris we were not prepared for what happened next.

Chris immediately knew something wasn't right with him. She rushed him immediately to our vet, who shaved the remainder of his severely matted fur, uncovering the true extent of his injuries. Pictures are graphic, we feel they must be shown. His entire tail was dead, stiff, necrotic and he was suffering from a severe infection. Our vet felt it had been this way for many days and he was suffering in pain. We also believe he may have been cut with a clipper while being shaved for his neuter surgery. He was found to have a large gapping hole, under his tail where it appears he had been cut to his rectal area with a clipper, possibly during his neuter surgery.

Our vet rushed him into emergency surgery, which was risky because he is also suffering from an upper respiratory infection, thin and dehydrated, but we had no

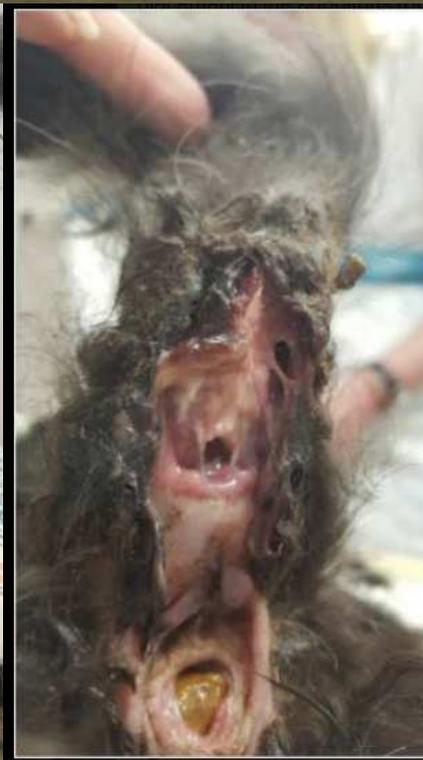
choice, we feared he would go septic.

Super Star underwent emergency surgery in an attempt to save his life. Surgery went well, although his prognosis is still guarded. Massive amounts of antibiotics, pain meds, cone of shame, eating like a champ, we are very pleased, and hopeful.

Please help us to help this sweet, poor, boy who has been through hell and back get well again so we can give him the quality of life he so deserves. We will not ever give up on him! We will continue to provide updates.

We appreciate any help you can offer to help us cover the cost of his emergency medical care.

THE RESCUES REQUEST THE FOLLOWING GRAPHICS NOT BE SHARED WITH DOH OR ACC FOR FEAR OF RETRIBUTION



Voices for Shelter Animals

Marilyn Galfin
helpanimalsnyc@gmail.com
Land: 212-989-8589

Craig Seeman
Craig@Planet3Video.com
718-456-0072

Following are some of the photos we've received from rescues of examples of cats who appeared healthy upon intake at the NYC Animal Care & Control who developed the life threatening calicivirus disease. Given that rescues are afraid to report this incidents it's reasonable to assume this is widespread. We can't speak to whether the ACC informs the DOH regarding such disease outbreaks or whether the DOH provides the kind of monitoring of animal health to but a Department of Animal Welfare as per its mission, would respond to such animal health crises. The DOH tends to focus only on whether diseases are transmissible to humans such as had been the case with the Avian Flu outbreak amongst cats.

Also added on the last page is a typical DOH inspection report, this from April 2018 which is cursory at best and, while we don't know the circumstances at the shelter on the day of the report, doesn't include any report on the health of the animals, Rather, it focuses primarily on the facility structure

Comptroller William Thompson notes in his 2002 Audit: *Inspection Reports Indicate Near Perfect Performance: Each of the 531 inspection sheets that DOH gave us contains 13 rating categories (e.g., "Floors," "Washrooms," "Wards," and "Infirmary") No Criteria For Inspection Ratings: When DOH officials first argued at the audit exit conference that its own inspection reports showed a different picture of shelter conditions than ours, we asked them what criteria their staff use when they conduct inspections and enter "yes" or "no" ratings on the inspection sheets. DOH officials could not provide any specifics on what would lead their staff to answer "yes" or "no" to each of the questions on the inspection reports, and stated that they do not have written criteria or standards for use by the DOH Veterinarians and Sanitarians when they perform such inspections. It is therefore clear that the DOH inspection reports are subjective in nature and may not be a reliable source to illustrate shelter conditions....*

What makes such inspection report results even more dubious, however, is the context in which they were derived. On the one hand, the audit determined that CACC's performance was deficient in many areas

Going on 17 years we can see despite Thompson's critique, there's been no change in the reports which have very little value assessing real health condition that result in the potentially high rate of calicivirus in the shelter. The DOH shows little interest in real health conditions. This speaks loudly to the necessity for a Dept of Animal Welfare with motivation and expertise to spot and provide proper assistance to the ACC for ongoing animal health crisis.

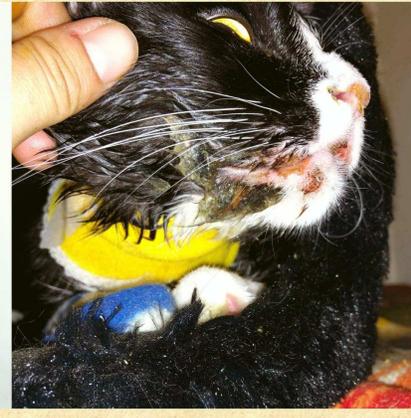
THE RESCUES REQUEST THE FOLLOWING GRAPHICS NOT BE SHARED WITH DOH OR ACC FOR FEAR OF RETRIBUTION

ACC INTAKE

NOW

ACC INTAKE

NOW



INTAKE [REDACTED] HEALTHY

VIRULENT CALICI VIRUS
pulled [REDACTED]
on his death bed

INTAKE [REDACTED] HEALTHY

OPEN MOUTH BREATHING
[REDACTED] inserted feeding tube [REDACTED]
CALICI VIRUS
Pulled [REDACTED]

To Whom It May Concern:

I am writing this statement anonymously because although it is absolutely necessary to start speaking out at this point regarding the conditions of New York City Animal Care and Control, it is also well known that if complaint is made by a rescue and in the case of several volunteers, people responsible for those complaints are immediately "removed."

Although others may argue the point that it is not the case, if someone would bother to do any research, it is 100% completely true. Rescues are not allowed to speak out, argue, voice their opinion on anything, even when they see blatant neglect and abuse taking place at the New York City shelters. No one involved in animal rescue in general should ever have to operate under those conditions. The fact that New York City finds it acceptable to intimidate, threaten, banish, blacklist the rescues, employees, or volunteers that speak out, is something you find in a society where a dictator is in place as supreme ruler. This should not be a situation with any shelter or animal care facility.

Rescues need to speak out now. The facts are the facts. Every single animal that comes out of there is sick in one way or another caused EXCLUSIVELY by New York City ACC. Rescues can no longer afford to care for these animals because the facts are the facts once again. The veterinary bills are outrageous and unless someone is a multi billionaire, no one can afford to care for the sick animals. Thus, rescues have had to turn their backs on these animals because they can no longer help. It is heart wrenching, heartbreaking, sickening and infuriating to see how sick these animals become, yet are ignored by the people who are PAID to care for them. These animals are coming out extremely sick, not just with an occasional case of flea infestation. They are coming out with kennel cough, EACH AND EVERY ONE OF THEM. They are coming out with pneumonia and mycoplasma. There have been notifications issued that mycoplasma is common in the New York City shelter environment and it is not contagious to humans. That is a 100% across-the-board falsity. Mycoplasma is contagious to humans and not only has been documented by the Center of Disease Control but in local cases has been documented by specialty veterinarian care centers where these poor souls end up going for thousands of dollars per night. These animals are suffering when they are sick. I am wondering how these individuals in control would feel if their parents, siblings, children... Would be struggling to breathe and have their back turn on them by a doctor.

And when, a rescue is lucky enough to get medication for kennel cough, the medication is nowhere near large enough dosage nor the correct dosage. Rescues have been witness to bottles coming out completely empty with no medication inside. Rescues have been witness to medication so old and expired, that the medication has turned brown or black. Rescues have been witness to COMPLETE misdiagnosis of dogs, cats, and kittens leaving the shelter. Cats and kittens are leaving close to death with absolutely no medication. Cats and kittens are leaving with compound fractures with absolutely no pain medication nor treatment at New York City Animal Care and Control.

To compound these facts, they leave sick as well. So imagine having a human being with a compound fracture now struggling to breathe. New York City animal care and control is killing completely adoptable animals because they, AND ONLY THEY, are making them sick. There is no rationalization that when a stray comes in with absolutely no physical ailments, and may be adoptable with a little love and training, that the animal is now put on the euthanasia list because ANIMAL CARE AND CONTROL MADE THEM SICK! This is the main root of all the problems. New York City ACC needs to remove all of these animals and put them in a safe facility, while sanitizing and deodorizing their entire facility. It has been done in shelters across the United States and is easily doable, considering the amount of empty buildings in the New York City area, where these animals could be warehoused temporarily until correct systems are put in place. But the millions of dollars poured into New York City ACC as well as the ASPCA, are spent quite obviously, on lavish office space, salaries, etc.

Rescues are demanding to understand why ASPCA will not take a pneumonia case, cases of fracture, cases of direct abuse and neglect.

Rescues are demanding to know why an animal comes in matted, dirty, sick why no one can be bothered to groom this poor animal to get them ready for adoption.

Rescues are demanding to know why no one can go the extra step to offer these animals love and safety to break them of their "fear aggression" in the shelter.

Rescues are demanding to know why employees, who are employed by ACC, are afraid of the larger breeds: Rottweilers, pit bulls, Shepherd's, etc. Yet are in charge with the safety of all of the said animals.

Rescues are demanding to know why the employees are harsh and treat these animals like nothing but a number in a corrupt and uncaring system.

Rescues are demanding to know why there is no support from New York City ACC or the DOH when

needed.

Rescues are demanding to know why nonprofit organizations are responsible for thousands and thousands and veterinarian bills, while New York City ACC will offer NOTHING.

Rescues are demanding to know why there are not certified behaviorists in place in order to work with these animals daily.

Rescues are demanding to know why it is so hard for the public to get in touch with the representative at ACC to work diligently with a potential adopter or foster to get an animal home.

Rescues are demanding to know why adopters are driving hundreds of miles yet are TURNED AWAY by shelter staff because they are "too busy."

Rescues are demanding to know why someone in the entire New York City system doesn't give a damn.

Once again, this is only the tip of the iceberg as far as comments. This is a corrupt and ineffective system. This is a system where any animal is doomed to fail. These animals are set up for failure and DEATH.

Rescues are demanding change. Rescues are demanding that DOH relinquish all responsibility from New York City ACC and have set forth a new plan for action. Rescues are demanding the people who work with these animals care about these animals and treat them with love and respect that they so deserve OR BE REMOVED. These animals did not ask to be born in such a horrific atmosphere. These animals did not ask for abuse, neglect, and sickness. But when these animals are put into the hands of people who are supposed to care for them and they are treated worse than if they had been left on the street, this is disturbing and criminal.

NYC needs to revamp the entire system and offer individuals who truly care for animals and who truly can help these animals achieve success. There are many veterinary hospitals where interns and students could volunteer on a paid basis to care for these animals and to get these animals where they need to be, instead of being thrown in a kennel and forgotten.

Shame on all of you for what you have done. The word "CARE" should be completely removed from the title of your entity.

There is absolutely no care.

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Marilyn Galfin
helpanimalsnyc@gmail.com
Land: 212-989-8589

Craig Seeman
Craig@Planet3Video.com
718-456-0072

Adopters and Rescues recount health and diagnostic issues of animals pulls from the ACC

Sick Dog

I'm writing to you this morning with a heavy heart. We picked up Delia (17879) from the transport truck yesterday in White River Junction, VT. She was as sweet as we expected with adorable perky ears. We brought her home and put her in a quiet room to decompress with a dog crate, new dog bed, bowls, and a chew toy. After about 40 minutes we started to hear loud banging. When we checked on Delia we saw she was having a seizure. The seizure lasted about 2 minutes and when it finished she got up, but was clearly still out of it. She walked into the walls and had poor balance.

A friend of ours was visiting from Boston where she is an ER physician. She advised we take her to the emergency vet clinic asap as Delia would likely have another seizure. My husband gently wrapped Delia up in a blanket and raced down to the vet ER. After completing a physical exam, the vet explained to my husband that she was not a well dog and gave her a 4/10 on her health. As they were talking about treatment options, Delia had another seizure, but this time far worse--frothing, chomping. At that point the vet strongly advised we put Delia down as no good would come from keeping her alive. With heavy hearts we agreed.

My family was so excited to adopt Delia and, as you can imagine, this has been a deeply upsetting experience. I find it very hard to believe this little dog wasn't having seizures while at the shelter. And, although I can never know, I also suspect these seizures were the reason her previous owners surrendered her.

Much as I appreciate everything you and other rescue groups do there is clearly a problem with how this dog was pushed through the system.

We all want the best for each dog that comes into a shelter but there is a point where dogs like Delia should be treated with mercy and allowed to die with dignity. Instead she was surrendered, stuck in a high stress shelter for 3 days, then taken on a 5 hour drive north only to have two massive seizures and be put down. It's heartbreaking what she went through. Her needs---and illness---should have come first and I'm angry at the veterinarian and those on staff at the shelter for not recognizing or ignoring how sick this little dog was.

Despite this experience I will continue to believe in the importance of adopting dogs rather than using a breeder. But this experience has been bruising. I would appreciate you passing this story to the shelter staff and the veterinarians involved in Delia's assessment in the hopes it gives them pause and prevents this from happening again.

Misdiagnosis

When I was at the ACC on Sat, I asked if any kittens really needed to be pulled and was made aware of Curry. This little guy, I was told, was hit by a car and had multiple fractures. I immediately agreed to take him.

When I got him yesterday, I found that the ACC sent him to me in a completely bare box. Not even so much as a blanket for what they were aware would be a 6 hour ride. Thankfully I ended up staying in Merrick overnight and was able to get him into better accommodations. Upon further inspection, reading through his papers, they intook him on 6-15 and left him until the next day before administration of any pain meds or radiographs even after noting he was non-ambulatory in his hind limbs.

On 6-16 they x-rayed, notes his fractures, and dosed him with simbadol- on a smaller dose than normal and only half as frequently as it should be administered. When I went to medicate him, I found that they hadn't dispensed any for him, and they hadn't even medicated him that day, despite his papers saying he requires it until the 23rd. They said theirs is only injectable so they can't dispense it, but there is no reason they shouldn't have dosed him before he left knowing he had a long ride.

Doing some more reading and after requesting and receiving his radiographs, I also concluded that his injury was NOT from a car accident as they had said. This is very clearly an intentional injury. His pelvis is fractured through the growth plate, and his femur is not a fracture as they said, but a comminuted/separated break at his joint and into his bone. This injury is fairly distinct in animals that were dropped or thrown with force - like from a moving car or off a porch, etc. The bone injuries are specifically from him landing with such force on that leg that it shoved his bones up so fast and hard that it broke them. I'm beyond in shock that these oversights were made. This kitten has suffered immensely and the neglect is extremely evident.

His URI was terrible when I saw him there. It is now improved drastically while in my care. They do not keep track of the times they medicate, so when I called and wanted to know when he had been medicated with simbadol last, they could not tell me - nor could they tell me why he was on a smaller dose 12hrs longer than he should have been going between doses. I am so heartbroken that he had to go through this pain.

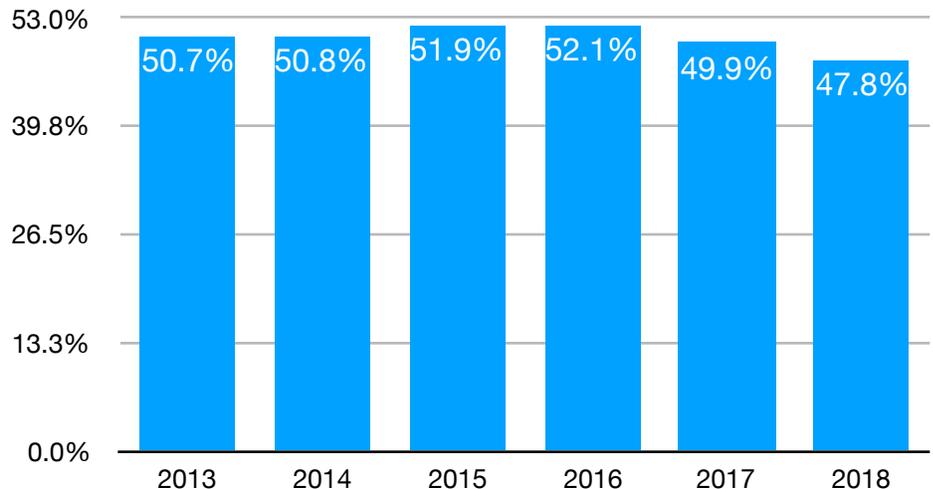
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Transfers to Rescues, not Adoptions, make up the bulk of the questionable Live Release Rate

Percentage of Intake Transferred to Rescues

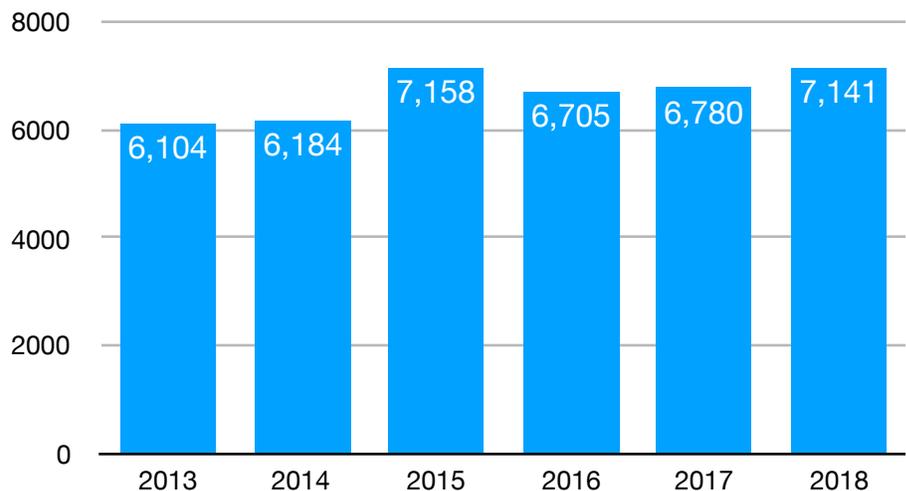


Decrease Dependency on New Hope Partners

Transfers to Rescues, not public Adoptions, make up the bulk of the questionable Live Release Rate. In 2013, then Manhattan Borough President, Scott Stringer's "Led Astray" pointed to the heavy dependency on New Hope Rescue Partners pulling animals rather than public adoptions. That remains largely unchanged six years later.

Adoptions are flat despite the much vaunted live release rate

Adoptions



Increase Adoptions by Improving Public Outreach

Adoptions numbers are flat despite the much vaunted live release rate. Even the Borough Bred marketing campaign has been ineffective in increasing adoptions. Based on the reporting in Stringer's "Led Astray" the adoption numbers remain largely unchanged going back nearly a decade. Increasing offsite adoption events along with attracting more people to the shelter directly, are critical.

Voices for Shelter Animals

Marilyn Galfin
helpanimalsnyc@gmail.com
Land: 212-989-8589

Craig Seeman
Craig@Planet3Video.com
718-456-0072

Increase Adoptions with Better Marketing

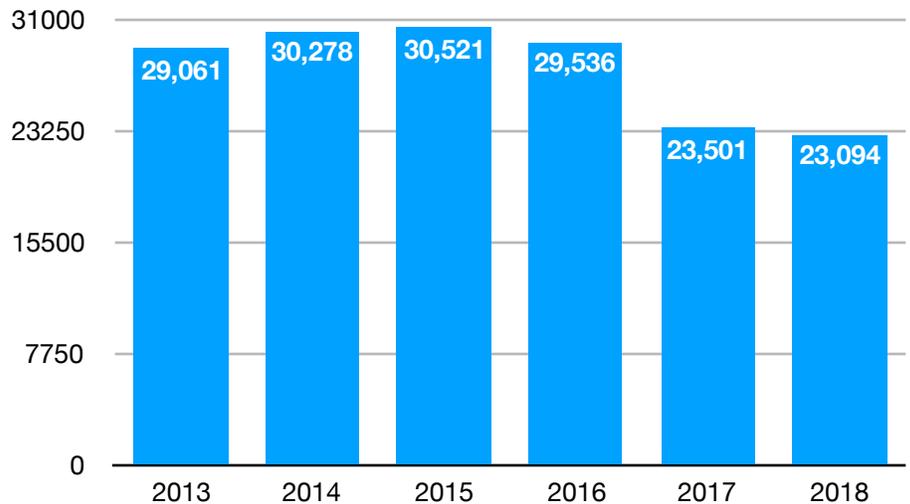
The NYC Animal Care Centers should improve direct marketing with staff and volunteers which should be separate from the dryer vital statistics, health and behavior evaluations. In addition there should be a Spanish language version of the website and social media pages.

The increase in Live Release Rate is solely due to the decrease in Intake.

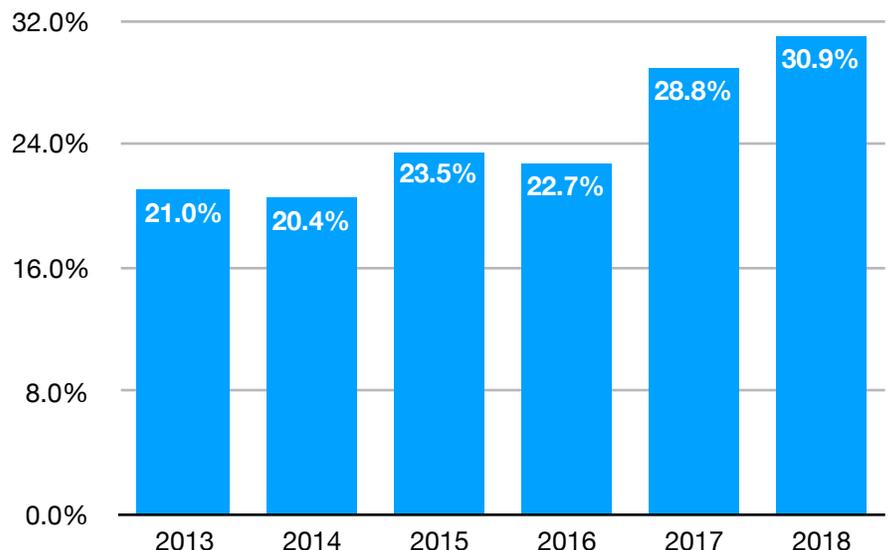
The Adoption Rate shows a slight proportional increase as a result

Despite no real change in adoption numbers over the last six years.

Total Intake



Percentage Directly Adopted from ACC



Lower Intake Masks ongoing Serious Problems

The increase in Live Release Rate is solely due to the decrease in Intake resulting in a slight proportional increase in adoption rate. While the decreasing intake is certainly laudable as pet retention and re-homing alternatives improve, This masks the very serious problem that adoptions have been flat for upwards of a decade while the heavy reliance on Rescues continues unabated.

Voices for Shelter Animals

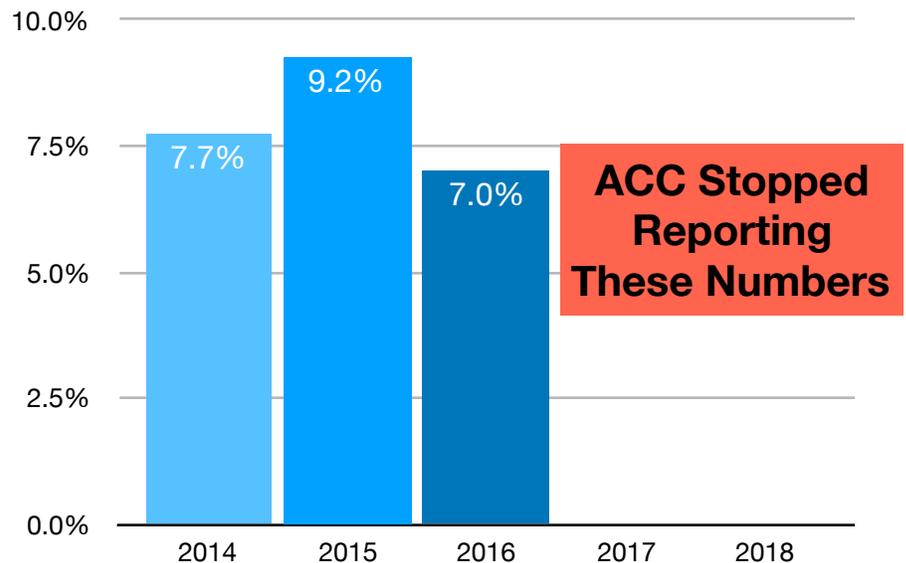
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Craig Seeman
Craig@Planet3Video.com
718-456-0072

Only 7% of the animals transferred to Rescues were healthy in 2016.

ACC ceased reporting these numbers through 2017-17 but reporting has recommenced in 2019.

Percentage of Animals Transferred Healthy



Chronic Animal Health Crisis

Only 7% of the animals transferred to Rescues are healthy as of 2016. Since the contract states that all transfers to New Hope Partners are to be treated as public adoptions there's no follow up to find out real outcomes.

No Health Outcome Reporting from Rescues

Some animals die during transportation and others may have died while being fostered by the rescue so the actual live release rate and public adoptions, is unknown. With such abysmally low healthy transfers and the lack of health reporting of transfers by the ACC, casts further doubt on the accuracy of the life release rate.

Healthy Animals are more likely to be Rescued if not Adopted

Given the very low numbers of healthy animals New Hope Partners face very high medical expenses. The Partners may be inclined to rescue animals from other sources, often healthy animals from down south for example. The result is that many animals designated New Hope Only on the At Risk for Euthanasia list are killed rather than rescued.



Animal Welfare Institute

900 Pennsylvania Avenue, SE, Washington, DC 20003
awionline.org phone: (202) 337-2332 fax: (202) 446-2131

June 18, 2019

Committee on Health
New York City Council
City Hall
New York, New York 10007

Dear Members of the Committee on Health:

Thank you for the opportunity to submit written testimony to the Committee on Health. I write today in support of Intro 1738, a proposed ban on the sale and production of foie gras in New York City. Since the Animal Welfare Institute (AWI) was founded in 1951, it has worked closely on legislation to alleviate pain and suffering of animals inflicted by people. One of the most egregious forms of animal cruelty is the production of foie gras.

The production of foie gras, an expensive "delicacy" made from duck or goose liver, involves unimaginable animal suffering. Ducks and geese are grossly overfed through metal tubes that are forced down their throats day after day for most of their lives. This causes their livers to become enlarged up to 12 times their normal size.

Birds raised for foie gras live short, agonizing, and sick lives. They often suffer from intense pain due to lesions in their throats, and their engorged livers make walking impossible by the time they are slaughtered. The American Veterinary Medical Association (AVMA) lists multiple health risks associated with foie gras production, including "potential for injury," "distress from restraint," "compromised health and welfare," and "creation of a vulnerable animal more likely to suffer from otherwise tolerable conditions such as heat and transport."

Conventionally produced foie gras is so inherently cruel that its production and/or sale have already been banned in California and more than a dozen countries, including the UK and Australia. Eighty-one percent of New York City voters are in favor of Intro 1738, an overwhelming majority of support. I urge the Committee on Health to pass this much needed legislation.

Sincerely,

A handwritten signature in black ink that reads "Nancy Blaney". The signature is written in a cursive, flowing style.

Nancy Blaney
Director, Government Affairs

Mahatma Gandhi once said, “The greatness of a nation can be judged by the way its animals are treated.”

My name is Dr Andrew Kaplan and I’m a board certified veterinary internal medicine specialist and practice owner here in New York City.

In a civilized society, if animals are going to be used for business purposes, we can all agree that we have a moral obligation to treat them as humanely as possible. In this City it is currently the claim of carriage horse drivers that horses are treated as humanely as possible. However, as an expert in the health and well being of horses, I can attest to the fact that this is not the case.

Horses, as with most animals, deceptively withstand and survive conditions both beyond their normal reasonable capacity, as well as that of a human’s ability to perceive it, because horses have no capacity to complain, yet only to obey until they physically can no longer do so. At this point they are visibly suffering, however, there is a significant degree of “suffering” leading up to the point of perceptible suffering and physical refusal, on very hot days, that either goes unrecognized or more typically as I have seen, ignored because carriage horse drivers, with their economic stake are in control of making that determination.

The phrase: “to be worked like a horse,” actually means to “overwork” them, because that is what we tend to do. However, this is not the mark of a civilized society, and is not an acceptable practice if we are to call ourselves humane. Rather, the carriage horses should be worked to an extent that is reasonable. We have already established laws that govern the number of hours that these horses can be worked. It is therefore imperative to address the second half of the “humane equation,” by passing Intro 1425 in order to refine the conditions under which those defined hours can be spent so we can be certain, without guessing, that the horses are not suffering. If we do not pass Intro 1425, then the goal of this council to prevent the carriage horses from enduring excessively harsh conditions will be left undone.

Andrew Kaplan, Doctor of Veterinary Medicine kaplan@cityvetcare.com
Owner, City Veterinary Care
220 West 72nd Street
NY, NY 10023

Good Afternoon, Councilmembers. My name is Pratikshya Patil. I live in Brooklyn. I am a small business owner, veterinarian and Co-President of the PTA of PS 32, my children's school. My councilman is Carlos Menchaca. Thank you for the opportunity to speak in support of Banning Foie Gras, Intro 1378. I would like to share my personal experience handling waterfowl which informed my opinion on this matter.

When I was an undergraduate at the University of Illinois I volunteered in the Wildlife Clinic at the veterinary school providing medical care and rehabilitation to injured and sick wildlife. One of the patients I remember the most was a swan. I remember this patient because I wondered if the care he needed justified the methods we had available.

My swan patient couldn't move his legs, but he could weakly move his wings and neck. While we waited for test results to return, we created slings to support him, gave him time in a tub of water and repeatedly nursed the wounds on his wings (he was using them to move in his cage instead of his feet). The swan was depressed and refused to eat. Our only option? To gavage feed him. Gavage feeding is tube feeding only, in veterinary medicine, we first calculate the caloric needs per day, calculate stomach volume then use a soft red rubber tube placed down the esophagus to force feed a patient.

Although I did not overfeed the swan, as is practiced in foie gras production, although I did not use a metal tube in his esophagus, as is practiced in foie gras production, although I only had one patient and I could be gentle and patient with him, unlike in foie gras production, I did scare and stress him. He fought when he saw the soft red rubber tube. His head whipped about, he vocalized when the tube was gently placed down his esophagus. His wings would need to be held down by another student so as not to reopen wounds and bleed.

I cannot imagine the fear and stress in the ducks used for foie gras production if I, a hopeful, gentle undergraduate, produced this much stress and fear in gavage feeding one swan with medical issues.

Take this into account- Mulard ducks used in foie gras production (their bodies are more efficient at storing fat in the liver) are more fearful of people than their parent strains¹. This breed also is prone to broken bones during transportation and slaughter¹.

These ducks, even if their first few weeks are spent in large enclosures, still endure captivity and no access to water for swimming, which interrupts their natural behavior. Add in the rest, the producers and consumers of foie gras are not 'optimizing what nature gives²', but embracing selfishness and cruelty.

<pratikshyapatil@gmail.com>

- 1 <https://www.avma.org/KB/Resources/LiteratureReviews/Pages/Foie-Gras-Production-Backgrounder.aspx>
- 2 <https://www.hudsonvalleyfoiegras.com/about-us>



8033 Sunset Blvd, Ste 864
Los Angeles, CA 90046

☎ 866-632-6446
MercyForAnimals.org

June 17, 2019

The Member of the Committee on Health,

On behalf of Mercy For Animals, a global leader in the protection of farmed animals, I am writing to submit comments and support Intro 1378, the proposed ban on the sale and production of foie gras in New York City.

At Mercy For Animals, our mission is to construct a compassionate food system by reducing suffering and ending the unnecessary exploitation of animals used for food. We were happy to see Intro 1378, which, like our own mission, aims to protect animals from needless cruelty.

Foie gras, a so-called “luxury food,” is produced by force-feeding ducks and geese to create abnormally enlarged livers and is one of the most traumatic forms of animal cruelty.

Mercy For Animals has spent considerable time investigating the cruelties of foie gras. In 2013, compelling [Mercy For Animals footage](#) **uncovered the atrocities at New York state-based Hudson Valley Foie Gras.**

Mercy For Animals’ undercover investigator [documented](#) a culture of cruelty at Hudson Valley Foie Gras, including the following:

- Workers violently shoving metal pipes down ducks’ throats
- Dead ducks—killed by the cruel force-feeding process—callously thrown away into trash bins
- Birds with open, bleeding wounds left to suffer without proper veterinary care
- Fully conscious ducks being shackled upside down and having their throats cut open

Because there is no federal or state law to prevent this specific conduct, it is important that local governments pass laws to protect the animals as well as consumers. Further, passing this local law would bring New York City in line with other jurisdictions that have recognized the inherent cruelty of this product. In addition, over a dozen countries, including India, Germany, the UK, and Israel, have banned production of foie gras and deemed force-feeding a violation of national animal welfare laws.

For these reasons, we urge you to vote YES in committee to pass Intro 1378.

Thank you for your consideration.

Kathleen Schatzmann
Vice President, Government Affairs and Public Policy

June 18, 2019

**Testimony of Alfred E. Locascio
President
New York City Marshals Association**

Before the
New York City Council

Committee on Health

Regarding
The Retrieval of Animals after an Eviction or Legal Possession

I want to thank Chairman Levine and the rest of the committee members for the opportunity to submit testimony.

My name is Alfred E. Locascio and I am the President of the New York City Marshals Association. City Marshals are responsible for collecting judgments on behalf of the New York City Department of Finance (DOF) and other entities.

I will focus my testimony on Int. 1496, which requires an animal shelter that receives notice that a pet has been found by a sheriff or City marshal while executing an eviction or legal possession must retrieve the pet within 24 hours. This is a critical piece of legislation that will ensure the lives of domesticated animals are protected during and after an eviction or legal possession. Currently, when a city marshal conducts an eviction or legal possession and encounters a domesticated animal we are required by state law, which was passed last year, to give notice to animal care centers (ACC) that an animal needs to be retrieved. However, there is no law requiring ACC to retrieve the animal within a prescribed time period.

There have been many stories, as reported in outlets such the *New York Post*, where animals such as dogs and birds have been left in apartments for long periods of time until ACC or the owner comes back to the property to recover the animal. Many of our members encounter properties where there are animals residing and have to coordinate with the landlord to take care of the pet by providing basic necessities like water and food for days on end.

Int. 1496 takes an important step in setting a timeline for ACC to respond to a unit once we have given notice that an animal needs to be recovered. By requiring ACC to recover the animal within 24 hours, the bill prevents future situations where helpless animals are left by their owners after an eviction to fend for themselves. While the marshals and many property owners go to great lengths to ensure that these animals are being cared for, there are only so many resources at our disposal. We believe this legislation will only strengthen the relationship the marshals have with ACC and make certain that the safety and welfare of all pets is of the utmost priority.

We strongly support this legislation and look forward to working with the Council on this matter.

File #	Name
Int 1478-2019	Establishment of a department of animal welfare.
Int 1496-2019	Retrieval of companion animals by an animal shelter after an eviction or legal possession.
Int 1498-2019	Requiring the NYPD to report data regarding animal cruelty complaints.
Int 1502-2019	Welfare of shelter animals.
Int 1567-2019	Increased fines and penalties for animal abuse.
Int 1598-2019	Proper disposal of deceased animals.
Res 0798-2019	Amend the agriculture and markets law and the general business law, in relation to the sale of dogs, cats and rabbits. (A6298/S4234)
T2019-4689	Preventing Animal Cruelty Torture Act, otherwise known as the PACT Act. (H.R. 724 and S. 479)

Re: Testimony in Support of the passage the above

Dear Members of the Committee on Health,

I write today to humbly ask that the proposed legislation listed above be passed by your committee. I submit the attached as my testimony in support.

I am sorry I could not be at Council meeting today personally. However, I am an ACC volunteer with over 800 volunteer hours in many of the volunteer departments at ACC. I believe it is partly because I have seen ACC's practices and policies in place from many angles that am in a unique position to implore you to pass the various pieces of legislation on your agenda today. In particular, the creation of a Department of Welfare to protect the City's animals, expand reporting requirements in certain categories not currently being tracked, and protect socialized cats from being treated as feral and returned to the street.

I would be happy to discuss any of the information below with you at any time.

Thank you for your consideration and your efforts!

New York City Council Meeting
June 18, 2019

My submission below relates to the following legislation on the agenda
today:

File #	Prime Sponsor	Submitted in Support?	Name
Int 1478-2019	Justin L. Brannan	YES, PLEASE PASS	Establishment of a department of animal welfare.
Int 1496-2019	Justin L. Brannan	YES, PLEASE PASS	Retrieval of companion animals by an animal shelter after an eviction or legal possession.
Int 1498-2019	Fernando Cabrera	YES, PLEASE PASS	Requiring the NYPD to report data regarding animal cruelty complaints.
Int 1502-2019	Robert F. Holden	YES, PLEASE PASS	Welfare of shelter animals.
Int 1567-2019	Mark Gjonaj	YES, PLEASE PASS	Increased fines and penalties for animal abuse.
Int 1598-2019	Robert F. Holden	YES, PLEASE PASS	Proper disposal of deceased animals.
Res 0798-2019	Justin L. Brannan	YES, PLEASE PASS	Amend the agriculture and markets law and the general business law, in relation to the sale of dogs, cats and rabbits. (A6298/S4234)
T2019-4689	Robert F. Holden	YES, PLEASE PASS	Preventing Animal Cruelty Torture Act, otherwise known as the PACT Act. (H.R. 724 and S. 479)

Submission by: Neil Schaier Cell: 646-926-3451 Over 800 Volunteer Hours At ACC (not including time fostering) in Departments listed below:	
Adoption Events Facilitator	Dog Comp Level 2
Adoption Facilitator - Rabbit	Dog Volunteer Mentor
Auxiliary Dog Training	Fosterer - Dog
Community Dogs Facilitator	Outreach Advocate
Corporate Volunteer Facilitator	Rabbit Companion
Dog Comp Level 1	Rabbit Volunteer Trainer

My name is Neil Schaier. I am sorry I could not be at Council meetings today personally. However, I am an ACC volunteer with over 800 volunteer hours in many of the volunteer departments at ACC. I believe it is partly because I have seen ACC's practices and policies in place from many angles that am in a unique position to implore you to pass the various pieces of legislation on your agenda today. In particular, the creation of a Department of Welfare to protect the City's animals, expand reporting requirements in certain categories not currently being tracked, and protect socialized cats from being treated as feral and returned to the street. I would be happy to discuss any of the information below with you at any time. Thank you for your consideration and your efforts!

New York City Council Meeting
June 18, 2019

Overview of my submission:

- A. The legislation should be passed with additional reporting requirements that mandate reporting of diverted, deferred animals at shelters and eliminate online barriers. Currently reporting requirements relates to *admitted* animals while ACC has barriers in place to prevent people from even trying to surrender them.
- B. The legislation should be passed and further clarified that TNR does not apply to socialized, non-feral cats. ACCs placement of socialized cats back onto the street is illegal, despite being practiced by ACC, under current law.
- C. The legislation should be passed and further clarified to track numbers of deceased animals *and* provide for cost of disposal.
- D. Expand legislation to include rabbits where they are not already referenced.

A. TRACKING DIVERTED AND DEFERRED ANIMALS

Missing from the proposed legislation relates to the number of animals that **are deferred or diverted** from being admitted and therefore **never get counted**. ACC's **Surrender by Appointment** program, advertised for all of the good it might do for some, put multiple barriers to surrender in place *without tracking statistics of the collateral damage those barriers cause*. Nobody tracked what happened to the over 1500 animals that never showed up for their surrender appointment in 2017.

B. TNR IS LIMITED TO FERAL CATS

- **“Feral” doesn’t mean “socialized”**: Any legislation should make clear that the City Administrative Code’s definition of “feral” says what it means and means what it says. Treating socialized cats, as feral, by using the term “Community Cats” violates the spirit if not the letter of the law. ACC has a long-standing policy of using their **New Hope Program** to circumvent the law and increase placement statistics. ACC places *non-feral* cats with a rescue group who acknowledges placing these cats back on the street. ACC has provided no objective criteria as to how they decide which cats go back to the street.
- The City should not allow **“stabilization”** to be the policy of the City towards stray cats. That is, at some point, the number of cats dying on the streets annually will equal the number of kittens being born.

New York City Council Meeting
June 18, 2019

- **Require publication of the statistics of feral cat colonies.** The Mayor’s Alliance provides no statistics other than to say there at “tens of thousands” of cats already on the street.

C. DISPOSAL OF DECEASED AND ABANDONED ANIMALS

Tracking should also include:

- Require tracking the number of dead animals disposed of in each time period
- Tracking and report the number of animals “abandoned in place” (whether found dead or alive).
-
- The law should also provide that, wherever possible, the name of the pet owner (apartment resident):
 - be placed on a Do-Not-Adopt List,
 - assessed a fine, and
 - their name checked against shelter records to see if they tried to surrender their pet, only to be pressured not to surrender.

Cost of Disposal:

- The law should also provide that, wherever possible, the name of the pet owner (apartment resident) Include in the proposed legislation provisions addressing any costs to transport the animals found abandoned by landlords. Landlords are not going to pay for the transposition of animals abandoned in apartments. The law should require Landlords to report the animal, for ACC to utilize emergency field services to transport the animals to the shelter, ether without cost to landlord, or that the landlord be permitted to retain a deposit from the tenant specifically set aside for this, if needed.
-

New York City Council Meeting June 18, 2019

Surrender by Appointment: Barriers to Admission Webpage



ACC offers compassion and understanding to owners who relinquish their pets and a warm welcome to the animals that are being entrusted to our care. Before beginning the process of surrendering your pet, check out our surrender prevention options.

If you are having difficulty keeping your animal, please fill out this [questionnaire](#). An Admissions Counselor will contact you within 2 to 3 business days to discuss the best options for you and your pet.

If alternative options do not address the circumstances you are experiencing and you still need to surrender your pet, it is important to follow the steps below:

Step 1

You will need to schedule an appointment to bring in your animal so that ACC can provide you the best and fastest service. Your online appointment form will ask for general information about your pet. Pet background profile forms and veterinary records are critical to doing the best we can for your pet. The more we know about your pet, the better we're able to place him or her into a new home.

Step 2

Wait for our call. This is important. Though we know you may feel you have to surrender your pet right away, ACC works very hard to ensure that we have the time and space for new animals before they come in. Bringing your pet in without an appointment can result in stress for your pet, a longer stay in the shelter, and may even negatively affect his or her chances of being placed.

Your Appointment

- Your appointment will take approximately 30-45 minutes and will include a health exam and behavior evaluation of your pet. Your pet's placement in our adoption centers is based on a variety of factors, including the results of the exam and evaluation.
- After all information about your pet has been gathered and the animal evaluation completed, we will discuss your options with you so you can make the best decision for you and your pet.
- Complete and print out the required corresponding dog or cat background profile form and bring it, a copy of your pet's veterinary records and photo identification with you to your appointment.
- Be sure that dogs are on leashes and cats or other small animals are in carriers.
- Cost to surrender – \$10 per animal with an appointment and \$35 without an appointment. This fee will be put toward the cost of your pet's care

THE BARRIERS TO (OPEN) ADMISSION:

2017 year ACC Statistic: Over 1500 people did not show up for their appointments.

Why?

The Questionnaire?

The Wait ?

The "Options"?

The Appointment time?

New York City Council Meeting
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ACC Uses The Term “Community Cats” to conflate feral and socialized cats.

Community and Feral Cats

ACC recognizes that community cats are a challenge throughout the five boroughs and is committed to participating in effectively and humanely controlling their population.

Community cats can include social, owned cats, abandoned strays and feral cats – really, any cat living outside that has an established and sustained lifestyle can be considered a community cat. Animal Care Centers of NYC believes that the most effective solution is a comprehensive program that includes:

Despite the clear obligations of the City’s Open Admission Shelter, ACC regularly recommends well-meaning individuals who finds non-feral stray cats to leave them on the street unless sick or injured.

RABBITS

Most of the public is woefully uneducated about proper rabbit care. Rabbit Rescue groups in the New York City area are ACC New Hope Partners and are extremely active in pulling rabbits from ACC-Multiple documented instances. The fact is that ACC is unable to provide truly meaningful “resources” to rabbit owners that are better than surrender. The notion that rabbits are easily re-homed into safe environments without proper education is specious at best.

Domesticated Rabbits can not survive outside, and are too easily thrown into dumpsters or sold on Craigslist for nefarious purposes, never to be seen again. There is no legitimate reason why ACC policy should not be to take in rabbits, PERIOD. Stop with the excuses.

June 18, 2019

Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

My name is Sarahjane Blum and as both a born and raised New Yorker and someone who has witnessed first hand what ducks force-fed for foie gras endure, I am writing to strongly encourage 1378 be passed by your committee.

I spent over a year visiting Hudson Valley Foie Gras and documenting the conditions of the farm. During that period, I witnessed how painful and brutal force-feeding is, both during the feeding itself and for the entire month when the procedure is repeated multiple times a day, every day.

As part of the feedings, I saw farmworkers routinely and roughly grab birds by their necks and violently wrench them into position shoving the three foot long metal pipes down the necks of birds who during the first half of the month were still trying to escape, and by the end too weak to struggle. Though the industry calls them tubes, these pipes are wider than the iron window grates we see walking down the streets of New York City daily. They often tear holes into the necks and organs of the birds being fed causing the animals to die painfully over the next several hours or days. In nearly all cases, the physical trauma of feeding makes it harder and harder for the birds to breathe, their beaks and throats become raw and painful, and their unnatural weight gain makes it hard for them to move or be comfortable even when still.

By late in the month of a force-feeding cycle, the pens and cages are filled with diseased and dying birds.

I encountered birds with pus encrusted eyes and bleeding sores, birds too weak to lift their heads, and among them, lifeless birds whose beaks were filled with the hard corn mash they had been force-fed, and then choked on until they died from asphyxiation or heart failure.

Birds who die during the process could lay among the living for up to a day, but they are eventually tossed into trash cans which stood in plain sight of the pens and cages where the birds still slated for forced feeding were. As often as not, I saw that the workers didn't even bother to close the lids of trash cans since they would need them soon enough again.

In the wild, ducks can live over a decade, but it takes only a month of this force-feeding to bring them to the brink of death. Foie gras production involves inducing a fatal liver disease into ducks and geese and then killing them just before the disease would cause their organs to fail, and then packaging a diseased organ as a delicacy.

New Yorkers are too savvy to fall for this packaging, which is why over 80% of voters oppose the sale of foie gras in our city. It's also why I'm confident you will support the passage of Intro 1378 into committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarahjane Blum', with a stylized, flowing script.

Sarahjane Blum
392 Central Park West, Apartment 1R
NYC, NY 10025



565 Columbus Avenue
New York, NY 10024
(646) 306-2862
rehabbers@wildbirdfund.org
www.wildbirdfund.org

Wild Bird Fund, New York City's only wildlife rehabilitation facility, supports Int. No. 1202

Thank you to Council Member Rivera and the co-sponsors of this bill, which will provide protection to all of New York City's wildlife.

The Department of Environmental Conservation and the United States Fish & Wildlife Service protect native and migratory species, respectively. Though these federal and state agencies prohibit the trafficking of wild birds, there are no protections for non-migratory and non-native birds, which include pigeons, starlings, sparrows, cormorants, mute swans, and other bird species.

At present, wild birds are captured in New York City to provide easy targets for canned shoots in other states, particularly Pennsylvania.

Feral pigeons are regularly netted on New York City streets then transported out of state. They are not fed or given water for days. The day of the shoot, the birds are tucked into spring loaded boxes. The shooter armed with a shotgun takes aim as one-by-one the birds are quickly released to fly up and be shot. It is a contest to see how many can be killed in the shortest time.

These shoots can last for up to 12 hours of nonstop shooting. Thousands of birds are maimed but often not killed. That is left for the "boys"—hired hands—who stomp them, tear off the heads of live birds, throw living birds into garbage bins, or bury them alive.

The trauma these animals experience is horrific. Cases are brought to the Wild Bird Fund and we see the suffering. Most die from their injuries and the stress of their ordeal. The greatest sorrow is to see the fear in the eyes of an animal in your hands that has been terribly abused by your fellow man.

The Humane Society of the United States, local humane societies in Pennsylvania, SHARK (Showing Animals Respect and Kindness) and many others have tried to stop the carnage. They have managed to close down some shooting clubs and forced others to go underground. But the cruelty continues.

Putting a fine and/or penal time on trafficking at the source, which is New York City, is the best solution available.

The one addition we request is for "d. Exempt persons" to include *or to any person who is rescuing a bird who is injured, orphaned, or otherwise in danger of imminent harm.*





X-ray shows white shotgun pellet lodged mid abdomen and multiple fractures of the humerus, radius and ulna. The bird also has not eaten for days as the lower alimentary canal is empty





DAVID ASHER KAROPKIN, ESQ.

860 East 18th Street, Apt. 3E · Brooklyn, NY 11230 · (917) 435-9194 · dkaropkin@gmail.com

Good morning Speaker Johnson, Chair Levine, Committee members,

I am here today as an advocate, as a constituent and a life-long resident of Brooklyn, NY, and as someone who cares a lot about living in a city that is a safe place for all people and all animals. I'm grateful to be here for this historic movement on our legislative agenda for animal rights in New York City.

I am the founder and former director of GooseWatch NYC, an organization that worked for several years to advocate for urban wildlife protection in New York City, work that I am continuing now as wildlife advisor for VFAR - Voters for Animal Rights. I'm in full support of the memos VFAR submitted on the bills being considered today and I echo many of the comments submitted by other advocates here. These bills are important and worthy of discussion and consideration, I'm grateful to Chair Levine for putting them on the agenda, to the bill sponsors for the fact we are talking about this today, and with respect and appreciation to the many advocates who helped get us here.

The vision I have is to live in a city that views the concrete jungle around us as wildlife habitat. We are so fortunate to be experiencing an environmental revitalization benefitting our ecosystem and biodiversity. We're now flourishing with urban wildlife, and I don't mean just pigeons and rats, though I think we can figure out how to live with them too. Just within the five boroughs we now have ducks, geese, and swans in parks, migrating birds, hawks and falcons, whales and dolphins and harbor seals, raccoons, coyotes, beavers, turkeys and deer on Staten Island, the list goes on and on – hundreds of species call New York City home. These animals are our neighbors and we have a responsibility to coexist with them, so I am glad that we're seeing significant improvement in the availability and application of ethical and effective wildlife policy and initiatives.

I don't want to duplicate testimony by others and there are too many bills on the agenda to get into the weeds in a short time. The bills I've chosen to focus my testimony relate to the urban wildlife work I've done, albeit less directly: Intro. 1378-2019, the proposed ban on foie gras sales, a product which involves force feeding and slaughter of geese and ducks, and Intro. 1202-2018 which will hopefully stem the continued illegal baiting and trapping of pigeons on city streets who are then brought out of state for hunting competitions. These are both crucial bills that I hope to see pass out of committee and into law.

With respect to Intro. 1478-2019, the proposal to create a Department of Animal Welfare, I am glad this is being discussed but feel we should have a more robust conversation about what such a body should look like and more clarity on its role and responsibilities. I echo those who have said that whatever form it ultimately takes should be expanded to include all animals, whether domestic or wildlife, owned, captive or feral. Housing Animal Care Centers under an agency that has a mission compatible with animal protection is one conversation the Counsel should have, and having an agency or department that is equipped to address the gamut of animal issues in NYC is another. Animal issues come up across the board, involving the Dept. of Health, Parks, Environmental Protection, NYPD, etc., and I support establishing a body that is able to intervene on behalf of animals in whatever context such issues arise.

I hope that the Council will work with stakeholders including myself, VFAR and others here to ensure that these bills move forward representing the best interests of all animals and their advocates. I'm thankful to the Counsel for putting its attention towards these issues and for advancing these bills which serve to make New York City a more compassionate and forward-thinking city.

June 17, 2019

Dear Council:

I fully support the bills Intro 1478 and Intro 1502. They are critically needed. Specifically, I can attest that they are warranted to address several problems I encountered at the NYC ACC.

For many years, I have contributed time and funds to helping animals in need. I have volunteered at my local shelter and donated supplies, paid vet bills and transport costs for abandoned animals (transports from the southern U.S. states and Europe), hosted fundraising online events, donated to auctions, obtained a grant for the spay/neuter of 85 cats (bait cats saved from a dog fighting ring), and helped to rehome a number of other unwanted pets. But it was only when I attempted to adopt a dog from the NYC ACC that I experienced, first-hand, the apathy of workers towards someone who asked them for help, and towards a dog scheduled to die.

In June 2014, I saw a post about a dog named **MACKIE (aka BLACKIE) (ID# A1004742)** whose info was being shared by a volunteer group called Urgent Part 2- Urgent Death Row Dogs. Included was a dark photo of Mackie, taken by the ACC. I shared Mackie's info as my "shelter dog of the week," feeling sorry that this dog was a senior without a family and knowing that with a photo like that, it was unlikely there would be much interest in him. I also showed Mackie's photo to a former coworker, who said he could barely tell it was a dog. He actually said the ACC photo looked more like a black mop than an identifiable animal.

Since I always follow up on pets that I share online, I checked Mackie's link a few days later. I was stunned to see two new photos, taken by a volunteer, in which the dog looked completely different. He actually looked very much like another dog I adopted a few years earlier. I started to take a very personal interest in Mackie's adoption. Days went by, and I kept sharing his new photos, and checking for updates. A volunteer also posted two videos of Mackie, showing that although he was a senior, he could run like the wind! He was elderly and nervous, after spending several weeks on a hold at the ACC, and was desperately trying to find a way out of the outside enclosure.

I e-mailed the Urgent Part 2 group to ask about adopting Mackie. The volunteer was more than helpful in answering my questions, advising me to write to the ACC's Adoption Center directly, and then wait to hear from them about his availability. A new designation of "New Hope only" was added to his profile. Being from Massachusetts, I wasn't familiar with the New Hope designation. I e-mailed the ACC on the afternoon of July 13, 2014. There was no reply.

Later the same afternoon, I was shocked when the ACC added Mackie to the 6 p.m. list of dogs in danger of being euthanized the next day. Within minutes, I received an e-mail, NOT from the ACC, but from the volunteer at Urgent Part 2, asking if I had received a response from the shelter about Mackie, since time was of the essence. The volunteer immediately helped me to find several rescues that were accepting applications from out-of-state adopters. She stayed with me online through 10 p.m. that evening. I submitted an application to ReeFuge Animal Rescue, and Michele St. Laurent called me to discuss the adoption and ask questions about my application. Ultimately, she applied to reserve Mackie for me. She stayed on the phone with me until 11:30 p.m. that evening. That's what I call dedication.

The next day, July 14th (the day that Mackie was scheduled to be euthanized if not reserved), I didn't hear from the ACC. But that afternoon, Michele let me know that her reservation had finally been confirmed.

I didn't hear from the ACC on July 15th, either. But I drove more than 8 hours that day to adopt Mackie. It was a day with a "dangerous heat" advisory and later, a blinding thunderstorm. But all I could think of was Mackie. I had heard stories of the NYC ACC euthanizing animals "by mistake" even when rescues or individuals had placed holds on them. I only breathed easier when I actually saw Mackie coming out the front door of the ACC with Michele.

On July 16th, as I scheduled appointments with the vet and an emergency referral center for an echocardiogram, and cared for Mackie, cutting mats from his fur and trying to keep him comfortable despite the kennel cough that far too many dogs get while at the ACC, I finally, yes, FINALLY, received a reply from the ACC, saying that Mackie was with a New Hope partner, though they wouldn't share the rescue's name with me. They said they could let the rescue know of my interest, though he already may be adopted. They were only right in one detail: he WAS adopted, by me. Where was the ACC's concern on Sunday, Monday, and Tuesday? ReeFuge was not approved to pull Mackie from the shelter until Monday afternoon. If that fell through, he would have been euthanized. They wouldn't offer any response, no information at all, not until after Mackie had left their care completely, three days after I asked them for help. As an adopter, I was an afterthought to them.

Medically, Mackie was considered a hard-to-adopt intake. He was a senior dog (estimated at 12 to 15 years old) with a heart murmur, severe periodontal disease, a tail wound, kennel cough, and cataracts. After I adopted him, I learned that he had a collapsed trachea, advanced arthritis, and was almost completely deaf and incontinent. I have a lifetime of experience in animal care, and was able to help him through these challenges. I have a home business, so I was there whenever he needed me. I was willing to help him in any way I could. Yet, if I had waited for the ACC to reply, I do believe that Mackie would have been euthanized. ReeFuge did not have any fosters willing to take on a dog with that many health problems. Unless I reached out to them myself, and convinced them of my ability to take on a harder-to-place dog, they said they would not have reserved Mackie.

Mackie had received a "New Hope" rating due to behavior. He spent several weeks at the ACC with no relief for several medical conditions, including severe dental disease with exposed tooth roots, and tightly matted fur (the mats were noted in his medical record from the ACC). I have training in cutting mats out of the hair of rescued animals, and it took me almost 3 days of short frequent sittings until Mackie was actually mat-free. Also, the ACC stated that Mackie's coughing was caused by kennel cough and a heart murmur. In fact, an x-ray soon revealed that he had a collapsed trachea.

It's easy for the ACC to leave the hardest work to rescue groups and unpaid volunteers. The volunteers shared Mackie's info all across the Internet, took the "good" photos plus videos, shared notes about his personality, and helped me to apply to adopt. The ACC provided food and a cage for Mackie, but didn't contribute in a substantial way towards his adoption. The rescue group and volunteers did the majority of the work, with the single exception of the ACC's standardized e-mail, to notify me that I was probably too late to adopt. They didn't have a clue. It was sad, ironic, and disappointing for a shelter system that takes in funds but obviously doesn't truly care about the animals or adopters. A qualified adopter contacts them for guidance in adopting a hard-to-place dog and is ignored, as the dog is placed on the death list. It was frustrating, to say the least.

Initially, I couldn't find a new name that would suit Mackie. One day, as I attended a church service after an appointment to go over the care plan with Mackie's vet, the reading was about "the pearl of great price." The pearl was something that others passed by, but one person realized had great value, and he sold everything he had to obtain it. I decided to name him Pearlie, because though he had been overlooked for so long, he was worth more to me than I could put into words.

I wonder how many ACC behavioral evaluations have resulted in euthanizing an animal who was in pain, but who would have made a wonderful pet if given the chance to be adopted, and the pain relieved. Pearlie received the best medical care and supplements, and lived happily with me for almost 3 1/2 more years, until he finally passed away, unexpectedly, from a brain tumor. Until the end, he would seek me out if I left the room, and come over to lean on me. He expressed great affection in his own way, and I miss him dearly. I'm currently in the process of establishing the Pearlie Medical Fund, to help pet owners who need assistance with medical bills for their pets. Pearlie's life still has the potential to make other lives better.

Pearlie deserved to live. He almost never got that chance.

Christina Patterson, Westminster, MA.
ChristinaNoel@live.com



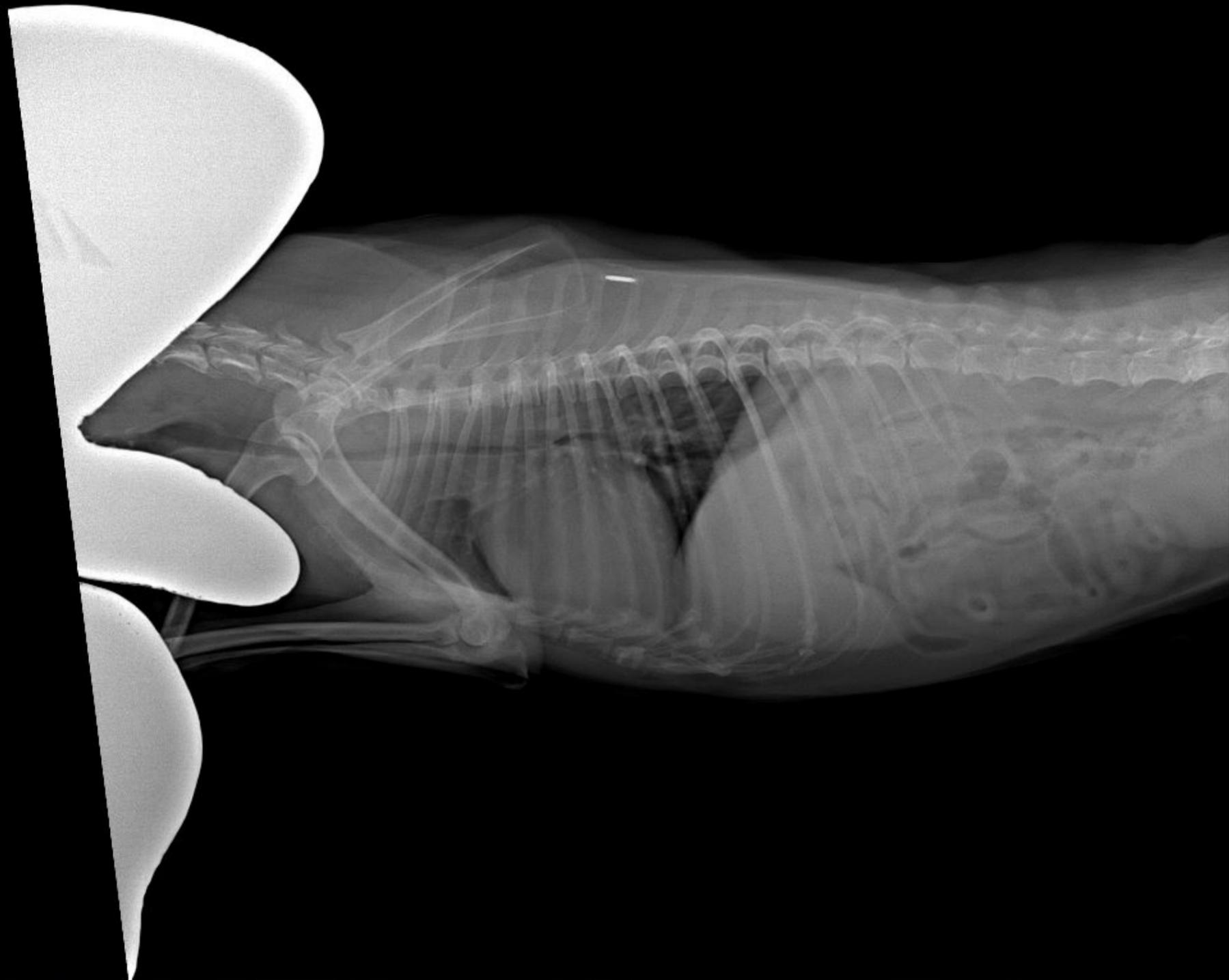






1
Patterson, Christine
^Mackie^^ M / 12Y
BD: 2002.06.07

Fallon Animal Clinic
2014.07.24
14:18:34



10Cm

SE: 3256
IM: 11104
W 1617 : L 2379





Adoption Inquiry

ChristinaNoel@live.com

Sun 7/13/2014 3:00 PM

To: adoption@nycacc.org <adoption@nycacc.org>

Hi, I'd like to adopt the dog named MACKIE (also called "Blackie"), ID #A1004742 at the Manhattan AC&C.

What forms of payment are accepted to adopt a dog there?

Also, what is Mackie's adoption status? I was preparing for a trip to NYC to adopt him this week, driving from the New Hampshire border (4 hours away), but I just saw a notation that says "Behavior: NH only." Can he be adopted by an individual like myself? I'm an experienced dog owner and shelter volunteer, and have many resources available for him here.

Thank you,
Chris

RE: Adoption Inquiry

adoption account <adoption@nycacc.org>

Wed 7/16/2014 10:48 AM

To: 'ChristinaNoel@live.com' <christinanoel@live.com>

Hello,

Thanks for your interest in Mackie. He has been placed with one of our New Hope partners. New Hope partners take ownership of AC&C animals and care for them prior to placing them in permanent homes through their own adoption process. Please let us know if you would like us to pass on your contact information. They may already have an adopter for him, but we are happy to let them know of your interest. For more information on New Hope see <http://www.nycacc.org/newhope.htm>.

We encourage you to come into one of our care centers to meet our available animals. Adoption hours are 12:00 – 7:00 p.m. daily (except for major holidays.) Please visit our website at www.nycacc.org and go to ADOPT for additional information.

Thank you!

Adoption Team

Animal Care & Control of NYC



MACKIE'S MEDICAL HISTORY

July 15, 2014



A1004742 12.60LBS DOG BLACK / GRAY M POODLE TOY / CHIHUAHUA SH 6/27/2002

07/15/14

6/27/2014

INITIAL GERIATRIC 12.60LBS Treated by: 0731

Scanned negative
 QARH
 Moderate to severe dental tartar, maxillary incisors missing
 Cloudy lens
 Male intact
 Long nails, trimmed
 Activyl applied
 Geriatric
 Nosf

VACCINATE GERIATRIC 12.60LBS Treated by: 0731

FLEA TREATMEN
 DEWORMING
 RABIES VACC
 BORDETELLA
 DA2PP

7/2/2014

7/2/2014

RE-EXAM HEART MURMUR 12.60LBS Treated by: 0933

Scanned negative

Appearance: QAR H

Integument: thin and some matted hair coat, small inflammation at the base of the tail on the dorsal area, normal nails,

EENT: OU mild conjunctivits, cloudy lenses, AU clean, No nasal d/c, coughing due to HM

Oral cavity: MM pink, CRT <2sec, Severe periodontal dz, heavy dental tartar and gingivitis,

PLN: WNL

H/L: heart murmur 4/6, Lungs clear

ABD: Soft non painful,

U/G: IM

M/S: Amb x 4

BCS: 5/9

Neuro: NSF

A:Geriatric

Heart murmur 4/6 , coughing due to HM

Severe periodontal dz,

Imflammatuon on the tail base (wound/abcess)

P: Clavamox 1ml PO BID 14 days

Hydro 0.25ml SQ then Tramadol 25mg PO SID 5 days

Rimadyl 12.5mg PO SID 3 days

REC NH PLACEMENT

REC CHEST RADIOGRSAPHS AND CARDIO CONSULT

REC FULL GERIATRIC WORK UP

0.50 TRAMADOL 50MG 1.00 TIMES/DAY FOR 5.00 DAYS

0.25 RIMADYL 25 MG TAB 1.00 TIMES/DAY FOR 3.00

DAYS

1.00 CLAVAMOX ORAL 2.00 TIMES/DAY FOR 14.00

DAYS

7/9/2014

7/9/2014

BEHAVIOR HEART MURMUR 12.60LBS Treated by: 0429

Mackie walks calmly on leash. He may be house trained - toileted immediately when taken outside. He repeatedly attempted to get away from the handler during the assessment. Mackie was uncomfortable with handling, turning quickly toward the hand trying to bite the assessor's hand. He was not interested in food, toys or rawhide. Mackie does not approach other dog, turns body to side.

Mackie was surrender to us. His last owner stated that he gets along with children but sometimes with strangers. He described him as a very calm dog. The behavior department recommends that he can get adopted by a New Hope partner.

Look: 2. Dog pulls out of Assessor's hands each time without settling during three repetitions.

Sensitivity: 5. Dog tries to bite.

Food: No interest.

Toy: 1. No interest.

Rawhide: 1. No interest.

Dog-dog: 2. Dog does not approach the helper dog. Turns body to side in relation to other dog.

Helper: A0960381

7/12/2014

OBSERVATION HEART MURMUR 11.40LBS Treated by: 0930

new wt 11.4

VACCINATE HEART MURMUR 11.40LBS Treated by: 0930

DA2PP

7/13/2014

7/13/2014

RE-EXAM KENNEL COUGH 12.60LBS Treated by: 0007

Kennel Cough
 snd w/blood
 Doxy 100mg 1/2 tab sid x 10 days as per Dr. Hallquest

7-2-14
 Scanned negative

Appearance: QAR H
 Integument: thin and some matted hair coat, small inflammation at the base of the tail on the dorsal area, normal nails,
 EENT: OU mild conjunctivits, cloudy lenses, AU clean, No nasal d/c, coughing due to HM
 Oral cavity: MM pink, CRT <2sec, Severe periodontal dz, heavy dental tartar and gingivitis,
 PLN: WNL
 H/L: heart murmur 4/6, Lungs clear
 ABD: Soft non painful,
 U/G: IM
 M/S: Amb x 4
 BCS: 5/9
 Neuro: NSF

A:Geriatric
 Heart murmur 4/6 , coughing due to HM
 Severe periodontal dz,
 Imflammatuon on the tail base (wound/abcess)

P: Clavamox 1ml PO BID 14 days
 Hydro 0.25ml SQ then Tramadol 25mg PO SID 5 days
 Rimadyl 12.5mg PO SID 3 days

REC NH PLACEMENT
 REC CHEST RADIOGRSAPHS AND CARDIO CONSULT
 REC FULL GERIATRIC WORK UP
 0.50 DOXY TAB100MG 1.00 TIMES/DAY FOR 10.00 DAYS

7/15/2014

VACCINATE KENNEL COUGH 12.60LBS Treated by: 0407

S/N WAIVER
 HEARTWORM TES NEGATIVE
 MICROCHIP M



June 17, 2019

To New York City Council,

My name is Herve Breuil, I am the Shelter Director at Woodstock Farm Sanctuary in High Falls, New York. Woodstock Farm Sanctuary offers sanctuary and cares for 370 rescued farmed animals, including 40 ducks, who were rescued from cases of neglect and abuse.

I am here today to testify in strong support of New York City Council Intro. 1378 to ban the sale of foie gras in New York City. My personal experience exposing the cruelty involved in foie gras production comes both from my former role as an undercover investigator of foie gras farms in France, and my experience as a farm sanctuary animal caretaker.

I am originally from France, where I previously worked as a campaign manager for the French organization L214. One of the campaigns I worked on is called "Stop gavage" (stop force-feeding), a campaign focused on exposing and informing about the cruelty of foie gras production in France. France is the 1st producer of foie gras in the world with 75% of the world production.

During my investigations I filmed foie gras farms in Brittany and the South West of France, revealing the immense suffering caused to ducks and geese in its production, including from force feeding, and other cruelty.

I witnessed ducks being forced fed 2 lbs of a corn mash within 5 seconds, twice a day, by means of a metal tube, 20 - 30 centimeters long, being thrust down their throats till it reaches the stomach. This results in the liver becoming almost ten times larger than its normal size, and the bird develops an illness: hepatic steatosis.

If the bird struggles when the tube is thrust down his throat, or if his esophagus contracts with the urge to vomit, he runs the risk of suffocation and fatal perforation of the neck.

I have seen many ducks dead inside their cage or dying after suffocating or having their necks perforated.

Insertion of the tube causes lesions which become germ-infested and painfully inflamed. The unbalanced and forced over-feeding frequently causes potentially fatal diseases of the digestive system.

Immediately after each force-feeding session the bird suffers from breathlessness and diarrhea. The enlargement of the liver makes it difficult to breathe, and all movement is painful.

If this treatment were to be continued, it would cause the death of the force-fed animals. They are slaughtered before they die from its consequences. However, the weakest animals are dying when they arrive in the slaughter room, and many don't last that long : the mortality rate of ducks is 9 times greater than usual during the force-feeding period.



The inherent violence of foie gras production would alone justify its abolition. However, for most of these animals their ordeal is not limited to the brutality of force-feeding. Many are amputated of part of their beak, without anesthetic, by pliers or scissors. Female ducks are usually ground up alive or gassed shortly after hatching, because their livers have more veins than those of males and not suitable to produce foie gras.

23 of the 28 European Union countries have banned the production of foie gras because of its cruelty. France is an exception. However, most French people are opposed to foie gras. According to a survey from November 2017, 58% of French people are in favor of banning the force feeding of ducks and geese. 37% of French people refuse to buy foie gras for ethical reasons. And the French department of agriculture numbers show that foie gras consumption decreased by an incredible 28% in 2016 (notably because of the avian flu), marking the 6th year of consumption decrease.

As Shelter Director I can attest to the basic needs and unique personalities of the ducks, which they are prevented from expressing. It is natural for ducks to spend a large part of their life on water. In these farms, the birds are kept in sheds, then in cages where their feet are injured by the wire floor. When they don't have access to water, their feet develop ulcerative pododermatitis and their hocks become inflamed. In a foie gras farm they are denied their most natural needs: they can never swim or fully spread their wings or blow bubbles in water to clean their nostrils or preen after swimming or dig holes in puddles to forage for bugs or choose their friends.

Ducks are social animals and at a sanctuary they get the chance to choose their friends. We have a blind duck, Coconut. She has 2 friends, Arwen and Tom who never leave her side and guide her to the food and pond and back to the coop at night. There is also Teddy and Quincy. Whereas it is said ducks do not mate for life, unlike geese, these 2 were rescued together in 2009 and have been inseparable since. Ducks can live to be 12 years but they only get 3 months in a foie gras farm.

As a Frenchman, duck caregiver, and advocate for the compassionate treatment of animals, I urge you to vote yes on New York City Council Intro. 1378 to ban the sale of foie gras in New York City.

Sincerely,

Herve Breuil

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Tova Cohen
Bedford Ave
Brooklyn, NY 11229*

Subject: *Re Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)*

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

*As a person of compassion who abhors cruelty of any kind to any living creature, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry and involves the violent act of **shoving a metal or plastic foot-long pipe down a bird's throat then pumping so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.** Can you imagine the pain and suffering that they experience?*

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

*Sincerely,
Mrs. Erica Noy
Henry Hudson Parkway
Bronx, NY 10463*

New York City was once a great city a leading city -- my Testimony in support of Intro 1378 (foie gras sales ban) You got it right on Styrofoam banning it now get it right on animal cruelty.

I became an animal activist after I was savagely assaulted at a doctors office at 155 Spring St. October 1, 2012 and now people know me around the world because I donate whatever I can to help stop animal cruelty and help the support jobs that are part of stopping animal cruelty and educating the public.

It is shocking to me that New York City is not a leader when it comes to animal cruelty but I'm also a victim of savage violence that required surgery and if the receptionist office manager who did what she did to me had done this to a dog she would've been arrested by the ASPCA but she was not arrested by the 1st Precinct who is guilty of doing fixing in favors and breaking laws at their desk in my case.

Before the fixing in favors and corruption and violence for Dr. Andrew Fagelman and Delita Hooks 155 Spring St. Before the running punched my head like the game knock out the Jew after the cyst removed by Dr. Vine I asked would you consider paper cups instead of Styrofoam....Six years later there's a shocking new levels of abuse including their use of styrofoam cups which will be going into a book.

On the cover of my book w/ a New York of nyc Will be YouTube video grabs showing me confronting Sheldon silver two years before he was arrested, Tish James Standing behind me along with union leaders like DC 37 as we stand in front of it SAIC I see is New York office is demanding mega millions, me yelling down Michael Bloomberg a month before hurricane Sandy that 911 Tech system over budget over \$1 billion and it doesn't work properly, The cover is going to point out that Zachary Carter lied that I wasn't coerced when I was and have a city protected all these crimes a pile up that I agreed to foster rest twice including Saturday 4 PM unless I drop charges and I had a hole in my retina and cervical damage and develop floaters in both eyes from my head being shaken by Delita Hooks.

So far no one in a position of power in city government has done the right thing in my case but I know the world is watching in the book that will be published by the end of this year about what happened to me as a precursor to far more books exposing wrongdoing in New York City corruption to human rights violation civil rights violations crimes from the doctors office to please department and far more.

It is sad how far the city has fallen in terms of integrity decency human rights and animal rights.

I am comforted with these words the world is watching.

Thank you,

Suzannah Troy
Brooklyn
11249
Please google Dr Fagelman assault

Please google NYPD Det Andrew Dwyer Delita Hooks letter threatening me

Her letter threatens me with the second false cross complaint which is a crime is scanned and posted on my blogs with the police notes that were signed off by his supervisor.

You can see Ron Kuby's letter it's not exactly what I agreed to but it still short hand I am being coerced.

Every victim should be able to sign a note yes I was coerced no I wasn't but the city sense and lawyers to lie in state I wasn't coerce this was under Bloomberg and now under De Blasio.

When Joan Illuzzi saw the video of me being attacked she was horrified and when she learned patience for coming to my YouTube channel to harass me and that the doctor and my attacker were discussing it with Patience she said they shouldn't do that but when she learned I confronted her boss on his misogyny she protected all crimes along with Tiana Walton and of course our corrupt racist misogynist DA.

Ask NBA star Thabo Sefolosha and Joe Jazz Hayden if they think that Cy Vance DA is racist.

People in positions of power are hoping I won't go away but what was done to me will never go away it will go into Books into documentaries into Films it is not going away.

I hope there will be a list of every person who should've done something and did nothing and continues to treat me like a Jew in the early stages Nazi Germany.

If you don't like my style if you don't like me that's your privilege but protecting crimes violating civil rights breaking laws has no statute of limitations so I'm just waiting for people in positions of power with integrity we're going to apologize to me and how many other victims?

I am writing to you to urge you to support the bill to ban foie gras in New York.

I love French food, but French cuisine will survive without foie gras.

The cruel practices that are used to produce foie gras make this ban imperative.

No animal should be force-fed for our pleasure. We wouldn't want it done to us.

Sincerely,

Richard Hughes

Pinehurst

NYC 10033

This has long been an atrocious invention, utterly inhumane,
and it's high time for a would-be civilized society to STOP it!

Silvia Rennie
silvia.g.rennie@gmail.com

Dear legislators,

I learned about the cruelty involved in producing foie-gras many years ago and never had again. It's not even a healthy food for human consumption.

Continuing progress in the elevation of the human spirit requires us to become more aware of and proactive toward the well-being of the other creatures who share our planet.

Please ban the product of so much suffering from our markets and restaurants.

Sincerely,
Susan Poliacik
Independence Ave
Bronx NY 10463

Musician/teacher

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Christopher Davalos
West 51st Street
New York, NY 10019*

Dear Members of the Committee on Health:

Please pass intro 1378

I am disgusted by the act of force feeding ducks in a most violent and painful manner. The suffer inflicted upon creatures for a luxury food is heinous. I can only hope that those of you who have not seen the process can and will personally witness the utter abuse inflicted upon ducks by having these horrible pipes shoved down their throats and being forced fed constantly. It is barbaric. It is torture. The question is: would you want this done to you, to your family members, to your pets, to any living creature or being? Why should animals suffer so greatly for human greed, because indeed no one ever needs to eat fatty duck liver and it certainly is not good, healthy eating.

I stand with the majority of New Yorkers who support intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Karen Margolis
Duane Street
New York, NY 10007

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

PLEASE PASS INTRO 1378 AND END THIS TERRIBLE CRUELTY!

Sincerely,

Peter DePasquale
Hicks Street
Brooklyn, NY 11201

Please help to ban the sale of of foie gras, Bill 1378 in NYC.

I am a constituent in councilman Paul Vallones District.

mrs.yellow39

mrs.yellow39@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Jack Pliskin

Prospect Place

Brooklyn, NY 11217

Dear Members of the Committee on Health,

Force feeding birds is monstrous, cruel to animal wildlife and dangerous for our environment. I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm appalled that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Name

Street Address

City, State Zip Code

Terrea Mitchell

tmqcmail@gmail.com

Dear committee,

I am writing to express my support for a ban on foie gras. How can we call ourselves civilized if we treat other beings as badly as we do in the food industry. Every person who eats or promotes this horror should have the tube forced down their throat and food shoved in. hen lets see how supportive they are of this practice.

Thank you,
Lynn pacifico

Wedding officiant and ceremonialist <http://home.earthlink.net/~lynnpax/>

"She is on the way. On a quiet day, I can hear Her breathing."
Arundhati Roy: Revolution and Dissent

"Homeopathy cures a larger percentage of cases than any other method of treatment and is beyond doubt safer and more economical and most complete medical science." - Mahatama Gandhi

"Everything is energy and that is all there is to it. Match the frequency of the reality you want and you cannot help but get that reality. It can be no other way. This is not philosophy. This is physics." Albert Einstein

lynnpax@juno.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker and a veterinarian, I'm extremely disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Carmen Scippa
Leonard Street
Brooklyn, NY 11211*

Hello distinguished representatives,

I'm writing you to ask for your vote in favor of a New York ban on foie gras.

As you know, ducks and geese are tortured for weeks on end to make foie gras - violently force fed (a process I just can't fathom going through... even if it wasn't violent.)

I put myself in the horrendous place of these birds because it's critical to remember that these are sentient creatures, with feelings and fears and emotions like we have - albeit at a child's level, according to animal behaviorists.

Still, they feel, deeply. As children do.

And when foie gras is on a menu in a great city and state like New York, where people are more aware and caring of issues, more evolved, than in other places in our country and around the world, it's a true crime.

As New Yorkers, we need to set the standard for not only America, but the world.

It's just an appetizer or a dab of something added to a burger... Foie gras in no way defines this city or state or world, nor is it important to humanity. It's horrifically bad for your health. And it's a horrific delicacy that needs to stop.

Let's be the people who are educated and elevated enough in our thoughts and our compassion to take a stand declare foie gras illegal.

We have a chance to change the lives of an endless number of wonderful animals and start a worldwide movement toward compassion over gluttony.

Please vote with your conscience. And thank you for reading this.

Best,

Kristin

Kristin Perrotta
21st Street
Astoria, NY 11102

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,
Martha Cataldo
New York, NY 10012

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York–based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,
Jordan Fixler
E 95th St
New York, NY
10128

We are so upset that foie gras is still allowed to be sold in NY restaurants. These poor birds are force fed and tortured. It is cruel and inhumane.

81% of NY voters support a ban on this horrible treatment.

We support intro 1378 and request that the committee pass it immediately

Sincerely,

Mary & Daniel McDonnell

252nd Street

Bellerose, N.Y. 11426

Subject: *Re Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)*

Body: *Dear Members of the Committee on Health,*

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

ayn silverman

east 44th street

new york, ny 10017

*the abuse of animals to satisfy the palettes of humans is a disgrace-this treatment must stop now-the idea of pushing a pipe down the throats of any breathing being is simply unacceptable---do your job--stop this now-thank you!
Ayn Silverman*

Dear Members of the Committee on Health,

*I write today to ask that your committee pass
Intro 1378.*

*As a New Yorker, I'm disturbed that foie gras—
a "luxury" food item from cruelly force-fed
ducks—is currently allowed to be sold at
restaurants in the city. Force-feeding is
standard practice in the foie gras industry. It
involves violently shoving a metal or plastic
foot-long pipe down a bird's throat then
pumping the animal with so much feed three
times a day for several weeks that his or her
liver swells to up to 10 times its natural size
and becomes diseased.*

*Birds raised for foie gras typically suffer
greatly from numerous diseases, illnesses, and
injuries. This is why over 50 not-for-profit
organizations, 50 New York-based veterinary
professionals, and 81% of voters in the city
support a ban on the sale of foie gras.*

*I proudly stand with the vast majority of New
Yorkers, who support Intro 1378, and ask that
the committee pass this bill without delay.*

Sincerely,

*Dianne Athey
430 West 24 th St 3 B
New York NY 10011*

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

*As a New Yorker, I'm **BEYOND disturbed** that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.*

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Meghan Biernacki
w 36th st,
NY NY 10018*

The practice is inhumane and exploitative of innocent helpless beings. Prove NYC is as progressive as it brags to be and BAN fois gras in NYC.

Advance thanks,

Sean Kroll
seankroll@gmail.com

In bocca al lupo... 

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Chaz A. Swingle

W 38th St

New York, NY 10018

chaz.swingle@gmail.com

Greed and animal suffering are destroying society and the world. We have come a long way to still be treating animals so poorly. A fatty goose liver is not only unnatural and unnecessary but cruel. It makes no sense!

Please consider this!

LILIANA JULIAOMAZZILLI

<lljmazzilli@aol.com>

Queens, NY

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

To members of the Committee on Health,

I'm writing today to ask that you pass Intro 1378.

Foie gras—a very expensive food item created by cruelly force-feeding ducks—is currently allowed to be sold at restaurants in NYC. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased. They typically suffer from disease, illnesses, and injuries. As a New Yorker, I'm appalled by this, and am part of the over 80% that support passage.

Sincerely,

Gene Fischer

66 Dubois Rd. New Paltz, NY 12561

Dear Members of the Committee on Health,

I am writing to respectfully urge you to support the proposed ban on foie gras in New York City. I am deeply disturbed by the inherent cruelty which is an inseparable part of this “delicacy.” Ducks and geese must be force-fed several times a day over a period of several weeks to produce foie gras, and force-feeding involves sticking a foot-long pipe into their throats. In addition to the pain and fear they surely experience when they are force-fed, the animals develop painful, debilitating diseases and injuries as well. This “delicacy” is diseased liver tissue and there is no humane, natural way to produce it.

As a New Yorker, I am proud of the many things our city does to care for animals, and the way our city’s leaders have advocated for measures which help them. I respectfully urge you to help New York become an even more humane place, and to support Intro 1378.

Sincerely,
Amy Kauffman
W 169th St
New York, NY 10032

Dear Members of the Committee on Health,

I urgently ask you to pass Intro 1378. Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York–based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

Please pass this bill without delay.

Sincerely,

Camilla Calamandrei
<camillacala@gmail.com>
W 72 St
NYC 10023

I am so disgusted by this i once owned a duck as a little girl and it deeply saddens me that this is going on to think that my duck lucky was so fortunate to have me to care for him and love him please am writing you today to please pass this law i am a proud new yorker and a proud peta member and don't want this to keep going on i hope you find it deep down i your hearts to really stop this and pass this law thank you God bless

Alexa Plata

alexaplata44@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,
Bill McKeever
Park Ave
NY NY 10021

To whom it may concern,

As a school teacher, I recently went to a petting zoo with my children and had the opportunity to interact with ducks and geese... and I was struck by the soulfulness in their eyes. I could not imagine the cruelty that ducks and geese must endure for the foie gras industry!

There is one thing to have an animal based food industry but, the abuse that this animals endure is not necessary, and the few people that enjoy this conspectus consumptions are not worth their suffering!

There will always people that take delight in what they find "different" or "crass."

Please disregard these few individuals, and consider the many poor animals that suffer needlessly!

Thank you!

Ms. Brenda Cooney

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a long-standing New Yorker, I'm disturbed that foie gras—a "luxury" food item from abused and cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. There is no need to continue this grotesque and revolting practice in a humane city like NY. We live by higher standards and will continue to set the bar at a level that only the great people of this city can understand, respect and meet.

Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

*Best,
Karen Salama*

6/19/2019

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Bobbie D. Flowers

bobbie_flowers@hotmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Phillip Hope
10th St
Brooklyn NY 11215*

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

I abhor this kind of cruelty, of force-feeding ducks.

Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Linda Cohen
Oakdale street
Staten Island, NY 10308*

Enact Intro 1378 to help prevent cruelty and ban the sale of foie gras in NYC!

As a New York City resident, I urge the City Council to enact Intro 1378 to help prevent cruelty and ban the sale of foie gras in NYC.

Jordan Ehrlich

thegooddoctorj22@mac.com

I am so disgusted with the inhumane treatment of these beautiful and innocent animals. Please see to it that this behavior is stopped. Also a diseased liver is served as an expensive delicacy? Something has to be done as soon as possible.

Sincerely.

Karen Cacciola

beanienumber3@aol.com

TESTIMONY IN SUPPORT OF INTRO 1378 (FOIS GRAS SALES BAN)-STEPHEN
OKADA

sokada

sokada@mindspring.com

Dear Members of the Committee on Health,
Please pass Intro 1378 immediately. As a humane person and a New Yorker, I am appalled that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants and food shops in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his liver swells to up to 10 times his natural size and becomes diseased. Birds raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries, sometimes including actual holes ripped into their throats.

Foie gras is made only from male ducks and geese. Female baby chicks are routinely killed by being thrown into a chipper while still alive.

Both male and female ducks and geese are sentient beings who feel the tremendous fear and tremendous pain inflicted by the foie gras industry. They are not stupid. They are not incapable of feelings. They are not immune to pain. They are not immune to suffering. This is a barbaric industry that must be stopped in a progressive compassionate city like New York City.

This is why 81% of voters in NYC, over 50 not-for-profit organizations, and 50 New York-based veterinary professionals support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and implore the committee to pass this bill without delay.

Sincerely,

Sondra Shaye
Union Street
Brooklyn, NY 11215

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,
Melissa van Wijk
W181 Street
New York, NY 10033

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Ron Castellano

Studio Castellano
165 East Broadway
NY | NY 10002

e: ron@scnyc.net
o: 212.777.0706

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Catrina Genovese, RN
Plaza Street East
Brooklyn ,NY 11238*

Dear Members of the Committee on Health, I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Kirti Sohal
west 72nd st
Ny,Ny 10023

Please stop this inhumane treatment of the animals for the appeasement of gluttons and \$\$\$ for those businesses that thrive in animal suffering.

Richard Betancourt/Queens NY

petescharm@gmail.com

Friends,

I implore you to support Intro 1378. The barbaric treatment of ducks and geese for the purpose of creating foie gras should come to an end as soon as possible. I beg you to consider the tortured life of an animal being restrained and force fed for the sole purpose of pathologically enlarging its liver. An enlarging liver is very painful, which only adds to the misery of these animals' lives.

Thank you very much.

Hallie Weiss, M.D.
West 72nd Street
New York, NY 10023

Stop stupid animal cruelty

Dear Representatives,

Force feeding birds for food has got to be one of the stupidest practices I have ever heard.

Please stop this inhumane act.

Sincerely,
Jessica Banta

jessica44774477@yahoo.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,
Linda Gasbarro
Union St
Brooklyn, NY 11225

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Sabina Taneja
West 24th Street
New York, NY 10010*

Please ban foi gras

Please consider the poor animals who must suffer to make this food, which, by the way, is very unhealthy for humans.

Sincerely

Ann Procacci

alprocacci@aol.com

Cruelty to Birds must be stopped, asap!

Please stop the cruel treatment leading to murder of birds to benefit the food industry, immediately! It is inhumane & completely unnecessary!

Thank you very much,

Lisa E. Stein
Animal Rights Advocate & Animal Lover!

lisa64747@gmail.com

Banning Foie Gras is Humane. Allowing Foie Gras is Inhumane,
period.

+19172385364@tmomail.net

To the Committee on Health:

I urge you to ban the sale of foie gras, an ugly symbol of the cruelty and selfishness of the lowest of the low. There is no justification for tormenting an animal . To do so reveals a lack of humanity and decency, and no government considering itself representative of a civilized society should condone it.

Please vote for the humane bill before you.

Ellie Adiel

eadiel@gmail.com

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Sincerely,

Wade Blackmon

wade.blackmon@gmail.com

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Sincerely,

*Saya Weissman
924 Metropolitan Ave.
Brooklyn, NY 11211*

Dear Members of the Committee on Health,

Please pass Intro 1378.

I find it unbelievable that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city.

Force-feeding is standard practice which involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

This is completely inhumane.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

The making and selling of foie gras has been made illegal in California and New York needs to ban foie gras as well.

I support support Intro 1378, and ask that the committee do the right thing, the compassionate thing, and pass this bill without delay.

Sincerely,

Julie Levin
East 10th Street
New York, NY 10003

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*Sincerely,
Robin Spiegelman*

rspiegelman@gmail.com

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Sincerely,
Karen Esposito
1619 York Ave
NYC 10028

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Sincerely,

Darina Goulashvili

dshvili@gmail.com

Dear Members of the Committee on Health:

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in our city.

Force-feeding is an extremely cruel, horrible standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

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Help end all forms of animal abuse & suffering.

Sincerely,

Arlene Zuckerman

Forest Hills, NY 11375

arlenenyc@hotmail.com

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Sincerely,

*Esther Gonzalez
East 127th St.
New York, NY 10035*

--

***Thank you, God bless You!**
Esther Gonzalez*

Esther S

esther.gonzalez@uasdc.org

To whom it may concern,

Hello my name is Jeffrey Aust. I live in district 34 and am a constituent of Antonio Reynoso. I would like to voice support for intro's 1378, the ban on foie gras and 1425, the horse carriage horse heat relief bill.

Thinking about the reality of foie gras,

I almost had to pinch myself to make sure I was awake today because a lot of times it feels like I'm living in a twilight zone. The fact that there is a debate going on to decide whether or not it's humane to shove a twelve inch pipe down the throats of ducks and repeatedly force feed them huge amounts of food so that their livers expand TEN times the natural size...

Really?!

And yes, I know a small amount of the population who considers eating fatty duck livers a tasty delicacy, will argue this isn't inhumane because 1. it's not happening to them and 2. because in their mind, their taste preferences are more worthy of consideration than an animals suffering.

I also know that anyone who profits off the torture of these birds will argue it's not inhumane simply because it's making them money.

However, we need to focus on what's being done to the ANIMALS. They are the victims, not the consumer or the beneficiary. Can anyone ACTUALLY think it's "humane"?

I'm pretty positive that anyone without their own invested interest can admit how disturbingly cruel this is to do to an animal. There shouldn't be a need for a debate, and the fact that there is is very unnerving. That's why I am counting on you, you with the power to change that, to do just that, ban the sale of foie gras in New York City. It's a luxury item on only a small percentage of restaurant menu's in this city and these ducks pay a bigger price for it than the customers do. If we join California and the many other countries that have made a similar ban, hopefully the rest of the world will take notice and ban it all across.

As mentioned prior, I would also like you to support intro 1425, the heat relief bill for the horse carriages. As we know the real feel temperature at times exceeds the actual measured temperature. During these heatwaves, we humans have the option to go to the beach to go swimming, or staying inside with the AC on. The horses aren't afforded that luxury, they're out there for the full shift, pulling over one thousand pounds. The drivers are out to make money, they will push these animals like they're machines. Being in these conditions, horses often develop heat stress and lose the ability to sweat. I've seen these horses in the park on days like these,

panting and lethargic, they're miserable. It doesn't take a horse expert to see that. None of us would trade places with them. It's a brutal job. Let's show some empathy to these beautiful majestic creatures and pass intro 1425.

While I have focused on these two bills, because they have a vocal opposition, I am additionally in support and urge your support of all the animal related bills, intro's 1202, 1477, 1496, 1567 and reso 0798 and 0921. I would like to see the city I love so much keep moving forward in a more compassionate direction, and one that shows some care and consideration towards animals. Thank you so much for your time!

Jeffrey Aust
metropolitan Ave
Brooklyn, NY 11211

jeffrey V

studiofanclub@gmail.com

Dear Members of the Committee on Health,

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Thank you for your time.

Kind regards,

Carolyn

C W Paddock

nycpaddock@gmail.com

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Sincerely,

Louis Lau
54th Avenue
Douglaston, NY 11362

Louis Lau

louloulau@yahoo.com

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Sincerely,

Lydia Yeager
Chelsea
New York, NY 10011

lydiayeager@me.com

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Sincerely,

*Shani Schulman
Sutter Avenue
Ozone Park, NY 11417*

hvnlyangel777@hotmail.com

Foie gras- stopping this process

Please stop Foie gras. These birds shouldn't suffer because selfish humans.

Thank you,

Lizette Agostini .

lizette.agostini14@gmail.com

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Sincerely,

*Dr. Loren Marks
200 W 57 St. Suite 1010
NY, NY 10019*

Loren Marks D.C., DACBN
Diplomate American Clinical Board of Nutrition
Integrative Assessment Technique, Founder
200 W 57 St. Ste 1010 NY, NY, 10019

www.docmarks.com

T 212-333-7300

Fax 212-399-9659

"Why not go out on a limb? Isn't that where the fruit is?"

-- Frank Scully

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Sincerely,

Jared Brenner
East 9th Street
New York, NY 10003

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Sincerely,
Lauren Lichtman
3419 Irwin Ave
Bronx, NY 10463

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Sincerely,

Corinne Erni

Quincy Street,

Brooklyn, NY 11238

corinne.erni@gmail.com

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Sincerely,

Kimberly Spataro
West 43rd St
New York, NY 10036

kimberlyspataro@gmail.com

Foie gras. Cruel. Wrong. Let's put a stop to it, please.

Thank you,

William Ciofferro

wciofferro@gmail.com

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Sincerely,

*Alexis Wiscomb
Schermerhorn Street
Brooklyn, NY 11217*

alexiswiscomb@gmail.com

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Sincerely,

*Chris Tavarez
Staten Island, NY*

Maria Dawson

27ctav@gmail.com

ban fois gras

Dear mme or Sir -

This practice is disgusting and so unfair to animals - it should be banned -
immediately so that no further animals are subjected to this torture -

sincerely,

do

Ostrgard@aol.com

Hi,

I'm an upper west side resident and respectfully urge you to enact Intro 1378. This is a phenomenal bill that will allow New York City to lead on an issue that is certain to become a major progressive cause over the next several years. Animal protection is a vital cause and there is no reason to let the foie gras industry continue to exert so much harm for so little benefit.

Thank you for your time.

Warmly,

Scott Weathers

scott.weathers@mail.harvard.edu

Christina Liew
Shore Parkway
Brooklyn, New York 11214
e: christina.liew1@gmail.com

June 19, 2019

Dear NYC Council Health Committee:

As a concerned citizen and an animal advocate, I am asking the committee to support a number of animal related bills.

I am writing to ask that the city council support Intro 1378, the bill that will ban the sale of foie gras & Intro 1425, the bill that would update the law and take into account humidity heatwaves for the horses in the carriage industry.

Like the many testimonies the council will hear (or read) in support of the ban, the treatment of ducks and geese in the foie gras industry is cruel and inhumane. These ducks and geese are confined in cages throughout their entire life and have 15-25 cm galvanized pipes shoved down their esophagus at least 3 times a day. They are force fed in excess, making their livers swell up to 10 times their normal size. This is equivalent to a human consuming 16 lbs. of pasta. Does this sound luxurious? Ethical? Humane?

I ask members of the city council to imagine being deprived of all that is natural to you, where you can't socialize or participate in any form of bonding activity with others like you. Imagine the terror and fear of living in confinement for your entire life and having to interact with the people who physically torture you on a day to day basis. This is the life of 12-week old ducks and geese in the foie gras industry. There is nothing luxurious or ethical about this and that is why I ask that the city council ban the sale of foie gras in New York City.

There are so many alternatives to foie gras, as there are plant-based options to this "delicacy." Delice & Sarrasin which is located in the city offers a vegan version of the French delicacy. For those restaurants that are in opposition to this ban because they feel it might jeopardize their business, then I think they need to be creative and come up with alternatives that does not include the unnecessary cruel treatment of an animal. That's the joy of working in the restaurant - to be bold and create new tastes and textures in the food industry. What's the harm in these businesses trying new things?

Every year, I always hear about horse carriage accidents that happen in and around Central Park. Why are there so many accidents or injuries in the industry? There is always something on the news in relation to a horse collapsing on the busy city streets during the summer time. I can only imagine the ordeal these horses have to face – to be pulling carriages in the city during the summer time for long hours of the day, in a heat-wave. That is why I ask that the city council support Intro 1425, which will factor in

humidity and ensure that horses are forced to stop working when the heat index soars 90 or above. Forcing a horse to work in extreme heatwaves is cruel and inhumane.

In addition, I am in **SUPPORT** of the following & ask the city council to support the bills/resolutions:

- Resolution 798 that will ban pet stores from selling dogs, cats, and rabbits.
- Intro 1202 to stop the trafficking of NYC Wild Birds, as this is gross, cruel, and inhumane.
- Intro 1477 that will ban cat declawing
- Intro 1496 that will protect animals in apartments where evictions take place
- Intro 1567 that will increase fines for animal abuse because no human should *ever* get away with abusing innocent animals
- Reso 0379 which will expand Meatless Monday to all schools, providing plant-based nutrition and making it accessible for so many New Yorkers
- Reso 0798 which will call upon NYS legislature to pass A6298/S4234 that will ban the sale of dogs, cats, and rabbits in pet stores
- Reso 0921 which provides tax credits for adopted pets
- 4689 Federal Government to pass the PACT Act

Please, let's make New York a compassionate, cruelty-free, and humane city! Not only for the people, but all those that share the same planet as us.

Sincerely,

Christina Liew

To Whom It May Concern,

Please pass the bill banning Foie Grois, its the right thing to do.

I cannot believe anybody actually likes eating the diseased liver of an animal. People like to say the name, makes them "special" and unique. its sick and cruel.

At some point you have to make decisions that are humane, ethical and cruelty free. Despite what people may think.

Besides, the real issue in making the decision is thinking about whether people actually need to eat this to survive and the answer is "no".

Who wants these people walking amongst us anyways? People without any compassion, values or concern for anything but themselves.

Very Truly,

Connie Lamberes

clamberes@gmail.com

Testimony in support of Intro 1378 (foie gras sales ban), Darby Charvat

Hello,

I attended the rally yesterday at City Hall, and part of the hearings. I'd like to officially submit my support for Intro 1378, the ban on foie gras here in the city. The production of foie gras is cruel and, frankly, medieval... requiring methods that compassionate people simply cannot support. We know animals are sentient beings, and, as such, they deserve to be treated with kindness and love. Foie gras needs to be banned.

Thank you.

Darby Charvat
West 71st Street

darbykundalini@yahoo.com

My name is Marie Mar and I am a practicing attorney in New York City. I support Intro 1478 and Intro 1502.

I was co-chairman of the Shelter Reform Action Committee which sponsored the Animal Welfare and Shelter Reform Ballot Initiative in 1997. We collected thousands of signatures in New York City in support of setting up a Department of Animal Affairs thus taking away control of the animal shelters from the inept Department of Health.

We had enough signatures for the ballot but failed to get it on the ballot due to an obscure law giving the power over the shelters to the mayor.

However, the failures of the Department of Health continue to this day dealing with the animal shelters. The DOH has no clue as to how to manage the shelters except to euthanize unwanted cats and dogs giving them no opportunity for adoption or performing spaying and neutering and then euthanizing them or causing infections.

I adopted a dog in 1996 from the Center for Animal Care and Control--the name was subsequently changed- and the dog was fine except for an ear infection when I signed the papers to adopt Johnny.. When I picked him up after neutering, he had kennel cough and a scrotum infection from neutering. Johnny recovered because I took him to a competent veterinarian. I was disgusted with the animal shelter. What kind of care was that? I never had a pet infected from spaying or neutering.

There was no public accountability or oversight of the Department of Health. If anyone spoke out against what was going on in the shelters, even Board Members, they were dismissed. This gag order is continuing. Animal rescuers are afraid to describe conditions at the shelter for fear of being barred from rescuing animals.

The DOH has enough to do taking care of the health of New Yorkers and have no interest in the welfare of the dogs and cats except for the monies it receives. Moreover, I am disgusted as a taxpayer that my monies are used to kill innocent dogs and cats.

Therefore, the only solution is to set up a Department of Animal Welfare as we wanted in 1997.

Thank you

Marie A. Mar, Esq.

marieamaresq@gmail.com

Support for Carriage Horses of New York City

I support the Intro 1425 bill

These horses deserve all the protection and safety we can give them.

Barbara of Schacker Realty

bc@schackerrealty.com

Dear City Council This was the first time I ever encountered such prejudice and evil trying to adopt a beautiful German Shepherd dog that had every right to be mine this evil woman the director Risa WinStock needs to be fired I am very well aware of what has been done to many of my fellow advocates by her and her bullies in the ACC NYC system . I am prepared with my proposal to take over animal care control I have people who are like-minded and want to make “no kill New York City now”!



ATT00002.htm

Sincerely Yours

Diane Sigiorile 917-921-2791

Dear Council : I Please have them contact the phone service & block- this phone number for our shelter pets who need forever homes “888-NYC-PETS .” I have asked for Mayor Deblasio to hand over the Keys to ACC NYC to me many times We Gave him our proposal informative on No Kill We need to change Use & emulate how Austin Texas cares for shelter pets As our tools for change and reform Please Get ride of the current Director Risa Winstock who has abused the me and other constituents who care and our shelter pets in need to. Be rehomed not killed or made sickly then die painful deaths like my BELLA STORY AUDIO sent to you recently

Sincerely

Diane Signorile
signorile1@aol.com

Dear Council Mmembers : I have been active in the community saving animals and certified since 2010 I also Had a cat who needed to be an leg amputated due to a raccoon attack on his rear leg and foot bitten off on December 24, 2018 with donations from the locals and the ASPCA discount from Island Bird Cat & Dog the TNR Vet assigned to us hear in Staten Island NY 718-370-9472 I consider this an insult to my intelligence and yours I had a 3 legged cat in my Bedroom till Jan 7, 2019 when I returned him to his colony where is alive and well I feel people like us are whistle blowers telling the truth then were ostracized by these abusers more with their Bullies I have made many friends in ACC NYC but I cannot help to think if they only could tell the truth about RISA WINSTOCK without retribution like they have done to me Then you will really see the whole Truth Sincerely Diane Signorile 917-921-2791

From: JessicaVaccaro@nycacc.org
To: signorile1@aol.com
Sent: 2/6/2019 2:17:02 PM Eastern Standard Time
Subject: RE: Adoption of Clark

Hi Diane,

We'd be happy to work with you for adoption; however, we are asking that you complete the application in advance and a part of the adoption process would be doing a wellness visit. While I'm sure the concerns that were expressed are without merit, we do have to check in on things when they are made. Clark has been placed with a New Hope Partner and is no longer available for adoption. If you want to do the adoption application and wellness visit now in advance of adopting we certainly can. If you'd like to wait until there is a new animal that you are interested in we can do that also. Whatever is the easiest and most convenient for you.

Best,

Jessica



**Animal
Care Centers
of NYC**

Jessica Vaccaro

Senior Manager, Placement
11 Park Place, Suite 805 | New York, NY 10007



The information contained in this e-mail, and any attachments hereto, is from Animal Care Centers of NYC and is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution, copying or use of the contents of this e-mail, and any attachments hereto, is strictly prohibited. If you have received this e-mail in error, please immediately notify me by reply email and permanently delete the original and any copy of this e-mail and any printout thereof.

From: Diane Signorile [mailto:signorile1@aol.com]
Sent: Wednesday, February 06, 2019 5:58 AM
To: Jessica Vaccaro <JessicaVaccaro@nycacc.org>
Subject: Adoption of Clark

Dear Jessica Please Contact Deputy Commissioner Mario Merlino He is well aware of my lifestyle and how I reported drug dealers in my community and in retaliation I have been target by these Criminals . I am TNR certified since 2010 which is also the reason I was targeted I helped feral cats in need I resent what you said in this e-Mail I will talk to Katie Hansen too Please correct your information again I will contact Mario Merlino & Katie Hansen I expect you to do the same Sincerely Diane Signorile 917-921-2791

Sent from my iPhone

On Feb 4, 2019, at 12:56 PM, Jessica Vaccaro <JessicaVaccaro@nycacc.org> wrote:

Hi Diane,

Thanks for your interest in adopting from ACC again. Paul passed along your email about Clark. You and I actually spoke on the phone back in 2015 after your original adoption of Sheena. You mentioned at the time that you had treated her through kennel cough and that you were looking into registering her as a therapy dog. I hope things are going well with her. She was a beautiful puppy and I'm sure has grown into a lovely adult dog.

After your first adoption from ACC back in 2015, a few concerned members of the community in Staten Island contacted us expressing concerns about your lifestyle and living conditions of your pets. We had sent a member of our Animal Rescue team over to check in with you and do a wellness visit but we never were able to connect. While these concerns are likely unfounded, whenever they are expressed we do need to do our due diligence before moving forward with additional adoptions. For us to move forward with Clark's adoption – or another adoption for a pet in our care – we would need to process your adoption application prior including all personal and vet checks. We would also like to do a scheduled home visit.

Attached to this email is a copy of our Adoption Application please complete this in full at your earliest convenience and send it back to us and we can touch base about the rest of the process from there. At this time, we aren't able to hold Clark for you.

I'm not in today, but if you'd like to discuss further over the phone tomorrow I'd be happy to tomorrow or Wednesday.

Best,

Jessica

ACC_a1cf8dfd-4476-4c94-92f0-c8d063b42bbe.png

Jessica Vaccaro

Senior Manager, Placement

11 Park Place, Suite 805 | New York, NY 10007

[Facebook_514d486c-30ed-4b17-9b68-866457bbf70a.png](#) [Twitter_5e664d43-ee4e-4816-a0ca-1bb2913e46ed.png](#) [Instagram_ae7c59c4-5263-4261-87db-a40b0f26639a.png](#) [LinkedIn_294c2fd2-7f38-42f4-b5bd-2ceaa639b8e5.png](#) [Mail_d55c70bc-3612-429a-a3e9-2dc5d7a68dbb.png](#)



Adoption
Application FINAL.p

Dear City Council Please Fire Risa Winstock She is the most evil person I ever Met Since she had Bella the 8 month old german shepard puppy die a slow painful death who I tried to save I will send you my Audio I have been targeted by the commuinty who I feel she owns due to involvement of NYC ACC They have chased me as I walk my service dog and I had Alice Devalle who testified in court about this before Judge Green Chambers court room when they were tryiong to steal my home with the twice convicted felon in Richmond County April Entrideri and the economic Crimes unit ADA Jeff Curiellie has all my checks as proof of theft of my funds all transparency in the courts audio & I had to go to Harlem to adopt Sheena she is blocking me still even from fostering an animal I have more experience and love for the fur babies she lacks compassion

Sincerely
Diane Signorile
917-921-2791

From: JessicaVaccaro@nycacc.org
To: signorile1@aol.com
Cc: ColleenDoucette@nycacc.org
Sent: 2/4/2019 12:56:10 PM Eastern Standard Time
Subject: Adoption of Clark

Hi Diane,

Thanks for your interest in adopting from ACC again. Paul passed along your email about Clark. You and I actually spoke on the phone back in 2015 after your original adoption of Sheena. You mentioned at the time that you had treated her through kennel cough and that you were looking into registering her as a therapy dog. I hope things are going well with her. She was a beautiful puppy and I'm sure has grown into a lovely adult dog.

After your first adoption from ACC back in 2015, a few concerned members of the community in Staten Island contacted us expressing concerns about your lifestyle and living conditions of your pets. We had sent a member of our Animal Rescue team over to check in with you and do a wellness visit but we never were able to connect. While these concerns are likely unfounded, whenever they are expressed we do need to do our due diligence before moving forward with additional adoptions. For us to move forward with Clark's adoption – or another adoption for a pet in our care – we would need to process your adoption application prior including all personal and vet checks. We would also like to do a scheduled home visit.

Attached to this email is a copy of our Adoption Application please complete this in full at your earliest convenience and send it back to us and we can touch base about the rest of the process from there. At this time, we aren't able to hold Clark for you.

I'm not in today, but if you'd like to discuss further over the phone tomorrow I'd be happy to tomorrow or Wednesday.

Best,

Jessica



Animal
Care Centers
of NYC

Jessica Vaccaro

Senior Manager, Placement

11 Park Place, Suite 805 | New York, NY 10007



clark SIACC
medical.pdf

From: signorile1@aol.com
To: paulsanders@nycacc.org
Sent: 3/8/2019 11:15:39 AM Eastern Standard Time
Subject: Fwd: Clark Medical History

From: SarahDoyle@nycacc.org
To: signorile1@aol.com
Cc: accfosters@nycacc.org
Sent: 2/4/2019 10:45:47 AM Eastern Standard Time
Subject: Clark Medical History

Hi Dianne!

Here is the medical information for Clark! Although we cannot send him to foster we encourage you to adopt him if you are able to provide the vet care that he needs! 😊

Best,

Sarah D.



clark SIACC
medical.pdf

From: signorile1@aol.com
To: paulsanders@nycacc.org
Sent: 2/4/2019 11:04:02 AM Eastern Standard Time
Subject: 53347 : Clark Medical History

Dear Paul Please tell me how much I have limited funds as I am on SSD. I will adopt Clark and make him my forever dog if he isn't able to go to Vicky I will take him to my VET I already have them ready to assist me to help his care treatment program to help his quality of life Sincerely Diane Signorile 917-921-2791

From: SarahDoyle@nycacc.org
To: signorile1@aol.com
Cc: accfosters@nycacc.org
Sent: 2/4/2019 10:45:47 AM Eastern Standard Time
Subject: Clark Medical History

Hi Dianne!

Here is the medical information for Clark! Although we cannot send him to foster we encourage you to adopt him if you are able to provide the vet care that he needs! ☺

Best,

Sarah D.



Sarah Doyle
Foster Program Assistant
326 East 110th Street | New York, NY 10029



Intro 1478* Intro 1502 Fwd: Sheena Medical GRANT

Dear City Council I have been so abused by Risa Winstock She has Blocked me from even trying to foster Animals I have been certified and care for feral cats with my affiliation with ASPCA I will send you forward E-Mails. The constituents are being targeted for telling the truth the Director Risa Winstock has her volunteers who have stalked me I have VIDEO proof of them parked for a week while I was in PR and Sheena was at the VETS office in ISO for her to be alive and not Killed in the shelter ACC NYC trucks were PARKED in front of my home with the abuses I reported for selling drugs in my community I have given to the local PD . These ACC helpers abuse me and seem to get rewarded with any pet they desire and they who have multiple animals she gives them in their homes due to their affiliation but they are Banning me A well know activist and rescuer . I have sustained injuries and terrible damages to my body from the Assault In my church 3/31/19 I have not been able to come to the NYC meeting today Please excuse my absents Sincerely Diane Signorile 917-921-2791

From: Signorile1@aol.com
To: accfosters@nycacc.org
Sent: 3/10/2017 10:27:19 AM Eastern Standard Time
Subject: Sheena Medical GRANT

Dear Johanna: Please call me back I have Not received any e-mail from your dept I came to your foster program [2/21/17@7pm](#) class. I am TNR certified since 2010 my dog Sheena adopted 6-21-15 from 110th St Pamela assisted me with this adoption Sheena is my Registered Emotional support Service Dog and is in need of nasal care attention I corrected her 2 strains of KC but this SINUS matter is in need of a professional Vet for her case specific I'm on SSI and funds are needed to help my Sheena Please and Thank you

Sincerely

diane

signorile 917-921-2791 signorile1@aol.com

Dear Council,

I write today to ask that Intro 1378 be passed by your committee.

As a Constituent of District #5, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. It is the definition of cruelty and does not belong in our civilized society. Only 1.5% of NYC restaurants serves it so there is not a big economic impact to worry about. I attended the hearing today and feel strongly on this issue. Please support this much needed bill.

More info: Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased. Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras. I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

I support intro 1478 and intro 1502. I am an Animal Advocate and constituent of District 5. I have fostered and adopted animals from the NYCACC. My dog Maxie came home with me from the NYCACC with a very bad cold in March 2014 and took weeks for him to recover. All of the dogs have needless contagious colds and live in fear of euthanasia. Our shelters need reform to take better care of the homeless animals of our city. Wonderful shelters across the country are true NO KILL shelters. Why shouldn't our shelters be the best they can be?

I support intro 1478 to create the Department of Animal Welfare to get animals humane care while in the shelter and to have practices in place to give each animal the best chance of getting adopted. I support Intro 1502 to stop "silent kills". No one knows what happens to animals that were not made available to public or rescues. Every animal deserves a chance at a loving life. 1502 will also give more information on the behavior evaluation that result in New Hope Only kills. A task force from the community involved for the purpose of developing and recommending animal shelter best practices to promote the welfare of shelter animals is essential. Please pass Intro 1478 and Intro 1502.

Best wishes,

Kristin Houdlett

East 72nd Street

New York, NY 10021

kristinlove8@gmail.com

Jun 19, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Lemoon Summitt

cslemoon72@icloud.com

Farm Sanctuary info@farmsanctuary.org

June 18, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban) - Margaret Lee, NYC

Dear Members of the Committee on Health,

I write with an urgent request that your committee pass Intro 1378 without delay.

As a New Yorker, I am horrified that NYC continues to allow the sale of foie gras, a luxury product of cruelty made by an unconscionable food industry that force-feeds ducks and geese. The horrid practice of force-feeding entails shoving a foot-long pipe down the bird's throat, pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for foie gras suffer enormously from myriad diseases, illnesses, and injuries before their eventual death. This cruelty explains why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras. Other cities and countries more ethically advanced than NYC have already banned this Evil product. It is way past time that NYC follow their moral footsteps.

I stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill immediately. The horrific, totally unnecessary suffering and death of these birds must stop now.

NYC must show the world that we, too, can be a place of mercy and compassion! Thank you in advance for doing the right thing for the most vulnerable among us who suffer without a voice! Thank you for being their Voice! Thank you for helping NYC become a city that stands for Mercy!

Sincerely,
Margaret Lee
Bond Street
New York, NY 10012

mlee282828@aol.com

Additional Testimony (Video) for Edita Birnkrant (NYCLASS) for 6/18 Committee on Health Hearing

Good Morning,

I wanted to submit the attached video for the record to accompany the testimony provided by Edita Birnkrant from NYCLASS at yesterday's Committee on Health hearing. The video is of a carriage horse in heat distress that was taken by Ms. Birnkrant last summer. Please do not hesitate to reach out if you have any questions or need any additional information.



NYCLASS_Edita
Birnkrant Testimony

Best,
Alex

Alexander Spyropoulos
Senior Associate, Government Relations
321 Broadway, Suite 201
New York, NY 10007
212-285-1800

kasirer

Jun 19, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my complete and total support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our empathy and humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Enough is enough - it's time to stop this outrageous harmful practice that benefits no one.

Sincerely,

GIANNA MESSINA

giannasmil@gmail.com

Dear Emily, Member of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding and only a minority can afford to eat. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

As a very young girl growing up in France I've visited farms and witnessed how farmers mistreated ducks and geese and there is no word to describe how cruel and abusive this practice is. The pain and suffering are real for the birds. As such they will never experience the freedom to fly, migrate and mate naturally.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Emilie Nguyen
Lefferts Pl.
Brooklyn, NY 11238

nvmemilie@gmail.com

Hello,

My name is Kiera Canciani and I am a NYC resident who lives in the Upper West Side – 333 West 76th Street, Apt. 2A, 10023 and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members.

The mistreatment of the horses in Central Park is beyond inhumane. These animals are forced to slave every day, all day throughout the year. It is inconceivable as to why they would also be subject to work in the blistering sun, often times to the point of collapse. Does the city of New York not make enough money off these horses all year round, that we have to drain the life out of them when the heat index exceeds 90 degrees? Their caretakers are also to blame, as they avoid signs of panting and distress in these temperatures, allowing the horses to get very ill.

I often wonder why the horses don't try to flee, from a life of imprisonment of which they have no control. Yet, they are **loyally** on their feet daily, ready to work, for the greed of the powers that allow this to continue. If we must keep this unashamed display of disrespect and total disregard for animal life, in the blind eye of the public, why can we not at least allow them a reprieve from the summer heat?

ASPCA: Extreme Weather Precautions

Unless it is very wet and windy, horses tolerate cold much better than heat and humidity. If they can't sweat, they can't get rid of heat buildup in their bodies. If the sum of the temperature in degrees Fahrenheit and the relative humidity in percentage is over 130, you should be cautious about exercising your horse. If it is over 150, you should probably rest in the shade, and if it is over 180, most horses should not work at all – <https://www.asPCA.org/pet-care/horse-care>

- According to the *Equine Behavioral Health Resource Center* the brain of a horse is about the same size as that of a small child. ***A horse's intelligence is about equal to that of a 12-year-old human.***
- Research indicates that horses are at least as skilled as dogs when it comes to recognizing the emotions of their handlers.
- Horses forgive, but do not forget. They especially remember bad situations! This is why it is critical to make the horse's first training experience a positive one.

5 BASIC Needs for an Animal:

1. Water
2. Food
3. Oxygen

4. TEMPERATURE

5. Habitat

“The greatness of a nation and its moral progress can be judged by the way its animals are treated.”

– Mahatma Gandhi

Regards,
Kiera Canciani

kiera.canciani@sgcib.com

Hello all,

My name is Carolina Caballero and I am a NYC resident who lives in Harlem and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again. [You can read the full language of Intro 1425 hearing.](#)

Regards,
Carolina

Carolina Caballero

ccaballero095@gmail.com

June 18, 2019

Dear Emily Balkan,

I write today to ask that Intro 1378 be passed by your committee.

81% of NYC voters support a sales ban on force-fed foie gras.

Foie gras comes from the pain and suffering of these defenseless animals. The force-feeding causes the birds' livers to swell to up to 10 times their normal size. Many birds have difficulty standing because their engorged livers distend their abdomens, and they may tear out their own feathers and attack each other out of stress. Since it is made from the livers of only male ducks, all female ducklings are useless to the industry and are therefore simply tossed into grinders, alive, so that their bodies can be processed into fertilizer or cat food.

I am glad we have the opportunity to stop this cruelty. It is time we make a positive change for everybody. It is time we stop abusing and killing animals.

I stand up for all animals and ask you to help ducks and geese, and also cows and pigs. I cannot remain silent, I need to say this, the least I can do is try. Today, I ask you to include more plant-based meals in your diet, each one of us can choose to save animals or kill them. Let's choose the first option, we can do it.

My dream is a vegan world, help me make it true.

"Until one has loved an animal, a part of one's soul remains unawakened." - Anatole France

Thank you for your time

Sincerely,

Viviana Tello
58th Street
Woodside, NY 11377

vivitelb@hotmail.com

My name is Patricia Galm and I am a resident of the Upper East Side who strongly supports Intro 1425, the Carriage Horse Heat Relief Bill. It is cruel and dangerous to allow carriage horses to work pulling hundreds of pounds during the very humid heatwaves we have all experienced as residents of New York City. The heat laws for these horses in NYC have never been updated, and it is long overdue to improve the welfare of these fine animals, who are forced to pound the pavement over nine hours each day. I fully support updating the law so that horses will no longer be forced to work when not only the temperature but the heat index reaches 90 degrees, a much better indicator of just how miserable it is to be working outside. Carriage horses deserve better and New York City needs to step up. Please support Intro 1425.

Patricia Galm

pg128@aol.com

Support for Intro 1425

June 18, 2019

I'm a New Yorker living in Riverdale and I am in complete support of Intro 1425, the Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. The heat laws for the horses of NYC have never been updated and it's way overdue to do so. It's inhumane to subject these gentle, sentient creatures to working in scorching heatwaves with high humidity -- when the heat index reaches 90 degrees or above. When they're dying from the heat they can't find shade by themselves and they can't speak up for water the way you or I could. They have no recourse, no choice, no voice. As much as I abhor the behavior of the carriage drivers, I would not wish on them the life that they subject their beautiful horses to.

On the predator-prey continuum, horses are on the prey end. I can only imagine their stress at having to pull hundreds of pounds for 9 hours a day in the *dangerous*, noisy, and fume-filled streets of New York. But as long as it's legal to let the carriage drivers exploit these animals, please let's at least protect them from brutal extreme weather.

Sincerely,

Sheila Dempsey, PhD

sdbrulee@aol.com

Jun 19, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Paula Hitt

phitt07@yahoo.com

Jun 19, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Jessica McNamara

jessmc3@yahoo.com

Animal Welfare Bills Meeting Tuesday

Dear Speaker Johnson,

I understand there was a very important meeting today to discuss 12 pieces of new legislation being introduced to the Council. As an animal lover, guardian, activist, and cat rescuer, I am writing to register my support for all of them. Probably the most important is the creation of a wholly new body of welfare advocates, activists and rescuers to oversee the running of ACC Animal "Care" Center, wresting control from the DOH, who have been an enemy to shelter animals. DOH is not the right body to be in control of the shelters, as evidenced by unknown thousands (millions?) of innocent pets destroyed going back to the nineties.

I also assiduously support the ban on four grad in the city, as has been accomplished by the entire state of CA. As the guardian of five parrots, I can tell you I can't imagine shoving a metal hose down their throats and force feeding them, every single day until their livers are twelve times their normal size. Ugh. This is so barbaric! If you have not yet seen video of ducks and geese being force fed and the distress they clearly experience, please look on YouTube, or go to PETA or In Defense of Animals. I assure you that you will be mortified and angry.

I also support the obvious bill to not allow carriage horses to work when the weather gets to 90 degrees. If there isn't, I'd like to see something similar for cold weather.

And I am a fervent supporter of the anti-fur ban. I know too much, have witnessed too many undercover videos of animals being raised on ghastly first farms, as well as heartbreaking videos of animals being skinned alive. It is important that fur be banned immediately. Now is the time. No religious exemptions for vaccines, no religious exemptions for fur. As for loss of jobs, I'm sure the city council can come up with something for those in this niche industry. Don't let them fool you like the carriage horse driver's did. Life goes on. The City evolves.

Thanks so much for taking the time to read this!

Best,

Elizabeth McMahon
Prospect Heights

elizmcmahon@gmail.com

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Eileen Delucia

remymartin13@msn.com

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Diana Renz

drenz531@gmail.com

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Nancy Pierce

npgardencity@aol.com

Support Intro 1378 to prevent foie gras cruelty

Thank you.

Anne Sullivan

Park Slope, Brooklyn resident

--

Anne Sullivan

Communications & Publicity Consultant

anne.a.sullivan@gmail.com

anne@MiracleWorkerPR.com

646.373.0382

<http://MiracleWorkerPR.com>

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Natasha Leibel

natashaleibel@yahoo.com

Sat, Jun 15, 2019

Dear Members of the Committee on Health,

I write today to ask that Intro 1378 be passed by your committee.

As a New Yorker and a voting constituent, I am deeply disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants.

As you know, foie gras is a luxury food item that is produced by cruel force-feeding.

Just imagine having a foot-long hard metal or plastic pipe violently shoved down your throat, stuffing you with more food than you can handle so that you choke on your own vomit.

Imagine the pain, the fear, the broken esophaguses, fungal infections, diarrhea, heat stress, lesions, fractures of the sternum, and other damaged organs that result from this force feeding.

Imagine being in such a small cage that you can't move at all, so that you can't groom yourselves and therefore become coated with your excrement, while getting lame feet from infections from standing on metal grills during the force-feeding processing, and not being able to stand up because your legs can't hold the weight of your engorged liver and distended abdomen.

The male duck mortality rate is high. And the female ducklings are useless, so multi-millions are tossed into grinders, while alive. Each force-feeder feeds 500 birds 3 times a day, so they have to rush the process to meet their quota, thereby further damaging the birds.

Since animals are sentient beings, they also feel the pain and fear, the same way that humans do, the same way that you would feel as you imagine yourself in their position.

Over 3 billion land and sea animals are killed for food globally every day. And before they are killed, most if not all, are first abused and tortured. I don't expect the world to suddenly save 3 billion animals from abuse and slaughter. But we should have some humanity to chip away at some of this horror. This would be an easy place to show such humanity since most restaurants don't serve this diseased liver on their menu anyway.

Over 50 not-for-profit organizations, 50 NY-based veterinary professional and 81% of NYC voters support a sales ban on force-fed foie gras.

I stand with the majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill quickly.

Sincerely,
Dahlia Benaroya
28-08 158 Street
Flushing, NY 11358

Tue 6/18/2019

Dear Members of the Committee on Health,

I attended today's meeting. I want to thank the committee members for caring about animal welfare and hope that you vote to pass Intro 1378.

In addition to my testimony previously submitted and listed below, I want to submit two additional points that I made in my testimony today.

1. The torture of geese for foie gras needs to also include the millions of female ducklings that are tossed into grinders while alive, because only male geese are used; female ducklings are 'useless'. France tosses 40 million female geese into grinders while alive, yearly.

"Since foie gras is made from the livers of only male ducks, all female ducklings—40 million of them each year in France alone—are useless to the industry and are therefore simply tossed into grinders, live, so that their bodies can be processed into fertilizer or cat food."

<https://www.peta.org/issues/animals-used-for-food/factory-farming/ducks-geese/foie-gras/>

2. Opponents discussed the fear of job loss. Millions of people will potentially lose their jobs due to artificial intelligence. But society isn't stopping technological progress just because of job loss. I submit that the same progress should apply to jobs affecting animal welfare.

<https://www.theverge.com/2017/11/30/16719092/automation-robots-jobs-global-800-million-forecast>

Sincerely,

Dahlia Benaroya
HSUS District Leader Congressional District 6
Owner of www.HelpingAbusedAnimals.com
President, Dahlia Web Designs LLC
28-08 158 Street
Flushing, NY 11358
Council Member Paul Vallone's District 19.

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Madeleine Schnell

maddogmommy@yahoo.com

Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

Millions of caring, voting and concerned New Yorkers, myself included, are thrilled that this issue is finally being addressed and worked to soon ban.

I know you understand the issues – unnecessary and relentless cruelty to ducks held captive with no way to avoid the horror that is their entire lives. And for no reason whatsoever – 'I like it' is not enough to justify this torture. And so few people fall into that depressing bucket.

We may differ in terms of our relationships with animals, but we agree that they feel pain, fear and suffer. Just as we know they have activities and behaviors they have every right to enjoy. Simply, like us, they are sentient living animals.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Joan Stonich

West 58th Street

New York, NY 10019



jastonich@rcn.com

OPPOSE INTRO 1425

Dear council members,

There already exists temperature regulations on the carriage horse industry in New York City. Keeping these animals in confinement for when the temperature 'feels like' something will only cause more stress on the horses causing 'cribbing' behavior. There is no scientific evidence that supports this legislation. In fact research published in May of 2016 shows these horses are less stressed when working (AJAS 2016 May 29 pg 747-752). This regulation will also cause more hard feelings for people involved with these animals. I oppose this intro.

Respectfully,
John F Sangiorgio DVM

dr.sangiorgio@vitalpet.com

Dear Members of the Committee on Health,

I am writing you today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am deeply disturbed that foie gras from force fed ducks is allowed to be sold in NYC restaurants. Foie gras is a luxury food item produced by force fed feeding. Force feeding is the standard practice that involves violently shoving a metal or plastic foot long pipe down a birds throat, then pumping him with so much feed that, after 3x a day for several weeks, his liver swells up to 10x his natural size and becomes diseased. These birds suffer greatly from numerous diseases, illnesses and injuries. That is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and urge that the committee pass this bill without further delay.

Sincerely,

M. Estela
Kappock Street
Bronx, NY. 10463

Melinda Estela

mlynnda@gmail.com

I am writing you today to respectfully ask that Intro 1378 be passed by your committee.

As an animal lover, I am sad that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

If the thought of force-fed fowl doesn't turn you off to foie gras, this news just might.

New research suggests that a compound found in fatty goose and duck [liver](#) may be linked to a rare disease called [amyloidosis](#), opening the door to a potential link between the delicacy and a host of other amyloid-related diseases ranging from [Alzheimer's](#) disease to [type 2 diabetes](#).

Researchers say it's the first known evidence that a food product can speed the production of amyloid protein in animals. An abnormal buildup of amyloid deposits is linked to a variety of diseases, including [rheumatoid arthritis](#), [type 2 diabetes](#), and others.

Please pass Intro 1378 for the health of all New Yorkers. Thank you.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Please help these poor animals! Thank you.

Respectfully,

CandyLou Biederman, RN

Prospect Street

Stamford, New York 12167

cbiederman@schohariearc.org

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Corinne van den Heuvel
W 87th St.
New York, NY 10024

corinneinny@gmail.com

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

We live in a time in which animal cruelty is finally recognized as being inhumane and unjust. We are open to fighting for animal rights for our pets, but we are behind when it comes to the way animals used for food and other products are treated. The practice of force-feeding ducks by shoving a metal or plastic foot-long pipe down the bird's throat, then pumping him with so much feed that, after three times a day for several weeks so his liver swells up to 10 times its natural size and becomes diseased, is beyond cruel.

These animals cannot speak for themselves, they are at our mercy. We owe them the respect of eliminating this standard of treatment by banning this horrible practice. Foie Gras is not a nutritionally required part of any person's diet, so the ban will not have dire consequences for people, but, it will make a hugely positive difference in a duck's world.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay. Please consider the humane choice. Thank you.

Sincerely,
Jernee Montoya

e 21st St

NY NY 10010

jernee19@gmail.com

Support for Intro 1425

Hi,

My name is Josh Echevarria. I am e-mailing to urge for the support of Intro 1425, the Carriage Horse Relief Bill. I strongly support increased protections for carriage horses.

Thank you for your time.

Joshua Echevarria

Director of Photography

609-805-2978

<http://www.joshuaechevarriadop.com>

[IMDB](#)

[Instagram](#)

Respected Members of the Committee on Health,

My name is Blair C. Marshall and I live in Flushing, New York; I am Peter Koo's constituent. I respectfully ask that Intro 1378 be passed by your committee. As someone who was born and raised in New York, I am worried and concerned that foie gras is legally served in NYC restaurants. Foie gras is an extravagant dish that is the result of cruel force-feeding of ducks and geese.

Force-feeding is the standard practice. This practice entails ramming a metal or plastic foot-long pipe down a bird's throat, in order to pump into the bird, so much feed, that after several weeks, his liver swells up to ten times its natural size, and becomes diseased. It is obvious that these birds are suffering tremendously. It is a delicacy that is the result of forcing a bird to live a life divorced from all that is natural.

81 % of New York City voters support a sales ban on forced-fed foie gras, and I stand with them. I ask that the committee pass this bill as soon as possible.

Respectfully,

Blair Carrington Marshall
4332 Kissena Blvd
Flushing, New York 11355

blairmarshall212@gmail.com

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

The inherent animal cruelty involved in producing foie gras is reason enough to insist on a ban. But also, I believe, we must be mindful that we live in a world where food resources are under growing pressure, due to the effects of climate change on food production and global population growth. In that context, the gratuitous cruelty of producing foie gras, a completely unnecessary food item with no widespread appeal, is all the more offensive, and out of tune with our larger reality.

On a personal note, I will add that, as a licensed NYS Wildlife Rehabilitator, I know that anyone who has ever worked closely with birds knows well that ducks are sentient beings that feel the pain intensely. The violent forced-feeding entailed in the production of foie gras is barbaric---and inflicts unending suffering that ends only when the ducks are butchered.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Mary Frances Mooney

Pinehurst Avenue

New York, New York 10033

M Mooney mfmooney@yahoo.com

June 17th, 2019

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed and saddened that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. The force-feeding process is an inhumane and torturous experience for these birds.

The birds are made to suffer greatly and become diseased. Over 50 not-for-profit organizations, 50 New York based veterinary professionals and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support 1378 and ask that the committee please pass this bill without delay.

Thank you for your compassion and action,

Liz Maurer

Jackson Court
Brooklyn, NY 11209

lizmaurer@me.com

Please Support Intro 1378 To Prevent Foie Gras Cruelty

Sincerest Greetings:

Foie Gras - Fattened Liver of a duck or goose made by force-feeding the animal corn mush with grains and fat with a feeding tube until the liver becomes diseased and swells up 10 times its normal size until it is diseased. The process is called gavage...I call it disgusting, cruel, barbaric and inhumane not a delicacy! Please stop this madness!

<https://m.youtube.com/watch?v=UfG8pnS5MgM>

Thank you. 🙏

Mary P

marypasquini@hotmail.com

My name is Miranda Scioscia and I am a resident of Yorkville, NYC. I am *strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again! Thank you*

Jacquelyn Scioscia
jkscioscia2@gmail.com

Sent from my iPad

Support for Intro 1425

I have owned horses and been involved with them for over 40 years so I understand when they are being mistreated. I strongly support Intro 1425, The Carriage Horse Relief Bill, because horses are currently pulling heavy carriages in NYC when conditions are clearly inhumane and cruel.

There is no doubt that working carriage horses when the heat index is 90 or above is abusive because too many horses have died or collapsed under these conditions in the past. Nothing more should need to be said. Our great city should not allow animal abuse on its streets for profit.

I applaud Keith Powers and the 20 members of the council who support this bill. Please pass this bill and give these hard working horses a more sustainable life.

Thank you,

Barbara Bingham

annabarbara1@me.com

June 17, 2019

Re: Testimony in Support of the passage of Intro 1425 (The Carriage Horse Heat Relief)

I am writing today to ask that Intro 1425 be passed by your committee.

I am a NYC resident and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members.

Forcing horses to pull hundreds of pounds on precarious city streets during sweltering heatwaves is not only cruel but dangerous as well. When they are forced to work during very humid weather they are at a higher risk of heat stress or collapsing (just like humans). The current law does not take into account the "real feel" during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees.

The heat laws in NYC must be revised in order to improve the welfare of horses that are forced to work over 9 hours every day in extreme weather conditions.

Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public.

Therefore I am asking the committee to please pass Intro 1425.

Sincerely,

Vanna Haniff
20th street
Brooklyn, NY 11215

Support of Intro 1425!!!

I am a NYC resident who lives on West 67th Street by the Park and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and beyond.

Please support Intro 1425!

Just a brief note with regard to Intro 1378 and the ban on the cruel frois gras industry.

Please help support the end of this cruel and archaic practice and treatment of birds and geese in our state, and hopefully this will eventually catch on in other states and countries; or they will come up with a different way to harvest a liver...

“The Impossible Liver”? “Beyond Liver”?

Thank you for your attention to this important issue.

Sincerely,
Claudia Cinardo, Esq.

Thank you for your attention.

Sincerely yours,
Claudia Cinardo Esq.
West 67th Street
<ccinardo@gmail.com>

TESTIMONY

Against New York City Council Bill "Intro. 1202"

Jun 18, 2019

I am opposing this bill ("Intro. 1202") because in large part, as currently written, it validates the evils it seeks to prohibit—e.g., with certain exemptions, the harrying, baiting, netting, snaring, trapping, capturing, hunting, shooting, injuring, killing, or buying or selling with malicious intent, of any wild bird or birds. Though I'm not in possession of the statistics, it would seem obvious that the vast majority of wild birds—such as Canada Geese, Mute Swans, Mourning Doves, Gulls, etc.—gratuitously killed or killed on spurious grounds in New York State or New York City are victims of agencies such as the Department of Environmental Conservation or the United States Department of Agriculture's Wildlife Services, or the various individuals or groups of hunters or trappers on whom the DEC is all too happy to bestow its kill permits. This bill exempts all such agencies, groups, and individuals.

There used to be skies filled with sounds of Canada Geese flying to a warmer place in their V formations toward the end of the year and I always delighted in watching and hearing them. This last year I neither saw nor heard one V formation nor even a single Canada Goose in the sky. Nor did I see any flying over the Jamaica Bay Wildlife Refuge the last time I visited, though other geese were flying there. The agencies and individuals exempted by this bill are wiping out our wild creatures. They should not be enabled.

The netting of pigeons, which also needs to be stopped, is already prohibited by another law, and this law is as unlikely as the other to deter netters. The penalty cited for torturing or killing a wild bird, including a pigeon, is a mere misdemeanor, whereas it should be a felony, the same as for a human child—all the more so in the case of mass extermination, which at present is apparently *de rigueur* across the country. This bill fails to recognize the intrinsic worth and dignity of the wild birds that grace our state and city. And it fails to acknowledge the depravity of the government's war on wildlife.

It is also largely unenforceable. The greatest harriers of pigeons, for example, are (a) small children who, generally incited by their parents, often throw

stones or sticks or charge bodily into flocks and terrorize them, and (b) organized criminals who are in essence beyond the reach of the law.

A year ago on this day, June 18th, a family of swans was murdered at Oneida Lake by agents of the Department of Agriculture's Wildlife Services before alarmed families relaxing with their children (see the linked petition). Those agents were hired by the Department of Environmental Conservation which, as a state agency, could not itself carry out the atrocity because of a temporary New York State moratorium on killing Mute Swans mandated by a law that is now expired. This testimony is written for those creatures—parent swans and their four babies—whose only crime was innocence.

**Joan Harrison
390 Ninth Avenue
New York, New York 10001-9901**

joanh519@gmail.com

My name is Rebecca Milvich.

I live in east village in Carolina Rivera's district and I appreciate her work and her compassionate comments here today. I am in support of all the animal initiatives proposed here today.

I want that sweet man that teared up talking about his immigration story to know that we all emphasize with his suffering and pain . Please understand that the animals are not to blame for his or anyones struggles and i ask him and all the duck farmer to consider compassion for others and consider switching his life work to help not hurt sentient beings. I can tell that man has a big heart. Mark Levine has insisted that the immigration stories are important to hear and that my opinion that these stories are a distraction isn't appropriate. It is a distraction from the topic. A clever one.

I quote a previous speaker: "Without foi gras farmers would not be able to get free healthcare". I ask the council to please see thru these types of far fetched distractions.

Another: I quote- "If there is such a demand..the farms must be producing it well." Producing 'it' well- These are sentient beings we are taking about..Foi gras has victims involved, animals that didn't need to breed to exist for our addictions, I'm going to reiterate this word..addiction to taste and addiction to affluent feeling actions. Stroking ones image at the expensive of a sentient being is finally being called out. I can say this because I worked in fine dining in aspen co and not many blocks from here in TriBeCa. I served foi gras to some of the most affluent and famous, and don't feel good about it. It's deplorable to expect or to allow a restaurant or individual on the waitstaff to serve it.

Another comment: If someone that has recovered from addiction because a family provided him work and support thru ultimately the abuse of animals- to thank ..for me, this is another example of how violent practices and abuse of ALL kinds can be proposed and disguised behind touching stories of personal success, overcoming obstacles and owing their lives to their loving employers or parents that obviously support them to go to college. Just because the families that own these farms are good people and spoken highly of here today, doesn't by any means provide an excuse

for community appointed council members to turn a blind eye to immense and completely unnecessary suffering. We all know that economies evolve with advancement in technology and progress in cultural intelligence..there are industries to move into. I don't and I do envy the ones who have to end an industry, for the sake of progression of an intelligent healthy and compassionate community..at the cost of upsetting these good people. But, Just do it!

The carriage horse proposition 1425, is necessary and overdue. When it's that hot out is a no brainer. And, Have each of you visited the stables? Do you think that a passionate horse lover would seek out these stables to board their horses? The carriage horse drivers as a whole cannot be trusted. I know first hand as I was at the last community hearing which turned into a display of bigotry and homophobia directed at me and the person seated next to me specifically. The comments are transcribed online and I hope the panel takes the time to read them if not done already. I ride my bike in Central Park and it does make sense to have only the bike carriages or..as I've tagged the council and will tag the individuals on the panel on an Instagram post-there are darling horses-less carriages that could solve this issue in the future. In the least, please give it a thought and pass this heat relief bill in the interim.

In the next ...seconds I'd like to take a moment to reiterate that violence is at the heart of all animal agriculture and exploitation. Thank you for your time.

Rebecca

rebecca@milvich.com

Dear Members of the Health Committee,

I am grateful to you for holding a hearing today with a full slate of animal protection initiatives. I am writing to express my support for the ban on Foie Gras in New York City, and measures to protect the Carriage Horses, as well as protect the trafficking of wild birds.

I think there is great potential for a Department of Animal Affairs in New York City and I ask that the scope be widened to be both domestic animals and wildlife.

Our city has the opportunity to be visionary and compassionate and we can imagine New York City leading the pack on animal protection initiatives.

Thank you very much,
Sangamithra Iyer
Resident, Richmond Hill, Queens.

sangu.iyer@gmail.com

Comment on Proposed bill Intro 1202

Dear Committee on Health,

I wish to submit my comments on Intro 1202, a bill to prevent bird nettings and trafficking of wild birds which has been a long-term problem in NYC.

This bill will protect pigeons and other wild birds within New York City from the ongoing and cruel practice of netting or otherwise trapping of birds within our city. These pigeon and other bird nettings have been an ongoing problem in New York City. In fact, when I was employed by the Humane Society of the United States in 2005 in New York City, it was one of the most common calls I received from upset citizens. I also received calls from law enforcement officers unsure of how to charge these unique offenses under our laws. I quickly learned that current regulations have not been sufficient to prevent these nettings and there was virtually no enforcement of any existing state laws under the ECL.

After viewing a video taken of a person netting a group of pigeons in a park, I was horrified and determined to try to do something. The netting is horribly cruel to the birds as well as disturbing to the public. These birds are then cruelly transported, without food and water, often resulting in sickness and death; often held in filthy and unhealthy conditions for long periods of time, which could result in sick birds escaping and causing a threat to public health and safety. After some investigation into this cruel practice, I was informed by other New Yorkers as well as a contact who worked for the HSUS in PA, that these birds are most often transported to pigeon shoots in PA. Pigeon shoots are illegal in NY but still allowed in PA. I was also informed that as a result, Pennsylvania issued regulations and quarantine orders for out of state birds out of concern for the spread of Avian Flu.

Ultimately, I drafted a proposed bill to make it a clear crime to net pigeons and other wild birds in New York City, which may have helped encourage the Introduction of 1202. While there may be a few minor changes needed to improve the proposed bill, I believe this bill will finally help stop this cruel netting of birds in our city which has gone on for far too long.

I therefore, urge you to please support this bill.

Thank you for your consideration.

Sincerely,

Sherry Ramsey

sherryrams@aol.com

June 18, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Jasmine Bues

2nd Ave.

New York, NY 10065

jasmine.bues@gmail.com

I had every intention to be at city hall today but awakened ill.

Please replace D of H with any agency that will put animals as prime concern.
Place people who care about animals in charge of NYACC. The ones now care about their paycheck.
Common sense dictates no killing if there are empty kennels Animals have been killed while paid up
adopters are on the way to pick up the pet. Rescues have also had similar things happen. Told powers
that be they were pulling (taking) a certain dog or cat only to have them murdered Euthanasia is
humane killing due to disease or aggression. Aggression is very rare. Michael Vick's pit bull were
rehomed even though they were fighting dogs.
Most dogs are fearful. Imagine you went from a home to a noisy, very noisy cage? Dogs can smell death
and fear they are not aggressive they are scared.

Let's make New York proud of its treatment of its animals.

Sincerely,
Barbara Meli

chiesa169@icloud.com

Dear City Council Members:

It is stunning that in our great city of New York, in the year 2019, we have to debate on whether or not to ban the mutilation, torture, and cruel deaths of the sentient ducks and geese who are used simply to feed our profligate tastes. Can't we see beyond our anthropocentric hubris enough to know that just because we are human, it doesn't mean we have the right to use and abuse other animals? And if we are of a higher species (Darwin would dispute this.), doesn't that make us all the more responsible for ensuring the well-being of other animals?

Perhaps, the only way to engender empathy from us is to force-feed members of our species until their livers explode. Perhaps, that is the only way to spark an understanding of how painful it feels to have a pipe rammed down your throat, a couple of times a day, in order for a part of your body to become the delicacy of a bigger and stronger species, one who is too deaf to your cries to realize the immorality of what he is doing, and too indifferent to care. A life for taste. A life for a momentary culinary swoon. This is wrong.

Please, Council members. Move our great city into a place where morality, ethics, and compassion are not just unattainable goals or mere words, but, for us, a standard that carries weight. Jobs are not a good enough reason to perpetuate work that is immoral and cruel, and one that employs violent acts against other innocent beings.

Please pass Intro 1378. New Yorkers will be proud of you for standing up for what's right.

<https://www.youtube.com/watch?v=SzwV2ZwV1g4>

Thank you for listening, and regards,
Jean Khatchadourian

--

"The animals of the world exist for their own reasons. They were not made for humans any more than black people were made for white, or women created for men."

Alice Walker - activist and Pulitzer-Prize-winning author

<http://www.earthlings.com>
<http://www.peta.org/living/food/free-vegan-starter-kit/>

Jean

jrkhatch@gmail.com

Oppose 1378

Dear Councilmembers:

I have been an animal lover my whole life.

I am well versed in the feeding of birds as geese are fed in the production of foie gras. The terms animal rights extremists use like "forcing" could not be further from the truth. Geese readily bond with their caretakers and instinctively want to be fed directly into their throat.

Please protect our New York State farmers and New York City's reputation as a culinary capital by voting against this bill. Continue to allow humanely raised foie gras to be served.

Thank you.

Sincerely
Walker Blankinship

bhorsetamer@aol.com

Intro 1425 would amend the administrative code of the city of New York in relation to making it unlawful to work carriage horses whenever the heat index reaches or exceeds 90.

While updating the current laws seems like a step in the right direction for NYC's carriage horses, the truth is you cannot regulate atrocities.

Horses exploited by the NYC carriage horse industry— who are unable to flourish in their own way—will never triumph until the industry is banned and they are released to a sanctuary.

For example, Mayor Deblasio's recent plan, which moved the carriage horse hack line, was anything but a win for equines.

Horses, who are prey animals and prone to spooking inside and outside the park, are still forced out among dense traffic, exhaust fumes, street construction and honking horns, with taxis and buses speeding by.

They still commute on hot pavement—in some cases 20 minutes—from their stables to the park. They are still obligated to take passengers on rides on city streets.

Moving the hack line did nothing to keep horses or humans from danger.

In fact, more accidents have happened within Central Park and around the city than on the hack line. Of the 103 reported accidents that have occurred since 1982, 19 have occurred near the hack line; 14 inside Central Park and the balance of 70 have happened in other areas.

Despite moving the hack line and possibly amending the administrative code, horses are still robbed of daily turnout, which is necessary for their health and happiness.

Studies link pasture time to stronger bones, better respiratory health, reduced colic risk and lower stress levels. Turnout gives horses a chance to fill their need for social contact with other horses—such as mutual grooming.

The carriages still make illegal U-turns to access at least two of the new locations off Central Park South. It's more difficult to enforce laws, which were already being ignored, in five different locations. And there is little to no shade in the new proposed locations.

It's time for NYC leadership and so-called advocates to stop scratching each other's backs and finally have the backs of the horses.

Sincerely,
Priscilla Feral
President
Friends of Animals

Nicole Rivard
Editor



777 Post Rd. Ste. 205

Darien, CT 06820

203-656-1522

nrivard@friendsofanimals.org

www.friendsofanimals.org

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Janice Hsieh
87 Columbia St
New York, NY 10002

jnhsh127@gmail.com

June 14, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

I'm sure you've seen a mother or father duck cross a road or a park with his/her ducklings following along in a line. It's an endearing moment to say the least. Not only because they're an adorable, beautiful species, but because like us, they have the same feelings and love for their young as we do.

That's why, not only as a New Yorker, but as a human-being, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic **foot-long pipe** down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Vincent Nucatola
16th St.
Brooklyn, NY 11215

vinnucatola@gmail.com

I am writing to ask that you put through this measure as it would eliminate much of the suffering innocent

animals currently endure.

The geese and ducks used for foie gras production lead lives of abject misery, routinely abused to the point

of torture, force-fed with pipes shoved down their throats at regular intervals, in order to grow abnormally large

livers, then slaughtered, creating an expensive, tasty 'delicacy' for the well-to-do.

I think this is crazy, really horrible, but we can stop it - hence this long overdue piece of legislation.

Please support intro 1378, for the animals, for all of us, and make the world a better place.

Thank you!

Robin Pappas

wakeupandsmellthedog@hotmail.com

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Sulema Hammett

sulema1228@aol.com

Farm Sanctuary <info@farmsanctuary.org>

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Mellissa Sziklay

msziklay@gmail.com

[Farm Sanctuary info@farmsanctuary.org](mailto:info@farmsanctuary.org)

June 18, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I am writing today to ask that Intro 1378 please be passed by your committee. The inevitable torture and abuse that goes in to the production of foie gras has no place in our progressive, compassionate, and upstanding city. The foie gras industry employs extreme tactics to forcefully enlarge the liver of ducks and geese for the sole purpose of giving them liver disease so that we can then consume that diseased liver. Not only is this product one that we should be disgusted with, but it is also completely cruel and inhumane. In order to achieve this incredibly oversized liver in such a small being, these animals are force-fed by way of a foot-long metal tube being shoved down their throats multiple times per day. This often causes bruising, puncturing of their esophagus, and hemorrhaging of their neck. We have grossly exploited these birds and their natural ability to store fat for their long migration. Instead of the intended 1.5x enlargement of their liver (for survival purposes), the foie gras industry shoves food into their mouths until their liver is 10x its original size. The practice of inflicting fear, stress, and suffering on these animals so that we can eat their “fatty liver” has no place in any civilized society.

Banning the sale of this product, that only comes from human-inflicted suffering on innocent animals, is something that 81% of NYC voters are in favor of. Veterinarians, non-profits, and restaurants across the city have also voice their support for Intro 1378. Please vote for what the majority of New Yorkers want, to end the sale of this cruel and exploitative product in our city. Passing Intro 1378 will only move us forward.

Thank you,
Brandi Wagner
W 115th St.
New York, NY 10026

bmw.brandi@gmail.com

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Brad Roth

bradroth@gmail.com

Farm Sanctuary info@farmsanctuary.org

Dear Council Members,

I am writing on behalf of the carriage industry in New York City and the proposed bill to create a heat index of 90 ° Fahrenheit as a stop work temperature instead of the existing stop work temperature of 89 ° Fahrenheit. This bill is inherently designed to kill the industry as a whole, cloaked as an "Animal welfare" move. It is not based on sound scientific principles or the principles of true equine welfare.

First, those behind this bill are seeking the available and highly real estate space the horse stables are currently on and have been on. They will do anything to remove the horses to buy the land. These are the same groups who intentionally bribed Mayor De Blasio to try to ban horse carriages outright.

Second, although it appears to be rooted in the welfare of the horses, this bill is not in the best interests of the horses at all.

130°, according to most available heat index charts for horses, is a heat index that still allows the horse to effectively cool itself. On the NOAA weather chart, it is an ambient temperature of 90° and a humidity of 90%, or 88° with 100% humidity (It should be noted that NOAA is considering human relative humidity and not horse). The NYPD mounted unit is already sending drivers in at 88°, and it is rarely 90-100% humidity in NYC. So the conclusion is, the 90° ambient temperature law is already effective at maintaining a safe temperature for horses to be working in, regardless of relative humidity. A 90° heat index law is excessive and unnecessary. Not only would that be sending drivers in at 82°, but it is not even close to the number of 130° which is, according to all these charts, not uncomfortable at all for the horse.

I have attached several available charts to this email, including the NOAA human relative humidity chart.

Please vote no on intro 1425, and for any further bills involving horse carriages seek out equine professionals and equine veterinarians instead of animal rights extremists for proper information and not "Fake News."

https://inside.fei.org/sites/default/files/Session_6_Optimising_performance_in_a_challenging_climate_SUPPORTING_DOC.pdf?fbclid=IwAR3ArTEolh7eaciq-q2Yr8SwmyxS9RTLy1PjaEm_15rB9FP-RIKzbt3FY4

Four Important Points On Why This Bill Should Be Opposed:

*It's a bill that is entirely unnecessary considering NYC carriage horses already have the lowest temperature restrictions in the country, not working above 89 degrees, and have not had a single heat related incident negatively impacting the horse's health since that regulation went into effect.

*It's a bill that would prevent NYC carriage horses from working much of the busy summer season, against equine expert opinions of how frequently the horses should be worked, which would also make it difficult for carriage drivers to cover the high cost of their horses upkeep and make a living for themselves. Last summer carriage drivers would have lost nearly 55 full day shifts if the regulation were in effect as opposed to the 33 partial day shifts they lost under current regulations.

*It's a bill that is ridiculously extreme based on the "real feel" temperature of human begins, without regard to what heat indexes equine experts recommend horses cease working. Cities that use a heat index to stop their carriage horses from work use much higher, more reasonable heat indexes, such as Charleston at 110 and equine experts only suggest a horse's work load is lightened at heat indexes of 130-150 and would be dangerous at 180.

*It's a ban bill in disguise. City council had no interest in doing away with the iconic horse drawn carriages of Central Park, but if this bill passes it could do just that down the line. It's being pushed out by NYCLASS members who have no equine experience and are headed by real estate developer, Steve Nislick who has eyed the carriage stable properties for years. It only targets carriage horses and would not prevent police horses, parks dept horses, horses in the Central Park horse show, or service dogs from working.

Sincerely,
Emlyn Clark

T-Mobile 4:54 PM 100%
Environment can lose 2 to 4 gallons of sweat
per hour.

Table 1. How air temperature and relative humidity affect horse cooling

Air temperature (F) + Relative humidity (%)	Horse cooling efficiency
Less than 130	Most effective
130-150	Decreased
Greater than 150	Greatly reduced
Greater than 180	Condition can be fatal if the horse is stressed

Keeping your horse cool

Overheating can result from the following:



National Weather Service Heat Index Chart



Temperature (°F)

	80	82	84	86	88	90	92	94	96	98	100	102	104	106	108	110
40	80	81	83	85	88	91	94	97	101	105	109	114	119	124	130	136
45	80	82	84	87	89	93	96	100	104	109	114	119	124	130	137	
50	81	83	85	88	91	95	99	103	108	113	118	124	131	137		
55	81	84	86	89	93	97	101	106	112	117	124	130	137			
60	82	84	88	91	95	100	105	110	116	123	129	137				
65	82	85	89	93	98	103	108	114	121	128	136					
70	83	86	90	95	100	105	112	119	126	134						
75	84	88	92	97	103	109	116	124	132							
80	84	89	94	100	106	113	121	129								
85	85	90	96	102	110	117	126	135								
90	86	91	98	105	113	122	131									
95	86	93	100	108	117	127										
100	87	95	103	112	121	132										

Relative Humidity (%)

Likelihood of Heat Disorders with Prolonged Exposure and/or Strenuous Activity

- Caution
- Extreme Caution
- Danger
- Extreme Danger

Emlyn Clark <emlyn.clark@gmail.com>

To council

I support intro 1478 & intro 1502. –

The NYC DOH should not have jurisdiction over adoptable family pets. They should be dealing with diseases and health issues, not animals. Persons with no animal experience and no love, compassion for or appreciation of animals should not be working at the ACC. And with a budget of 40 million dollars a year there is no reason why the NYCACC is not 100% no kill.

I rescued through 2 new hope rescues 2 dogs on 2 separate occasions. The ACC considered them “vicious biters” and was about to put them down. Obviously, the person assessing these dogs has no knowledge of dogs at all. They listed biting as the persons who dumped them excuse and decided that was truth. It was definitely not. One, it turns out, was blind in one eye and partly blind in the other. Of course they were scared to death in a place that smelled like death. Neither bites, neither is aggressive. They are both now part of our family of 6, they have acclimated to family life and they are the best dogs ever.

I have pledged for every dog on the ARL every day for years. It is sickening to see healthy adoptable family pets being killed for absolutely no reason. The ACC intentionally loads up the ARL and it is blatantly apparent that they intend to kill animals they have targeted, regardless of the pledge totals and the fact that there are rescues willing to pull those dogs. They intentionally kill owners surrenders, pits, large dogs, black dogs, homeless people’s and incarcerated people’s pets and hospitalized humans pets. They obviously have a mission to keep the company with a 2 million dollars a year cremation contract busy. And now that they have been exposed dragging a healthy, whimpering dog to the kill room by the NY Post, they’ve become more vindictive than ever before.

I am in total support of Intro 1502. Silent kills of healthy adoptable pets means just one thing - these workers want these animals dead so that they can fulfill a quota of some sort since no one knows what happened to animals that were not made available to public or rescues but were instead killed.

Please, I urge and beg you to reform this barbaric system.

Thank you,

Ellen Stewart

West Barnstable, MA

ebbstewart@aol.com

Hearing, June 18, 2019

Intro 1425-2019

Please Support A Heat Index Limit of 90 for Carriage Horses. But a Ban is Necessary for the Horses' Welfare and Safety.

Dear Council Speaker Johnson,

Please support Intro 1425-2019, suspending horse-drawn carriage operations when the heat index reaches or exceeds 90. This is urgent and essential legislation, as the temperature at asphalt level, where the horses toil, is much higher than the temperature of the ambient air; and because working horses suffer greatly from high humidity, which can quickly (far more quickly than in humans) cause heat stroke, collapse, or death. (Before the institution of temperature limits, New York carriage horses died from hyperthermia; but humidity has not hitherto been taken into consideration, and the horses remain subject to heat stroke and collapse.)

An excellent article in *Horsetalk* explains these dangers.

Please see “Horses heat up 10 times faster than people—study,” by Teresa Pitman, June 16, 2015, in

Horsetalk. <http://www.horsetalk.co.nz/2015/06/16/horses-heat-up-faster-than-people/#axzz3b8ZJDjVT>

Horses heat more quickly than humans, feel the heat worse than we do, and are more susceptible to heatstroke and the negative effects of heat stress than we are; it takes only 17 minutes of moderate intensity exercise in hot, humid weather to raise a horse's temperature to dangerous levels.

Heat and humidity present great dangers especially for working horses like carriage horses, because the danger increases for large-boned horses and large draft breeds, such as are typically employed by horse-drawn carriage companies.

Setting a heat index limit is, literally, the least that we can do for the carriage horses, because the only thing that can make their lives truly humane is a complete ban on horse-drawn carriages in New York City. Among the many reasons why horse-drawn carriage businesses cannot be humane in Manhattan, two reasons are fundamental. First, Manhattan is a densely-populated urban island, with no room for turnout to pasture with herd mates, an essential requirement for equine physical, mental, and social health and welfare. The New York City carriage horses have no turnout to pasture, and are instead parked in too-small stalls, when not working over-long hours nose-to tailpipe on pavement, suffering the concussive distress and injury to hooves and legs that afflicts all too many of them.

Second, as prey animals, all horses have evolved to spook, and in New York's highly congested traffic--as well as in Central Park, crowded with pedestrians, bicycles, and pedicabs--accidents are inevitable.

Passing the heat index limit would do something meaningful, at least, for these animals, who suffer the physical and mental attrition of the work they are required to do--overworked throughout their lives--and whose lives are so limited in every respect.

But the recent relocation of the hack lines inside Central Park gives us a false sense of security about the horses' welfare and the public's safety. It hasn't gotten the horses off the street. They are still jammed in traffic, as always, travelling between the Park and the stables on the far West Side, and while plying their routes to Times Square in the evening, and when completing their loops. The horses are just as prone to dangerous spooking in the crowded Park itself (even without cars), as in the street--Smoothie died when spooked by a drum--and the majority of carriage accidents have taken place in Central Park itself and its immediate environs. The carriage horses still never put a hoof on the grass, as they are exclusively on pavement in the Park: there is NO turnout to pasture. There is no shade for the horses in the new hack lines. And one of the new hack lines, against the advice of the Department of Health equine veterinarian, is on an incline, such that the horses must strain their legs in the line to keep the carriages from slipping.

As more cities around the world each year ban horse-drawn carriages (often in favor of electric battery-powered horseless carriages, which retain the jobs of the carriage operators), more and more visitors to New York understand and deplore the distressing spectacle of an antiquated and inhumane practice that belies New York's status as a one of the world's great cities, and home to the United Nations. On the contrary, New York City should become a leader in animal welfare, and ban inhumane horse-drawn carriages.

Steps like a heat index limit are very important and must be taken, but far more needs to be done: we must deal with these horses humanely, as they deserve, by banning horse-drawn carriages in New York City, in line with the world-wide trend.

I am deeply grateful for your co-sponsorship of Intro 1977-2019, Prohibition of non-therapeutic, elective or convenience declawing of healthy cats and kittens, an important piece of legislation which I am delighted to see and which I strongly support. I welcome the Health Committee's June 18 Hearing roster of compassionate proposals for animal legislation, for which, please, I ask your support, among them Intro 1378-2019, Banning the sale of certain poultry products that are the result of force-feeding birds; various important measures to benefit shelter animals; Intro 1478-2019, the creation of a Department of Animal Welfare (which should also include oversight of horses, wildlife, and birds, as well as of dogs, cats, etc.); and importantly, Intro 1425-2019, Making it unlawful to work carriage horses whenever the heat index reaches or exceeds 90.

Thank you.

Respectfully,
C. White
East 8th Street
New York, New York 10009
cwhite3333@outlook.com

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Linda Gray

lgray@bestpetrx.com

[Farm Sanctuary info@farmsanctuary.org](mailto:info@farmsanctuary.org)

June 18, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to ask that Intro 1378 be passed by your committee.

As a 35 year resident of New York City, I am highly disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. The vast majority of New Yorkers who support Intro 1378 ask that the committee pass this bill without delay.

I live in New York City because, generally speaking, it is a forward-thinking environment with politicians and citizens who are quick to address issues of discrimination, inequality, abuse and cruelty. New York City's record on animal cruelty is not great. It should be better. Taking a stand against a hideous and cruel practice is the least we can do. The entire state of California, also a progressive environment, has now had its foie gras ban upheld by the US Supreme Court and its ban is now in effect. Please consider that in the year 2019, horrendous and torturous practices against sentient beings who cannot defend themselves need to end. Please see attached photo.

Thank you for doing the right thing.



Sincerely,
Stephanie Mueller
150 Bennett Avenue
New York, NY
10040

smueller212@yahoo.com

June 17, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

I was born and continue to live in NYC. I am proud of our increasing compassion for animals who are not able to defend themselves. Today I am writing to ask your committee to pass Intro 1378 - banning the sale of force-fed foie gras.

I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Thank you for your time and consideration,

Thira Goldfinger

East 33rd street

New York, NY 10016

T G

tmg10016@gmail.com

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Hilde Spaeth

hildespaeth@icloud.com

[Farm Sanctuary info@farmsanctuary.org](mailto:info@farmsanctuary.org)

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Elisabeth Spaeth

schlosshofenfels@yahoo.com

[Farm Sanctuary info@farmsanctuary.org](mailto:info@farmsanctuary.org)

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Bettina Spaeth

elisabethspaeth@yahoo.com

[Farm Sanctuary info@farmsanctuary.org](mailto:info@farmsanctuary.org)

Jun 18, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Martin Spaeth

elisabethspaeth@gmail.com

Farm Sanctuary info@farmsanctuary.org

Dear Council,

My name is Marlene. I have been involved with Rescue for more than 30 years. Nothing would make me happier, on behalf of the homeless, Voiceless Animals, than if I were told that each Bill was voted into law!

- **CAPA** (Companion Animal Protection Act) to **end the Killing of Adoptable Treatable Animals** In NYC Animal Care Centers & **All NY Municipal Shelters**
- Getting More **Life Saving Policy Changes** at the NYC Animal Care Centers
- .Legislation to Make NYC Housing **Pet Friendly**
- Addressing **BackYard Breeders** Through **Licensing**
- Legislation to **Protect Managed Feral Cat Colonies**
- **Intro 1478** - creating an *Animal Welfare Dept/Animal Welfare Advisory Board*
- **Intro 1502** - a *Shelter Transparency Bill on Euthanasia Decisions*

I support intro 1478 & intro 1502.

Because I believe that one of the biggest problems regarding the NYCACC is that the DOH has never had any business overseeing the NYC Shelter Animals! They clearly have absolutely NO concern for these animals. By replacing the DOH with the **DEPT OF ANIMAL WELFARE** you will be insuring the health & welfare of all animals that end up in a NYC SHELTER. It will be transformed into a clean, safe, comfortable place where, through love & compassion, an animal can learn how to love & be loved. They will be trained & socialized, & brought back to health Through love & patience most, & hopefully all, will be placed in loving forever homes.

And because the need was so great for people who deeply care & won't stop until they have done EVERYTHING to save an animal, there will be no shortage of people to work at the Shelters And now, we won't end up crestfallen when after all the work has been put into an animal, we are suddenly told that that animal has been EUTHANIZED!

Replace DEPT OF HEALTH with DEPT OF ANIMAL WELFARE -

to oversee the Animal Care Centers. DOH has no concern for welfare of the shelter animals. We need Dept of Animal Welfare to ensure humane treatment of our city's homeless animals & creating a community based task force to have input for best practices to promote the welfare of shelter animals.

NEARLY FOUR MILLION ANIMALS are killed in US shelters every year. In fact, shelter killing is the leading cause of death for healthy dogs and cats in the united States.

NYC ANIMAL CARE CENTERS continue to kill animals for simple colds and simple behavior issues. This should not be tolerated any longer. I want my taxes to go to saving lives, not taking them.

(The world is watching what's going on at NYCACC Shelters and it's not good. These Shelters are notorious for all the killing that they've done and their lack of transparency and accountability.)

***FROM JAN 1 TO MARCH 31 2019 NYCACC KILLED 312 DOGS OF WHICH NYCACC SAID 221 DOGS WERE OWNER REQUESTED EUTHANASIA'S. AND 91 DOGS KILLED WERE ON THE AT RISK LIST, OR WERE SILENTLY KILLED WITHOUT ADVERTISING! MOST OF THOSE KILLED WERE HEALTHY!**

SEE: https://petrescuereport.com/2019/heartbreaking-video-in-nyc-shelter-of-dog-dragged-to-be-euthed/?fbclid=IwAR3URu6ysOBR2Y4GyPtbUix_htn3moHakBykNRmldU5zUtZQBxPuaR1RXq4

This horrific video...was recorded May 9th, at the NYC ACC kill pound in Manhattan. The video shows a “vet tech” attempting to block the view of the brave volunteer who was recording ACC employees as they dragged *a terrified dog* named MAVERICK – who showed no sign of aggression – *to the kill room*. The video is being widely shared and has awakened the consciousness of people everywhere, but it will just end up as another shocking and tragic video of animal abuse on Facebook and Twitter if we don't DO SOMETHING about it...”

The heartbreaking video shows the dog, allegedly having been sedated by the staff, and being dragged across the floor before getting up and tripping, as he is led to the euthanasia room.

Walking down the hallway, the other dogs in cages bark loudly in the background.

Yet a different account of the dog's behavior was given to an animal advocate by police when they picked Maverick up at his former home! 🐕🙄

ACCORDING TO THE POLICE OFFICER WHO DEALT WITH MAVERICK...

Officer Teng just told Carol Lynne, that he had no trouble with MAVERICK, and seemed surprised and taken aback to hear that MAVERICK had been killed by NYC ACC. Officer Teng said the son in MAVERICK's family brought the dog who was wagging his tail out to the police car and MAVERICK hopped right into the back, and rode calmly with Officer Teng without incident to the Precinct, where he remained calm and friendly until ACC later picked-up MAVERICK.

Officer Teng stated that only the father of the family had ever had a problem with MAVERICK, who had bitten the father once before.

Officer Teng clearly described a dog who was not unmanageable or vicious in any way, and was not, and did not need to be restrained at any time the Officer was with what he also described as a friendly and calm dog.”

Through INTRO 1502 animal welfare advocates from the community will be involved for the purpose of developing and recommending animal shelter best practices, to promote the welfare of shelter animals.

*NYCACC also touts a 93% live release rate. That's an untruth. They can't have a 93% live release rate and still be killing the excessive amount of animals they're killing. **WE NEED THE CAPA BILL PASSED ASAP**. New York should be taking the lead in this... Yet is NOTORIOUS for being one of the most vile shelters in our country.

*** CAPA saves the lives of animals.**

A statewide survey of rescue groups in New York State found that 71% of non-profit animal welfare groups have had at least one NYS shelter refuse to work collaboratively and then turn around and kill the very animals they were willing to save. This is inhumane and bad policy, & just another reason for their NOTORIOUS reputation!. CAPA would make it illegal for a shelter to kill an animal when a qualified non-profit organization that specializes in adoptions is willing to save that animal. This maximizes the number of animals who are saved, while reducing the numbers killed.

*** CAPA saves taxpayers money**

CAPA is modeled after a similar law which has been in effect in California since 1998. An analysis of that law found that sending animals to non-profit animal rescue organizations saved the City and County of San Francisco \$486,480 annually in publicly funded animal control costs. CAPA saves taxpayer money by mandating public-private partnerships that not only reduce expenses associated with having to care for, then kill and dispose of an animal, but which transfers expenses from taxpayers to private philanthropy. Under CAPA, shelters can also charge the cost of an adoption to those groups, thereby bringing in needed revenues and defraying any costs associated with implementation.

*** CAPA provides whistleblower protections**

A statewide survey of rescue groups in New York State found that 43% of groups have been the subject of retaliation by shelters after they expressed concerns about inhumane conditions which they have witnessed in shelters, while over half (52%) who have witnessed such conditions did not express concerns—and simply looked the other way—because they were afraid if they did complain, they would no longer be allowed to rescue, thus allowing those inhumane conditions to continue. By giving non-profit organizations the legal right to save animals scheduled to be killed, CAPA removes the power to condition lifesaving on silence as to inhumane conditions, and sometimes criminal behavior, witnessed by rescuers.

*** CAPA stops discrimination**

All non-profit organizations have identical rights and responsibilities before the law. CAPA seeks to protect those rights by leveling the playing field between the large non-profits which have all the power and the small non-profits which are prevented from fulfilling their lifesaving mission when these larger organizations refuse to collaborate with them in order to save more lives.

*** CAPA improves staff well-being**

Studies show that staff members responsible for killing animals in shelters are vulnerable to emotional trauma, exhaustion, and burnout. CAPA would spare staff from killing animals when those animals have readily available lifesaving options.

***CAPA protects public health and safety**

CAPA specifically excludes dangerous dogs, animals who have rabies, and animals who are irremediably suffering. It also requires shelter to implement best practices that reduce disease, ensure animals are behaviorally evaluated and medically screened, thus protecting both employee and public welfare.

*** CAPA improves shelter operations**

CAPA will reduce the number of animals shelters kill. It reduces costs for killing. It brings in revenue through adoption fees. And it transfers costs from taxpayers to private organizations, funded through philanthropic dollars.

***CAPA is good bipartisan policy popular with voters**

CAPA is based on a similar law in California which was passed in 1998 with overwhelming bipartisan support—96 to 12. It made no sense to California legislators that taxpayers were spending money on killing animals when non-profit organizations were willing to spend their own money to save them. Legislators also found that public shelters that killed animals when those animals have a place to go did not reflect the humane values of their constituents. In addition, the State of Delaware recently passed similar legislation. The bill, mandating collaboration between shelters and rescue organizations, passed both houses of the Delaware Legislature unanimously

Mikki LaCombe

mikkil2011@gmail.com

My name is May Friedman, as a member of the community of Oakland Gardens in Council Member Barry Grodenchik's district, I implore the councilman to support this bill.

The role of a City council member is not a responsibility to be taken lightly. Council members face adversity in making life altering decisions that affect not only themselves but the members of their represented community, even those with opposing views. An elected official requires constant decision making weighing heavy on the mind, but ultimately the correct decision must be determined for the sake of the masses. With opposing views, how does one determine which is the right vote to make?

The key to discerning right from wrong is simple... The Golden Rule, in layman's terms is "treat others as you would like to be treated".

Force-feeding an animal to enlarge its liver artificially, is an unethical and cruel practice. Would you want to be treated as the helpless victim getting a metal rod rammed down your throat pumping four pounds of grain into your stomach? Would you want your liver to swell up to ten times its normal size? Can you imagine what that kind of pain that would feel like? Take a moment and really put yourselves in the victims place.

As a civil society, there must be limits of the pain and torture allowed to be inflicted on defenseless animals. For instance, the Federal Humane Slaughter Act that passed in 1958 requires that animals be stunned into unconsciousness before slaughter, for the sole purpose to minimize pain. Yet the process of making Foie Gras is doing the exact opposite.

We cannot continue to justify our right animal abuse and torture because a small percent of peoples jobs depend on it. Where do we draw the line? A job that depends on deliberately and intentionally causing harm to another life is not a job to be supported by the government in place to administer justice.

Would you want to be one of the ducks in these farms? You wouldn't want these horrific practices being done on you? Then don't condemn them on to others.

The members of your district have spoken Mr. Grodenchik. They do not want these horrific practices imposed on themselves and therefore not on to the helpless animals suffering, so cast your vote appropriately.

Thank you

All the best,
May Friedman

Vibez Studio

may@vibezstudio.com

Dear Members of the Committee on Health:

I am writing today to ask that Intro 1378 be passed by your committee.

Foie gras is produced by shoving a metal pipe down the throats of ducks and geese, and force feeding the birds extremely large amounts of food into their stomachs. This is purposely done to make their livers grow to grossly enormous sizes. A side effect of this procedure is that their livers, “fatty livers”, become diseased. The resulting product is very unhealthy.

The birds who are used for this “delicacy” suffer immense pain, both during the force feeding, and afterwards because their digestive systems become so damaged and injured. The size of their livers are so large that it presses on their lungs and throat and makes it difficult to breath. The birds are kept together in filthy pens in between feeding. They show terror when approached by humans for their next “feeding”, because it’s so excruciatingly painful.

All this animal suffering is so that some upscale restaurants and stores could sell a very unhealthy product to a very few people who could afford it. It’s a very expensive item.

I have personally seen undercover photos of birds that were force fed for foie gras. One bird was dead, choked on its own vomit. I’ve heard where some of the other birds’ stomachs had actually exploded, because they couldn’t hold any more food.

A recent poll shows that 81% of NYC voters support a sales ban on force-fed foie gras.

Please pass this bill without delay.

Sincerely,

Teresa Russo
Ogorman Avenue
Staten Island , NY 10306

cindabutton@yahoo.com

Jun 17, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

rita Racioppo

onetreehugger@verizon.net

Farm Sanctuary

info@farmsanctuary.org



TO: Members of the New York City Council

FROM: Gene Baur, President and cofounder of Farm Sanctuary

DATE: June 20, 2019

RE: Support for Intro 1378 to ban the sale of foie gras

I am writing on behalf of Farm Sanctuary and our more than 30,000 supporters in New York City to express our strong support for Intro 1378. This basic humane measure will prevent the intolerable suffering of ducks and geese by banning the sale of foie gras from force-fed birds. This inhumane process causes the birds' livers to expand ten times their normal size, displacing their internal organs and making it difficult to breathe.

Farm Sanctuary has worked to prevent the inhumane treatment of farm animals since our founding in 1986. We helped pass the nation's first laws to restrict cruelty to farm animals, including California's law banning the sale of foie gras, and we operate sanctuaries in New York and California where we have cared for thousands of rescued farm animals over the years.

Ducks who have come to Farm Sanctuary after being rescued from foie gras farms are among the sickest animals we have cared for in over thirty years. These lethargic and suffering birds have required intensive care, taking weeks to recover from extreme illness caused by force-feeding, which produces abnormally large and dysfunctional livers. The force-feeding process would be fatal if allowed to continue, so the birds on foie gras farms are slaughtered when they are very young, while those who make it to Farm Sanctuary suffer from life-long health problems.

A necropsy report on the gross pathology of birds who died from force-feeding found, "The lungs were edematous and hemorrhagic. The livers showed extreme hepatomegaly and light color." The necropsy further describes, "Severe steatosis of the liver, acute bronchopneumonia patchy and consistent with gross pathology impression of an aspiration pneumonia. Severe pulmonary congestion. Autolysis of multiple organs." Intentionally making birds sick by force-feeding them for a luxury product exemplifies wanton animal abuse, and it's outside the bounds of acceptable conduct in our society.

Veterinarians, businesses, and humane organizations support Intro 1378, and there also is widespread public support, which was evidenced by the many citizens who testified in favor of the bill at the June 19th City Council Committee on Health hearing. A Mason Dixon poll from February 2019 found that 81% of New York City voters support a ban on selling foie gras. New Yorkers are humane, and they want their city's laws and policies to reflect their ethical principles.

Foie gras has no place in a society that values compassion, and New York City can be a leader in bringing about a more humane world by enacting Intro 1378 and banning the sale of this cruel product.

Thank you for your time and thoughtful consideration.

Gene Baur
Farm Sanctuary President & Co-founder



To protect farm animals from cruelty, inspire change in the way society views and treats farm animals, and promote compassionate vegan living.

P.O. Box 150 • Watkins Glen, NY 14891 • 607-583-2225 • farmsanctuary.org

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay. Please!

Sincerely,
Gaye Carleton

Gaye Carleton
President
Mantra Public Relations, Inc.
252 Seventh Avenue, #7z
New York, NY 10001-7336
(T) 212-645-1600
(M) 917-751-7351
(E) gaye@mantrapublicrelations.com
www.MantraPublicRelations.com

"Any time you think you have influence, try ordering around someone else's dog." --The Cocker Bur

Dear Members of the Committee on Health,

I'm writing today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Sean Crespo
West 57th Street
NY, NY 10019

crespoop@gmail.com

Please pass Intro 1378 (foie gras sales ban)

Dear Leaders of New York City:

Please pass Intro 1378 (foie gras sales ban). Thank you!

**Very Truly Yours,
Miss Nancy Min Ji
June 20, 2019**

Min Ji
minji0722@aol.com

We heartily support Intro 1478 and Intro 1502 to establish an animal welfare committee to oversee #NYCACC. It has, in conjunction with ASPCA, become a place of terror and death for thousands of healthy adoptable pets. In a city of 9 million people, their adoption numbers should be much higher. Spay/neuter/kill is a lose/lose proposition for animals.

#NYCACC needs professional shelter management that is properly trained to handle stressed animals. That is properly trained to assess an adopter and adoptee to assure a permanent match. Any dog returned after adoption is a failure of shelter staff, not the animal. That can properly educate adopters on lease issues. That can implement the Companion Animal Protection Act (CAPA). That will diligently work towards a no-kill standard. That will truly be a shelter, not a slaughterhouse. That will maintain current standards of medical care, use REAL vets, not interns, that will treat and not ignore injuries, that will NOT use expired euthanasia drugs. That will use euthanasia ONLY as a last resort for an animal that cannot be saved. That will sedate a stressed animal before euthanasia to make its death as painless as humanly possible.

That will have many adoption events that are well advertised. That will NOT kill over holidays and weekends when many potential adopters cannot visit the shelter. That will not kill, WHEN CAGES SIT EMPTY, for personal convenience. That is not run by a GD lawyer who doesn't even have an office at the shelter.

If staff considers killing healthy adoptable pets just another day at work ? YOU NEED NEW STAFF !

Make #NYCACC a decent, compassionate place of work and you will be overrun with staff and volunteers who WANT TO BE THERE ! Who want to clean kennels, paint the runs, provide clean bedding and enrichment toys, make the animals appear at their best to attract adopters. All intakes should be bathed, have their injuries treated, given haircuts, whatever makes an animal appeal to an adopter. AND GIVE STRAYS MORE TIME TO BE REUNITED WITH THEIR OWNERS. Stop making most animals New Hope only.

Work with the city councils to change landlords attitudes towards pets. Set up a fund to help adopters with overly burdensome pet deposits. To help with vet bills so an owner doesn't feel that surrender is their only option. To encourage adoption all over the city.

Build additional facilities. New York can afford it. AND DON'T BUILD A SHELTER ON TOXIC LAND !! What's the matter with you ? Get #NYCACC out of control of the DOH. Their mission statements are counter to each other.

I know this is long. I've thought about this a very long time. Please read and consider every point I've made.

Susan Knieriemen
cats0302@aol.com

Intro 1478 and 1502 - testimony

Good afternoon ...

I was at the hearing on Tuesday and testified ... though having just the two (2) minutes limited what I was able to share with you.

Please see my testimony in the above attachment ... as well as quotes from our most brilliant minds of time. As you'll see ... animals are ALWAYS included in the greatest and higher awareness ... and should NEVER be lost from the equation. As you read them ... they make one stop ... and think about it ... on a far greater level ... bringing to one's higher awareness ... something we sadly lose sight of.

Time for THE NEW REGIME. It's a new day and age ... yet we're still working under a law that was created, literally, 125 yrs ago.

Thank you VERY much for your time and attention to this truly very serious matter ... a matter that's been ignored for FAR too long ... for DECADES.

Best Regards,



Judith Lustgarten
Licensed Associate Real Estate Broker
jlustgarten@wernewyork.com
917-402-9997
R New York
Sales, Rentals, & Relocation Specialist
Member of Real Estate Board of New York



"The Best Compliment You Can Give Me Is The Referral of Your Friends, Family and Colleagues!"

We desperately need a proper animal welfare department and animal advisory board to replace the DOH in overseeing ACC. It's riddled with disease, crawling with bugs and cockroaches,... and in reality, they're ONLY INTERESTED in human health issues, yet they are creating a tidal wave of mental depression amongst advocates ... though close their eyes to this ...which is outrageous in its own right. They don't know the business of caring for animals and don't belong in the arena. And they've got enough on their plate just w/ human health concerns. Animal advocates may sound aggressive ... sometimes even angry or off kilter. Walk in their shoes for a week. It's due to the helplessness we are confronted with daily ... and all of the killing we know about ... that others don't know of. These CARE CENTERS should be doing everything possible to save these animals. Ethical shelters do just that.

There needs to be a department that HONESTLY has the best interests of these shelter animals at heart ... implementing terrific systems to get them out safe & alive ... they DO exist. These animals deserve proper humane care ... If integrity is not given directly to these animals... it won't work. Their lives have value ... they're not disposable as dealt with by DOH/ACC. We're living in a different day and age now ... and things are changing all over. We need INTRO 1478. It's over due.

Which leads me to discuss Intro 1502 ... we must have HONEST accountability and transparency ... RE: shelter euthanasia, reporting conditions surrounding behavior evaluations and assessors qualifications vs people placed in those positions, for example, artists who studied at London academy of music and arts. The nepotism must end. It's inappropriate and it's not fair to these animals... as these behavior evaluations are used for labeling an animal NH rescue only, for simple behavior issues ... and euthanasia decisions (euthanasia not being the correct term for the killing of these animals ...as most ALL of them aren't deathly ill or vicious).... these poor **animals who are fearful/just terrified in a shelter environment... a death sentence, puppies biting on leashes... dogs Lunging/ barking and pulling towards another dog or human. You see this every day on the street .. it's what they do ... it's dogs being dogs ... but at acc it's a death sentence.** As with most every animal once out the shelter ... the assessments are proven incorrect... especially once they decompress.

We need a task force of advocates created ... to develop the BEST shelter practices... recommend changes in policies and laws ... to the animal's benefits ... vs their demise. We need to know the criteria for animals not made available to the public or rescues ... "SILENT KILLS". At the Jan 23 board meeting they said

that the small animals will no longer be on the AT RISK /KILL LIST ... as they can place all of them “even if they’re KUJO in a small body”. Clearly that was an untruth and just nonsense and fill in chatter ... as they’re killing them left and right now ... these poor little animals ... not even getting a second opportunity/ chance. I looked at the “ACC OUTCOME” PDF. ACC kills an OUTRAGEOUS number of animals. We need a fair and honest evaluation matrix. TRANSPARENCY AND ACCOUNTABILITY ARE KEY TODAY. I’ve listed this article, from just 6 months ago, that’s very insightful when it comes to transparency/ accountability/matrix evaluations ... and REALLY saving animals.

<https://njanimalobserver.wordpress.com/2018/02/20/austin-animal-centers-awesome-year/>

Watching these wonderful family animals who lived peacefully and lovingly with children and other animals being killed unfairly/ unnecessarily (while empty cages R available) ... weighs heavily and stands out like a red flag to **everyone** who follows this and who are concerned for ALL ANIMALS ... BOTH homeless companion animals ... as well as our farm animals. Animals importance does not alter from one type of animal to the other. They’re ALL helpless animals who see, breathe, feel happiness, sadness, fear, pain ... just as we do. Because they can’t speak our language doesn’t mean their lives have no value.

I’m going to place quotes on animals from some of the most brilliant minds of the world here ... people who are far wiser than any of us. Until we can rise above this selfish level ... we’re not truly civil people.

–His Holiness The Dalai Lama said: Life is as dear to a mute creature as it is to man. Just as one wants happiness and fears pain, just as one wants to live and not die, so do other creatures.

–Arthur Schopenhauer: The assumption that animals are without rights, and the illusion that our treatment of them has no moral significance, is a positively outrageous example of Western crudity and barbarity. Universal compassion is the only guarantee of morality.

And the ag gag clauses the employees/ rescues has to sign ... shows the secrecy here. It’s a huge cause for alarm. It’s enough. They’re hiding what’s going on behind the closed doors. WE NEED transparency and accountability to the people of this city whose hard earned tax dollars are paying their salaries at ACC ... AND DOH... and the advocates (who, literally, from around the world, are networking our animals and watching this very closely) who, w/out us, so many more animals would be leaving in plastic bags.

ALL 501C3's should be able to pull from ACC ... as in other shelters across our country. ACC boasts of their 300 rescue partners ... tho only a handful of approx 20 of those rescues actually pull ... creating further limitations in saving them. The NY Post did some due diligence on this.

<https://nypost.com/2018/04/23/red-tape-is-killing-pets-sent-to-the-citys-adoption-hub-advocates/>

What's the purpose of NEW HOPE RESCUES who don't "pull". They're dead weight that add no value. We need this to be an ethically professionally run business across the board... verses all this dead weight who NYCACC uses to make themselves sound as though they actually have a wonderful set up. There are people who can handle the business, at the same time as being humane with PURE INTENTIONS THAT BENEFIT THE ANIMALS. When proper people are put in place, with the proper plans implemented correctly as they should be, (vs retrofitted) ... choosing civil decency and integrity as the motivating factor ... it can be great ...and be **done successfully**. And NOW there's a **PROVEN SUCCESS record growing 1x1 across our country** ... And you can't argue with PROVEN success. Just can't. As conversions of kill pounds large and small are happening through modern (animal) shelter reform, and NO KILL, and CAPA ... **and they're being proven successful** ... there's no other choice...ethical or otherwise. It can be done. It's a choice... of decency ... civility ... and responsibility to these animals ...even financially... vs these archaic kill shelters, as our ACC.

If you watch some of these no kill video's ... you'll ask yourself why this has been swept under the carpet for so long in this city ... when it doesn't have to be this way ... and can be so much better... unless it has solely to do with SELFISH HIDDEN AGENDA'S.

<https://www.youtube.com/watch?v=gsdlu91ULu0&feature=youtu.be>

On-Line Resi x CPA Residential R x Microsoft W x credit report x 112.East37th x (1) Messeng x Amazon.com x inane - Go

https://www.facebook.com/groups/RescuesUnited361Network8log/permalink/2395156580698955/

Rescues United 361 Network

Spay, Neuter, Adopt

Joined Notifications Share More

Aimee's post

Aimee George shared a link. April 27

Please take a few seconds out of your day to vote for Kayla to help Taft Animal Control get a \$25,000 grant!! She has turned this high kill shelter around and not a single animal has been euthanized since she stepped up! Please vote to help her win. There are 2 others right behind her so every vote counts! Please and thank you!!! 🌸



WOOBX.COM
City of Taft's Youtube
Kayla left her job as an accountant to pursue her passion for pets. She agre...

Jennifer Bryant, Michele Stallings and 114 others · 23 Comments · 47 Shares

Like Comment Share

Zelda Penzel tagged you and 49 others in a post: "Time to boycott Norway, as well as Japan and Iceland!" a few seconds ago

White Boxer Dogs
HeartSeniorDogs
Rescues United 361 Ne...

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I send ACC wonderful programs to get involved with all the time. They're everywhere! If other cities can build programs for our most vulnerable ... SO CAN WE!. It's our duty as decent, civil, humane people. There should be an ethical umbrella organization that oversees all animal welfare, shelters, and rescues ... where there is HONEST accountability. Shelter reform will APEX at some point, as the momentum of reform continues to build, ... then snowball. And it's beginning to build...quickly. And where is NY in all of this?!

~Albert Schweitzer says, *The Philosophy of Civilization*-- We must fight against the spirit of unconscious cruelty with which we treat the animals. Animals suffer as much as we do. True humanity does not allow us to impose such sufferings on them. It is our duty to make the whole world recognize it.

This is very real. It's no joke ... nor should it be taken lightly ... and not regarded or looked at ... as it has been.

Progressive states have proper Animal Care Service Advisory Boards that provide recommendations to Mayors and city councils. It's time this gets swept **out** from under the carpet ... and be operated honestly and responsibly to animals. This business of animals in this city has waited **20 yrs** for proper and humane oversight. And we're supposed to be the greatest city in the world, so civilized, so progressive. And what's REALLY bizarre is that the animal law we work under was created in 1894! 125 yrs ago. It even sounds illogical/actually shocking as the words tumble onto this paper. The law states that any city of 2 million or more ... the mayor has total control. Mayors don't have the qualifications nor time to make the decisions for the city's animal welfare industry. In fact, no 1 person should have that type of control in today's world ... no less in a city our size. **1894** Progressive? Not in the least ... it's archaic. Things aren't as they were in 1894... the world has changed. It's complex today ... the city has grown by the millions. The law was created in a different era. Yet here we are in NYC ... still under an animal law from over a century ago ... and this city is supposed to be the greatest, most progressive in the world... Sound erroneous/ ludicrous to you? It does to me. It's misplaced, and inappropriate ... it's actually an absurdity at this point in time.

Oh Yes, it's time for a change ... THE NEW REGIME ... of wisdom, moral and ethical responsibility and integrity, humanity, compassion, and justice for every animal unfortunate enough to have to enter our diseased riddled shelter doors. We need accountability and transparency ... along with the qualified professionalism, which is all so severely lacking. I'm sorry ... but it's sloppy and unprofessional to hire people, in this day and age, who aren't qualified professionals.

And apologies in advance ... but any people lobbying **against** shelter reform ... in any manner or capacity ... clearly are not proper candidates to care for shelter animals as best possible. These animals deserve better. Ego's and agendas don't belong here. We must rise above that ... to a higher ground of accountability, professionalism, and TRUE HUMANITY.

-- Thomas Edison: "Non-violence leads to the highest ethics, which is the goal of all evolution. Until we stop harming all other living beings, we are still savages." There's a big difference between animal lovers and animal advocates. Advocates live/ breathe this business every day ... they wake with it, live it all day, and go to sleep with it. It's enveloping and they feel it down to their belly/to their soul. It takes so much happiness out of life. This is very difficult. I was once an animal lover... a major animal lover, as omgoodness... my friends would tell you ... and I was much happier/ joyful ... before I became aware of what's actually happening here. **It's like I tripped into a nightmare ... and I can't wake up. And I want my life back. Something has to snap already ... because it doesn't have to be this way.**

Lastly, the public needs to weigh in on this 34 yr contract. Nothing like this has ever been done ... EVER ... and there's a reason for that. It's wrong ... and this, too, lacked the disclosure, transparency, and accountability in making such an enormous decision. We must have a fair and reasonable process for something like this.

–Buddha: All beings tremble before violence. All fear death, all love life. See yourself in others. Then whom can you hurt? What harm can you do?

–Arthur Schopenhauer, German philosopher (1788–1860) All truth passes through three stages. First, it is ridiculed. Second, it is violently opposed. Third, it is accepted as being self-evident.

Dr. Albert Schweitzer (1875-1965): The thinking man must oppose all cruel customs no matter how deeply rooted in tradition or surrounded by a halo . . . We need a boundless ethic which will include the animals also. –

Albert Schweitzer: Think occasionally of the suffering of which you spare yourself the sight.

Again, we must rise above the politics ... to a higher level of awareness and consciousness. These great minds know far more than we do ... and as you'll notice ... they ALL bring the animals into the equation. These brilliant minds wouldn't be saying these things if there weren't truth to it.

Thank you very much for your time ... and hopefully concern. Let's become the best we can be ... because it can be done.

SELECTED QUOTES FROM OUR MOST BRILLIANT: ON MAN'S RELATIONSHIP WITH ANIMALS

–**Abraham Lincoln**: "I am in favor of animal rights as well as human rights. That is the way of a whole human being."

-**Albert Einstein (1879-1955)**: "It has become appallingly obvious that our technology has exceeded our humanity." –

-- **Albert Einstein** "Our task must be to free ourselves... by widening our circle of compassion to embrace all living creatures and the whole of nature and its beauty."

– **Albert Einstein**: "If a man aspires towards a righteous life, his first act of abstinence is from injury to animals."

–**Albert Einstein**: "The world is a dangerous place, not because of those who do evil, but because of those who look on and do nothing."

~**Albert Schweitzer, *The Philosophy of Civilization***-- We must fight against the spirit of unconscious cruelty with which we treat the animals. Animals suffer as much as we do. True humanity does not allow us to impose such sufferings on them. It is our duty to make the whole world recognize it.

Dr. Albert Schweitzer: "Until he extends his circle of compassion to include all living things, man will not himself find peace."

Dr. Albert Schweitzer (1875-1965): "The thinking man must oppose all cruel customs no matter how deeply rooted in tradition or surrounded by a halo . . . We need a boundless ethic which will include the animals also. –"

Albert Schweitzer: "Think occasionally of the suffering of which you spare yourself the sight."

—**Arthur Schopenhauer, German philosopher (1788–1860)** "All truth passes through three stages. First, it is ridiculed. Second, it is violently opposed. Third, it is accepted as being self-evident."

~**Paul Harvey**: "Ever occur to you why some of us can be this much concerned with animals suffering? Because government is not. Why not? Animals don't vote."

-Arthur Schopenhauer: The assumption that animals are without rights, and the illusion that our treatment of them has no moral significance, is a positively outrageous example of Western crudity and barbarity. Universal compassion is the only guarantee of morality.

—Mohandas Karamchand Gandhi (1869–1948) In matters of conscience, the law of majority has no place.

-- **Mohandas Gandhi:** "The greatness of a nation and its moral progress can be judged by the way its animals are treated." Only humans have the arrogance and ability to deem another living thing "useless" and to condemn it to extinction simply because it's in the way of something we want more.

—Mohandas Karamchand Gandhi (1869–1948) To forgive and accept injustice is cowardice.

—Mahatma Gandhi (1869–1948): It ill becomes us to invoke in our daily prayers the blessings of God, the Compassionate, if we in turn will not practice elementary compassion towards our fellow creatures.

Buddha (563? - 483? B.C.)"When a man has pity on all living creatures then only is he noble. "--

—Buddha: All beings tremble before violence. All fear death, all love life. See yourself in others. Then whom can you hurt? What harm can you do?

—His Holiness The Dalai Lama: Life is as dear to a mute creature as it is to man. Just as one wants happiness and fears pain, just as one wants to live and not die, so do other creatures.

—Margaret Mead, American cultural anthropologist: Never doubt that a small group of thoughtful, committed, citizens can change the world. Indeed, it is the only thing that ever has.

-- **Thomas Edison:** "Non-violence leads to the highest ethics, which is the goal of all evolution. Until we stop harming all other living beings, we are still savages."

- **Winston Churchill:** "Please put the ladybug outside without harming her. (to his butler)"

Charles Darwin: The love of all living creatures is the most noble attribute of man.

--**Charles Darwin:** "There is no fundamental difference between man and the higher animals in their mental faculties... The lower animals, like man, manifestly feel pleasure and pain, happiness, and misery."

—William Penn: I expect to pass through this world but once. Any good therefore that I can do, or any kindness or abilities that I can show to any fellow creature, let me do it now. Let me not defer it or neglect it, for I shall not pass this way again.

Chief Seattle to U.S. President Franklin Quote:

“If all the beasts were gone, men would die from a great loneliness of spirit, for whatever happens to the beasts also happens to the man. All things are connected.

Nelson Mandela: “Education is the most powerful weapon you can use to change the world”

–**Ralph Waldo Emerson:** “You cannot do a kindness too soon, because you never know how soon it will be too late.”

–**Michael Pollan:** A growing and increasingly influential movement of philosophers, ethicists, law professors and activists are convinced that the great moral struggle of our time will be for the rights of animals.

~**Bradley Millar:** Teaching a child not to step on a caterpillar is as valuable to the child as it is to the caterpillar.

~**Pierre Troubetzkoy:** Why should man expect his prayer for mercy to be heard by what is above him when he shows no mercy to what is under him?

–**William Ralph Inge:** Deliberate cruelty to our defenseless and beautiful little cousins is surely one of the meanest and most detestable vices of which a human being can be guilty.

–**Anatole France:** Until one has loved an animal, a part of one’s soul remains unawakened.

–**Samuel Johnson, English author (1709–1784):** To cultivate kindness is a valuable part of the business of life.

–**Matthew Henry, English clergyman (1662–1714):** None so blind as those who will not see.

–**Johann Wolfgang von Goethe, German writer (1749–1832:)**There is nothing more frightful than ignorance in action.

–**Elie Wiesel, writer and Nobel laureate (1928–):** There may be times when we are powerless to prevent injustice, but there must never be a time when we fail to protest.

–**Isaac Bashevis Singer, writer and Nobel laureate (1902–1991):** Even in the worm that crawls in the earth there glows a divine spark. When you slaughter a creature, you slaughter God.

—**Isaac Bashevis Singer, writer and Nobel laureate (1902–1991)**; As long as people will shed the blood of innocent creatures there can be no peace, no liberty, no harmony between people. Slaughter and justice cannot dwell together.

—**Isaac Bashevis Singer, writer and Nobel laureate (1902–1991)**: When a human being kills an animal for food, he is neglecting his own hunger for justice. Man prays for mercy, but is unwilling to extend it to others. Why then should man expect mercy from God? It is unfair to expect something that you are not willing to give.

—**Brigid Brophy (1929–1995)**: I don't hold animals superior or even equal to humans. The whole case for behaving decently to animals rests on the fact that we are the superior species. We are the species uniquely capable of imagination, rationality, and moral choice – and that is precisely why we are under an obligation to recognize and respect the rights of animals.

- **Alexander Hamilton** : **Man** is a reasoning rather than a reasonable animal.

~**George Orwell, *Animal Farm***; Man is the only creature that consumes without producing. He does not give milk, he does not lay eggs, he is too weak to pull the plough, he cannot run fast enough to catch rabbits. Yet he is lord of all the animals.

-- **Emile Zola** "The fate of animals is of greater importance to me than the fear of appearing ridiculous; it is indissolubly connected with the fate of men."

-- **Samuel Johnson** "Men who have practiced tortures on animals without pity, relating them without shame. How can they still hold their heads high among human beings?"

-- **Jacques Cousteau** "Perhaps the time has come to formulate a moral code which would govern our relations with the great creatures of the sea as well as with those on dry land. That this will come to pass is [my] dear wish."

-- **Ernest Thompson Seton** "We and the beasts are kin."

~**Jimmy Stewart**: Animals give me more pleasure through the viewfinder of a camera than they ever did in the crosshairs of a gunsight. And after I've finished "shooting," my unharmed victims are still around for others to enjoy. I have developed a deep respect for animals. I consider them fellow living creatures with certain rights that should not be violated any more than those of humans.

-- **Richard Gere** "As custodians of the planet it is our responsibility to deal with all species with kindness, love, and compassion. That these animals suffer through human cruelty is beyond understanding. Please help to stop this madness."

-- **Mark Twain**: "In studying the traits and dispositions of the so-called lower animals, and contrasting them with man's, I find the result humiliating to me."

George Bernard Shaw: "Human beings are the only animals of which I am thoroughly and cravenly afraid."--

--**Leo Tolstoy, author:** "What I think about vivisection is that if people admit that they have the right to take or endanger the life of living beings for the benefit of many, there will be no limit to their cruelty."

"--**Fred A. McGrand (1895-)**"Cruelty has cursed the human family for countless ages. It is almost impossible for one to be cruel to animals and kind to humans. If children are permitted to be cruel to their pets and other animals, they easily learn to get the same pleasure from the misery of fellow-humans. Such tendencies can easily lead to crime."

--**George Bernard Shaw (1856-1950)**"When a man wants to murder a tiger, it's called sport; when the tiger wants to murder him it's called ferocity."

George Bernard Shaw, "The reasonable man adapts himself to the world; the unreasonable one persists in trying to adapt the world to himself. Therefore, all progress depends on the unreasonable man."

President Abraham Lincoln (1809-1865) "I could not have slept tonight if I had left that helpless little creature to perish on the ground" (President Lincoln's reply to friends who chided him for delaying them by stopping to return a fledgling to its nest).

William Wordsworth - That best portion of a good man's life; his little, nameless, unremembered acts of kindness and love.

Immanuel Kant (1724-1804)"If [man] is not to stifle human feelings, he must practice kindness toward animals, for he who is cruel to animals becomes hard also in his dealings with men. We can judge the heart of man by his treatment of animals."--

--**Thomas Jefferson, 3rd U.S. President** "Until we stop harming all other living beings, we are still savages."

Hippocrates (ca. 460-377 BCE).]"The soul is the same in all living creatures, although the body of each is different."--

--**Aristotle (384 BC - 322 BC), Parts of Animals** "In all things of nature there is something of the marvelous"

Pythagoras (ca. 580-520 BCE)."For as long as man continues to be the ruthless destroyer of lower living beings, he will never know health or peace. For as long as men massacre animals, they will kill each other. Indeed he who sows the seeds of murder and pain cannot reap joy and love... Primoque a caede ferarum incaluisse puto maculatum sanguine ferrum ('I think the

blood of animals was the first to stain our weapons')."

—**T. Casey Brennan (1948–)**: Poor animals! How jealously they guard their pathetic bodies...that which to us is merely an evening's meal, but to them is life itself.

—**Charles Mayo, founder of the Mayo Clinic**: I abhor vivisection. It should at least be curbed. Better, it should be abolished. I know of no achievement through vivisection, no scientific discovery, that could not have been obtained without such barbarism and cruelty. The whole thing is evil.

—**Native American proverb**: Only when the last tree is cut, only when the last river is polluted, only when the last fish is caught, will they realize that you can't eat money.

Leonardo da Vinci: "The time will come when men such as I will look upon the murder of animals as they now look upon the murder of men."

Jeremy Bentham, 19th century Philosopher, Oxford University "The question is not, Can they reason? nor, Can they talk? But rather, Can they suffer?" –

Victor Hugo (1802-1885): "First it was necessary to civilize man in relation to man. Now it is necessary to civilize man in relation to nature and the animals."

—**Henry David Thoreau (1817–1862)**: It takes two to speak the truth: one to speak, and another to hear.

– **Martin Luther King**: Our lives begin to end the day we become silent about things that matter.

—**Martin Luther King, Jr. (1929–1968)** The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

*Sincerely,
Situ Kaur*

kaursitu@yahoo.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

Until today, I had no idea that foie gras was still being sold in New York, although I've lived here for 43 years. The force-feeding required to produce this product is cruel to a degree that I thought had been outlawed in our city many years ago.

A large majority of voters in the city support a ban on the sale of foie gras. So why should we continue to allow its sale in high-end restaurants that serve only the wealthy and uninformed, or uncaring?

I hope that your committee passes Intro 1378 very soon.

Sincerely, Mary Jane Kaplan
Riverside Drive
New York, New York 10024

maryjanekaplan@verizon.net

The cruel practice of force feeding for any reason is obscene. Yes, we must eat and many of us eat meat, but we do not have to cause suffering to do so.

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Phyllis Pittinsky
Uxbridge Street
Staten Island, NY 10314

skyphyl@aol.com

20 June 2019

Dear NY City Council Members:

I am writing this e-mail today to strongly urge you to vote on Intro 1478 and Intro 1502 so that an Animal Welfare Committee will not only be created but will have teeth in order to oversee NYACC and stop if horrific practices and treatments of the animals under its 'care'.

NYACC and its head Risa Weinstock, a person with no experience in animal welfare and who received the position under suspicious circumstances, are running a murdering hell-hole. Healthy, adoptable animals come, a day or so in NYACC hell they become sick and then are murdered. They are killed without sedation because Ms. Weinstock believes that is cruel.

Ms. Weinstock and crew need to be replaced with professionals who will create a no-kill system which is actually more cost-efficient than a kill-facility.

The contract between the ASPCA and NYACC must be examined.

Please do all the above with speed. The animals desperately need your help.

Thank you.

Prof. Denise J. Tartaglia
135 Charles St
NY NY 10014-6507

And

22 St Thomas St
Toronto, ON, Canada M5S 3E7

PS: the international community is well aware of what is happening in NYC and is rightly appalled.

djtartaglia@outlook.com

Please support Intro 1478 and Intro 1502. The animals in NYC NEED a Department of Animal Welfare to oversee #NYCACCC. There's too much that happens in those facilities that isn't in the best welfare of the animals in their care. They NEED to be supervised by people who have the animals' best welfare in their hearts and minds. Thank you.

Karen Goranson

klgoranson@yahoo.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378. Foie gras is cruelty, plain and simple. I would be so proud to live in a city that has banned the worst, most-cruelly created food. Please do the compassionate thing and acknowledge that the production of foie gras crosses the line of what we find acceptable.

Sincerely,

Joel Bartlett
W 43rd St
New York, NY 10036

joelrama@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York–based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely, Andrei Harabadji

Andrei Ha

andrei-22@live.com

Re Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Marie Bilbao
Monroe Street
New York, NY 10002

septfox0951@aol.com

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I'm writing to respectfully request that Intro 1378 be passed by your committee.

It is extremely disturbing that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Cruel force-feeding is used to produce this luxury food item. Force-feeding is the standard practice that involves abusively shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that after three times a day for several weeks, his liver swells up to ten times its natural size and becomes diseased.

The birds that are victims of this cruel procedure suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I am proud to stand with the huge majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Eileen Mullen

1277 3rd Avenue
New York, NY 10021-3661

eileenparisone@me.com

The current system is failing animals constantly. We need people that actually care about these animals, people that are committed to doing the right thing.

I implore you to support Intro 1478 and Intro 1502. These animals deserve better, if any city in the world should be able to accomplish this, NYC should be it. An example of an excellent standard. Not a horror show of silent kills, listing animals with limited time for people to save them (and often unable to because of no communication and a lack of concern). Unfortunately also a history of returning abused animals to their owners. There is a great deal of money involved, yet it seems there are never resources to help these animals, but more than enough to pay hefty wages to those who can actually do something to change the system, and seemingly do not care to. No kill now, we can do better. Can't we?

Roberta Hoffman

ra.hoffman@yahoo.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,
Hannah Leshaw
Courtlandt Avenue
Bronx, NY 10451

hleshaw@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay. We must stop the suffering our these birds, this is barbaric treatment. Thank you.

Sincerely,

*Senta Sundberg
140 East 2nd Street
Brooklyn, NY 11218*

sentasundberg@earthlink.net

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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Sincerely,

*Galia Mann-Hielscher
165 Fenimore St.
Brooklyn, NY 11225*

galia_mann@hotmail.com

Dear Members of the Committee on Health,

I write [today](#) to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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Sincerely,

Yevgenia Nefedov
Bedford Ave
Brooklyn, NY 11235

nyevgenia@verizon.net

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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Sincerely,

Gina Marrocco

Katan Avenue

Staten Island, NY 10308

TP ICAP Classification: Public

Honesty | Integrity | Respect | Excellence
ICAP's 26th Global Charity Day – Wednesday 5 December 2018

www.icapcharityday.com



Ban Foie Gras

Foie Gras is disgusting. It embodies the essence of animal cruelty. The NYC Council should ban it in the City. (It's also unhealthy.)

Len Wasserman

lwasserman@edc.nyc

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I write today to ask that your committee pass Intro 1378.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Thank you for your time.

Sincerely,

Sara Pena
Brooklyn, NY

sjayepena@gmail.com

Dear Members of the Committee on Health,

I implore your Committee to immediately pass Intro 1378. The barbaric cruelty of force-feeding ducks for foie gras "luxury food" to be sold in high end restaurants not only causes the birds hideous pain, but the terrible treatment from injury and diseases have raised the consciousness of over 80% of New Yorkers to support a ban on the sale of foie gras. Over 50% of New York-based veterinary professionals, as well as 50 not-for-profit organizations stand with us in support of this ban.

If this savage cruelty is allowed to continue, what does it say about us as a country, as Americans!?! Complacency leads to bigger crimes of cruelty. Please pass this ban NOW!

Most sincerely,
Laura Lavelle
788 Columbus Ave
New York, NY 10025

llavelle788@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. I'm sure you know that force-feeding is standard practice in the foie gras industry — violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Kent Blocher
361 W. 51st Street
New York, NY 10019

kpb817@aol.com

Ban Foie Gras

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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Sincerely,

Karen Lopienski

East 17th Street

NYC, NY 10003

karenlopienski@yahoo.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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*Sincerely,
Iris Sinai
W 47th St
Ny Ny 10036*

--

Iris Sinai
Aloni Diamonds
iris@alonidiamonds.com
800.223.2432

"Testimony in support of Intro 1378 (foie gras sales ban)—
Hayley Greenberg "

Dear Members of the Committee on Health,

STOP THE TORTURE! Ban foie gras.

--

THE GREATNESS OF A NATION AND ITS MORAL PROGRESS CAN
BE JUDGED BY THE WAY ITS ANIMALS ARE TREATED.

- Gandhi-

vegan empress

veganempress@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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Sincerely,

*Monika Murren
Van Steuben Rd
Fishkill, NY 12524*

Monika
monika.clarke@gmail.com

"Testimony in support of Intro 1378 (foie gras sales ban)

Absolutely BAN the horrible torture of these birds!!!!!!

Toby MacLennan
693 Union St.
Brooklyn, New York 11215
tobyjillmac@gmail.com

--

www.tobymaclennan.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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Sincerely,

*Sally Lelong
628 E 9th Street
New York, NY 10009*

phatory@mac.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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Sincerely,

Ellen Wertheim
Beach 105th Street
Rockaway Park, NY 11694

EWertheim@bloomberg.com

Ban Foie Gras in NYC NOW!!

Cruel is not cool.

McKee, Janet D.

McKee@sullcrom.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Katherine Sullivan
Central Park West
NY NY 10023

katsullivan48@gmail.com

INTRO 1478 INTRO 1502

PLEASE if you love animals
PLEASE HELP. TO PROTECT THEM
EVERY DAY SO MANY HOMELESS ANIMALS ARE.KILLED..in NYC....FOR
NO FAULT OF THEIR OWN.

What a shame!!!!with all the money they got from taxes!!!!

PLEASE GO FOR THE INTRO 1478 AND 1502.

PLEASE HELP. TO DO BETTER FOR ANIMALS IN NEED

THANKS.YOU

WE SHALL NOT.KILL

BLESS PEOPLE WHO CARE ABOUT ANIMALS

ALEXANDRA DUFOUR

montrealcreations@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*David Janke
3400 Snyder Ave
Brooklyn, NY 11203*

djanke01@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378. New York City continually claims to be a progressive and humane city but time and again we see that we are not. The distribution of foie gras is just one example of how we are nothing close to humane or progressive and frankly as a New Yorker I am ashamed and disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city.

Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,
Jacquelyn Walsh
W 56th St, New York NY 10019

walsh2jr@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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Sincerely,

*Vik H
28street
Astoria, NY 11102*

mrscreamo@gmail.com

Dear Members of the Committee on Health,

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As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Margie Dotter
34 Butler Place
Brooklyn NY 11238

margie.dotter@gmail.com

Intro 1478 and Intro 1502

I am writing in support for the establishment of a Department of Animal Welfare to oversee NYCACC!

Thank you,

Sincerely,

Nasrene MacDonald,
11595 Timberline Drive,
Rolla, MO 65401

nasrene@gmail.com

Dear Members of the Committee on Health,

As a compassionate New Yorker, I respectfully urge you to pass Intro 1378 and prohibit the sale of Foie Gras.

Foie Gras is a "luxury" food item that is not necessary and beyond cruel to the animals that are *force-fed* to produce said item. The standard practice of this industry is to violently shove a metal or plastic foot long pipe down the bird's throat (up to three times a day) and then pump the bird with so much feed that the liver swells up to ten times its natural size and becomes diseased.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask the committee to pass this bill without delay.

Sincerely

Heidi Meissner
217 E. 4th Street
NY, NY 10009

hmmeissner@aol.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Susanne Lewis
Manhattan
10002*

susannelewis@gmail.com

no fois gras

dear Sirs

**We urge You to pass Intro 1378, which would prohibit
the sale of foie gras.**

best regards

**Brunella Gagliardini
Torino - Italy**

brunella.gagliardini@gmail.com

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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Sincerely,

Amy Hafkin



Amy Hafkin Vice President Operations

477 Madison Ave, 18th Floor

New York, NY 10022

direct +1.646.723.2987 | cell +1.646.379.8086

ahafkin@traub.io | www.traub.io

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Do what you can, with what you have, where you are. Theodore Roosevelt

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

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Sincerely,

Margaret McGullam
Hamden Ave
Staten Island, NY 10306

margaret@bobmims.com

Dear Members of the Committee on Health,

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*RL
28th st.
astoria, ny 11102*

Rhonda Lieberman

rhonda@superterrific.org

Hello,

I am a New Yorker and please support Intro 1478 and Intro 1502.

New York can do much better for the shelter animals.

Alexa Shields

Alexa.Shields@aol.com

Dear Members of the Committee on Health,

Thank you for your time, I appreciate how busy you are. I'm emailing to request that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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Sincerely,
Adam Burns
807 Riverside Drive
New York, NY 10032

Adam Burns

adamjesseburns@gmail.com
absurdman.xyz

To Whom It May Concern:

I am a New Yorker and I am in support of Intro 1478 and Intro 1502.

It is criminal the number of adoptable dogs being killed at the NYCACC.

Someone needs to oversee where the rescues are putting dogs. I know of several that shouldn't be able to rescue dogs yet NYCACC allows them to pull because they are too lazy to actually take them out to meet the public.

The whole arena needs regulated that is my hopes for an animal welfare committee.

Thank you,

Meg Whyte

MegWhyte1155@aol.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass **Intro 1378**.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from terribly cruelty force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased. The suffering they go through is unimaginable!

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

André Blas
East 8th Street
NY, NY 10009

<andreblas@gmail.com>

I am in support ban this evil food it totally abuses and tortures innocent animals..no food is worth the torture of any innocent animal

jody aronowitz

jody609@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Raven Dorantes
3515 Leverich St
Jackson Heights, NY 11372*

*--
-----*

Raven Dorantes

raven.dorantes@gmail.com

Please ban foie gras

No delicacy is worth the torture of innocents in its production.

nancy perkins

npart205@gmail.com

Dear Members of the Committee on Health,

Please take foie gras off the menu!

My first pet was a duck. I was raised on a farm in the Midwest, and moved here to attend graduate school in 1998. As a New Yorker for over 20 years, I appreciate the improvements to quality of life in the city. However, unlike most of your constituents, my childhood was shaped by interaction with the animals on our farm. We had chickens, pigs, goats, cows, rabbits, ducks and geese. Each animal has a distinct personality, and is as lovable as a dog or cat.

May I remind you that this is a LUXURY item. It is not necessary, and really disheartening. If the folks who order this in restaurants actually saw these birds suffering in real life, they would be horrified. There are many things about factory farming that I disagree with but force-feeding and not allowing the birds to move is torture. BTW I feel that the process of raising veal is equally reprehensible. And I am not a vegetarian.

Please pass Intro 1378! Birds raised for foie gras suffer from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Susan F Holstrom
910 71st Street
Brooklyn, NY 11228

--

Fran Holstrom

> [Website](#) <

Fran Holstrom

fran.holstrom@gmail.com

Dear Members of the Committee on Health,

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Regards,
Joanne Adamis
245 East 93 Street
New York, New York 10128

joanne.adamis@bnymellon.com

Dear Members of the Committee on Health, Dear Members of the
Committee on Health,

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Maxine Blake

mblexis1@gmail.com

Please Pass Intro 1378

Please pass this bill to stop extreme cruelty to these beautiful birds. They can't talk and tell you how much they suffer but you can be their voice. If you have ever had a beloved pet think of this being done to them just so they can be killed in the end to satisfy someone's palate somewhere. Thank you in advance.

Rajwant Bains
152-08 Jewel Avenue
Flushing, New York NY 11367

rbains1@nyc.rr.com

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Ms. Kori Turrubiate
West 112th St.
New York, NY 10026

~Kori Turrubiate~
kturrubiate@yahoo.com

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,
Sylvia Rodriguez
E. 5th street
New York, NY 10003

sylvia_lion@yahoo.com

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

Dear Members of the Committee on Health,

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Sincerely,

*Justine Marie Vickers, LMT, BCTMB
142-05 Roosevelt Avenue
Flushing, New York 11354*

justinemarievickers@gmail.com

Testimony in Support of Intro Bills 1478 and 1502

Dear Council Members:

I write in support of Intro Bills 1478 and 1502.

I have fostered two dogs from the Manhattan Animal Care Center through a New Hope Rescue, both of which became very sick from the city shelter. Harlem (Saved from At-Risk List January 6, 2018) and Miracle (April 2019).

Harlem had a severe case of pneumonia within one day of leaving the Manhattan ACC. I had to carry him through the streets (50 lb dog) to a veterinary office to save his life. Miracle was a small breed dog that came down with a very bad cold within days. It was then I realized, and told my husband, also a lawyer, that each and every dog that comes out of the City Shelters is, or will become, sick.

What a way to reward fosters and adopters of New York City's homeless animals. I support Intro 1478 because we need a Department of Animal Welfare to stop the spread of unnecessary sickness that results in unnecessary euthanasia. Companion animals deserve more than what is currently being offered - and so do the fosters and adopters that save these animals' lives.

Finally, I write in support of Intro 1502. Please remember, there is no political or financial incentive stronger than compassion and bravery. You are in the position of power to create transparency in shelter euthanasia. Please. Do. The. Right. Thing. Anything less would be a disgrace to this City.

The era of silence is over. Please believe that.

Thank you,

Erica Goldring, Esq.

egold630@gmail.com

**Testimony regarding Intro 1378
Committee Hearing – 6/18/2019**

Name: Christopher Hrones
Address: 524 St. John's Place, Brooklyn, NY
Council Member: Laurie Cumbo

Good afternoon Council members and thank you for the opportunity to submit this testimony. My name is Christopher Hrones and I am testifying as a resident of New Yorker with a conscience.

I submit this testimony in favor of Intro 1378, introduced by CM Rivera, that would ban the sale of Foie Gras in New York City. You may be aware that foie gras is produced by confining and force feeding ducks and geese so that their livers become bloated and diseased. There is clear evidence that this causes pain and distress to the birds, but really it's just common sense that being force fed and unable to move is a frightening and painful experience. All of this is so that a few privileged diners can eat what is considered a delicacy but is really a cruel product that ordinary New Yorkers neither want nor can afford to consume.

We live in a world in which we humans use our power over animals to use them indiscriminately for our pleasure and vanity, in the process causing incredible pain to sentient beings and ultimately killing them against their will. In the past, when humans may have needed to use animals for our survival this was understandable. However, we have advanced as a species to a point where there is no longer a reason to do so. In particular, we do not to eat specialized luxury products which are able to be produced only by cruel and unusual practices. Any arguments you hear for keeping the status quo in my opinion are outweighed by a moral imperative. It is simply not right to torture and kill for a completely unnecessary luxury. I cannot tell you how to vote on this bill, but I would ask you to acknowledge this issue to be first and foremost an ethical one, and to search your conscience as I have done before making your decision.

*Christopher Hrones, AICP
czhrones@gmail.com*

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

Foie Gras is the very definition of cruelty. And for what...? So we can dine, irresponsibly and at our own peril, on the diseased liver of this tortured, sentient being? It's time to live our values. Let's end this cruel practice in New York City and be a beacon of light and compassion for the most vulnerable among us.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Brian L. Thompson
Prospect Place
Brooklyn 11238
about.me/brian_thompson

Pass Intro 1378

The practice of producing foie gras is barbaric and should not be allowed to happen. Please pass Intro 1378.

Thank you!

Will Morel
148 Weirfield St
Brooklyn, NY 11221

William Morel

willmorel@gmail.com

Foie Grass

Please please please outlaw Foie Grass!

CEBowen

NYC

conrad b

sarcon305@gmail.com

Dear Members of the Committee on Health,

WE write today to ask that your committee pass Intro 1378.

As New Yorkers, We are disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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WE proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Susan Anastasakos

Michael Karanasios

Theodora Anastasakos

83rd Street

Jackson Heights, NY 11370

WE CARE & WE VOTE!!!!!!

Susan S Anastasakos

ssa214@nyu.edu

Stop the cruelty ban for gras

david becker

becker.david2@gmail.com

Dear Committee,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Shavara Srabian
50 West 15th Street
New York, NY 10011

srabians@yahoo.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras - a "luxury" food item from cruelly force-fed ducks - is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support intro 1378, and ask that the committee pass this bill without delay.

Sincerely,
Diane Rigo
27 East 13th Street
New York, NY 10003

carve711@aol.com

STOP FOI GRAS

It is not that important to have for gras- how we treat other living organism says a lot about us as people.
Please stop it

ann aguanno
west 238th st
bronx ny
Ann Gleason

ann.gleason@earthlink.net

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

Dear Members of the Committee on Health,

>

> I write today to ask that your committee pass Intro 1378.

>

> As a New Yorker, I'm disturbed and heartsick that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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>

> I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

>

> Sincerely,

>

> Kim Tzivas

Hillcrest Court

> Staten Island, New York 10305

>

love42875@gmail.com

ban foie gras- ban suffering

Dear Members of the Committee on Health,

The time has come for Americans and especially New Yorkers to set an example to the rest of the world of compassion and respect for ALL LIVING BEINGS. Animal torture of any kind is barbarian, antiquated, unacceptable and must be abolished. It's time for human beings to evolve and New York should be at the forefront, demonstrating a rejection of cruelty and suffering for „luxury“ or „benefit“ from such unthinkable torture.

The cosmetic and fashion industries have made huge strides in the rejection of animal exploitation: it's time for the food industry to do the same. Animals need our voices: they are ALL intelligent, loving creatures who deserve freedom and a good life: not a life of torture only to end up murdered and eaten. This abuse must come to an end. When humans eat animal products derived from misery and suffering, they ingest all of that pain as well.

We are lucky to share our planet with all of these amazing species! PLEASE: Let's set an example of kindness and respect for ALL in the 21st century. I proudly give my voice for animals, and stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Claudia Mauner
W. 89th St.
New York, N.Y.
10034*

cmauner@artboxstudios.com

Fois Gras is extreme cruelty as everyone knows and of course must be banned...anyone who wishes to serve this should be ashamed of themselves!

Donna Sykes

donnacommey@hotmail.com

Foie gras

The Greek philosopher Plutarch (46 - 120 AD) wrote:

"But for the sake of some little mouthful of flesh we deprive a soul of the sun and light, and of that portion of life and time it had been born into the world to enjoy."

Foie gras is the result of one of the most cruel practices because it is repeated torture on the same animal, causing its liver to bloat from sickness.

"Oh, but you should try it," said my table neighbour at a recent dinner, "you will change your mind. It tastes sooo good!"

So this is the only point?

cdelailhacar@aol.com

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

>

> Dear Members of the Committee on Health,

>

> I write today to ask that your committee pass Intro 1378.

>

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>

> I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

>

> Sincerely,

>

> Kat Smith

> 70 Battery Place

> New York NY 10280

Kathryn Smith

kmsmith438@yahoo.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Prof. Doc. Céline Aziz

150th Avenue

*Springfield Gardens
NY
11413*

lilly Ramsay

luny_nyc@yahoo.com

Subject: *Re Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)*

Body: *Dear Members of the Committee on Health,*

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Miss Lorraine Avallone

missraineybear@aol.com

Dear Members of the Committee on Health:

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased. This is inhumane.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York–based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Ron Vogel
East 70th Street
NY NY 10021

vogel_ron@yahoo.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

.... xx.ame.x@gmail.com

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Naomi Florin
naomif.n7@gmail.com

To Whom It May Concern:

I have a large animal advocacy group with thousands of outraged NYers in the group. They are disgusted with the number of perfectly adoptable animals being killed daily for ridiculous reasons like jumping, mouthing leashes and other puppy behaviors.

They are totally disgusted with the act of spaying/ neutering animals only to turn around and kill them literally days later. Often the animals are altered at the ASPCA as well . This is a crime to make animals suffer only to be killed!

What is happening at the NYCACC is an outrage. The ACC only adopts on average 2500 dogs a year in a city of close to 9 million and have killed more animals than dogs adopted last year!

Dog adoptions have declined the past three years!

Who is monitoring these figures?

Also, many rescues are completely irresponsible and because the ACC relies on them to do THEIR job of adopting many are forced to rescue within a deadline or the animal is killed.

This is NOT the way to market animals for Adoption! People are working under duress trying to SAVE animals and the end result is attracting people whose heart wants to SAVE the dog but aren't prepared for the commitment that they need to be making!!!!

This is precisely why NYCACC needs to be targeting the % of the market of people who have their mind set on this commitment and are actively looking to ADOPT!

I urge you to support Intro 1478 and Intro 1502 to establish a Department of Animal Welfare to monitor ALL aspects of this very dysfunctional system.

The animals are relying on you!

Regards,

Carol Hartsock

carolhartsock1@aol.com

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

*Sincerely,
alyson shotz*

Theo Longfellow

theobabka@gmail.com

Pass Bill 1376

Subject: *Re Testimony in Support of the Passage of Intro 1378
(Ban on Sale of Foie Gras)*

Body: *Dear Members of the Committee on Health,*

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Diane McDonnell
E 73 St
NY NY 10021*

dmcd422@icloud.com

June 12, 2019

RE: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health:

As a resident of New York City, I ask that your committee swiftly pass Intro 1378.

The practice of force-feeding birds for the purpose of enlarging an animal's liver to the point of disease is barbaric and has no place in our city. The science is clear that ducks and geese used by the foie gras industry suffer greatly. That is why over 50 New York-based veterinarian professionals, including the Humane Society Veterinarian Medical Association, supports Intro 1378.

A considerable amount of information and evidence in support of this bill's passage has been presented to the committee. However, we don't require science to know what common sense already tells us: enlarging an animal's liver to 10 times its normal, healthy size for a bizarre luxury food item is cruel.

I stand with the 81% of New Yorkers who support the passed of a sales ban on force-fed foie gras. We as a society, and as New Yorkers, are better than this.

Please support and pass Intro 1378 without delay.

Thank You,
Matthew Dominguez
416 Kent Ave.
Brooklyn, NY 11249

Dear Council,

I support into 1478 and 1502.

I have been a dog owner all my life. I now will only adopt from NYC shelters and the Pit bull breed.

There are millions of HEALTHY dogs on the kill lists weekly when they are perfectly healthy. A dog's fear in a shelter is exacerbated due to the high stress environment.

I have also found that some of the handlers take an abusive ownership of the dogs that come in and use their authority to rule the roost. I have seen this myself when coming in to pick up a dog. They take liberties in classifying a dog as "dangerous" if the dog does not obey them when in fact, the dog is scared out of it's mind. This is why I also support Intro 1502!!! There is odd things happening to dogs on a list and disappearing with no reason or findings. People from the Rescues are not getting answers and dogs are disappearing.

Sadly, I have learned how the ACCs operate and am sickened by the number of healthy animals - dogs and breed specific dogs that are euthanized and have joined the thousands of people adopting more than two dogs to help save lives.

I have experience volunteering for Second Chance Rescue in NYC as a transporter. I have not once had to crate a dog and simply put them in my backseat.

I ONLY ADOPT FROM THE KILL LIST to save the dogs because I know that these dogs ARE NOT DANGEROUS, and JUST NEED LOVE AND A HOME.

I have placed dogs with other friends as well and not only are they now part of the family, some dogs were special breeds - pure bred and NOT ONE HAD THE BEHAVIORAL ISSUES THE SHELTER MENTIONED.

I am supporting these bills because I want the animal welfare advocates from the community involved for the purpose of developing and recommending animal shelter best practices to promote the WELFARE OF SHELTER ANIMALS.

Current dogs I adopted through New Hope Rescue only:

A1043072 - New Hope only. "Jezzy"

This dog is a mix and the most loving, mellow pet ever. The sweetest boy and friendly to all humans and other dogs. 100% NON AGGRESSIVE.

Was at the Brooklyn ACC. July 2015.

*****This dog was not well cared for in the shelter. Skin, diet, breathing issues and was not taken to relieve himself!!!

A36642 - Nino -

High energy dog that needs a lot of exercise. Was very nervous in the shelter. Was on the kill list for no reason other than, there wasn't time or a person who can handle his energy.

He is my dog child and amazing with all humans and pets. 100% NON AGGRESSIVE.

Nino was located at the NYCACC

Bishop - A30016 -

A friendly large Pit bull now in the custody of a female friend and he is a family pet with 0% issues.

*Was on the kill list at the BrooklynACC

Senior Dog - Geo on kill list at NYCACC - 4/2017

Requisition # 27723109 Accession # J9784654

On the list probably due to being old. I fostered this lovely senior until his death in Aug. 2019.

He was the best!!!! What a waste of life as he did not have the life he deserved and I gave him the best year of his life.

Please bring better care to our shelter animals.

Other countries are an example of a no kill policy and better welfare for the pets that land in the shelters. The shelters need these bills!!!! The system needs to be updated and modernized into the real world. It is currently disgraceful.

Gail Giovanniello

NYC business owner for 25 years

Make NYC shelters great.

Support Intro 1378 (van foie gras)

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Melissa van Wijk

W181 Street

New York, NY 10033

melissavanwijk@gmail.com

ban foie gras- ban suffering

Dear Members of the Committee on Health,

The time has come for Americans and especially New Yorkers to set an example to the rest of the world of compassion and respect for ALL LIVING BEINGS. Animal torture of any kind is barbarian, antiquated, unacceptable and must be abolished. It's time for human beings to evolve and New York should be at the forefront, demonstrating a rejection of cruelty and suffering for „luxury“ or „benefit“ from such unthinkable torture.

The cosmetic and fashion industries have made huge strides in the rejection of animal exploitation: it's time for the food industry to do the same. Animals need our voices: they are ALL intelligent, loving creatures who deserve freedom and a good life: not a life of torture only to end up murdered and eaten. This abuse must come to an end. When humans eat animal products derived from misery and suffering, they inject all of that pain as well.

We are lucky to share our planet with all of these amazing species! PLEASE: Let's set an example of kindness and respect for ALL in the 21st century. I proudly give my voice for animals, and stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Claudia Maurer
W. 89th St.
New York, N.Y.*

10034

cmauner@artboxstudios.com

Please Pass Intro 1378

Please pass this bill to stop extreme cruelty to these beautiful birds. They can't talk and tell you how much they suffer but you can be their voice. If you have ever had a beloved pet think of this being done to them just so they can be killed in the end to satisfy someone's palate somewhere. Thank you in advance.

Rajwant Bains
Jewel Avenue
Flushing, New York NY 11367

rbains1@nyc.rr.com

Oppose Intro 1425

I oppose Intro 1425.

This is unneeded, unnecessary legislation.

Please listen to horse welfare professionals. Listen to the veterinarians who work with NYC horses regularly.

Listen to veterinarians who center their practice around horses.

Look at the excellent, decades long record of good health and safety the NYC carriage horses have amassed.

Listen to the owners and drivers of these horses. They work with and care for the horses for hours and hours a day all year long.

Listen to the long list of people who own or care for horses from around The City and across the country who say this is unnecessary legislation.

Please DO NOT listen to a person whose horse expertise is being the owner of cats.

Thank you,

Dan Gruen

Executive Board member of the New York State Horse Council Central Region,
former Ride Manager Brookfield 50/30/15 Competitive Trail Ride, Owner, Care
Giver, Rider for over 50 years

Dan Gruen

dangruen@roadrunner.com

To the Committee on Health,

Please prohibit the sale of foie gras, Testimony in support of Intro 1378 (foie gras sales ban). This is animal cruelty. Thank you.

Sincerely,

Natalie Santiago

natalie_225th@yahoo.com

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

J. Bocchino

Jax Lou

jacklou77@gmail.com

Testimony in support of Intro 1378 (foie gras sales ban)

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Deanne Romano
W 86th St.
New York NY. 10024

dromano000@gmail.com

NYC ANIMAL SHELTERS

Dear Committee,

It is beyond me why there is no oversight on how these animal shelters operate. The high kill volume based on scared animals in strange, scary and loud conditions is uncalled for. I think we can do better, it does matter how we treat animals, they are not just a number. Our beloved dog came from a high kill shelter, she is an absolute joy. How sad would it have been if she was euthanized. We as the so-called more intelligent species can do a lot better.

Sincerely, Lydia Banks
Tralee circle
Aberdeen, MD 21001

tbanks5697@aol.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

To quote President Franklin Delano Roosevelt,

"The Presidency is not merely an administrative office.

That's the least of it. It is more than an engineering job, efficient or inefficient.

It is pre-eminently a place of MORAL leadership."

I need to live in a society that is moral and humane .

The torturing of pipes jammed into an animal and force feeding is evil, sick, morally diseased, insane, and must stop.

I was at City Hall this week on TUESDAY 6/18 for millions of ducks and geese suffering at the hands of the foie gras industry in support of Intro 1378 to ban foie gras in NYC!!

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

This is my written testimony.

Linda

Linda Obuchoska

Kenmare Street

NY NY 10012

linda@lindaobuchoska.com

Testimony in Support of Intro 1425 and 1378

To whom it may concern:

Please see attached, and copied in the body of the email below, my testimony in support of Intro 1425, the Horse Heat Relief Bill, as well as Intro 1378 the Bill to Ban the Sale of Foie Gras.

Thank you to the Health Committee for holding this hearing concerning an unprecedented amount of animal rights issues including Intro 1378, a ban on the horrifically cruel product of foie gras. My name is Kiirstin Calister-Kuhi, I reside at 321 E 54th Street, and my council member is Ben Kallos.

I'm here today to speak in support of Intro 1425, the Carriage Horse Heat Relief Bill. I've lived in New York City since 2000 when I moved to the upper east side for college. In those first several years, I moved around the city a lot, but it wasn't until I settled in my current residence in 2008 that I really began to notice carriage horses and the incredible wrongs that had befallen these beautiful creatures. Residing in midtown east gave me access to the city in a way I had not yet experienced, and I spent more time walking rather than taking the subway. These walks inevitably took me past the infamous hack line on 59th street where I encountered the carriage horses on a consistent basis for the first time in the 8 years I'd been living in New York City. It only took a couple passes past these sullen creatures for me to recognize something was very wrong. I walked away thinking, "This is horrible. Someone needs to do something about this." Quite literally the next day, I saw an ad on the side of a telephone booth sponsored by NYCLASS with Lea Michelle's face on it. I thought, "Oh thank god, someone is doing something."

I was not an animal rights activist at the time, and little did I know that day when I signed up to volunteer to help the horses in whatever way I could, that I would be sitting in front of you, more than 10 years later, asking for a simple request: to curb just some of the suffering of these innocent beings by recognizing that 90 degrees Fahrenheit on the thermometer does not take into consideration humidity and heat index, and that the U.S. Weather Bureau's cited temperature readings are significantly lower, sometimes as much as 45 degrees lower, than the

temperature within the carriage horses' microenvironment from the ground to six feet above the pavement. I ask today that the committee considers that as we run into air conditioned buildings to escape the torture of a New York City summer, the carriage horses are still standing outside in overwhelming distress because their bodies do not react to heat and humidity in the same way ours do.

I'm not here to kill businesses and destroy lives. I am simply here for the horses who unfairly have no say in the matter nor what happens to them, and I ask that you please pass Intro 1425, to allow for the horses to get some relief just during the hottest parts of the day on only about 15 days out of the entire summer.

Along with supporting Intro 1425, I also fully support:

Intro 1378, Foie Gras Sales Ban

Intro 1202, Wild Bird Trafficking Prohibition

Intro 1477, Cat Declawing Ban

Intro 1496, Protecting animals in apartments where evictions have taken place

Intro 1567, Increased fines for animal abuse

Reso 0379, Meatless Monday

Reso 0798, Pass the NY State let store sales ban of dogs, cats and rabbits

Reso 0921, tax credits for adopted pets

4689 Federal government to pass the PACT Act

Thank you,

Kiirstin Marilyn Calister-Kuhi

E 54th St.

NY, NY 10022

--

Kiirstin Marilyn

www.KiirstinMarilyn.com

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York–based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Margaret Franceschini

Arden Ave.

S.I, N.Y. 10312

margrga@aol.com

Pass Intro 1378

Birds in the foie gras industry are force-fed for weeks until their liver swells, making it difficult for them to walk or breathe. The distressed birds are then slaughtered, and their diseased livers are sold as an expensive appetizer in some restaurants.

Please pass Intro 1378, which would prohibit the sale of foie gras.

Mark

Mark Molloy

mgmolloy@gmail.com

Testimony in support of Intro 1378 (foie gras sales ban)

Hello,

Please support the end of this cruel and unnecessary practice by banning the sale of foie gras in New York. This is a luxury food item that animals should not suffer incredible cruel and lengthy abuse.

Be their hero (and mine!) Thank you!

Marie Ryan

Bayside, NY

Maggs67@aol.com

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Fois gras is BARBARIC and I hope you all make the right decision by supporting 1378 to ban it. If not, I will not be voting for you during your re-election – animal welfare and environmental issues are of utmost importance to me.

Sincerely,
Nicolas Duonn, New York City

Nickie.Duong@infineon.com

Testimony in Support of Passage of Intro 1378

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Claudia Cinardo, esq.

West 67th Street New York NY 10023

Dear Council Members:

On Tuesday, the New York City Council Committee on Health heard testimony from hundreds of animal advocates who came to City Hall to voice their support for Intro 1378, the bill to ban the sale of cruel foie gras, which is diseased liver from tortured ducks and geese.

There was also testimony from veterinarians, farm animal sanctuary caretakers and even slaughterhouse investigators who witnessed first hand the barbaric practice of shoving a footlong pole down the throat of these gentle birds to make foie gras. Not surprisingly, the foie gras industry defended this practice as if it were totally normal to force-feed an animal with such blunt trauma that their esophagus ruptures and their organs shut down.

New York City is on the verge of becoming one of the first major city in the US to ban one of the cruelest factory farming products on earth, and you can make it happen. Please vote in favor of Intro 1378 and ban foie gras sales.

Thank you for your consideration.

Sincerely,

Naomi Klass

West 24th Street

New York, NY 10011

naomieklass@gmail.com

Dear Council Members:

On Tuesday, the New York City Council Committee on Health heard testimony from hundreds of animal advocates who came to City Hall to voice their support for Intro 1378, the bill to ban the sale of cruel foie gras, which is diseased liver from tortured ducks and geese.

There was also testimony from veterinarians, farm animal sanctuary caretakers and even slaughterhouse investigators who witnessed first hand the barbaric practice of shoving a footlong pole down the throat of these gentle birds to make foie gras. Not surprisingly, the foie gras industry defended this practice as if it were totally normal to force-feed an animal with such blunt trauma that their esophagus ruptures and their organs shut down.

New York City is on the verge of becoming one of the first major city in the US to ban one of the cruelest factory farming products on earth, and you can make it happen. Please vote in favor of Intro 1378 and ban foie gras sales.

Thank you for your consideration.

Sincerely,
David Klass
West 24th Street
New York, NY 10011

dklass@verizon.net

Testimony in support of Intro 1378 (foie gras sales ban)

Dear Members of the Committee on Health,

I write today to plead against horrific suffering of birds and that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Mary Radice

mradice955@gmail.com

Intro 1378

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Thank you.

Lisa Hunkler

Lisa Chien Hunkler

kirby1936@yahoo.com

"Testimony in support of Intro
1378 (foie gras sales ban)"

No Foie Gras

Mary Enns

maryda614@aol.com

Testimony in support of Intro 1378, foie gras sales ban

As a New York City resident, I urge the City Council to enact Intro 1378 to help prevent cruelty and ban the sale of foie gras in NYC!!!!

Jordan Ehrlich

jordan@cavelightfilms.com

Testimony in support of Intro 1378 (foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

Though I'm not a New Yorker, I do frequent the city for business as well as familial obligations. I am disturbed that foie gras from force-fed ducks is allowed to be sold at any restaurant, much less in NYC, one of the world's greatest cities. It's grotesque that a food produced by the cruel force-feeding of a bird is considered luxury item. Who would want to dine on something tortured by having a foot-long pipe shoved down his throat and pumped up with feed for several weeks until his liver swells up to 10 times its natural size and becomes diseased?

Coincidentally, the Yulin festival in China is about to commence, where they practice similar barbaric habits of torturing dogs and cats before they burn and boil them alive, all in the name of luxury food.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Wendy. L. Chrisman

Wendy L. Chrisman, Ph.D

Adjunct Instructor, Department of Writing, Literature, & Philosophy

Writing Consultant, Writing & Art History Center

WChrisman@ccad.edu

Columbus College of Art & Design
60 Cleveland Ave. | Columbus, OH 43215
ccad.edu

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Founded in 1879, Columbus College of Art & Design is celebrating 140 years of creative excellence in 2019. Learn more at ccad.edu/140years.

Hello,

My name is Amber Canavan, and I visited Hudson Valley Foie Gras in 2011. I did so without permission, because I did not believe the misleading advertisements that the company puts out and I thought the public had a right to know the truth. I was right to be suspicious. I found that Hudson Valley Foie Gras is an industrial factory farm that force-feeds animals until they become sick and slaughters them just before they would die from the very process itself.

I discovered that the birds were being kept in wire-bottomed pens suspended over a river of sludge composed of their own urine and droppings. The shed was so long and the air was so hazy that I could barely see the end of it—just row after row of pens filled with distressed birds. When not being used, the force-feeding tubes, which are about the length of my forearm, are left dangling menacingly over their heads. Many of the ducks at the facility barely moved and had difficulty walking and breathing—experts say that this is because of their engorged livers and being forced to stand 24/7 on the wire.

Ducks are semi-aquatic animals. They swim and dive. To be deprived of access to any water except enough to dip their beaks in must be torture for them. They can't groom themselves and can't relieve the pressure on their joints and feet as they normally would by floating in water. Several of them had dried discharge around their eyes and nostrils. The skin and feathers of many of the ducks were caked with feces, and some of the birds suffered from open, untreated wounds. I found the corpses of dead ducks lying beside living birds in several pens.

I had hopes that the legal system would do something to help these suffering animals. Instead, after I exposed the truth, Hudson Valley Foie Gras used its political influence to have me prosecuted and thrown in jail. While being incarcerated is awful, it made me think deeply about the animals used by the foie gras industry, all of whom are subjected to far, far worse for their entire lives only to be killed or die horribly.

I know that if any decent, kind person saw the sick, frightened, miserable birds and the conditions that they are forced to endure on foie gras farms, they would never touch this product again. I am extremely grateful to the city council for hearing me out today and considering this issue. Please, do not allow Hudson Valley Foie Gras or any other greedy company from the foie gras industry to sell its products in this progressive city.

Thank you.

Amber Canavan

amberlcanavan@gmail.com

Foie Gras end

As an animal activist, I request we put an end to Foie Gras once and for all.

Torturing geese mercilessly for human pleasure is truly the worst form of karma and unacceptable in every way.

Pls help in ending the same for the lives of future geese moving forward.

Thank you!

Sincerely,

Rahul S. Iyer

riyer88@gmail.com

June 20, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I respectfully ask you consider the cruel lack of ethics involved in the production of foie gras. New York has always been a city unafraid to challenge outdated customs or practices when it becomes clear those practices are lacking in the ethics and morality representative of who we are. Please let our great city set the example that others may follow.

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Michael DiFrancisco

West 172nd St.

New York, NY

10032

michaeldifrancisco@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Elan Berkovits

PO Box 140550

Howard Beach, NY 11414

elanberko@gmail.com

I am writing today to respectfully ask that your committee pass Intro 1378-Foie Gras Ban.

As a native New Yorker from Bayside, Queens, I am deeply perturbed that foie gras—an unnecessary food item derived from brutally and violently force feeding ducks is currently allowed to be sold at restaurants in the city. This deplorable practice specifically involves **violently shoving a metal foot-long pipe down a bird's throat** then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased. It is a medieval, unjustifiable and completely abhorrent practice that should have no place in our great, progressive city.

Over 50 not-for-profit organizations, 50 New York–based veterinary professionals, and **81%** of voters in the New York City support a ban on the sale of foie gras.

I stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee take a progressive step and pass this bill without delay.

Thank you,

Denise Walsh

46th Avenue

Bayside, NY 11361

denisewelsch@earthlink.net

Testimony in support of Intro 1378 (foie gras sales ban)

The *foie gras* industry will say almost anything to “humane-wash” the abusive practice of force-feeding ducks. their “alternative facts.”

Claim 1

“Ducks have no gag reflex & their esophagi have a tough lining, so they can swallow fish & other prey without pain.”

Facts:

In foie gras production, force-feeding is accomplished via a long metal pipe inserted down the bird’s esophagus. Whereas a bird swallowing its own food uses voluntary muscle movements and digestive reflexes, the forced action of inserting a foreign object poses much more risk, over which the bird has no control. The mouth of the inserted pipe or funnel can cause injuries, and bruising or perforation of the esophagus can occur from insertion of the pipe or funnel. Injuries can also occur from the food being too hot. In addition, aspiration may occur; food accidentally entering the adjacent windpipe can lead to aspiration-associated irritation, infection and consequent difficulty breathing. Asphyxia (suffocation) can occur if food accidentally enters the trachea instead of the adjacent esophagus.

Approximately 95% of the birds used in U.S. foie gras production are Muscovy or Muscovy/Mallard hybrid ducks. Because both breeds are dabbling ducks and not diving ducks, their natural, swallowed diet consists primarily of aquatic plants and insects, or sometimes small fish, but not “large prey.”

Additionally, the Scientific Committee on Animal Health and Animal Welfare of the European Commission found that the “oropharyngeal area is particularly sensitive and is physiologically adapted to perform a gag reflex in order to prevent fluids entering the trachea. Force feeding will have to

overcome this reflex and hence the birds may initially find this distressing and injury may result.”

Claim 2

“In nature, ducks fatten their livers for energy prior to migration, & the effect is reversible.”

Facts:

Foie gras, or “fatty liver,” refers to the condition known medically as hepatic lipidosis. It results from excessive fat content in the diet and/or too large or too frequent feedings. In the case of foie gras, the liver is deliberately swelled to up to *10 times* its normal size via force-feeding multiple times daily for several weeks. In contrast, according to the AVMA’s summary of the peer-reviewed literature, duck livers showing seasonal changes enlarge by a maximum of *1.5 times* their normal size.

Clinical signs of hepatic lipidosis can include brain damage due to liver failure, difficulty breathing, lack of appetite, depression and abdominal enlargement or fluid accumulation in the abdomen. In pet birds accidentally subjected to an improper diet, hepatic lipidosis is intervened upon to avoid life-threatening consequences. In foie gras manufacture, the diseased liver and associated ailments are overlooked for the end goal of creating the food product. Due to the severity of illness caused by force-feeding, ducks raised in the foie gras industry often experience mobility problems.

Claim 3

“Independent veterinarians & scientists conclude that hand-feeding ducks causes them no harm.”

Facts:

In its “Welfare Implications of Foie Gras Production” literature review, the American Veterinary Medical Association (AVMA) lists multiple health risks of foie gras production, including “potential for injury,” “distress from restraint,” “compromised health and welfare,” and “creation of a vulnerable animal more likely to suffer from otherwise tolerable conditions such as heat

and transport.” When thoroughly studying the use of force-feeding in the foie gras industry, the Scientific Committee on Animal Health and Animal Welfare of the European Commission declared that, “[T]here is good evidence that liver structure and function...is severely altered and compromised in force fed ducks and geese. [The Committee] concludes that force feeding, as currently practiced, is detrimental to the welfare of the birds.”

Additionally, several well-respected veterinarians have attested to the harm caused by force feeding ducks and geese:

- "Due to the enormous size of the livers ... the birds have no room for their air sacs to fill with oxygen ... analogous to feeling as if one is [being smothered]." - Holly Cheever, DVM of the Humane Society Veterinary Medical Association
- “The practice of force feeding amounts of food far beyond the limits of the duck’s need to eat causes pain and suffering. Ducks are highly capable of feeling pain especially in the throat area. They have a gag reflex that would be overcome by the tube insertion, and this would cause distress in the bird.” - Dr. Debra Teachout, DVM, MVS
- “Force-feeding in the foie gras industry is inherently cruel. ... This feeding beyond what the ducks would eat normally causes hepatic lipidosis, or fatty liver, which impairs liver function. Severe liver impairment can lead to conditions like enlargement of the liver, fluid in the abdomen and eventually death.” - Dr. Lorelei Wakefield, VMD
- “In my opinion, [force-feeding] is cruel and inhumane, as it involves rough, invasive handling and can result in trauma and injuries to the esophagus. The process overrides the natural system of hunger and satiety and the birds in the video appear to be frightened and distressed - they move immediately away from the handler as soon as they are released.” - Dr. Sara Shields, PhD, animal welfare expert with an emphasis in poultry
- “[T]he process of force feeding birds in order to deliberately induce a disease state is patently inhumane, causing severe physical pain and psychological distress.” - Dr. Lee Schrader, DVM

Claim 4

“American foie gras is raised on small-scale farms using artisanal methods.”

Facts:

Investigators recounting their experiences at Sonoma Foie Gras near Stockton, California stated:

“We could tell when we were getting close to the farm because of the smell. It smelled like a mixture of feces, vomit and death. It was the kind of smell that plagues your senses and stays in your clothes.”

“Once we got inside, we knew why it smelled so foul,” recalls an investigator. “When we turned on the lights, we saw row after row of ducks crowded into filthy pens. Most of them were covered in vomit and often blood from body cavities and gaping wounds.”

Investigators videotaped while employees at both facilities force fed the ducks, repeatedly shoving a large metal pipe attached to a pneumatic feed pump directly into the esophagi of the birds and forcefully inserting massive quantities of feed into their gullets. Also documented were ducks too weak and overweight to defend themselves as rats at Sonoma Foie Gras ate their wounds.

The foie gras industry often uses staged footage in attempts to counter the overwhelming evidence and irrefutable video footage collected by animal protection groups showing the inhumane conditions on foie gras farms in the US.

Claim 5

“The American Veterinary Medical Association has investigated foie gras production, and for three consecutive years refused to take a position against it.”

Facts:

In 2007, after three consecutive years of not taking a position, the American Veterinary Medical Association (AVMA) approved a resolution condemning the artificial force-feeding of ducks and/or geese to produce foie gras. The

AVMA continues to educate its veterinarian members about the welfare and health concerns of foie gras on its website.

The Humane Society Veterinary Medical Association (HSVMA), a national veterinary medical association focused specifically on animal welfare with over 9,000 members nationwide, is opposed to foie gras. It strongly supports currently pending legislation to prohibit sale of foie gras in New York City.

Brad Bergeron

bestbuyop@aol.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Please be on the right side of history! And of cruelty!

Sincerely,

John Blacklow
137 West 110 Street
New York, NY 10026

jblacklow@gmail.com

Testimony in support of Intro 1378

This letter is in support of the foie gras ban.

I support the end of this cruel practice.

Sincerely,

Jennifer Berman

W 97th St

New York, NY 10025

jenniferlberman@gmail.com

Dear Members of the Committee on Health,

I write today to ask that Intro 1378 be passed by your committee.

As a native New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Jennifer Neidig

West 28 Street

New York, NY 10001

jenniferneidig@gmail.com

Testimony in support of intro 1378

Please support this bill. It's torturous to these innocent animals and serves absolutely no necessary purpose. Please vote with your conscience and mandate New York City eliminate this cruel and inhumane practice.

Thank you for reading this.

Lysandra Maxim

lysandramaxim@gmail.com

Ban cruelty

The New York City Council Committee on Health heard testimony from hundreds of animal advocates who came to City Hall to voice their support for Intro 1378, the bill to ban the sale of cruel foie gras, which is diseased liver from tortured ducks and geese. Pass laws to protect those that have no voice. Do the right thing

TY

Joseph Eugene

NY10801

joeyb4u2@aol.com

June 20, 2019

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Jessica Dardarian

14929 Dickens St.

Sherman Oaks, CA 91403

--

Jessica Dardarian

<http://jessicadar95.wix.com/jessicadardarian>

June 20, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Elias Hahn

118 W 112th Street

New York, NY 10026

elias.hahn@aol.com

Dear Members of the Committee on Health,

I am earnestly requesting that your committee pass Intro 1378.

I'm very upset that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the my city. Force-feeding is standard practice in the foie gras industry. It is incredibly cruel and no living creature should be subjected to such cruelty.

Birds raised for foie gras typically suffer routinely from various diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York–based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I am one of those people who implore you to do the right and humane thing and ask that the committee pass this bill without delay. You have the power to do something really positive. Thank you very much for giving this matter serious consideration and voting on the side of humane treatment.

Sincerely,
Jeffa

(20 Dongan Place, NYC 10040)

Jeffa E Roddick

Presentation Specialist

[Proskauer](#)

Eleven Times Square

New York, NY 10036-8299

d 212.969.5487

f 212.969.2900_

jroddick@proskauer.com

greenspaces

Please consider the environment before printing this email.

BAN FOIE GRAS

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

hbrisen@aol.com

testimony and support of the passage of intro 1378 (ban on foie gras)

Dear Council Members: I am writing to ask you to please support the passage of intro 1378, the ban on foie gras. This is a cruel, horribly painful way to get a "luxury" item.

Please act with compassion and pass intro 1378.

Thank you for your kind attention.

Respectfully,
Robin Jacobson (New York City resident)

robin.jacobson@rocketmail.com

Testimony in support of Intro 1378 (foie gras sales ban)

Please end the cruel and unnecessary practice of foie gras sales in NYC!

This is barbaric, ego driven nonsense that no one needs!

Do you want to be known for moving forward to a better world or forgotten in business as usual? Your choice, only many innocent lives depend on you as well....

Chris Nicolo

cdrum316@gmail.com

Dear Council

I respect your position and am optimistic that you will help pass bill 1378. You see I believe that human beings are basically good inside with high moral standards. I also believe that human beings escape pain by avoidance.

Whatever kind of pain we may feel , physical or mental, we want to do things to run from it. We can do that

because we have the means to do so. We can go anywhere, watch anything, we have freedom of speech, etc.

As humans we may think we are superior to all living things. Scientists who study animals make amazing finds, such as intelligence and other behavior of these animals. I pondered why animals just don't 'gang' up on us for revenge for what we do to them. My daughter said astutely that they know it would be futile and we(humans) would just go on a killing spree! I wonder sometimes who has the superior brain, animals or humans.

We talk about the atrocities that we do to other humans and say how horrible it is, but we do similar things to another living, being(animal) who would not attack us? I am speaking for these poor ducks and geese who

cannot put up a fight for their lives. Intelligent creatures who have a brain, 2 eyes, and deserve NOT to be

abused and feel immense pain for foie gras.

Until we (humans) can place ourselves in a helpless animal condition and feel the pain , we should classify

ourselves as Barbarians. Though we have the intelligence and have advanced in other areas like technology,

medicine(by the way it is known that eating organ meats have health consequences) etc., if we are doing horrific things to a defenseless being for our pleasure , how are we not barbarians and still backwards? :(

Our children and grandchildren as well as concerned adults grieve over this. What kind of "civilized society"

are we living in. Please Ms Slattery, Ms Balkin and Council, help us with this issue. We look to you as persons of authority and appeal to you in a moral sense. Please help Ban foie gras. Thank you for all your help.

proudmary2x@aol.com

June 20, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Tracy Atkinson

tracyatkinson@gmail.com

I ask that you and your committee please pass Intro 1378.

My understanding is that foie gras is so cruel and horrifying that it has been banned in 16 countries.

The force feeding causes the birds' livers to become diseased and to swell up to 10 times their normal size. Just the thought of a bird going through this so some person can have what they consider a tasty meal, a delicacy, is sickening and shocking to me. Why would anyone take part in this?

I, myself, cannot understand any animal lover or any compassionate person period.... wanting food that has caused such cruel and unusual punishment (torture) to an innocent bird. So many other choices one can make in a restaurant or wherever foie gras exists or is produced.

I join many other New Yorkers in asking you to please ban this extremely cruel and very unnecessary practice. New York City often takes the lead in matters of importance and takes a stance on unfair practices and cruelty. I ask that you and your committee do the same in this case.

Thank you.

John Lookabill

240 E. 55th Street

New York, N. Y. 10022

johnnyleelookabill@yahoo.com

I would like to voice my wholehearted support for the banning of foie gras sales in New York. This is a barbaric and unnecessary practice, of which most people aren't even aware. The entire population can live the rest of their lives without foie gras and without suffering any consequences for its lack. The birds, on the other hand, are enduring torture and suffering every day of their lives without mercy.

Please make New York a leader in the elimination of animal cruelty of any type, and especially let us be the first to place this ban into effect! Thank you for your cooperation.

Sincerely,

Kathleen Fitzgerald
Simonson Avenue
Staten Island, NY 10303

The life of any small creature is never small to the creature living it.

Some people talk to animals. Not many listen though. That's the problem. (A.A.Milne, Winnie-the-Pooh)

I care not much for a man's religion whose dog and cat are not better for it. (Abraham Lincoln)

The greatness of a nation and its moral progress can be judged by the way its animals are treated. (Gandhi)

All that is necessary for the triumph of evil is that good men do nothing. (Edmund Burke)

Studies have shown that both cats and humans have identical regions in the brain responsible for emotion.

From the Heart

crusade679-betteranimalworld@yahoo.com

June 20, 2019

Dear Members of the Committee,

I write today to humbly ask that Intro 1378 be passed by your committee.

I have been a vegetarian for more than 40 years and want to raise my voice in support of birds who cannot speak for themselves. I've been a New Yorker all my life and I am appalled that foie gras from force-fed ducks is allowed to be sold at NYC restaurants!

It is my strong belief that animals should not be sacrificed and tortured for the sake of the culinary delight of the wealthy. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased. Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

We should not support the continuation of such barbaric and unnecessary practices, when healthier and kinder food alternatives exist in abundance.

Therefore, I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Sandra Salerno

Henley Rd.

Jamaica Estates, NY 11432

8 LIKES

Sandi Salerno

ssalerno11@gmail.com

1378. Ban of sale of foie gras

Please accept my pleas to ban the sale of foie gras as it is a horribly cruel act against a living animal.

Please ban fioe gras sales.

Thank you

mariairizarry41@yahoo.com

Foiegras

We need to stop force feeding these poor animals.

Becky Thomas

thomasba@comcast.net

Re: Louis Lau : Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

I'm proud of you for being an animal rights activist. Now I feel bad for eating all those foie gras in Montreal.

At least you made me aware.

Regards
Manlan

> On Jun 19, 2019, at 9:49 PM, Louis Lau <louloulau@yahoo.com> wrote:

>

> Dear Members of the Committee on Health,

>

> I write today to ask that your committee pass Intro 1378.

>

> As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

>

> Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

>

> I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

>

> Sincerely,

>

> Louis Lau

> 54th Avenue

> Douglaston, NY 11362

Man Lan Lau

mlw96lau@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Courtney Cooper
Morgan
Brooklyn, NY 11222*

Courtney Ryan Cooper

slipaustin@yahoo.com

Ban foie gras

Susan Meyerholz

summerfunsuem@gmail.com

Dear Members of the Committee on Health,

I am writing this letter today to ask that your kind and humane committee does the proper act and pass Intro 1378.

As a lifelong New Yorker, I'm extremely disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in our city. Force-feeding is standard practice in the foie gras industry. This act involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds are living things and when they are raised for foie gras, typically suffer greatly from numerous diseases, illnesses, and injuries. This is important to many New Yorkers and request that you include our beloved city in a rational act. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Brunilda Fonseca
Olympia Blvd.
Staten Island, NY 10306

cheetah632@yahoo.com

Testimony in support of Intro 1378 (foie gras sales ban)

Please support 1378 to ban foie gras sales.

THanks,

D. Muraco

New York, NY

generg@hotmail.com

Dear Members of the Committee:

Please see that Intro 1378 is passed.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

Sincerely,

Valerie Vlasaty

East 94th St.

New York, NY 10128

valerie.v@verizon.net

Dear Members of the Committee on Health,

I am reaching out to you to request that Intro 1378 be passed by your committee.

As a New Yorker, specifically a constituent of Ben Kallos, I am appalled that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. I am an Architect and my client base primarily consists of restaurateurs in New York City. Without exception, those that I have had conversations with that were considering adding foie gras to their menu, elected to pass once they were made aware of how horribly the ducks are treated and that 4 out of every 5 New Yorkers support legislation to prohibit the sale of such a cruel product. There just isn't a scenario where cruelly force-feeding an animal by violently shoving a metal or plastic pipe down a bird's throat three times a day for several weeks, until their liver is diseased, is an acceptable part of creating this "luxury" food item.

The beautiful ducks that are raised for foie gras suffer greatly from numerous diseases, illnesses, and injuries. The science is clear, foie gras is cruel and that is why over 50 not-for-profit organizations and 50 New York based veterinary professionals support the ban on foie gras sales.

Let's continue to lead this country from the front by passing morally just legislation. I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Chad Coronato

East 54th St.
New York City, NY 10022

chad@chadcoronato.com

BAN FOIE GRAS

All animals deserve to live their lives in peace, even those eventually used for food. This concern is ongoing ranging from cow to chickens and the subject of this email, geese.

It has long been known that foie gras is the result of torturing innocent animals. They are kept in cages and force fed until they die. Their overgrown diseased livers are then presented as a delicacy. Video and pictures taken of the conditions in which they are kept are beyond horrific!

The only casualty of banning foie gras is someone's ego. Please be humane and ban foie gras as soon as possible.

Sincerely,

Doni Bess

doninyc@yahoo.com

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I strongly urge that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras *produced by force feeding -violently shoving a pipe down* a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased. This unbelievably cruel practice has to stop and cannot be supported by NYC.

I and the majority of New Yorkers support Intro 1378 and ask that the committee pass this bill immediately.

Sincerely,

Cory Bee

West 129th St

NY,NY 10027

coryb888@gmail.com

PLEASE HELP!!!!

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Virginia M.

Virginia Mendez

virginialefay@gmail.com

Testimony in support of Intro 1378 (foie gras sales ban

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

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I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Mary

Maryetta Brown

marypinn4@gmail.com

Testimony in support of Intro 1378 (foie gras sales ban) –

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

I am very disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by extremely cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Anthony Tenorio

Anthony3@comcast.net

June 20, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

This is a horrific and cruel animal abuse that has been accepted for far too long because money is made and those that consider it a luxury food do not mind nor do they witness the cruelty it takes to serve this to them on their plate. If one can be so cruel to an animal then why would this not be ok to be done to a human? This being done to a human would be considered torture and so it is torture as well to an animal. There is no need for this to continue there is no need to abuse animals for this outdated food that no-one I know even wants. There is always the choice to treat animals humanely. Any company that is profiting and making money off of something they did not create meaning it is an animal of mother nature taken from nature to be put into the cycle of factory farming, any company profiting off of another life can surely then spend the extra money to treat its animals humanely and with zero pain or torture inflicted on the animal.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Cerise Leang

Graham Ave

Brooklyn, NY 11206

mismeow@gmail.com

New York City is on the verge of becoming one of the first major city in the US to ban one of the cruelest factory farming products on earth, and you can make it happen. Veterinarians, farm animal sanctuary caretakers and even slaughterhouse investigators have witnessed first hand the barbaric practice of shoving a footlong pole down the throat of these gentle birds to make foie gras. Not surprisingly, the foie gras industry defended this practice as if it were totally normal to force-feed an animal with such blunt trauma that their esophagus ruptures and their organs shut down.

It is long past the time when we as humane people put an end to this shameful industry. Please vote to ban foie gras in New York City....let us become the role model for others to have the courage to follow our lead.

thank you

--

jerry foster-julian

Huntington Station, NY

bxfan@gmail.com

Please Ban Foie Gras!

Judy

dandjob@att.net

Dear Health Committee Members,

Please pass Intro 1378, and ban the sale of foie gras in New York City.

Foie gras is produced by cruelly force-feeding geese. A metal pipe is forced down a bird's delicate throat to pump a grotesque amount of feed into her system until her liver becomes diseased and swells to ten times its natural size.

Birds raised for foie gras suffer greatly from this unusual torture. They are injured and diseased. They also experience extreme anxiety and stress.

I believe that the vast majority of New Yorkers who know the truth about the foie gras industry would be in favor of prohibiting its sale in our city.

Sincerely,

*Eva DiDia
69th Avenue
Ridgewood, NY 11385*

EVA S DIDIA

evasonia@msn.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Vanessa Laplaud
E 67th street*

NY, NY 10065

Vanessa Delgrange

vdelgrange5@gmail.com

Testimony in support of Intro 1378 (foie gras sales ban) –

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I'm not going to type a lengthy email. If you see videos and you have a heart please ban Foie grass.

It's pure cruelty, so I beg YOU to find in your hearts (dig deep if you have too) to PLEASE pass Intro 1378.

It's the right thing to do. Remember God (whom ever he may be) is watching you 😊



Michelle Rosas

Michelle Hili

misi916@yahoo.com

Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Maria Jablonska

79th Street

Brooklyn, NY 11209

mtjablonska@yahoo.com

In support of the Foie gras ban Intro 1378

Dear Health Committee members,

It has always sickened me that the practice of force feeding ducks to produce pate has been permitted, and this food is sold at NYC restaurants. It is a cruel practice that must not be continued, as the animals suffer and develop diseases and injuries. I am among the majority of New Yorkers who oppose this practice and urge the committee to do the right thing and pass the bill.

Sincerely,
Deborah Dolan
Tyndall Ave
Bronx, NY 10471

Deb Dolan Matt Turov

turlan@optonline.net

Support Intro 1478 & 1502

Dear Council Members,

It's long overdue for the greatest city in the world to have Humane Shelters. After over a decade advocating, rescuing, fostering & sharing my home with ACC kill list survivors I ask you to please support 1478 & 1502. We must remove the DOH & replace with Department of Animal Welfare. A Department with experienced & qualified individuals that know what it takes to reform NYC's pathetic pound system. We need transparency! What "shelter" requires NDA's for EVERYONE? So many questions & no answers. The intimidation tactics are truly disgusting.

We've sent letters for years about all the unethical practices, false justifications used for killing w/videos examples & testimony, the incompetence, disease infestation & so much more. It's exhausting begging elected officials to pay attention especially when they promised reform. Free mandatory spay neuter would be helpful in controlling population & having people know that the ACC exists would be a great idea. Ask New Yorkers, most don't know of its existence & the ones that do- don't want to enter a kill pound. You can fix this terrible stain on NY.

Please hear the silent voices crying & make NYC a compassionate place for homeless animals to get a second chance. Who stands by with proof of an adoptable bouncy friendly submissive dog getting dragged to killing room and does NOTHING? For years? In a city with every resource- there are no excuses & the spin is insulting to all advocates.

Please support the intro of 1478 & 1502.

Sincerely,
Phaedra Vassiliades

phaedramv@gmail.com



hemorrhage money...not that it's used for the animals.



Animal Care Centers... Would it be possible for you to email socialmedia@nycacc.org with the names of these organizations so that we can follow-up? Thank you.



Julie Core @SoNewtonPerals - 1d - I called you after the animals had to be intercepted off the streets here on several occasions and was treated with the utmost disrespect, in fact hung up on



Volunteer Georgia Richmond says "He's super snuggly and whether you're into stand-up hugs, on-the-floor cuddles or just a soft smooch or two, Pop is ready to bring the love!"



Volunteer Lydia Espinoza says "O'Henry is pretty special. He is housebroken, super sweet, totally snuggles with you and a great walker - stayed right by me the whole time - doesn't pull."



Tammy Cathoun save him will die at 1 pm

A volunteer writes: She's far too fun and perky to be anything but LQ! When we first started our relationship she was great on le...



MURDERED 4/12/18 ADRIAN: WATCH MY VIDEOS VIDEO: https://youtu.be/9l8b7Y1a-Nc https://youtu.be/10RTJegRZ70 Adrian fetch https://youtu.be/2yG19hwW9G4



- Volunteers who disagree with any action taken by NYCACC will be terminated.
Volunteers must illegally waive their First Amendment rights by agreeing not to say anything about NYCACC without permission.
Any photographs taken by volunteers are the property of NYCACC.

These new policies are not only regressive and draconian, designed to ensure that NYCACC operates without any accountability, but they are illegal and expose NYCACC, its officers, and City taxpayers to a Section 1983 lawsuit for violating the civil rights of volunteers if they are terminated for petitioning their government for

VOLUNTEER SAID ABOUT HIM: "HE IS SO SWEET THAT MY HEART SWELLS JUST THINKING ABOUT HIM WIGGLES HIS ENTIRE BACK ENDS DOES LITTLE HAPPY DANCE" ALL THAT HOPE FOR LOVE IS GONE @NYC ANIMAL CARE CENTER INHUMANELY KILLS PETS DAILY



Ban on Sale of Foie Gras

Subject: *Re Testimony in Support of the Passage of Intro 1378 (Ban on Sale of Foie Gras)*

Body: *Dear Members of the Committee on Health,*

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York–based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Scott Larrabee
Tiffany Place
Brooklyn, NY 11231*

scottlarrabee@gmail.com

Dear Members,

81% of New Yorkers agree ...there is no need to continue force fed foie gras.

The bill to prohibit the sale of foie gras from force fed ducks is an important step for New York to take to abolish this cruel and barbaric practice.

We all know what ingredient goes into producing this vile "luxury" food item...torture.

I'm a proud New Yorker who supports intro 1378 and ask that the bill be passed right away.

Respectfully,

Pauletta Brooks
West 17 St.
NYC,NY 10011

paulettabrooks@gmail.com

Testimony in support of Intro 1378 (foie gras sales ban)

I strongly urge all city council members to vote for the foie gras sales ban. Foie gras involves inhumane treatment of animals and should be banned immediately.

Tamis Oshiro
West 24th St
New York, NY 10011

tamis.oshiro@yahoo.com

Testimony in support of Intro 1378 (foie gras sales ban)

New York City is on the verge of becoming one of the first major city in the US to ban one of the cruelest factory farming products on earth, and you can make it happen.

Thank you

This means a lot to me and other animal lovers.

Theresa DiTullio

theresad2005@aol.com

Testimony in support of Intro 1378 (foie gras sales ban)

There's just no getting around it - the practice of force feeding an animal is just WRONG. Would you do this to your family pet? Of course not! It's animal cruelty.

Please help make NY an animal cruelty-free state, setting a precedent for other states to follow.

Thank you,

Leslie Woodruff

jetsetleslie@yahoo.com

June 14, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to kindly urge your committee to pass Intro 1378.

I have lived in Brooklyn for about 10 years now, but I was raised in California near the coast. As a child one of my fondest memories was when small groups of migrating ducks would land in the pond near our home. All the children in the neighborhood would gather around and watch the ducks swim and bathe and simply be ducks.

While I am not personally a Christian, I was raised in a Baptist family and have lived my life often asking myself "what would Jesus do?". As cheesy as it sounds, I think it has helped me decide often between right and wrong. Ducks do not deserve to be tortured, Jesus wouldn't torture ducks and I hope your committee can see the value in their lives as well.

I am proud to be part of the 81% of New Yorkers who support Intro 1378 and again ask that the committee pass this bill as soon as possible.

Sincerely,
Nicole Damon

Humboldt Street

Brooklyn, NY 11211

ndamonnyc@gmail.com

Regarding the Banning of Foie Grass

June 20, 2010

In Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to kindly ask that Intro 1378 is passed by your committee.

I am extremely disturbed to know that foie gras from force-fed ducks is still being allowed to be sold at NYC restaurants. Foie gras is a very cruel way in which to torture birds into making foie grass. Force-feeding is the main way in which a bird is forced to endure being violently shoved food down with a metal foot-long pipe, down its throat. After this the bird is then forced to be severely overfed, to the extent that his abdomen swells to 10 times its normal size. After this the bird then becomes very sick and dies.

Birds raised for *foie gras* suffer greatly from many diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without any delay.

Sincerely,
Jeanne Bellamy

10 Ave

New York, N.Y. 10036

jbellamy@post.com

Testimony in support of Intro 1378 foie gras sales ban

Please stop animal torture. We need to evolve beyond these antiquated barbaric methods of satisfying personal desires .

Alexandra Macare

alexandramacare@gmail.com

Testimony in support of Intro 1378 (foie gras sales ban)

To whom it may concern,

I support the intro of 1378! Please ban foie gras sales.

Best,

Mallory

Mallory Campbell

mallorydeane138@yahoo.com

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Tina Linnemann

Edgewood,
Kentucky,
41017

Tina Bishop

tinabshp557@gmail.com

Good morning,

As a New York City voter, I wish to express my appreciation that the NYC City Council has taken up the issue of banning the sale of foie gras in our city.

As you know, foie gras is a high-priced luxury food item produced by the infliction of sustained and extreme cruelty. The ducks and geese who are subjected to this are not widgets or insensible, unthinking, unfeeling things. They are intelligent and sensitive animals who bond closely with each other and mate for life. To produce foie gras, great violence is done to these captive creatures, over a protracted period of great suffering. Their esophaguses are ruptured by foot long metal poles. Their organs are forced to become diseased and eventually fail. These creatures who would spend their lives caring for each other and cooperatively raising their young are reduced to objects who know only intense pain, fear, despair, and misery.

We are a great city. And compassion is one of our strengths. Many practices once regarded as a traditional parts of culture and cuisine have long since been rejected and abandoned because the agony and harm integral to their production and practice have, as more and more people have recognized the reality behind them, come to shock the public conscience as we learn they demean and diminish, rather than elevate and enliven, our society and community.

Foie gras is a substance and practice that a large majority of New Yorkers now reject. Lobbyists for this ugly and torturous business would have the council think it was a normal product of a normal process. They think it wrong to ever make progress as a society toward greater decency and mercy for creatures blameless, small, helpless, captive and weak. Creatures who suffer endless agony for a cult menu item, whose suffering they hide and whose voices we have to make an effort to hear.

Lets go forward as a great city and say that we will no longer willfully deny or cover up intentional, drawn out torture by design inflicted solely for a boutique luxury item. We have led the way in so many reforms in our country's history that have lifted up the weak and voiceless and put compassion over cruelty. Foie gras is senseless cruelty. Let's say we are done with its sale in NYC.

Thank you,

Evan Oakley
4th Ave
Brooklyn, NY. 11209

evan.oakley@gmail.com

Testimony in Opposition to Intro 1425

To the City Council

Please do your homework, find the facts. The carriage horses in NYC are one of the most regulated in their industry, they are vetted, receive regular foot care, have clean living quarters, clean water, fresh hay, five weeks of vacation, temperatures in winter and summer are regulated. NYC and the United States should always support the working horses. They have worked by our side and as our partners of hundreds of years! The carriage industry supports many many people, from the horse to the hay guy to the mushroom farmer who uses the hay and manure. The heat index bill is absolutely unnecessary, horses regulate their body temperature differently than humans. They already have to stop work at 89 degrees which has been in effect since 1989. You can't compare them to humans. Many humans who live in NYC are not treated this well, that should be your most pressing concern. I have the pleasure of being an owner of two retired carriage horses, they are TOP NOTCH! Please do not side with back handed politicians and business owners. Know the facts and vote NO to INTRO 1425

--

SMILE.....It Keeps People Wondering!!!!

and they usually smile back ;)

Jennifer

Jennifer Hamerski Cosenza

jh8675309@gmail.com

Dear Committee Members:

I am writing to you today to declare my support for Intro 1378.

As you have already heard during the hearing on June 18, and by emails and calls, the methods involved in the force feeding of geese for the production of foie gras are brutal and cruel, so I will refrain from getting into the details at this time.

Instead I will appeal to your sense of duty and responsibility as lawmakers and plead with you to pass Intro 1378. Among all of the necessary reasons for the passage of this bill, I believe the humane treatment of animals will serve as a strong precursory message for the reduction in violence and crime in our city. The time has come to do what is right and just.

I want to take this opportunity to thank you all for your collective hard work and also for your time and consideration of my letter.

Sincerely,

Loula Columbus

38th Street

Long Island City, N.Y. 11101

loulacolumbus@yahoo.com

We need the dept of welfare to oversee

Daryl Graveline

darylgraveline@icloud.com

Dear Members of the Committee on Health,

I am writing to urge you to pass Intro 1378!

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and **81% of NYC voters** support a sales ban on force-fed foie gras. Because we know we are better than this. We don't need to needlessly cause animals suffering for a luxury item. Force-feeding is the method for obtaining foie gras. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

In the words of Andrew Kaplan, veterinary internal medicine specialist, "We are torturing an animal in order to alter it into a diseased state, so we can satisfy our addiction to taste." Doesn't sound particularly appetizing to me.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Please make a stand to end this unnecessary and arcane culinary practice. Thank you.

Sincerely,

Mariah Wilson

Henry Street

Brooklyn, NY 11201

--

www.mariahewilson.com

Non più foie gras nei supermercati.

È maltrattamento puro e semplice.

È ora di dire BASTA!!!!

katya masini

katyamasini@gmail.com

Testimony in support of Intro 1378

To Whom It May Concern:

New York City needs to join with those who have already banned this grotesque product. There are plenty of wonderful things to eat without having to resort to abject torture of defenseless ducks and geese. We are a progressive city that has no place for the cruelty that ensues from the manufacture of foie gras.

Most countries in Europe have banned the production of foie gras which involves the barbaric force-feeding of birds with more food than they would eat in the wild, and more than they would voluntarily eat domestically. The feed, usually corn boiled with fat (to facilitate ingestion), deposits large amounts of fat in the liver, thereby producing the fatty consistency sought by some elite gastronomes.

Thank you,

David Stein

E 72nd St

New York, NY. 10021

nycwest1@aol.com

Testimony in support of Intro 1378 (foie gras sales ban)

I was born in New York and grew up in Brooklyn. I attended Poly Prep and then Marymount Manhattan college where I graduated and went on to law school. Over the years I have enjoyed eating in many restaurants in New York. However, I have always been disturbed that foie gras from force-fed ducks has been allowed to be sold at NYC restaurants. There is no excuse for this cruelty. This is not a necessary food item. Please pass Intro 1378.

Thank you for your consideration.

Best regards,

Mindy B. Reynolds

Attorney at Law

Tel: (785) 845-8444

reynoldsattorney@sbcglobal.net

Banfoiegras

Hello,

Please ban four gras. This Is sickening beyond anything on planet earth.

Thank you,

Arielle Jones

vegan ariel

veganariel@yahoo.com

Foie Gras Ban

This is cruel and it must end. And I'm sure that eating this diseased food is far from healthy !!

J T

greatealways77@gmail.com

In Support of Intro 1478 and Intro 1502:

Dear Council Members,

I am writing today in strong support of Intro 1478, the creation of a Department of Animal Welfare to replace the Department of Health and the Bureau of Veterinary and Pest Control Services to oversee NYC Animal Care and Control. Pets are sentient beings, not “pests,” and it is obvious that an antiquated bureaucratic agency that views them as such must be replaced by an agency that is dedicated to the humane treatment and welfare of these animals whose lives have value.

Under the current population control model, thousands of animals are being cruelly mistreated and killed by a Department of Health that has no interest in the welfare of animals and does not value their lives. The Department of Health must therefore be kicked out of the animal welfare field altogether, where it had no business being in the first place. This is inevitable.

I am also writing in strong support of Intro 1502, requiring transparency in the decisions taken by shelter bureaucrats to kill dogs and cats, as well as transparency in the efforts made, or lack thereof, to adopt these animals who were killed. It is also vital to enact Intro 1502’s provision to establish a community based task force to implement the innovations of No Kill animal sheltering that has eliminated the killing of healthy and treatable cats and dogs in the hundreds of progressive communities across the country that have embraced these cost-effective lifesaving programs and services.

Every year, thousands of healthy and treatable adoptable cats and dogs who have no voice and no legal rights are killed in New York City’s outdated pounds, at the whim of uncaring bureaucrats who are unaccountable for their actions. There is virtually no oversight, and there are no standards to oversee. Shelter bureaucrats are given free reign to kill animals on the basis of fabricated “behavioral assessments” or for supposed “medical reasons” that defy common sense.

For instance, what medical reason would justify killing animals for catching easily treatable colds that they contracted at the unsanitary facility? And why is it necessary to kill animals for minor training or socialization issues? Puppies are

commonly killed for “mouthing” their leashes, or “jumping up” to play with their leashes; while other animals are routinely killed supposedly to control the spread of kennel cough among dogs, or upper respiratory infections among cats that carry no significant risk to the infected animals or any other animals in the already germ-infested facility, where most animals inevitably contract these minor illnesses that would typically resolve on their own, even without the use of antibiotics.

There is no valid medical reason to kill an animal who has the equivalent of the common cold in humans. There is no public health and safety risk that would warrant killing a puppy who plays with his leash or jumps up to play with his leash, like normal puppies are supposed to do!

Rather, it appears obvious that these are excuses to kill rather than adopt animals, because it is easier for bureaucrats to do so.

For these reasons alone, it is absolutely necessary to pass Intro 1478 and Intro 1502.

Thank You for considering my views.

Sincerely,

Andrew Weprin
New York, NY

Supporting Attachments:

‘Whimpering Dog Dragged to Kill Room at City Pound in Heartbreaking Video,’
New York Post:

▶ <http://nyp.st/2JsswcU>

‘Heartbreaking Video in NYC Shelter of Dog Being Dragged to be Killed,’ Pet
Rescue Report:

▶ <http://bit.ly/2JtCcnw>

'This is the Moment a Dog at the City's Pound was Dragged to His Death,' by Nathan Winograd:

▶ <http://bit.ly/2Hp6q8K>

'What They Do NOT Want You To See,' by No Kill Movement:

▶ <http://bit.ly/2liHoIP>

'The Death of Austin,' by Nathan Winograd:

▶ <http://bit.ly/2XlyByp>

▶ 'The Faces of NYCACC's "Spay Neuter Kill" Victims'

'City Under Fire for [Killing] Animals Right After Neutering,' NY Post:

▶ <https://goo.gl/djfCd4>

ASPCA and NYC ACC "Being Investigated by the State Attorney General's Office for [Killing] Dozens of Dogs and Cats Mere Days After Having Them Undergo Painful Neutering" ...

▶ <https://www.facebook.com/159092957448290/posts/2164967550194144?sfns=mo>

'City's Animal Care Center Honored [by ASPCA] Despite Probe Into [Killing],' NY Post:

▶ <https://goo.gl/fF7Y5r>

'NYC Signs 34-Year Mega-Contract with Controversial Animal Care Center,' NY Post:

▶ <https://goo.gl/GxKKir>

NYC's Shelter Animals Face a Slaughter Without End...

▶ <https://goo.gl/vM21Px>

NYC Pound: Fabricating "Behavior Assessments" to Excuse Convenience Killing; Puppies Killed for "Behavior Concerns" ...

▶ <https://www.facebook.com/644194261/posts/10156585021419262?sfns=mo>

NYC Pound Caught Altering Computer Records to Make it Appear They Killed Less
“Treatable” Animals...

▶ <http://bit.ly/2vizuYH>

Andrew Weprin

graygoblin@icloud.com

Testimony in support of Intro 1378 (foie gras sales ban)

Hello,

My name is Liza Darwin, and I'm writing to ask that Intro 1378 be passed by your committee. It's no secret that the production of foie gras involves an inhumane process and incredible pain to the animals-- unnecessary pain, in fact.

In 2019, this cruel force feeding shouldn't be a prerequisite to a luxury food item that so few people even eat. It's disturbing that foie gras is sold in NYC restaurants and grocery stores, and I stand with the thousands of other New Yorkers who oppose it. 81% of New Yorkers support a ban on force fed foie gras, and I hope you'll listen to us and pass Intro 1378 as soon as possible.

Thank you,

Liza Darwin

Tehama St

Brooklyn NY 11218

liza.darwin@gmail.com

I am sending this email today to say that I strongly support an Animal Welfare committee to oversee #NYCACC. I support Intro 1478 and Intro 1572.

I feel that there needs to be a closer scrutiny and accountability of both Animal Welfare and funding.

I do not feel that the people that are running the ACC, in conjunction with the Department of Health, are suited for the task. This is evidenced in the number of animals euthanized needlessly everyday.

There appears to be a complete inability to grasp the essentials, and emulate what works, in cities as large as New York City elsewhere, that have become true no kill facilities.

Please consider my statements in your decision making process. Thank you.

Renea Garon

reneagaron@gmail.com

Ban Foie Gras

Please ban this barbaric cruel industry of foie gras! These poor gentle animals are tortured beyond belief! Please stand up for the innocent & voiceless!

Thank you,
Joei

Joei Ruffino-Fischer

sjfischer@comcast.net

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Sandra Costa

sandraccosta76@gmail.com

Testimony in Support of Intro 1378 (foie gras sales ban)

Honorable New York City Council Members:

My name is Brenda Bush and I live in Tribeca in Council Member Margaret Chin's district. I urge her to SUPPORT this bill.

I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. The international community is fully aware of the pain and suffering caused by the foie gras industry. The inherent cruelty of foie gras is leading consumers, cities and countries to move away from it. People are no longer willing to cause extreme cruelty simply to produce a luxury food item. 81% of NYC voters support a sales ban on force-fed foie gras.

Testimony from veterinarians, farm animal sanctuary caretakers and slaughterhouse investigators confirms firsthand the cruel and barbaric practice of shoving a footlong pole down the throat of these gentle birds to make foie gras. The brutal force-feeding causes the birds' livers to swell to up to 10 times their normal size. The birds are force-fed with such blunt trauma that it is common for their esophagus to rupture and their organs shut down. The process is so cruel that many die from the daily torture before ever making it to the slaughterhouse. Mortality rate is 20 times greater than normal ducks who are not force fed. Since foie gras is made from the livers of only male ducks, all female ducklings—tens of millions each year—are useless to the industry and are therefore simply tossed into grinders, live, so that their bodies can be processed into fertilizer or cat food.

Foie gras is so cruel that California banned its production and sale. Force-feeding animals is against the law in many countries, including Israel, Germany, Norway, and the United Kingdom. India has banned the importation of foie gras, meaning that it cannot legally be sold anywhere in the country.

As a lifetime New Yorker, this legislation is important to me. I urge the committee to pass this bill without delay.

Respectfully,

Brenda Bush

New York, NY 10013

bush.brenda@verizon.net

Fois Gras

Please support the bill to ban fois Gras. We all know how cruel it is! Don't people have enough to eat? Imagine that happening to you.

Laura Hollin
West 55th Street
New York, NY 10019

hollin4@gmail.com

June 21, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding.

As an ever revolving society, we should not tolerate cruelty to any living, breathing animal. It is completely unnecessary.

Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Adriana Ogiba

E. 95th Street

New York, NY 10128

adriana@frescodeco.com

Good morning,

Please accept my testimony in support of Intro 1378, the foie gras sales ban in New York City.

First, I am glad that you heard the very important testimony from veterinarians, farm animal sanctuary caretakers, and slaughterhouse investigators who have witnessed first-hand the barbaric practice of shoving a foot-long pole down the throat of gentle birds to make foie gras. I hope you have each gotten a chance to see this yourselves as well. These violent acts of cruelty must end and have no place in a civil and compassionate society. I can't imagine being force-fed with blunt trauma so that my esophagus ruptures and my organs shut down. Can you?

Second, New York City can yet again reveal its progressive side when it comes to animal protection by becoming one of the first major cities in the country to ban one of the most inhumane factory farming food product there is. I kindly urge you to appreciate the intrinsic value of these docile, innocent, defenseless birds and support the ban of foie gras.

Kindest regards,

Deedee Dillingham

Cortland, NY

Cortland County/Upstate NY

d2or3ny@aol.com

"Testimony in support of Intro 1425 (Heat index amendment for carriage horses) - MARGARET LEE

June 20, 2019

Dear Committee on Health,

As we head into summer and experience rising temps and humidity, I, a longtime NYC resident, lament our NYC carriage horses languishing on the steaming asphalt streets! If the world made any sense whatsoever, these precious animals would not be out on city streets at all. They would be frolicking on the grassy fields of the sanctuaries that invited them (praying that day of freedom will soon come as the city expands its heart for animals)...

The very least we can do for them until that long-awaited day of liberation comes, is to relieve their suffering by passing Int. No. 1425, making it unlawful to work carriage horses whenever the heat index reaches or exceeds 90.

Please pass this Amendment immediately before we see another horse collapse from heat exhaustion!

Many thanks for the compassion the Committee has shown by introducing so many bills to benefit our animal residents!

Margaret Lee
Bond Street
NY, NY 10012

mlee282828@aol.com

Testimony in support of Intro 1477 (Ban on declawing cats and kittens)

Testimony in support of Intro 1477 (Ban on declawing cats and kittens) - MARGARET LEE

June 20, 2019

Dear Committee on Health,

Cats' paws are perfectly designed to meet all their emotional and physical needs. They don't require adjustments by unscrupulous vets looking to pad their wallets or selfish humans who place more value on their furniture than on their cats' wellbeing.

As a longtime NYC resident who is currently owned by three cats - Clio, Callie, and Kiki - I know firsthand that cats need their claws as much as I need my fingertips.

Please pass Int.No.1477 to protect cats and their magnificent claws!!!

Many thanks on behalf of our city's cats,

Margaret Lee
Bond Street
NY, NY 10012

mlee282828@aol.com

Dear Council Members,

I am seeking your ear and conscience to ask that Intro 1378 be passed by your committee.

This is an issue close to my heart as a person who once consumed foie gras and 8 years ago was turned on to the reality of the horrors of this intentionally cruel industry. I am now a supporter of the Catskill Animal Sanctuary where I became aware of the horrors of the industry and researched more about it. To be clear, I do not wish to impose my own values but am opposed to the cruelty of this specific, unnecessary industry to create this product.

As a lifelong New Yorker, I have been greatly disturbed that foie gras from force-fed ducks is sold at NYC restaurants that I have frequented. This is a luxury item produced at the expense of sentient beings that are not humanely slaughtered for consumption. It involves violently shoving a pipe down a domestic animal's (duck's) throat, three times a day for several weeks until it is distressed with a liver that is supposed to be 10x it's size. Dr. Nedim C. Buyukmihci, VMD, emeritus professor of veterinary medicine, University of California has stated that the overfeeding of ducks leads to "liver enlargement and malfunction, causing chronic metabolic dysfunction and illness. The ducks at this facility are being subjected to extremely inhumane conditions causing them to suffer greatly." There are a significant number of non-profit organizations, NY based veterinary professionals and proudly, 81% of NYC voters that favor a sales ban on foie gras. I stand with these New Yorkers and implore that you do, as well.

In another part of the world, occurring right now there is the Yulin Meat Festival in progress, since yesterday (in China), at the start of the summer solstice. We in the western world express outrage, yet our practices to obtain foie gras are truly outrageous for consumption of a mere, unneeded delicacy. Let's not be the society that turns a blind eye to torture of any living, sentient being. Let's be a now informed, more ethical society and lead; as NYC should.

I **thank you** for your attention and support.

Adriana Piraquive

Bilingual School Psychologist

PS/IS 127 The Aerospace and Science Academy

(718)446-4700 x2530

APiraquive@schools.nyc.gov

Intro 1378

Hello, I am asking for support of this bill. I don't know why anyone with a heart and soul wouldn't support this. This is just plain animal cruelty. Why should any animal have to suffer because people are so spoiled. I know that I support this Bill because we as human beings have got to start showing the next generation how to start respecting animals. If you don't support this bill, then at least tell me why. Doing the right thing should not require a bill or petition.

Lory Carr

lcarr716@gmail.com

Dear Council Members,

I am writing to you to follow up on order 1378 the banning the sale of certain poultry products that are the result of force-feeding birds.

My name Marie ASSAKER, I am 30 years old and work in the Finance industry. I live in Greenwich Village on West 13th street. I have been living in NYC for the past 10 months, and been in the USA for almost 5 years. I am a FRENCH citizen and US resident.

First of all let me tell you I am extremely grateful such orders are being considered in NY, NYC sets an example for the world. I am deeply convinced a society can be judged by the way it considers over living beings and this is great signal to the world.

A lot has to be done regarding animal well-being and I do not rank animal suffering in general as an ethical and ecological vegan and anti-specism person. That said, foie-gras is probably one of the most immoral and revolting practices in the meat industry. 5 seconds of watching a video is probably enough to convince oneself.

French cuisine does not need to be about cruelty. NYC should send a clear message we shall not support animal cruelty, force feeding, extreme suffering for a 5 minutes moment at dinner.

Their live is more important than our taste buds.

French cuisine is about being creative, excellence and savoir-faire. It is about texture, the right seasoning, the right balance. None of those skills needs animal products and especially not the sick liver of a suffering bird to come to light.

Until the foie gras defenders and the fervent advocates of the French savoir-faire realize that; We, the New-Yorkers will not allow an extra dollar to be spent towards that unnecessarily, brutal, sickening practice.

Many chefs and restaurants are already creating plant-based alternatives to foie gras, such as Delice and Sarrasin, in Christopher Street, and many others in New York and around the world.

I would like to thank the council its time and for being so proactive in dealing with animal right issues. It makes me even more proud to live in NYC.

Kinds regards,

Marie Assaker

marie.assaker@gmail.com

Please ban foie gras

The process used to produce foie gras is cruel and heartbreakingly brutal. You can help New York make history, by becoming one of the first major US cities to ban one of the most grotesque factory farming practices on earth.

Please support the ban on this product which tortures and maims farm animals through blunt trauma, to the point of painful and prolonged death.

Thank you for your attention to this important matter.

Linda Hayes

east 7th street

New York, NY 10009

lindahayes24@gmail.com

June 14, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Andrea Gomez

Dobbin St

Brooklyn, NY 11222

Milena Ribeiro

warlike@mac.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city.

Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Kindly,

Stacy Dean

stacydean1989@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely and Respectfully,

Chris Bowman

chris@cmykpluswhite.com

Jun 24, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Joan Silaco

m4lucky@aol.com

Farm Sanctuary

info@farmsanctuary.org

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Dena Lenard

afrodeniac@gmail.com

Jun 23, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Annette Lellis

net827@yahoo.com

Farm Sanctuary

info@farmsanctuary.org

Dear Members of the Committee on Health,

I am asking that your committee pass Intro 1378.

New York should be the leader in humane practices. Just look at all the loving pet parents this city has. As a lifelong Brooklynite, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

*Ryan Gellis
2nd street
Brooklyn, NY 11215
rmgellis@gmail.com*

Intro 1378

i urge the committee to pass Intro 1378, which would prohibit the sale of foie gras.

thank you

|

abc123pm@gmail.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York–based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Ms. Hope Bernhard
West 112th St.
New York, NY 10026

hdbernhard@yahoo.com

Jun 23, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Paula Bykowsky

pbykowsky@gmail.com

Farm Sanctuary

info@farmsanctuary.org

Support bill 1378 - foie gras sales ban

Thank you so much for the bill 1378 - ban foie gras sales in NYC. It is very important, because the foie gras is one of the most cruel actions. It is a medieval and terrible torture of pure ducks and geese.

My family and myself support this ban.

Sincerely,

Tatyana Komin, Andrey Slutskiy, Gregory Nevsky and Dmitiry Komin

Dora Lane,

New Rochelle, NY 10804

tatyanakomin@gmail.com

FOLE GRAS BAN

Please... stop this barbaric form of killing our beautiful birds to please greedy heart-less people! Humans are so disgusting, and it is a shame the lack of compassion for nature! Please ban this cruel act

Thanks

Joe

jmontanes@aol.com

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Sincerely,

Laura Napoleon

58 Ave

Little Neck, NY 11362

Inap252@aol.com

Jun 22, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Nancy Tortorella

femailsnail@gmail.com

Farm Sanctuary

info@farmsanctuary.org

Dear Members of the Committee on Health,

I write today to ask that your committee pass Intro 1378.

As a New Yorker, I'm disturbed that foie gras—a "luxury" food item from cruelly force-fed ducks—is currently allowed to be sold at restaurants in the city. Force-feeding is standard practice in the foie gras industry. It involves violently shoving a metal or plastic foot-long pipe down a bird's throat then pumping the animal with so much feed three times a day for several weeks that his or her liver swells to up to 10 times its natural size and becomes diseased.

Birds raised for foie gras typically suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York-based veterinary professionals, and 81% of voters in the city support a ban on the sale of foie gras.

I proudly stand with the vast majority of New Yorkers, who support Intro 1378, and ask that the committee pass this bill without delay.

Please remember that you should treat others how you want to be treated. Birds should not have metal/plastic pipes forcing food down their throats as I am sure that you would not want that to happen to you or loved ones.

Sincerely,

Tracy Marotta

Bay 19th Street

Brooklyn, NY 11214

tracyrocks@gmail.com

Jun 22, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Dina Kalra

dm.kalra@gmail.com

Farm Sanctuary

info@farmsanctuary.org

Jun 22, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Maria Ortiz

athenianstar1@aol.com

Farm Sanctuary

info@farmsanctuary.org

Jun 22, 2019

New York City Council Health Committee

Dear Health Committee,

Please pass INTRO 1378 to prevent the sale of foie gras in our city.
There is absolutely no excuse for the senseless cruelty involved in the production of this "luxury" food beyond profit.

Passing this act would make an important statement about NYC's ethical standards. (As would a fur sales ban.)

Sincerely,

Vicki Puluso

vpuluso@gmail.com

Farm Sanctuary

info@farmsanctuary.org

Jun 22, 2019

New York City Council Health Committee

Dear Health Committee,

I am writing to express my strong support for Intro 1378, a common-sense measure that will prevent the sale of foie gras from birds who have been cruelly force-fed. Our treatment of other animals is a reflection of our humanity, and the extreme mistreatment of birds on foie gras farms is outside the bounds of acceptable conduct in our society.

Sincerely,

Frances Howard

franceotr@yahoo.com

Farm Sanctuary

info@farmsanctuary.org

June 21, 2019

Re: Testimony in support of Intro 1378 (Fois Gras Ban)

Dear Health Committee Members,

I am writing on behalf of myself and The Land and Sea Institute, a research and policy nonprofit based in Brooklyn dedicated to improving food systems and mitigating climate change. Your consideration of the Fois Gras Ban is commendable and I humbly ask that your committee pass Intro 1378.

As testimony at the hearing this week demonstrated, the cruelty of the foie gras industry is immense and unjustifiable in the 21st century. For the following reasons, this ban would be a positive and progressive step for New York City:

- We are a city that has shown compassion for marginalized groups when many parts of the nation have not. Our laws regarding the treatment of humans, animals, and the environment reflect our values and send a message about the importance of social justice. NYC has the opportunity to show the world that this practice does not belong in modern society.
- This is not a departure from the public's view on foie gras. There is a wide-spread understanding amongst New Yorkers (and worldwide) that this industry is intolerable and outside of the realm of farm practices we find acceptable.
- Fois gras is non-essential to the food supply of New Yorkers, and serves as a luxury product eaten by a small number of consumers in NYC. If foie gras is banned, zero restaurants would close as a result.

Some opponents have argued that consumers should be able to choose whether to support this industry and that lawmakers should not interfere with consumers' choice. Yet, as a democratic society, we have collectively chosen (and continue to choose) a set of practices regarding animals and food that we agree are so deplorable they have no place in our society. For example, there is a long list of animal products lawmakers have already decided should not be on our plates: shark fins, beluga caviar, sea turtles, bushmeat, horses, cats, and dogs, etc. Adding foie gras to this list is a natural progression reflecting our ethics and evolving understanding of animal sentience and pain.

Balancing the lifetime of pain animals raised in this industry endure with the small benefit for select New Yorkers who consume foie gras once in a blue moon suggests a ban is ethically appropriate, would not be disruptive or burdensome on restaurants or consumers, and would be widely applauded by the general public.

Thank you for your consideration of Intro 1378 and for all of your dedication to New York City!

Sincerely,
Alicia Rodriguez
22 North 6th Street, Apt. 20C
Brooklyn, NY 11249

Fois gras ban

This is to voice my support for the foie gras ban.
Thank you for voting to end this cruel practice.

Sincerely,
Jennifer Beman

jenniferlberman@gmail.com

W 97th St,
New York, NY 10025.

FOIE GRAS

Please vote to ban FOIE GRAS . it's very cruel

Susan Grabina NYC 10011

Suzann capra
kalavati3@verizon.net

Dear Members of the Committee on Health,

I write today to humbly ask that Intro 1378 be passed by your committee.

As a New Yorker, I am disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,

Lisa Marie Gurrera

East 75th street

New York, NY 10021

lisa@misspopular.com

Testimony in support of Intro 1378 (foie gras sales ban)

I support intro 1378 - foie gras sales ban as the practice of force feeding ducks is inhumane.

Suzanne Jacoby

Suz424@msn.com

Include support of Intro 1378 (foie gras sales ban

Hello,

Please BAN The cruelty of FOIE GRAS by letting this pass and animals once and for all be saved.

Thank you

Kimberly Sayer

kimberlysayer.com

<https://www.instagram.com/sayerkimberly/>

Stop the madness

On g barbaric treatment of innocent geese for profit
and unnecessary pate

Susankaren
skaren2329@gmail.com

Support for Intro 1425

My name is Suzanna Steen and I am a NYC resident who lives in the Turtle Bay Neighborhood, Manhattan and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members.

Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

***Thanks,
Suzanna***

ss12357@nyu.edu

Dear Council Members:

I am writing to support the proposed ban on foie gras sales in the City. In an era of struggle and strides for equalization of human rights, it is only fitting that a civilized society which now extends the benefit of law to abused and disenfranchised minorities now take up the next frontier - stopping the horrific abuse and degradation of helpless animals with whom we share this planet. If we allow abuses such as force feeding fowl to the point that they cannot even move to tickle our palates, when there are so many other foods to eat which don't involve the torture of animals (and are better for us), then all of our progress in human rights is undermined.

Please help stop this abuse.

Thanks, Lloyd Gelwan

**Law Offices of Lloyd A. Gelwan
79 West 12th Street, Suite 4A
New York, New York 10011
(917) 833-9904
lgelwan@hotmail.com**

I respectfully ask that you support Intro 1378, the ban of foie gras sales in New York City. I'm sure you're well aware of the inhumane manner in which ducks & geese are mistreated (being force fed a pipe down their throats causing massive esophageal damage), in order to produce a delicacy dish. Unfortunately, the outcome for these animal beings is anything less than delicate. Their bodies are riddled with distress & diseases due to this barbaric practice.

I ask that you stand up for what is right; in support of protecting these precious animals & showing that NYC is at the forefront of stopping this senseless practice. Help Be for change, Help Be for the protection of ducks/geese alike, & Help Be for permanently banning the practice & sales of foie gras.

Emily, please join me along with other advocates, veterinarians, restaurateurs, and countless other constituents, whom oppose the foie gras industry. Together we can discontinue the mistreatment, abuse, & unnecessary deaths of these animal beings. Their lives matter & are dependant on all of us to help them.

With much gratitude,

Ms. Diana Rose
Whitney Avenue
Elmhurst, N.Y. 11373

leaveittokismet@aol.com

I am an operator of two horses in Central Park . This new proposed legislation is harmful harmful to our horses harmful to us harmful to everybody in our families it will create nothing but hardship. It is unnecessary over-regulation of a business that's already incredibly regulated. It is proposed by people who view US as the worst people simply because we drive horses they are fanatical in nature. New York class has already stated publicly many times that they simply want or business eliminated and this is just a tool that's being used and wrapped in lies to accomplish that task. They view our horses who work for a living like everybody else as slaves and have tried by any means necessary to eliminate us. They have tried through slander they have tried through libel they have tried through harassment . They have now taken they're well-funded fanaticism into the legislative process. Don't be fooled when they say that this regulation is the least that can be done because their goal is to eliminate us completely and they view this as another nail in our coffin. Our horses are family in our business . Not every opinion make sense and not everybody that has an opinion is sensible some are fanatical like New York class . The existing law of 90° works perfectly and has worked perfectly for 30 years with no reported incidents if something isn't broken don't fix it. Please vote against this hurtful destructive heat index bill.

thank you

ROBERT Rosenberg
startmeup.rr@gmail.com

Dear Members of the Committee on Health,
I write today to humbly ask that Intro 1378 be passed by your committee. I am very disturbed that foie gras from force-fed ducks is allowed to be sold at NYC restaurants. Foie gras is a luxury food item that is produced by extremely cruel force-feeding. Force-feeding is the standard practice that involves violently shoving a metal or plastic foot-long pipe down a bird's throat, then pumping him with so much feed that, after three times a day for several weeks, his liver swells up to 10 times its natural size and becomes diseased.

Birds raised for *foie gras* suffer greatly from numerous diseases, illnesses, and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professionals, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Anthony Tenorio

Anthony3@comcast.net

June 20, 2019

Re: Testimony in Support of the passage of Intro 1378 (force-fed foie gras sales ban)

Dear Members of the Committee on Health,

I am writing today to politely ask you that Intro 1378 be passed by your committee.

The harsh realities of foie gras production are beyond inhumane. If you are unfamiliar, this is a standard practice that tortures ducks and geese by force-feeding them by sticking a wide metal or plastic foot-long tube down the helpless animal's throat three times a day for weeks. After the liver is grotesquely swollen up to 10 times its natural size, those birds are murdered.

I proudly stand with the majority of New Yorkers, veterinarians, and restaurants who support Intro 1378 and ask you to pass this bill as soon as possible.

Sincerely,
Inga Guliyeva

431 Bainbridge St
Brooklyn, NY 11233

ingandtheplanet@gmail.com

i am writing to voice my support of the ban of foie gras sales in new york. we must begin to be humane and cruelty free in this city, and each life is valuable and suffering unacceptable.

please support INTRO 1378 and ban the sales of this food that causes so much suffering.

thank you.

juliette campbell

juliettecampbell@hotmail.com

TESTIMONY IN SUPPORT OF INTRO 1378 (FORCE-FED FOIE
GRAS SALES BAN)

I'm writing today to implore your agreement to pass this important ban, Intro 1378.

I have been reading all of the research on this force-feeding practice given to these gentle creatures, and it is just unfathomable that this country allows this standard practice of torturing these animals. It is barbaric and harmful to both the animal, and the person who thinks it is safe to eat it!

Birds raised for foie gras suffer greatly from numerous diseases, illnesses and injuries. This is why over 50 not-for-profit organizations, 50 New York based veterinary professional, and 81% of NYC voters support a sales ban on force-fed foie gras.

I proudly stand with the vast majority of New Yorkers who support Intro 1378 and ask that the committee pass this bill without delay.

Sincerely,
Kathryn Spina

katspina@yahoo.com

Ban foie gras

Susan Meyerholz
summerfunsuem@gmail.com

Foiegras

We meet to stop force feeding these poor animals.

Becky Thomas

thomasba@comcast.net

My name is Florence Johnson and I am a NYC resident who lives in the West Village and I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

Dig deep in your heart and you'll see the decision is clear.

-Florence Johnson
fjohnson6@gmail.com

My name is Brenda Frey. I hope in your position you will do everything you can to make sure that the cruelty involved with foie gras doesn't continue with business as usual. That does not make it right or any less cruel.

Thank you for taking the time to read this letter.

Sincerely,

Brenda Frey
brenda.frey@rocketmail.com

Foie Gras

The menu's most disgusting "delicacy". Please remove it from New York City.

thank you.

Clayelle Dalferes,
WQXR

clayelle3@aol.com

Testimony in support of Intro 1378 (foie gras sales ban)

I'm a New York resident and I vote, and I passionately support a ban on foie gras! This disgustingly unhealthy "luxury food" causes unspeakable torture to animals, and there is absolutely no excuse to allow or condone animal torture. Please support this ban!

Julianna Lavin

juliannalavin@gmail.com

Dear New York City Council Member:

I am writing to you to respectfully request your support for Intro 1378, a sales ban on force-fed foie gras (fatty liver). That is what this actually is, a diseased liver caused by the forced feeding of male ducks or geese at least twice each day by ramming a pipe down these tortured birds throats.

These birds are forever in pain during their captivity. They are kept in tiny cages or crowded sheds, suffering from a medical condition that is caused by forced feeding while they are unable to bathe or groom themselves. These foie gras victims are unable to participate in any social behavior that would be normal for them. Living in inhumane and filthy conditions, these birds continue to suffer from this inflicted condition until they are eventually killed and their carcass discarded, and the female ducks and geese do not go unscathed as they are discarded in the most inhumane manner as well.

There is absolutely no reason, medical or otherwise to support the ongoing inhumane torture of helpless animals. But we, in the City of New York can make a difference by supporting Intro 1378 that bans the sale of force-fed foie gras.

I thank you for reading my letter and hope you will do the right thing when it is time to vote.

Respectfully,

Brenda Goldman

East 87 Street

New York, NY 10128

City Council District 5

brenda.goldman@verizon.net

I am strongly in support of Intro 1425, The Carriage Horse Heat Relief Bill, sponsored by Council Member Keith Powers and 20 Council Members. Horses should not be forced to pull hundreds of pounds on city streets during scorching heatwaves. It is cruel and dangerous to allow carriage horses to be worked during very humid heatwaves when they are at a higher risk of heat stress or collapsing. The heat laws for the horses in NYC have never been updated, and it is long overdue to improve the welfare of these horses who pound the pavement over 9 hours every day, in all kinds of extreme weather. I fully support updating the law so that horses will no longer be forced to pull carriages when the heat index reaches 90 degrees or above. The current law does not take into account the "real feel" for the horses when they are on the streets suffering during high-humidity citywide heat advisories when the heat index reaches or exceeds 90 degrees. Carriage horses deserve better and should be sent back to their stables when the heat index reaches 90 degrees for their own safety and welfare and the safety of the public. Please pass Intro 1425 so that horses will not have to suffer through the worst of the most humid, brutal heatwaves on the streets pulling hundreds of pounds this summer and ever again.

Aron Shevis

ashevis@nygoexpress.com

Dear Members of the Committee of Health

As a New Yorker I love the diversity of this city. A city of congregation of people from all over the world. Where we all work hard to live a life free of suffering. As we all feel pain the same we empathize with those less fortunate. Trying to focus our actions for the future of all the children of all the species.

It is therefore I urge the committee to support Intro 1378 to Ban Sale of Foie Gras. It can only be obtained through force feeding. The product itself is by definition an inflamed liver, thus diseased.

Also, I ask the committee to support Intro 1425 Horse Heat Relief Bill. It is shameful that we pay more attention to taking care of cars in extreme heat but not the living horses who work in this city.

Lastly, I ask the committee to support Intro 1202 to Protect Wild Birds in NYC. It is amazing how wild birds have adapted to living in the city. Many of us come out to enjoy their company as well. Exploiting or harming them is a sign of a distressed mind.

Sincerely,
Antonio Diaz
Willoughby Ave
Brooklyn, NY 11206

posesidon@gmail.com

Dear Council Members,

This letter is written with much concern for the events that have continually unfolded in reference to the Carriage Horse Industry in New York. I am a SUPPORTER. This support comes from my heart, but most importantly my Brain. The Scientific Knowledge that I have obtained through my years of formal education and practical hands on work in the Animal field.

I am a graduate of S.U.N.Y. Cobleskill, where I obtained an Associates in Applied Science, Equine Studies. In my 50 years I have worn many hats. I am a former Zoo Keeper of the Staten Island Zoo and Pony Ride Concessionair of which I owned seven Ponies/Horses (1987-2014) , Veterinary Assistant, Licenced Wildlife Rehabilitator, and currently , Hostler for the N.Y.P.D where I care for 18-20 horses daily. Additionally, I have owned Horses, and various pets. At present, I have a fish pond, a cat and a dog. On top of that, I am the proud Mother of Twin boys who have adopted my love and respect for animals and the Outdoors, ride horses and work for the Parks Department.

I consider myself an Equine Professional, and, as I think I have shown through my references, have an educated , working knowledge of Equines.

We all have opinions that we want heard, but I implore you all, to listen to factual testimony . Scientific evidence , which has been proven time and time again. It is the people with references of "Mom to 6 cats" and "Professional Cat Sitter" that , although have the right to speak, should be dismissed in any decision making. People who are NOT Large Animal Veterinarians do not know. These are people who do not understand Equines . The Animal Rights Agenda has infiltrated N.Y.C., and true facts have gone out the window.

This attack on the Carriage horses should have stopped YEARS ago. But the Animal Rights groups have the money . They have the mouth pieces to go out and bully the drivers and passengers. I have experienced and witnessed this first hand.

"Death by a hundred paper cuts" if I have that expression correct , was used by a Politician supporting the Carriage horses a few years back. And NOTHING HAS CHANGED...well, except for the angle of attack. Just another sneaky back handed way way to eradicate the Carriages. Science has proven they are (Happy) Well Adjusted and Healthy where they are doing what they do. Then, through involvement of ANOTHER Agency , who never is involved, their parking area was changed , to where they are seen less, some spots, inclines and less shade, and more p.m seclusion which is a danger for women drivers.

Now this?!

Please, SEE THIS for WHAT IT IS! FOR WHAT IT ALWAYS HAS BEEN ABOUT.

It has NEVER been about the welfare of the Animals, because as it has been proven , they are fine.

Listen to the Facts. Not misguided emotion. The True Professionals. Stop this insanity for once and for all.

Sincerely,
Stephanie Zuzworsky-Bennett
RJCJME69@gmail.com

Testimony in opposition to intro 1425. Lorraine kummerer

Those of us who have a passion for horses, wake early and work late to care for the horses. We may be carriage drivers or boarding stables. We work in heat over 90 degrees caring for our animals. We work in freezing conditions caring for our animals. No one is rallying for our well being. We don't ask for that. We do it for love of animal. It is our passion, our obligation, our promise to the animals we love.

Honestly, we would never put those animals we love in jeopardy. It is a labor of love that we all feel blessed to do. It is a calling. We would not be whole without doing it.

Please understand we care about the welfare of our animals more than You do. We would never jeopardize their safety. We sacrifice ours for theirs. We are the professionals, please trust us!

wtrailfarms@aol.com

Testimony in support of Intro 1378 (foie gras sales ban)

I am writing to implore you to vote for the ban on the sale of foie gras, a needless "product" that is the result of hideous cruelty to animals. No animal should be required to suffer in order for humans to obtain its abused body parts. While some may lobby in favor of allowing this practice to continue so they can savor a particular taste, the rights of animals **MUST** take precedence over this selfish impulse. Please do the right thing and vote to ban foie gras--it's a simple humane gesture that has the support of tens of thousands of people who want to protect the rights of animals.

Thank you,

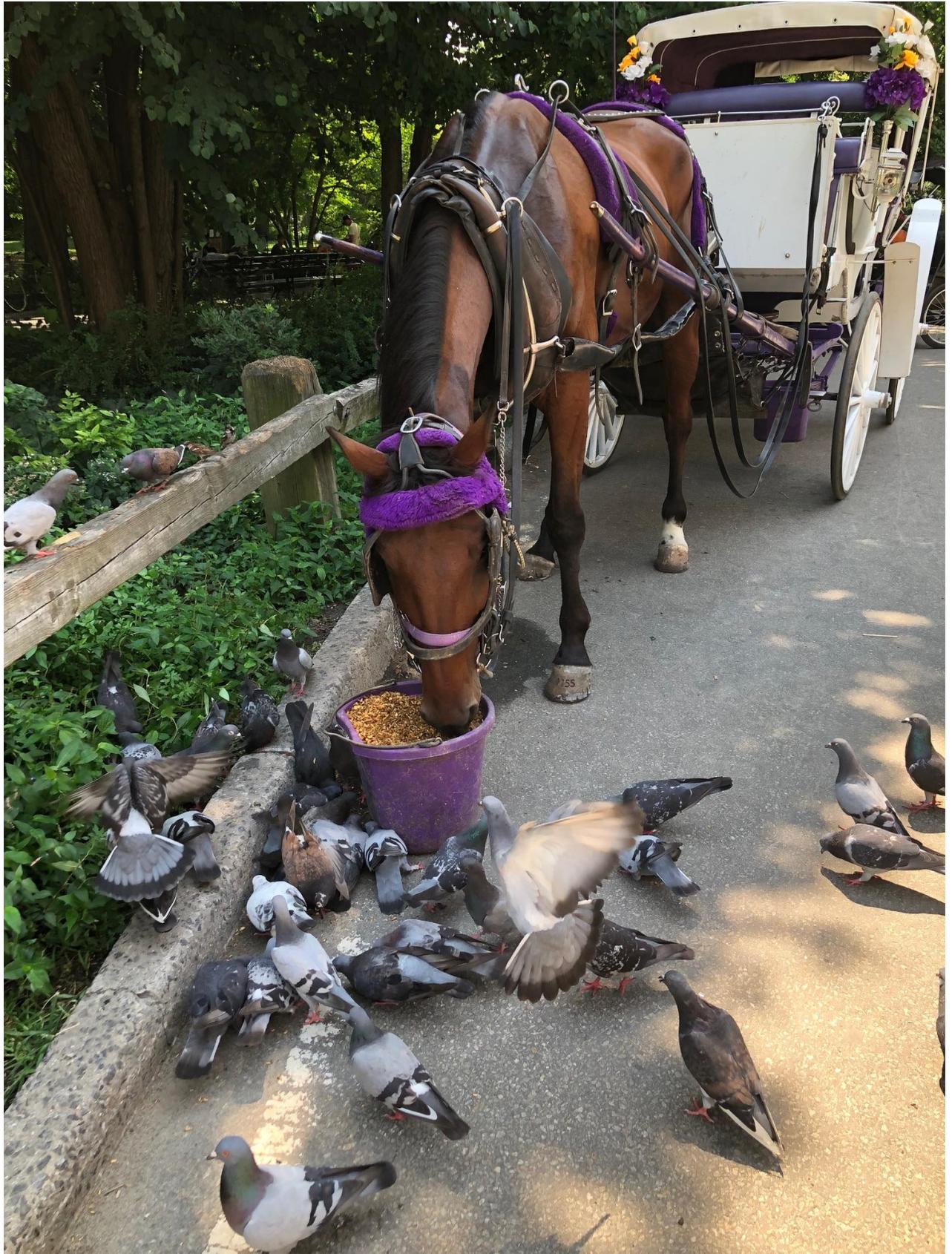
Michelle Green

[**gmichelle.green@gmail.com**](mailto:gmichelle.green@gmail.com)

In opposition into 1425 bill heat index horse carriage.

















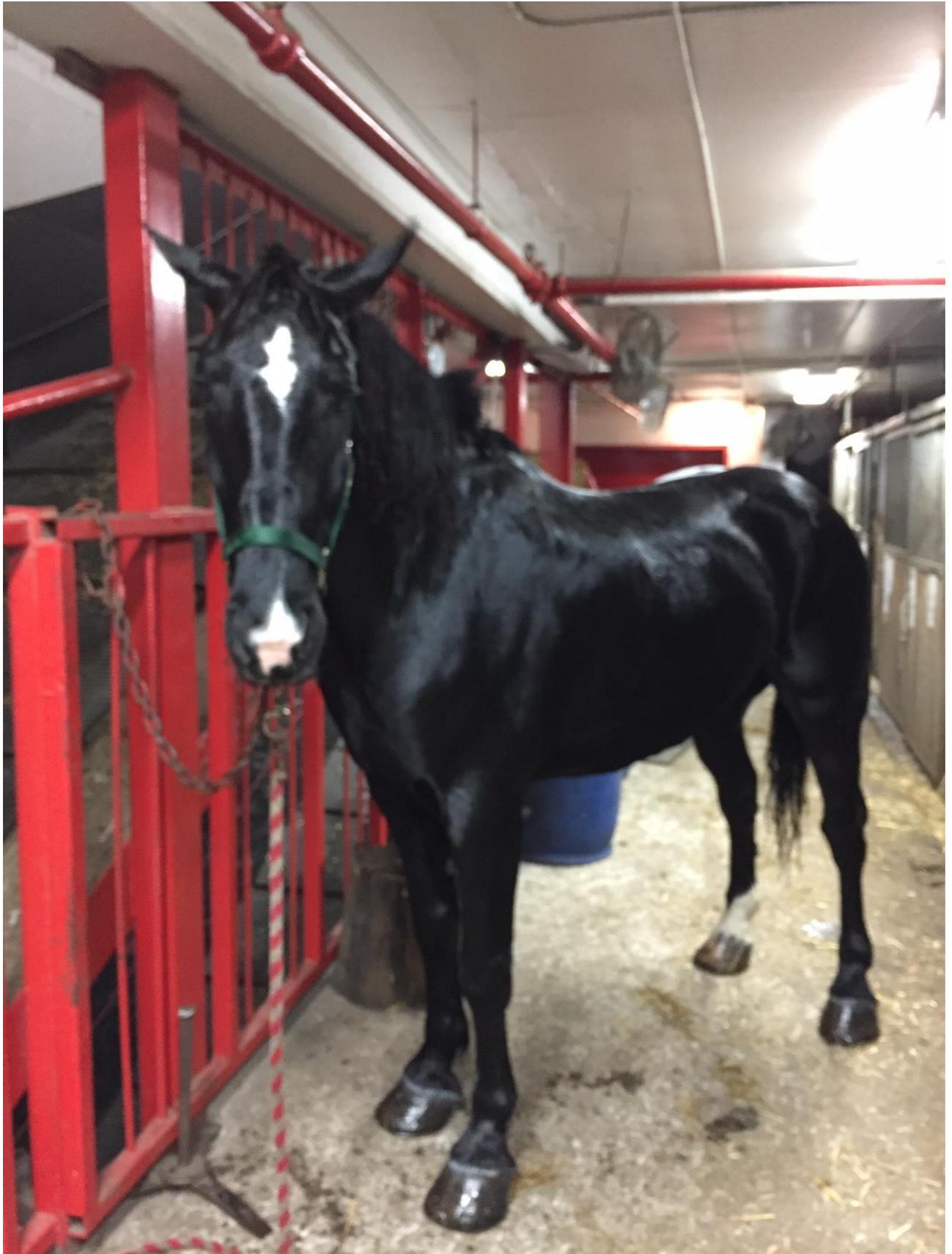
























PRESENTED TO THE
A. S. P. C. A.
BY
MRS HENRY C. RUSSELL
1908







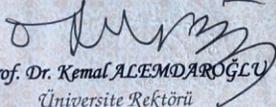
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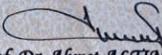
T.C.
İSTANBUL ÜNİVERSİTESİ
VETERİNER FAKÜLTESİ
VETERİNER HEKİM DİPLOMASI



İstanbul Üniversitesi Veteriner Fakültesinde beş yıl süreli yüksek lisans öğrenimini bitiren, 15.11.1974 tarihinde Dört Yol'da doğmuş, İbrahim Mevlüt Oğlu Ahmet Kemal Bilici ilgili yönetmelik gereğince yapılan bütün sınavlarını 14.07.2000 tarihinde başarmış olduğundan, Kanunların verdiği hak ve yetkilerden yararlanmak üzere kendisine Veteriner Hekim ünvanı ve bu diploma verildi.

Düzenleme Tarihi : 29.01.2002


Prof. Dr. Kemal ALEMDAROĞLU
Üniversite Rektörü


Prof. Dr. Ahmet ALTINEL
Fakülte Dekanı







Ahmet Bilici

ahmetkembilici@icloud.com

Testimony in support of Intro 1378 (foie gras sales ban)

Although I moved out of Manhattan in 2013, I resided there for 31 years so I am submitting this testimony in support of the foie gras sales ban. It is a horrifyingly cruel practice and I ask you to imagine what it would be like to be a duck or a goose and have that done to you and there is nothing you can do to escape it. If you can imagine it then you know what the right thing to do is. Nobody needs to eat foie gras. Please ban it!

Thank you.

Martha Reid
mre6@verizon.net

As a born-and-bred New York, I am voicing my opposition to the Head Index rule that the Council is considering as part of even more regulations for New York's carriage horses.

I am not a horse person, but I have many friends who own horses and ride them. From what I have read about and learned, the whole thing is junk science. Clearly, someone has an agenda here, and it seems to be NYCLASS, which has lots of funding and money to try and drive the carriage horses out of business.

I can't believe that a horse would have to be sent back to the stable if it is 81-degrees and there is a light summer shower, but that would be the case under this rule. Equine vets -- the people who are among the real experts -- have said this is an unnecessary rule that is not based on any real equine science.

No carriage horse has collapsed from heat exhaustion in three decades, so why is this rule based in no science now needed? All it will do is result in even less exercise for the horses, more time in the stables, and lost jobs for the carriage industry.

Thank you for your time and consideration.

Olga Humphrey

orhum@aol.com

Fois gras ban testimony

Dear Assemblymember Balkan,

I am writing to thank you for your support to ban Fois Gras from force-fed ducks and geese. As you well know this is a horrific practice despite what the Fois Gras farms want you and the public to believe. The cruelty is evident and well established in the literature. As for the 'invitation' to see the farms for ourselves, I think we are all aware of the dog-and-pony shows put on for the public and that we would never really see what goes on behind the scenes.

The sheer number of birds that must be force-fed, as well as the huge number of animals (500 I believe) assigned to each worker to force feed 3 times per day, speaks for itself. This can hardly be monitored.

There is no excuse for this kind of shameful exploitation of animals so that people can enjoy this expensive pate at the expense of such cruelty.

Thank you again.
Michelle Ashkin

michelleashkin@yahoo.com

Testimony in Support of Intro 1378 (foie gras sales ban)

Hello,

Please help ban the sale of foie gras in NY. I am proud to be a life-long New Yorker but ashamed this cruel practice has been ignored in NY. I vote and I speak for animals.

Please help lessen the torture of the geese by banning foie gras in NY. Others will follow in NY footsteps. As they normally do!

I omit the sickening details, in this testimony, of what these animals are subjected to, as I am sure you have heard many disturbing details from other concerned voters.

Please follow your conscience and do what is right.

Respectfully,

Maryann Rifkin

E. 87 Street

New York, NY 10128

maryann.rifkin@gmail.com

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 4252019 Res. No. _____

in favor in opposition

Date: 6-12-19

(PLEASE PRINT)

Name: John Smith

Address: _____

I represent: Myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Monica DePaulis

Address: 50 Pine Street

I represent: The animals

Address: Support INTRO 1378

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Roxanne Delgado

Address: 2341 Matthew Ave

I represent: Bronx Animal Rights Doctors

Address: geese / Duck / Bird / Square

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Sileen Mullaney - Newman

Address: 209 Joralemon St.

I represent: Borough President ERIC L ADAMS

Address: 209 Joralemon St. BK 11201

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition
1378, # 1425, # 1202

Date: 6/18

(PLEASE PRINT)

Name: BRIAN SHAPIRO HUMAN SOCIETY OF U.S.

Address: 200 WEST 57TH ST #707

I represent: THE HUMAN SOCIETY OF THE U.S.

Address: " "

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1570 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Dr. Mari Morimoto

Address: _____

I represent: Veterinary Medical Association of NYC

Address: PO Box 959 NY, NY 10024

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Lily Hodge

Address: Radiant Health

I represent: EQUINE CULTURAL HERITAGE MUSEUM

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1567 Res. No. 798

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Chris Cobi

Address: 238 Franklin St Brooklyn

I represent: GREENPOINT CAT CLUB

Address: '' ''

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: TONY D'ONOFRIO

Address: _____

I represent: MYSELF

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6-18-19

(PLEASE PRINT)

Name: Cynthia King

Address: 201 E 7th St

I represent: Brooklyn (VFAR)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: CHRIS DeRose

Address: 9040 Harwell St. #4 West, CA

I represent: Last Chance for Animals East

Address: 5033 Junat

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Deserie Matos

Address: 224-27 Manor Rd Queens, NY

I represent:

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

[]

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jayna Sisbarro

Address: New York NY

I represent: Animal Legal Defense Fund

Address: Cotati CA

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

[]

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Hector Suarez

Address: _____

I represent: MY SELF

Address: _____

IN favor
of foie
grass
Ban!

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Stewart Mitchell

Address: 339 Gates ave

I represent: The animals

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/9

(PLEASE PRINT)

Name: Chris Allier

Address: 15 Cranberry St Brooklyn NY

I represent: Wild Bird Fund

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. Cremial Rights Bill Res. No. _____

in favor in opposition

Date: June 18, 2019

(PLEASE PRINT)

Name: Jacqueline Stone

Address: _____

I represent: the Citizens Committee 4 Cremial

Address: To B 72/075
Flushing, NY 11372 Rights

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Ahmet Bilic

Address: _____

I represent: My self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1425

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ARIEL FINTZI

Address: 263 ST BRONX

I represent: SELF

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: John Dileonardo

Address: 97 Lexington Ave Malverne NY 11565

I represent: PETA + Long Island Orchestrating for Nature (LION)

Address: 97 Lexington Ave Malverne NY 11565

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1202 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Rita Mc Mahon

Address: 59 West 88th St

I represent: Wild Bird Fund, Inc

Address: 565 Columbus Ave.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ELIZABETH ARGIBAY

Address: 2138 31 St. ASTORIA NY 11105 #3E

I represent: TOTAL LIBERATION NEW YORK

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. HORSE/HEAT Res. No. _____

in favor in opposition

Date: JUN 18, 2019

(PLEASE PRINT)

Name: V. GRASSI

Address: CLINTON PARK 618 W 52

I represent: HORSE CARRIAGES

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Multiple Res. No. 1375

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: SHARON DISCORFANO

Address: 375 RIVERSIDE DR NY 10025

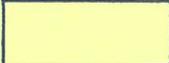
I represent: ANIMAL LAW COMMITTEE / NY BAR

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 1477 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Chris Cobb

Address: 238 Franklin St Brooklyn

I represent: The Greenpoint Cat Club

Address: " "

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: DIMITAR KRASHEV

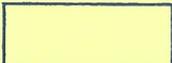
Address: 2124 31st St #16 Astoria NY 11105

I represent: My job

Address: 618 W 52nd St NY NY 10019

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Rebecca Milvich

Address: 246 E 10th St NY NY 10009

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ALISON CLARKE

Address: 135 ~~05~~ OCEAN PARKWAY, BROOKLYN

I represent: HARRY WERNER, VETERINARIAN

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: June 18, 2019

(PLEASE PRINT)

Name: Patricia Saffran

Address: 601 East 66th St NYC 10067

I represent: myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: COLM MCKEEVER

Address: 19 FOXWOOD RD, W. NYACK, NY, 10994

I represent: HORSE DRAWN CARRIAGE

Address: 538 W 38th ST NY, NY, 10018

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ian Mc Keefer

Address: 609 Hughes St Bellmore NY 11710

I represent: HORSE & CARRIAGES

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Kim Clouse

Address: PO Box 2189

I represent: NY CLASS

Address: Brackville NJ 07826

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: JUNE 18, 2019

(PLEASE PRINT)

Name: Jessica Zafonte

Address: 170 W 116 St #5C

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Edita Birnkrent

Address: 64-50 B 180 # 103 Free Malwa

I represent: NY CLASS

Address: NYC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card 1478

I intend to appear and speak on Int. No. ~~4378~~ Res. No. _____

in favor in opposition

Date: 6-18-19

(PLEASE PRINT)

Name: Fsther Kaslow

Address: 588 E W 114 St NYC NY

I represent: Shelter's Refugery Action Committee

Address: myself NYC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Matthew Dominguez

Address: 416 Kal Ave #1705 NY 11415

I represent: Voters For Animal Rights

Address: Brooklyn NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: ann (PLEASE PRINT) Fox

Address: myself

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: _____

Name: STEPHEN (PLEASE PRINT) Malone

Address: 3606 Corporal Kennedy ST

I represent: Horse / Carriage

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 120245 Res. No. _____

in favor in opposition

Date: 16-18-19

Name: Esther Koston (PLEASE PRINT)

Address: 588 WEA NYC, NY 10021

I represent: myself

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

[]

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Eileen Jefferson, DUM

Address: _____

I represent: Ethical Veterans / NYCLASS

Address: New York

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

[]

I intend to appear and speak on Int. No. 1425 Res. No. _____

and in favor in opposition

Date: _____

(PLEASE PRINT)

1202
1378
1478, 1498

Name: Elinor Molbegott (Separate from HSUS)

Address: _____

I represent: Humane Society of NY (we operate shelter in NYC & vet hospitals)

Address: 306 E. 59 Street, NYC 10022

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

[]

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: CHRISTINA HANSEN

Address: 128 FORT WASHINGTON, AVE #4K, 10032

I represent: Carriage horses + drivers

Address: 618 W. 52nd St. 538 W. 35th St.

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 06/18/19

(PLEASE PRINT)

Name: Herse Breuil

Address: 2 rescue road, High Falls, NY 12440

I represent: Woodstock Farm Sanctuary

Address: 2 rescue road, High Falls, NY 12440.

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Mark LINGEMAN

Address: _____

I represent: Christ Health Care Ministry

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1202⁺¹³⁷⁸ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Joyce Friedman

Address: 67-10 108 ST. #6A

I represent: Voters for Animal Rights

Address: 67-10 108 ST Forest Hills NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1405 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Marissa Hight

Address: 400 East 57th Street, NY, NY, 10022

I represent: Animal Law Committee - New York City

Address: _____ Bar

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Marcus Henley

Address: _____

I represent: Hudson Valley Foie Gras

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: ALISON CURRUE

Address: 135 OCEAN PARKWAY, 11R Brooklyn

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Jenny Chamberlain

Address: _____

I represent: Hudson Valley Foie Gras

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Jesus Ponce

Address: _____

I represent: Hudson Valley Foie Gras

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Izzy Yancy

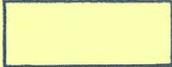
Address: _____

I represent: Hudson Valley Foie Gras

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Erwin Grome

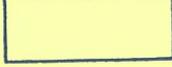
Address: _____

I represent: Hudson Valley Chicken LLC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Dr. Howard Lawrence Bartholf

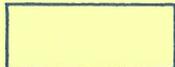
Address: _____

I represent: Veterinarily Dr. Duck

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Sergio Saravia

Address: _____

I represent: La Belle Farms

Address: _____



Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Robert Ambrose

Address: _____

I represent: Bella Bella Gourmet Foods

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: JOSH SACCSVILLE

Address: 545 W 49 ST

I represent: CARRIAGES

Address: NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Sean Brooks

Address: _____

I represent: Prestige Towing

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Miguel Montiel

Address: _____

I represent: Corona Self Help Center

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DAVID KAROPKIN

Address: 860 EAST 18TH STREET

I represent: VFAR BROOKLYN WILDLIFE

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Randy Wertheim

Address: _____

I represent: NDI Artagnan / Share Our Strength

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Nelson Scavia

Address: _____

I represent: La Belle Farms

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Jocelyn Hounnou

Address: _____

I represent: Rougie

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Daniela Mercado

Address: _____

I represent: La Belle

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Holly Cheever, DVM

Address: 665 Clapp Rd, Voorheesville NY 12186

I represent: NYS. Humane Assoc.

Address: Kingston, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Gene Baur

Address: P.O. Box 150, Watkins Glen, NY 14894

I represent: Firm Sanctuary

Address: P.O. Box 150, W.G. NY 14894

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Amber Canavan

Address: 1804 SE Harney St. Portland, OR 97202

I represent: PETA

Address: 501 Front St. Norfolk, VA

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 + 1202 Res. No. _____

in favor in opposition 1378 Ban Foie Gras

Date: 1425 Support Carriochers
near BTL

(PLEASE PRINT)

Name: NATASHA Rezmir 1202 Wildbird

Address: 754 W. Housby Ave

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Linda Mann

Address: 600 West End Ave

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: June

(PLEASE PRINT)

Name: Laura Leopardo

Address: 157 St. Marks Ave Brooklyn, NY 11238

I represent: myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/12/18

(PLEASE PRINT)

Name: Cynthia von Schlichter

Address: 30 Park Ave, Apt. 21C 10530

I represent: Compassion in World Feeding

Address: 125 E Trinity Pl, Suite 200 30030

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: June 18

(PLEASE PRINT)

Name: Benjamin Williamson

Address: 425 E 80th Street, 10075 NY

I represent: WORLD ANIMAL PROTECTION

Address: 450 SEVENTH AVE, NY, 10123

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DALLIA BENAROVN

Address: 28-08 158 St. FURSAWUB NY

I represent: MYSELF

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Michael Dalling

Address: 364 Daglass St

I represent: Tamerlane Sanctuary

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Amey B...

Address: ...

I represent: PEIA

Address: ...

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kiirstin Kuhl

Address: 321 E 54th St, NY, NY 10022

I represent: V for Veganism

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 06/16/99

(PLEASE PRINT)

Name: Shimon Shychat

Address: 1600 east 18th Street

I represent: In Defense of Animals

Address: San Rafael, CA

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Michael Dalling

Address: 364 Douglass St BK

I represent: LAMERLAINE SANCTUARY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1502/1478 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Judith Lustgarten

Address: 515 E 85 St NYC 10028

I represent: Humanity + Ethics for Shelter

Address: Animals

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Jessica Hallander

Address: _____

I represent: Dr. Holly Cheever

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: NATHAN SEMMEL

Address: 775 COLUMBUS AVE

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6.18.19

(PLEASE PRINT)

Name: Nicole Fernandez

Address: 156 Albany Ave Brooklyn, NY

I represent: myself

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1478/1502 Res. No. _____

in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: Marilyn Galfin

Address: 330 W 15th St. Apt C NY NY 10011

I represent: Voices for Shelter Animals

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1478/1502 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Craig Seaman

Address: 70 Wyckoff Ave. Bklyn NY

I represent: Voices for Shelter Animals

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Kirk Miller

Address: 266 W 132nd St. #1

I represent: Myself

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/19

Name: Flora Matthews (PLEASE PRINT)

Address: 135 East 74th St

I represent: Self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. 379

in favor in opposition

Date: 6/18/19

Name: Heather Greenhouse (PLEASE PRINT)

Address: 786 Jefferson Ave. BK, NY 11221

I represent: Voters For Animal Rights

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: _____

Name: Shai Navon (PLEASE PRINT)

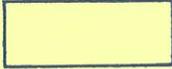
Address: 45 Tennis Ct. Brooklyn NY

I represent: Total Liberation New York

Address: Same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 1425 Res. No. _____
 in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: DEBORAH THOMAS

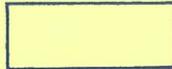
Address: 7 W. 108 NYC 10025

I represent: NYCLASS

Address: NYC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 1378 Res. No. _____
 in favor in opposition

Date: 6/18/2019

(PLEASE PRINT)

Name: VIOLA AGOSTINI

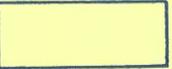
Address: 156 ALBANY AVE, BROOKLYN, NY 11213

I represent: MYSELF

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 1378 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Caetano Laprebandere

Address: 44A Eldert Street, New York, NY 11207

I represent: myself

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/18

(PLEASE PRINT)

Name: Carole Hughes

Address: 170 E. 84th St. PHA 10128

I represent: myself

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1348 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Blair Marahoff

Address: 4332 Kissena Blvd. #2A

I represent: myself Flushing NY

Address: 4332 Kissena Blvd. 11355
#2A FLUSHING NY 11355

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: KATHY NIZZARI

Address: 410 WEST 25 STREET PHA NYC 10001

I represent: VOTERS FOR ANIMAL RIGHTS

Address: BROOKLYN, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____
 in favor in opposition 1425, 1478
Date: 1502

(PLEASE PRINT)

Name: Joan L. Sample
Address: 116-31 157 St.
I represent: NYClass Animal Rights,
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378-19 Res. No. _____
 in favor in opposition
Date: _____

(PLEASE PRINT)

Name: Christopher March
Address: 461 Dean St., 28C, Brooklyn, NY 11217
I represent: NYC Bar Assoc. Animal Law Comm.
Address: 42 W. 44th St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____
 in favor in opposition
Date: 6/18/19

(PLEASE PRINT)

Name: Christina Lien
Address: 2015 Shore Parkway
I represent: Susan Whitted, DVM
Address: 25 W. Broadway, LB, NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Vanessa Sol

Address: 7 Navy Pier Ct. St. NY 10304

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1378 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Alexandrea Lafata

Address: 401 Annadale Road St. NY 10312

I represent: _____

Address: at

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Corinne Schiff, Deputy Commissioner

Address: Environmental Health

I represent: _____

Address: Department of Health and Mental Hygiene

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1497 Res. No. 798

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Allie Feldman Taylor

Address: 786 Jefferson Ave Brooklyn

I represent: Voters For Animal Rights

Address: same

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 870 Res. No. oppose

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Melissa Terzian

Address: 410 East 35th St NY NY 10016

I represent: Cesha George-Brown cco

Address: same as above

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 921

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Michelle Villagomez

Address: 520 8th Ave. NY NY 10018

I represent: ASPCA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Res. 379
support 1378

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Camo Strauss

Address: 520 8th Ave NY NY

I represent: ASPCA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

support

[]

I intend to appear and speak on Int. No. _____ Res. No. 798

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JONNIE CINTZ

Address: ASPCA 520 8th Ave

I represent: ASPCA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Oppose

Appearance Card

Intri
070

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Felicia Magnaterra

Address: 520 8th Ave NY NY

I represent: ASPCA

Address: _____

THE COUNCIL
THE CITY OF NEW YORK *Oppose*

Appearance Card

870

I intend to appear and speak on Int. No. 870 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Jenny Coffey (for Tiffany Lacey ~~the~~)

Address: 200 Centre Street NY NY

I represent: Animal Haven

Address: 200 Centre St NY NY

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 798 Res. No. _____

in favor in opposition

Date: 6/18/19

(PLEASE PRINT)

Name: Nora Constance Marino,

Address: ESQ.

I represent: Animal Cruelty Exposure Fund

Address: Queens County

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1425 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ISABEL / ABEL

Address: 377 EAST 10 ST

I represent: Horses

Address: _____