



May 21, 2007

Patrick Hooker  
NYS Dept of Agriculture and Markets  
10B Airline Drive  
Albany, NY 12235

Dear Mr. Hooker:

On behalf of Farm Sanctuary, the nation's largest farm animal protection organization, with shelters in New York state and California, I am writing to you with concerns regarding your recent correspondence concerning the issue of foie gras production.

Your office may be unknowingly disseminating erroneous or misleading statements regarding the production of foie gras to the public. After reviewing a letter you sent to Lois Baum of Webster, NY on May 2, 2007, I wish to take this opportunity to address the following quotations, which I have excerpted from your letter:

- *“Similarly, animal welfare/humane care statutes protect and promote the health and welfare of all animal populations in the state. These provisions are real and substantial standards upon which humane care and the promotion of animal welfare is actively addressed and enforced.”*

As I am sure you are aware, no federal laws or regulations exist in the U.S. governing the treatment of animals raised for food on farm and state laws are vague and difficult to enforce. Because no agency monitors the health of individual animals during production, veterinary care may be withheld from sick and/or dying animals, and animals may be brutally handled, cruelly confined or otherwise abused in ways that would be otherwise illegal if they were inflicted in a non food-animal production setting. Furthermore, the federal Humane Methods of Slaughter Act, meant to ensure the humane handling of animals during slaughter, does not apply to poultry, which comprise 95% of animals killed for food. This effectively leaves no protection or oversight whatsoever for the welfare of foie gras ducks (or any poultry raised for food) in the U.S.

- *“New York foie gras production was evaluated by a delegation from the American Veterinary Medical Association (AVMA) from an animal welfare and a food safety perspective in March 2006. . . Evaluation of the production practices and management at the New York sites disclosed that the ducks are raised in a humane manner.”*

To state that the AVMA concluded that foie gras production is humane is misleading, at best. In fact, the AVMA has pointedly decided to refrain from either denouncing or supporting foie gras

production. Regarding the issue of foie gras production, Gale Golab of the AVMA's Animal Welfare Division has stated, "As far as the association is concerned, the jury is still out."

Moreover, positions taken by the AVMA do not accurately reflect the opinions of its members. According to a survey of more than 1,000 veterinarians, 70 percent opposed farming practices the AVMA considered to be acceptable.

- "A recent paper in *World Poultry Science Journal* (Guemene', D.; Vol 60, March 2004) evaluated the procedure in an objective manner using scientific methods. The study failed to find evidence that the procedure produced physical trauma in ducks. The results were summarized by the statement ... 'the present results do not support criticisms of force-feeding and foie gras production.'"

This 2004 review article has no objective validity because it was commissioned by the Comité Interprofessionnel du foie Gras (CIFOOG), a French industry group devoted to promoting and expanding foie gras production.

The article's two authors (Guémené and Guy) work for the INRA (the French National Institute for Agricultural Research) on an industry-funded research program that lists among its official goals the "reinforcing of the foie gras industry in a European context that is largely opposed to this type of production."

It is important to note that the claims in the 2004 Guémené and Guy article that force-feeding produces no physiological responses indicating stress are all based on four of their own previous studies, all commissioned by the foie gras industry.

Contrary to the statements of industry sponsored researchers, the European Commission's Scientific Committee on Animal Health and Animal Welfare studied foie gras production and issued an 88 page report, which concluded that "force feeding, as currently practiced, is detrimental to the welfare of the birds."

In a December 2006 French media article in *Le Monde* (Morin, H. "L'INRA accusé de connivence avec la filière du foie gras" ["INRA accused of connivance with the foie gras industry"], December 30, 2006, p. 7.), Professor Robert Dantzer, formerly employed by the INRA as a specialist in stress hormone research, refers to the aforementioned Guémené and Guy study by saying, "This is pseudo-science and opportunistic research conducted by researchers commissioned by the animal production industry."

The 2006 *Le Monde* article goes on to state that

M. Dantzer, who was among the authors of the 1998 European report, thinks that 'it is not known whether or not this molecule [corticosterone] is relevant in the duck during the force-feeding phase.' On the other hand, he says there is an indicator of animal welfare that is quite clear, and that his colleagues curiously neglect: that of mortality.

In light of the above evidence, I hope you will take the time to seriously reconsider your agency's stance on the production of foie gras, or to, at the very least, modify any statements your agency makes to the public regarding foie gras production.

I bring these matters to your attention because I understand that you may not have been aware of the misinformation presented in your correspondence, and we wish to assist with developing a more objective, fact-based foundation of information regarding the foie gras industry. Please don't hesitate to contact me if we can provide you with any information or materials.

I look forward to an ongoing dialogue with your agency regarding this issue, which is garnering increased attention from citizens concerned about the inhumane treatment of animals on farms.

Thank you for your time and thoughtful consideration. I would appreciate a timely response and invite you to contact me at any time if you would like to discuss this issue further.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Baur", with a long horizontal flourish extending to the right.

Gene Baur  
President, Farm Sanctuary