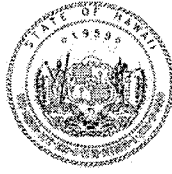


SB2170

LINDA LINGLE
Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512

SANDRA LEE KUNIMOTO
Chairperson, Board of Agriculture

DUANE K. OKAMOTO
Deputy to the Chairperson

**WRITTEN TESTIMONY OF SANDRA LEE KUNIMOTO
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEE ON
JUDICIARY AND GOVERNMENT OPERATIONS
TUESDAY, FEBRUARY 23, 2010
10:00 A.M.
CONFERENCE ROOM 016**

**SENATE BILL NO. 2170
RELATING TO FORCE FEEDING**

Chairperson Taniguchi and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 2170. The purpose of this bill is to prohibit the sale and distribution of foie gras produced using the method of force feeding.

The Hawaii Department of Agriculture (HDOA) opposes this measure and finds that the practice of feeding ducks and geese for the production of foie gras, although not without controversy, remains a legal agriculture practice in the U.S. Foie gras is not an agricultural commodity in Hawaii; HDOA is not aware of any production in the State. Since producers of foie gras are located outside of Hawaii, it would be difficult and expensive to prove in court that force feeding was used to produce the foie gras that was sold or distributed in Hawaii.

Finally, Senate Bill No. 2170 requires new enforcement activities at the retail level by the Department that now has a much reduced number of personnel and other resources that need to be focused on core activities.

February 19, 2010

Committee on Judiciary and Government Operations
Hawaii State Senate

Via e-mail: jgotestimony@capitol.hawaii.gov

Dear Committee on Judiciary and Government Operations,

I'm writing on behalf of People for the Ethical Treatment of Animals (PETA) and our more than 2 million members and supporters worldwide—including thousands in Hawaii—to express our support for SB 2170, which would prohibit the sale and distribution of foie gras produced by force-feeding ducks and geese.

Foie gras is made by shoving pipes down birds' throats and pumping into their stomachs such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are increasingly associating foie gras with extreme cruelty to animals. California recently banned the sale and production of foie gras (effective in 2012). Foie gras production has been outlawed in the Czech Republic, Denmark, Finland, Germany, Israel, Luxembourg, Norway, Poland, Sweden, Switzerland, and the U.K., and His Holiness Pope Benedict XVI denounced foie gras production as a violation of biblical principles.

Investigations at every foie gras farm in the U.S. and many farms across Europe have documented sick, dead, and dying animals—some with holes in their necks from pipe injuries. One investigation in New York State found ducks jammed into wire cages. Their beaks were bloody, and their wings were twisted together. At another foie gras farm, birds were found dangling by wires as blood spilled from their neck wounds onto live birds beneath them. To learn more about the cruelty of foie gras, please watch this short video narrated by Sir Roger Moore.

Please take a stand against appalling cruelty to animals by supporting SB2170 and banning this "delicacy of despair." Please contact me at 757-962-8322 or TracyR@peta.org if you have any questions. Thank you very much for your consideration.

Sincerely,



Tracy Reiman
Executive Vice President

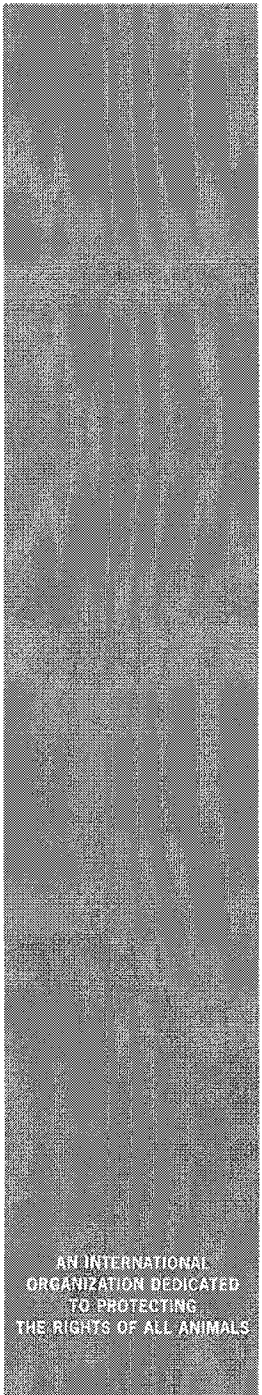


PETA

PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS

501 FRONT ST.
NORFOLK, VA 23510
757-622-PETA
757-622-0457 (FAX)

PETA.org
Info@peta.org





HAWAII VETERINARY MEDICAL ASSOCIATION

P.O. BOX 61309, HONOLULU, HAWAII 96839-1309

808 733 8828

AKDE002@hawaii.vet.com

Eric Ako, D.V.M.
Practitioner
Executive Vice President, Hawaii Veterinary Medical Association
Past chair, Board of Veterinary Examiners, State of Hawaii

SB 2170
Committee on Judiciary and Government Operations
Tuesday, February 23, 2010

Dear Sirs:

We are against SB2170.

The Animal Welfare Committee of the American Veterinary Medical Association has studied the production of foie gras in the United States. At this time, the limited numbers of empirical studies do not allow any clear conclusions that foie gras production is contrary to animal welfare. The AVMA House of Delegates has not passed resolutions introduced to declare it to be inhumane.

While many places in the world do ban foie gras, the city of Chicago recently repealed a controversial, 2 year old ban.

Foie gras is produced in only 2 places in the U.S. I do not believe that consumption is wide spread or of any economic significance.

Those who raise parrots as pets, regularly feed babies with tubes or long, blunt ended needles. I frequently use the technique to provide nutrition to anorexic patients in my practice.

So it appears that the issue is not about the "force feeding" itself, but of the purpose and end result. Should we legislatively control how our food is produced? Should we be legislating what people cannot eat?

I think not.

Thank you,

Eric Ako, D.V.M.



Hawaii Cattlemen's Council, Inc.

P O Box 437199 Kamuela HI 96743
Phone (808) 885-5599 • Fax (808) 887-1607
e-mail: HCattlemens@hawaii.rr.com

SENATE COMMITTEE ON JUDICIARY
Tuesday February 23, 2010 10:00 am Room 016

SB 2170 RELATING TO FORCE FEEDING Prohibits the sale and distribution of foie gras produced using the method of force feeding

Chairman Taniguchi and Members of the Committee:

My name is Alan Gottlieb, and I am the President of the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our 130+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of approximately 25% of the State's total land mass.

The Hawaii Cattlemen's Council **strongly opposes** SB 2170.

We in the Livestock industry are very sensitive to Animal Cruelty Issues. We are also very sensitive to groups of people who do not believe anyone should be allowed to eat food derived from animals, or own pets or ride horses. Many times, these groups get their foot in the door by grossly exaggerating an issue that the masses do not understand. Force feeding of ducks to produce Foie Gras sounds inhumane, and we understand there are videos which show this in a very bad way. However, we are also aware that these same groups capture video out of context, and in many cases not even from the United States, and heavily edit it to meet their agenda. We maintain that if someone secretly followed around any person for months at a time, filming their every move, that they could produce a video which would show that person in a very bad way. We have read in the testimony for SB 2170 that the Assemblyman from New York State who first proposed the ban on Foie Gras in New York, later visited a farm, and withdrew his objections. We also understand California, which passed a ban on Foie Gras is now considering rescinding that ban.

These same radical animal activists claim many aspects of raising cattle are cruel or inhumane. They simply do not want people to eat Meat or Poultry. The Hawaii Cattlemen's Council has developed and our members have adopted standards for Ethical Practices and the safe and humane treatment of animals. We work with veterinarians and leading animal welfare experts, constantly improving what we do and how we do it. Livestock producers would not benefit from mistreating their animals. Are their bad actors who get caught on video which is then used to decry the entire industry? Yes, of course, but there are bad actors in every corner of our society. If one legislator is caught doing something illegal or immoral, should we assume all follow the same practice? Of course not.

We would ask how many of the folks who have testified in favor of the ban have actually visited a Foie Gras farm, or really understand the traits of these animals? Do they know more on this issue than the veterinarians and the regulators from USDA?

We appeal to you to not ban something, based on hearsay from many groups who have agendas far beyond Foie Gras. We humbly request that you to send some of your fellow legislators to a Foie Gras Farm and see for yourself before placing a ban.

If the premise of SB 2170 is to ban any Foie Gras produced by Force Feeding, because it assumes forced feeding is cruel, we ask that you re-read the article from the Village Voice submitted in the testimony, and especially note that Dr. Jamie Ruiz, director of Cornell's duck research lab said he did not think that force feeding, done correctly, would cause pain and that he does not consider an enlarged liver to be diseased. Your legislation assumes Force Feeding is animal cruelty and leading experts, veterinarians and the USDA do not agree.

Please do not pass SB 2170. Thank you for giving us the opportunity to testify on this important matter.

From: Madir Scolpini [madirscolpini@yahoo.com]
Sent: Thursday, February 18, 2010 11:17 PM
To: JGO Testimony
Subject: TESTIMONY FOR SB 2170 ON 2/23/2010 10 :00 AM

SUBJECT: TESTIMONY FOR SB 2170 ON 2/23/2010 10 :00 AM
CONFERENCE ROOM: 016
TESTIFIER POSITION: SUPPORT
TESTIFIER WILL BE PRESENT: No
SUBMITTED BY: Anto Scolpini-Heisel
ORGANIZATION: INDIVIDUAL
ADDRESS: 187 Akai St. Kihei, Hawaii 96753 USA
E-MAIL: madirscolpini@yahoo.com

COMMENTS:

Thank you for hearing this bill, and considering to ban the sale of Foie Gras in Hawaii.

I support it because, having had the misfortune, to witness such a inhumane & barbaric practice, the images, actually haunted me for weeks afterward... to the point where I promised myself to do all I can to bring an end to this practice.

A practice where these sweet, mellow, & affectionate creatures are force-fed by having pipes shoved down their throats until their livers become painfully engorged and their internal organs sometimes rupture. The ducks and geese used for foie gras shiver with fear and pain between feedings and become so ill that they stop preening and have difficulty walking. **NO LIVING BEING ON THIS PLANET SHOULD ENDURE, (MULTIPLE TIMES DAILY!) SUCH A TORTURE!**

That several restaurants in Hawaii still sell this ugly, cruel "delicacy" means that many people apparently aren't aware of what is involved in creating this "delicacy", that basically consists of a highly diseased liver, which can't be that good for you....

Maui's popularity & appreciation with visitors, will only increase as Maui's community shows how much it cares for the well-being of our fellow animal companions.

Thanks for listening & taking appropriate, actions.

Aloha, Anto Scolpini-Heisel

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 18, 2010 5:31 PM
To: JGO Testimony
Cc: tdsmith@hawaii.edu
Subject: Testimony for SB2170 on 2/23/2010 10:00:00 AM

Testimony for JGO 2/23/2010 10:00:00 AM SB2170

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: trevor smith
Organization: Individual
Address:
Phone:
E-mail: tdsmith@hawaii.edu
Submitted on: 2/18/2010

Comments:

I support sb2170 and think the captivity of any animal is disgusting. Think for yourself, question authority, please do what you can to stop the suffering of animals.

From: Jeffrey Heisel [jeffreyheisel2@yahoo.com]
Sent: Friday, February 19, 2010 12:42 AM
To: JGO Testimony

SUBJECT: TESTIMONY FOR SB 2170 ON 2/23/2010 10 :00 AM
CONFERENCE ROOM: 016
TESTIFIER POSITION: SUPPORT
TESTIFIER WILL BE PRESENT: No
SUBMITTED BY: Jeffrey Heisel
ORGANIZATION: INDIVIDUAL
ADDRESS: 187 Akai St. Kihei, Hawaii 96753 USA
E-MAIL: jeffreyheisel2@yahoo.com

COMMENTS:

Thank you for hearing this bill.

I support it because I can't conceive a practice where these beautiful, harmless & friendly creatures, are force-fed by having pipes shoved down their throats until their livers become painfully engorged and their internal organs sometimes rupture. The ducks and geese used for foie gras shiver with fear and pain between feedings and become so ill that they stop preening and have difficulty walking. NO LIVING BEING ON THIS PLANET SHOULD ENDURE, (MULTIPLE TIMES DAILY!) SUCH A TORTURE!

That several restaurants in Hawaii still sell this ugly, cruel "delicacy" means that many people apparently aren't aware of what is involved in creating this "delicacy", that basically consists of a highly diseased liver, which this by itself should be reason enough not to be eating it

Maui's popularity & appreciation with visitors, will only increase as Maui's community shows how much it cares for the well-being of our fellow animal companions.

Thanks for listening & taking appropriate, actions.

Aloha, Jeffrey Scolpini-Heisel

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 19, 2010 8:34 AM
To: JGO Testimony
Cc: pinky@lava.net
Subject: Testimony for SB2170 on 2/23/2010 10:00:00 AM

Testimony for JGO 2/23/2010 10:00:00 AM SB2170

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Laura Thompson
Organization: Individual
Address: 440 A Puamamane St. Honolulu 96821
Phone: 373-9387
E-mail: pinky@lava.net
Submitted on: 2/19/2010

Comments:

This Bill complies with Ua Mau Ke Ea O Ka Aina I Ka Pono -- let us please remember and live our state motto

From: Bill Schnitzer [bills@servco.com]
Sent: Friday, February 19, 2010 8:33 AM
To: JGO Testimony
Subject: bill SB2170; hearing on 2/23/10 at 10a.m. in conference room 016

Hello – I support this bill to send a signal that Hawaii will not support the barbaric treatment of animals to satisfy our culinary indulgences.

Thank you,

Bill and Donna Schnitzer
1760 Malama St.
Kihei, Maui 96753

From: MMMMahalo2000@aol.com
Sent: Friday, February 19, 2010 9:04 AM
To: JGO Testimony
Subject: SB 2170 SUPPORT

TO: COMMITTEE ON Judiciary & Government Operations

Senator Taniguchi, Chair; Senator Takamine, Vice Chair

SUBJECT: TESTIMONY FOR SB 2170 ON 2/23/2010 10 :00 AM

CONFERENCE ROOM: 016

TESTIFIER POSITION: SUPPORT

TESTIFIER WILL BE PRESENT: No

SUBMITTED BY: Mike Moran

ORGANIZATION: INDIVIDUAL

ADDRESS: Kihei, HI

E-MAIL: mmmahalo2000@aol.com

COMMENTS: Thank you for hearing this bill. I respectfully request you to support it because it will stop importation of this unneeded "food product" into our islands, which is offensive to much of the world, due to fact it requires extensive tortuous treatment of animals to produce it. Mahalo.

From: Advocate [advocate@animalactivist.com] on behalf of Aki Kuwada [akik@hawaii.edu]
Sent: Friday, February 19, 2010 11:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Aki Kuwada
98-1396 Hoohiki St
Pearl City, HI 96782-2304

From: Advocate [advocate@animalactivist.com] on behalf of Jill Corleone [jill.corleone@yahoo.com]
Sent: Friday, February 19, 2010 11:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Jill Corleone
92-1081 Koio Dr
Villa E
Kapolei, HI 96707-4285
(808) 348-0670

From: Advocate [advocate@animalactivist.com] on behalf of Rebecca Chung [nya76@hawaii.rr.com]
Sent: Friday, February 19, 2010 11:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Rebecca Chung
3138 Waialae Ave Apt 603
Honolulu, HI 96816-1541

From: Advocate [advocate@animalactivist.com] on behalf of JP Hayashi [jph@hawaii.edu]
Sent: Friday, February 19, 2010 11:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. JP Hayashi
PO Box 10068
Honolulu, HI 96816-0068

From: Advocate [advocate@animalactivist.com] on behalf of Jacqueline Chow Hoy
[sweetanjyl@hotmail.com]
Sent: Friday, February 19, 2010 11:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Miss Jacqueline Chow Hoy
56 Ahona Pl
Hilo, HI 96720-5301
(808) 981-5752

From: Advocate [advocate@animalactivist.com] on behalf of Patricia Stephanidis [patty1@hawaii.rr.com]
Sent: Friday, February 19, 2010 11:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Patricia Stephanidis
36 E Welakahao Rd
Kihei, HI 96753-8027
(808) 463-9344

From: Advocate [advocate@animalactivist.com] on behalf of Allison Muse [muse_315@hotmail.com]
Sent: Friday, February 19, 2010 11:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Allison Muse
PO Box 919
Waialua, HI 96791-0919

From: Advocate [advocate@animalactivist.com] on behalf of Jana Morgan
[janadmorgan@gmail.com]
Sent: Friday, February 19, 2010 11:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Jana Morgan
441 Walina St Apt 308
4106
Honolulu, HI 96815-2944
(808) 225-6858

From: Advocate [advocate@animalactivist.com] on behalf of James Fujimoto
[veganjames@gmail.com]
Sent: Friday, February 19, 2010 11:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. James Fujimoto
3045 Ala Napuaa Pl Apt 508
Honolulu, HI 96818-2710

From: Advocate [advocate@animalactivist.com] on behalf of suzy gavin [buckley@hawaii.rr.com]
Sent: Friday, February 19, 2010 11:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. suzy gavin
1371 Kukana Pl
Kailua, HI 96734-4527

From: Anjie Pham [potteringpuck@yahoo.com]
Sent: Friday, February 19, 2010 12:04 PM
To: JGO Testimony; WTLTestimony
Subject: SB2170 (Banning Foie Gras): Support

BILL: SB2170 (Foie Gras): SUPPORT
DATE: Tuesday, February 23, 2010 @10AM
PLACE: State Capitol, Rm. 016

Dear Senators:

I firmly support SB2170 to ban the sale & distribution of FOIE GRAS in the islands of Hawaii.

Force-feeding ducks & geese for their enlarged, diseased livers is an inhumane practice that should have been banned long ago. It is nothing short of animal cruelty masquerading under the false pretense of "epicurian high culture".

Hence please do all you can to pass SB2170!

Mahalo nui,

**Anjie Pham
Honolulu, Hawai'i**

From: Advocate [advocate@animalactivist.com] on behalf of Kate Moss [katemoss11@hotmail.com]
Sent: Friday, February 19, 2010 12:27 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Miss Kate Moss
PO Box 1719
Hanalei, HI 96714-1719
(808) 634-5815

From: Advocate [advocate@animalactivist.com] on behalf of Robyn Cheri [rcheri@hawaii.edu]
Sent: Friday, February 19, 2010 12:27 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Robyn Cheri
PO Box 2795
Wailuku, HI 96793-7795
(808) 214-2269

From: Advocate [advocate@animalactivist.com] on behalf of Annie McMahon
[river@commspeed.net]
Sent: Friday, February 19, 2010 12:27 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Annie McMahon
PO Box 1205
Clarkdale, AZ 86324-1205

From: Advocate [advocate@animalactivist.com] on behalf of trevor smith [tdsmith@hawaii.edu]
Sent: Friday, February 19, 2010 12:27 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. trevor smith
726A 16th Ave
Honolulu, HI 96816-4122

From: Advocate [advocate@animalactivist.com] on behalf of Geoffrey Billings [billingsg002@hawaii.rr.com]
Sent: Friday, February 19, 2010 12:27 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. Geoffrey Billings
1163B Freitas Pl
Makawao, HI 96768-9609

From: Advocate [advocate@animalactivist.com] on behalf of Ronnie Perry [ronniefurbs@msn.com]
Sent: Friday, February 19, 2010 12:27 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Ronnie Perry
45-1050 Anoi Rd Apt A2
Kaneohe, HI 96744-3335
(808) 551-7356

From: Advocate [advocate@animalactivist.com] on behalf of Anne Holt [lyonf001@hawaii.rr.com]
Sent: Friday, February 19, 2010 12:27 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Anne Holt
609 Punaa St
Kailua, HI 96734-2264

From: Advocate [advocate@animalactivist.com] on behalf of alexandra gibson [sgibson.hnl@gmail.com]
Sent: Friday, February 19, 2010 12:27 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. alexandra gibson
2005 Kalia Rd
Honolulu, HI 96815-1917
(808) 333-8211

From: Advocate [advocate@animalactivist.com] on behalf of John Daley [jdaley808@gmail.com]
Sent: Friday, February 19, 2010 12:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. John Daley
RR 3 Box 1058
Pahoa, HI 96778-7503
(808) 982-5411

From: Advocate [advocate@animalactivist.com] on behalf of janice murdoch [lanihoku@gmail.com]
Sent: Friday, February 19, 2010 12:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. janice murdoch
2462 Kuhio Ave Apt 419
Honolulu, HI 96815-3330
(808) 284-8804

From: Advocate [advocate@animalactivist.com] on behalf of Mikaela Sillman
[trixiemixie@hotmail.com]
Sent: Friday, February 19, 2010 12:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Mikaela Sillman
68645 Farr Hwy
Waialua, HI 96791
(649) 401-2260

From: Advocate [advocate@animalactivist.com] on behalf of Kara Bonham [karalb23@gmail.com]
Sent: Friday, February 19, 2010 12:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Kara Bonham
2724 Kahoaloha Ln Apt 1001
Honolulu, HI 96826-3336

From: Advocate [advocate@animalactivist.com] on behalf of Lisa Imai [lisaakam@hawaii.edu]
Sent: Friday, February 19, 2010 12:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Mahalo for your consideration.

Sincerely,

Mrs. Lisa Imai
265 Moomuku Pl
Honolulu, HI 96821-2238
(808) 258-9615

From: Advocate [advocate@animalactivist.com] on behalf of Bridget O'Neill [bmoneill@gmail.com]
Sent: Friday, February 19, 2010 12:57 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Bridget O'Neill
142 Luluka Pl
Kihei, HI 96753-8988
(952) 994-4367

From: Advocate [advocate@animalactivist.com] on behalf of Audrey Kakehi [akakehi@hawaii.edu]
Sent: Friday, February 19, 2010 12:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Audrey Kakehi
94-501 Lehuakona St
Mililani, HI 96789-2476

From: Advocate [advocate@animalactivist.com] on behalf of Carrie Wolf [carrieawolf@aol.com]
Sent: Friday, February 19, 2010 12:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration to end this form of extreme animal cruelty.

Sincerely,

Mrs. Carrie Wolf
650 Kohou St Ste 2A
Honolulu, HI 96817-4422

From: Joel Fischer [jfischer@hawaii.edu]
Sent: Friday, February 19, 2010 1:20 PM
To: JGO Testimony
Subject: SB2170; JGO; 2/23/10; 10AM; Rm016

Importance: High

SB2170, Relating to Force Feeding
JGO: Chair, Sen Taniguchi

PLEASE PASS THIS BILL!

Forced feeding of geese and ducks is a practice that is too barbarous to even contemplate. Killing geese and ducks is bad enough. But torturing them for weeks by stuffing tubes down their throats and then forcing so much food into them to fatten up their livers just so some people can eat these products in as inhumane as people can get. It treats these beautiful creatures as though they were on earth just to be tortured and killed to give people a taste of fatty organs. YUCK! This is just too gross for words!

I am especially grateful to Senator Hee for always being a person in the legislature to whom those of us who really care about animals can always turn to for help. His introduction of this bill and the one on shark-finning does a huge service to these animals and to those of us who want to support them.

This bill would be easy to enforce. There are only a handful of restaurants serving foie gras in Hawai'i. All the Department of Agriculture has to do is ascertain where each restaurant obtains their foie gras (only two places in the US!), and then ascertain that the foie gras is not produced by force-feeding. Simple.

Hawai'i can join a list of localities in the US and all around the world that are banning force-feeding. It is, indeed, high time we DO join them.

Thank you for supporting this bill.

Aloha, joel

Dr. Joel Fischer, ACSW
Professor (Ret.)
University of Hawai'i, School of Social Work
Henke Hall
Honolulu, HI 96822

"It is reasonable that everyone who asks justice should DO justice."
Thomas Jefferson

"There comes a time when one must take a position that is neither safe, nor politic, nor popular, but one must take it because one's conscience tells one that it is right."
Dr. Martin Luther King, Jr.

"Never, never, never quit."
Winston Churchill

From: Advocate [advocate@animalactivist.com] on behalf of Edeltraud F. De Moraes
[edelt.fdm@gmail.com]
Sent: Friday, February 19, 2010 1:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Edeltraud F. De Moraes
candido mendes, 359
rio de janeiro, AZ 2024122

From: Advocate [advocate@animalactivist.com] on behalf of Aliaska Brozen [aliaska@hawaii.rr.com]
Sent: Friday, February 19, 2010 1:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Aliaska Brozen
3100A Mapu Pl
Kihei, HI 96753-9451
(808) 891-9203

From: Advocate [advocate@animalactivist.com] on behalf of Karin Watanabe
[kjwatanabe@hotmail.com]
Sent: Friday, February 19, 2010 1:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Karin Watanabe
2631 Aaliamanu Pl
Honolulu, HI 96813-1216
(808) 342-1924

From: Laurelee Blanchard [laurelee@hawaii.rr.com]
Sent: Friday, February 19, 2010 11:50 AM
To: JGO Testimony
Subject: SB 2170 - SUPPORT from Leilani Farm Sanctuary
Attachments: image008.jpg; image009.jpg; image010.jpg; image011.jpg; image012.jpg; image013.gif



February 18, 2010

TO: SENATE JUDICIARY COMMITTEE

TESTIFIER POSITION: **SUPPORT**

TESTIFIER WILL BE PRESENT: No

SUBMITTED BY: LEILANI FARM SANCTUARY

Dear Committee,

On behalf of Leilani Farm Sanctuary and our supporters, we are writing to ask you to please vote YES on Senate Bill 2170.

Foie gras is an unnecessary and unhealthy product which is produced by inhumane methods.

As an organization whose mission is to promote compassion and humane education, we would really like to see a ban on foie gras in the state of Hawaii.

Mahalo for your support!

Sincerely,

Handwritten signature of Laurelee Blanchard.

Laurelee Blanchard, President

Leilani Farm Sanctuary

260 E. Kuiaha Road

Haiku, HI 96708

808-298-8544

From: Advocate [advocate@animalactivist.com] on behalf of ginger westerman
[kailuaangel@gmail.com]
Sent: Friday, February 19, 2010 1:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. ginger westerman
P.O.B. 44
PO Box 44
Kailua, HI 96734-0044
(808) 386-6544

From: Advocate [advocate@animalactivist.com] on behalf of Cherisse Lamoureux
[clamour12lg@hotmail.com]
Sent: Friday, February 19, 2010 1:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Cherisse Lamoureux
2168 Kalakaua Ave
Honolulu, HI 96815-2326
(808) 349-8778

From: Barbara Steinberg [h2ocolor@webtv.net]
Sent: Friday, February 19, 2010 2:15 PM
To: JGO Testimony
Cc: h2oColor@webtv.net
Subject: TESTIMONY TO S.B.2170

To Senator Taniguchi and committee:

Thank you for holding the hearing on S.B.2170.

As a peaceful coalition leader in Maui for demonstrations to ban sale of foie gras in Hawaii and I urge you and your committee to pass the no force feeding bill.

I feel birds deserve to be treated both humanely and respectfully as creatures on this Earth.

Foie gras is elitist food that costs so much that most people cannot afford it either , and is both unhealthy and cruel to ducks and geese.

No creature likes a metal pole forced down their throats and liver stretched 13 times the size.

The European Union has banned it in 13 countries as did California and Hawaii should pass this bill with the aloha spirit and prove caring for animals to live in humane conditions does matter .

Thank you , Barbara Steinberg

PO box 1764

Kihei HI 96753

808 8790025

From: Advocate [advocate@animalactivist.com] on behalf of tania kolbu
[taniapugsley@hawaiiantel.net]
Sent: Friday, February 19, 2010 2:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. tania kolbu
17 Puahanui Way
Lahaina, HI 96761-5920

From: Advocate [advocate@animalactivist.com] on behalf of Casandra Schotsch
[zipitdotcom@hotmail.com]
Sent: Friday, February 19, 2010 2:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Miss Casandra Schotsch
PO Box 2232
Kealakekua, HI 96750-2232
972-3435

From: Advocate [advocate@animalactivist.com] on behalf of Angela Cey [lulu.cey@gmail.com]
Sent: Friday, February 19, 2010 2:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Miss Angela Cey
95-1011 Kuauli St Apt 134
Mililani, HI 96789-4928
8086282120EXT312

From: Advocate [advocate@animalactivist.com] on behalf of Douglas Corleone [dscorleone@aol.com]
Sent: Friday, February 19, 2010 2:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. Douglas Corleone
92-1081 Koio Dr Apt E
Kapolei, HI 96707-4285

February 19, 2010

Brian T. Taniguchi

10th Senatorial District
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813
Fax: (808) 586-6461

Dear Senator Taniguchi,

We are opposed to SB2170, regarding banning foie gras produced by force feeding.

We sell foie gras to hotels and restaurants in Hawaii. It is an important part of our business. We are one of many local vendors providing foie gras. It is something chefs and their patrons (visitors and locals) want.

While there is information against foie gras, it is not validated by published reports of farm inspections by journalists and veterinarians. Peer-reviewed, internationally published research supports that force feeding ducks is not detrimental to the welfare of the animals.

Earlier testimony and statements made to the press against foie gras are incorrect and misleading. The main deception is that there are farms that produce foie gras by simply allowing the waterfowl to eat a lot. If that were possible, it would be done. Foie gras produced in this way cannot be found for purchase. That being the case, SB2170 does ban foie gras completely.

We have issues with the legality of a ban on foie gras sales. Foie gras is produced under federal inspection in other states and countries. We have always understood that states should not make a law that pre-empts federal law. There has been comment that other countries have banned foie gras. The truth is, in the whole world, only California has banned the sale of foie gras, to start in 2012, and that will be challenged in the courts.

Foie gras farming is acceptable animal agriculture, as observed by veterinarians and reported by numerous journalists. This is supported by research. Foie gras is an important culinary ingredient in Hawaii. A ban on foie gras sales is not legally appropriate.

Statements have been made that SB2170 will have very little impact on Hawaii. SB2170 will impact our business and numerous hotels and restaurants throughout the state.

We urge you to learn the facts. Banning foie gras based on the emotional and uninformed opinion of a small group is not the right thing to do.

Respectfully,

Shawn Badham



Shannon Piper



Gourmet Foods Hawaii
740 Kopke St. Honolulu, HI 96819
ph: (808) 841-8071 Fax: (808) 842-5093

From: Advocate [advocate@animalactivist.com] on behalf of Eric Barker [islevegan@gmail.com]
Sent: Friday, February 19, 2010 3:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

As a resident of Hawaii I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012. I thank you for your time and attention to this important issue.

Sincerely,

Mr. Eric Barker
PO Box 75141
Honolulu, HI 96836-0141

From: Advocate [advocate@animalactivist.com] on behalf of Kalani Hopkins [kalani2004@hotmail.com]
Sent: Friday, February 19, 2010 3:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. Kalani Hopkins
none
Honolulu, HI 96792

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 19, 2010 4:22 PM
To: JGO Testimony
Cc: selkie@hawaii.rr.com
Subject: Testimony for SB2170 on 2/23/2010 10:00:00 AM

Testimony for JGO 2/23/2010 10:00:00 AM SB2170

Conference room: 016
Testifier position: support
Testifier will be present: Yes
Submitted by: Cathy Goeggel
Organization: Animal Rights Hawai'i
Address: 1511 Nuuanu Ave. Unit 173 Honolulu, HI 96817
Phone: 808 7214211
E-mail: selkie@hawaii.rr.com
Submitted on: 2/19/2010

Comments:

Dear Senator Taniguchi and Members of the Committee: The obscene practice of force feeding ducks and geese to provide a diseased liver (foie gras) that is sold as a "gourmet dish" should be ended. Very few restaurants in Hawai'i use foie gras; indeed, Whole Foods, the premier healthy/gourmet purveyor on O'ahu, does not offer foie gras--specifically because it is the product of animal cruelty.

Please pass SB2170 and continue the legislative support for humane legislation.

With aloha,
Cathy Goeggel
President
Animal Rights Hawai'i

From: Advocate [advocate@animalactivist.com] on behalf of jonathan orlowski
[kind2animals@msn.com]
Sent: Friday, February 19, 2010 4:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. jonathan orlowski
PO Box 1764
Kihei, HI 96753-1764
(808) 879-0025

From: Advocate [advocate@animalactivist.com] on behalf of Linda Sallop [sallopd001@hawaii.rr.com]
Sent: Friday, February 19, 2010 4:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Linda Sallop
Halekoa Drive
Honolulu, HI 96821

Testimony for Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m

Michael Gibbons
254 Windsor Street
Cambridge, MA

I am opposed to SB2170, for two reasons.

First, it does not seem that the issue is being fairly considered. It seems that a lot of people have visited foie gras farms and come away satisfied that foie gras farming is OK. Yet no one from Hawaii has actually investigated the claims of either the farmers or the animal rights people. The report of visits by the American Veterinary Medical Association is attached.

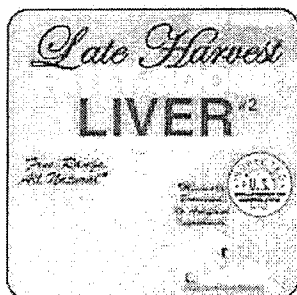
Second, the Hawaii bill, and statements by supporters, are deceptive in saying that there are farms that make foie gras by letting the ducks or geese eat a lot.

Storing fat in the liver is a migratory adaptation of waterfowl. We would expect to see fatty liver under certain conditions. The non-force-fed foie gras referred to by the bill supporters is fatty liver. It tastes like liver. It is a long way from the lipid content and culinary utility of foie gras.

A lot of this comes from a talk by east coast chef Dan Barber about a Spanish goose farmer named Sousa. Apart from the fact that Sousa has a mortality rate five times more than foie gras farms, it is just not honest to call what he produces foie gras. And he produces a very little bit, one day a year

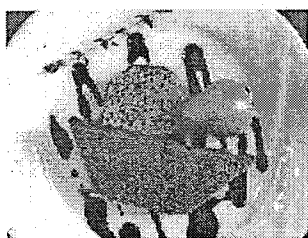
The North Dakota Schiltz Goose Farm does the same thing as Sousa but is honest. The Schiltz advertisement for late harvest fatty goose liver is attached.

This product is not foie gras and is not available except for very limited quantities one a year. Saying otherwise is deceptive.

[Close Window](#)

Late Harvest Fatty Goose Liver: The Foie Gras Alternative

Fatty goose liver is a luxurious new entry into the restaurant/hospitality market. It is being positioned as a natural and more humane alternative to foie gras. Unlike foie gras, the fatty goose liver occurs naturally in the goose and not as a result of forced feeding. Simply stated, it is a result of more fat being produced in the animal than can be transported for storage elsewhere in the animal's body.



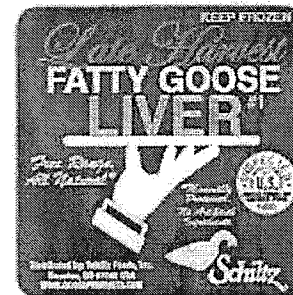
Goose Liver Pate

To make the recipe pictured above:
Late Harvest Fatty Goose Livers #2 are pureed with butter, egg and seasoning, then molded. The result is a rich and silky smooth product.

Fats and fatty acids, from the naturally fed food that the geese eat, travel first to the goose liver where they are combined with protein and then sent throughout the body for storage for later use. Some birds genetically produce more fat than the proteins in their bodies can accommodate. The fat remains in the liver where it accumulates, thus the liver grows to about two to three times the size of a normal goose liver, approximately 1/3 to 1/2 pound in weight. Birds producing this fatty liver are roughly twice as old and therefore, larger in size than most birds from the flock sent to market.



The color of fatty liver is tan rather than dark brown. It has a silky "mouth feel" and incredible richness, but is produced naturally within the bird rather than the bird being subjected to a diet delivered through forced feeding. It is a satisfying, natural alternative to foie gras. It can be prepared and served in many delicious ways like a fine liver product should be.

Geese lay eggs in the spring of each year for about 15 weeks. Because of this, we only get one attempt at producing this product each year, this year, our first, we believe we produced a very nice product. Because of the "one shot per year" that this product will always have, we want to tell everyone that the Late Harvest Fatty Goose Liver is available in very limited quantities. Thank you and we hope you enjoy this humane way



**Classical French
Terrine**

To make the recipe pictured above:
Late Harvest Fatty Goose Livers #1 are soaked in cold water, membrane removed, seasoned and made classical with sherry and cognac.



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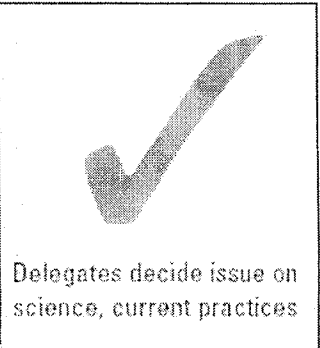
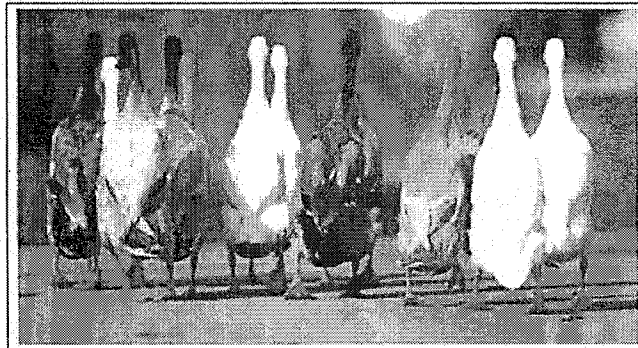
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September 1, 2005

HOUSE OF DELEGATES COVERAGE

Farm visits influence foie gras vote

Delegates decide issue on science, current practices



Science versus emotion was the guiding principle invoked by several delegates presenting their views on foie gras production July 16 to the House of Delegates.

In this case, evidence was to be found not in a research setting but on the farm.

Foie gras is a delicacy made from the livers of ducks and geese. The term is French for "fatty liver." Birds are force-fed mostly corn to create lipidosis, which expands their livers to several times their normal size.

Two resolutions were before the HOD opposing the practice of force-feeding ducks and geese to produce foie gras. One of them was a compromise version that had garnered some bilateral support from the AVMA leadership and animal rights advocates. It became obvious as delegates began their discourse, however, that a groundswell of support was building to refrain from adopting an AVMA opposition statement.

Delegates disapproved both resolutions.


Deliberations in the HOD centered not around which resolution was preferable, but whether to adopt a position on the practice at all. Two lines of reasoning ensued—determining what science says about the health and welfare effects of this practice, and whether it is advisable for the AVMA to take positions on specific production practices.

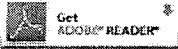
Limited peer-reviewed, scientific information is available dealing with the animal welfare concerns associated with foie gras production, but the observations and practical experience shared by HOD members indicate a minimum of adverse effects on the birds involved. Therefore, delegates decided it is not necessary for the AVMA to take a position on foie gras production at this time.

The issue emerged in the 2004 HOD, which referred a resolution opposing this practice to the

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Animal Welfare Committee for study. Subsequently, the AWC reviewed the scientific and ethical aspects of the practice and, in response, developed a different recommendation for Executive Board consideration.

This past April, the Executive Board forwarded the AWC's recommendation to the HOD as a resolution—Resolution 3—so that delegates could decide the issue that originated in their chamber. It states: "Resolved, that the AVMA opposes the practice of mechanical force feeding of ducks and geese to produce foie gras because of the adverse effects on the birds' health and welfare associated with this practice."

The board recommended that the 2005 HOD approve Resolution 3 and disapprove the 2004 resolution—this year's Resolution 1—which states: "Resolved, that the American Veterinary Medical Association hereby opposes the practice of force feeding ducks and geese to produce foie gras."

The House Advisory Committee's recommendations mirrored the board's.

One of the key differences between the two resolutions was inclusion of the word *mechanical* in Resolution 3. By including it, the submitters sought to eliminate the animal's stress in having a tube forced down its esophagus but did not rule out the feeding of a high-energy ration.

Some of the makers of Resolution 1 wanted to withdraw it in favor of Resolution 3, but parliamentary procedure would not allow that, since it was submitted by petition and had been referred to the AWC.

Prohibiting production of foie gras in the United States would have a minimal impact on agricultural markets, but several delegates expressed concern that efforts to oppose foie gras production were just "baby steps" by groups with much more ambitious goals. Many of the 13 delegates who spoke to the resolutions were food supply veterinarians who foresaw adoption of a position statement opposing foie gras production as having the potential for a domino effect on other agricultural practices.

The delegation from New York, where two of the country's three foie gras farms are located, took a strong stand against the resolutions. The HOD deliberations began with New York alternate delegate, Dr. Walter K. McCarthy, saying that the New York VMS board unanimously voted to direct their delegate to cast a vote against them.

Dr. McCarthy said that if the New York Veterinary Medical Society were to oppose foie gras production, its veterinarians would fully expect opposition to methods used to produce veal calves and other livestock to follow. Referring to the positions proposed by the resolutions, he said that opponents of production agriculture could easily propose modifications to those positions that would make them applicable to other stock.

"We cannot condemn an accepted agricultural practice on ... emotion," Dr. McCarthy said. He presented what he considered facts about foie gras production to correct what he said are misperceptions. In contrast with what some critics claim, he said that the esophagus of the birds used for foie gras is lined with a cornified epithelium, "a very tough esophagus that can accept a great deal of abuse."

He said it is very elastic and pliable, so the birds can swallow a huge amount of fish or grain. The birds don't appear to be anxious around the persons feeding them, he said, and mortality is much less than at most agricultural facilities.

"The people who have actually seen these facilities are the ones you should listen to," he added.

Two of those people are New Jersey and Vermont delegates, Drs. Robert P. Gordon and Thomas L. Munschauer.

Dr. Gordon did so because, he said, the AVMA "is claiming" to be a science-based organization. "We've all seen the pictures. Seeing with your own eyes and penetrating the issue is worth a



Vermont delegate, Dr. Thomas L. Munschauer, describes his visit to a farm that produces foie gras.

thousand pictures."

On July 5, he visited a farm in New York. "After being on the premises, my position changed dramatically," Dr. Gordon said. "I did not see animals I would consider distressed, and I didn't see pain and suffering." He said it is more distressing to take a rectal temperature in a cat. He cautioned against anthropomorphism, which is different from the human-animal bond.

Instead of the term *force-feeding*, Dr. Gordon advocated *tube feeding*, a term he noted is used in veterinary medicine. Dr. Susan L. Clubb, alternate delegate for the Association of Avian Veterinarians, said that some owners feed psittacines via tube. Their esophagus easily accepts a tube without stress, she said, and it would seem logical that the same would be true in birds used to produce foie gras. AAAP delegate Dr. James M. Harris agreed with Dr. Gordon that the use of "emotionally laden terms" is inappropriate. "We are a science-based, factual-based professional organization. ... Whatever decision we make today has implications for agriculture." He appealed to his colleagues not to "give the squeaky wheel the grease."

Dr. Munschauer visited a New York farm at the request of "both sides" and was conflicted by what he saw. "I didn't see exploding esophaguses ... and it didn't seem like the birds were distressed," he said. He judged the facility to be better than most places where broilers are raised. The birds were obese toward the end of the three weeks but still able to walk. They didn't swim or preen, and they were dirty but not more than other birds. "For the most part, they appear to be well-cared-for," he said. "That's what I saw."

"Now, let me say what I think—it is not a good use of these animals," Dr. Munschauer said. Even if they are treated in a reasonable way from a factory-farming standpoint, he said, the production of foie gras induces disease. Veterinarians may condone the induction of disease in animals for research to learn how tumors are formed, for example, because that benefits society. Inducing disease to produce a food delicacy does not benefit society, he said.

Delegates had differing views, however, on whether a disease process is induced. Dr. McCarthy, for example, insisted that the practice isn't part of a pathologic process, and Dr. Harris said it is a physiologic not a pathologic process. Nebraska delegate, Dr. Theodore Evans Jr., pointed out that feeding enriched diets in cattle is an existing practice that also induces diseases such as laminitis, acidosis, and fatty liver.

Dr. Y.M. Saif, delegate from the American Association of Avian Pathologists, contacted a scientist who is a foie gras expert in France, where he said 85 percent of the livers are produced, and was assured that mortality is down and the feeding personnel are highly trained.


A prevailing sentiment was that "this is an issue above and beyond the (two) resolutions," as Dr. Gordon said. A recurrent comment was the need for the AVMA to develop broader policies on animal welfare. North Dakota delegate Dr. Charles L. Stoltenow said, "The AVMA must be a champion for discovery of the facts and keep (actions) on a national level."

Similarly, from the AAAP, alternate delegate Dr. Greg J. Cutler said, "We need to be looking at animal welfare from a broad policy position ... that can then be applied to all animal operations."

As dialogue drew to a close, a few delegates posed questions of a more pragmatic nature. Dr. Cutler wondered whether blocking production of a product such as foie would result in a Prohibition-type situation. Travis D. McDermott, Student AVMA delegate, asked whether it might be more appropriate for the AVMA to have a position about oversight of the production process than to condemn it. Alabama delegate, Dr. William E. DeWitt, asked delegates, "Do we want (foie gras) produced in our country, where we have control and guidelines, or (to be) importing it?" ☞

— Susan C. Kahler

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American Veterinary Medical Association
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From: Robert delGrosso [bobdelgrosso@gmail.com]
Sent: Sunday, February 21, 2010 12:33 PM
To: JGO Testimony
Subject: Proposed ban of ethically produced Foie Gras

Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m.

Robert del Grosso
Hendricks Farms and Dairy
202 Green Hill Road
Telford, Pa 18969

I am providing this testimony in opposition to SB2170.

I do not work for Hudson Valley Foie Gras nor do I receive any compensation of any kind from them, but I am very familiar with the farm and how it treats its livestock and employees. I would like to offer my assurances that the animals on that farm are treated extremely well. But before I do I should tell you something about my professional credentials.

I hold a BS in Environmental Science (SUNY 1980), taught HS biology for 2 years and have been in the food business for about 28 years. The first third of my culinary career was spent as a working chef in restaurants and the next third as an assistant professor at the The Culinary Institute of America where I taught Gastronomy and Food Science. I currently work on an organic grassfed beef and dairy farm in Telford, Pa (Hendricks Farms and Dairy) where I oversee our butchery and charcuterie program. My job is actually pretty complicated, but what is pertinent here is that I work with animals (cattle, sheep, chickens and hogs) on a regular basis and am very familiar with what is required to treat them with empathy. Actually, we were Certified Humane for a few years but decided to drop the program because of the high fees required by the accrediting agency (an affiliate of the Humane Society of the United States).

I've been to Hudson Valley Foie Gras twice and each time I was not only allowed to see every nook and cranny of the farm, but I was encouraged to take pictures and to talk to whoever I wanted to talk to and I have to tell you that it's one heck of a well-run farm. All of the ducks I saw looked healthy. The grounds, barns, pens, are all very clean and the processing facilities are immaculate. When the adult ducks are moved from one barn to another they are moved one-at-a-time into the farm cart to prevent being manhandled. The workers are paid a bonus when their injury rates go down to incentivize humane treatment. None of the birds are caged or confined as you see in other foie gras operations. I have seen the gavage of the adult ducks many times and while I understand why some might find it troublesome it is no more troubling to me than when we have to intubate a sick cow with medicine. In fact, it's a little harder on the cows because unlike the ducks the cows have a gag reflex while the ducks do not. In other words, the ducks don't appear to mind the tube at all. They don't show any aversive behavior when the feeder enters their pen, and make no attempt to flee when he or she approaches.

To be frankly honest, compared many farms (including my own), Hudson Valley Foie Gras is more humane in that since they have a USDA inspector on site and can process the ducks on the farm, they can reduce the stress to the animals dramatically by not herding them into a truck and driving to an unfamiliar place to be handled by people who have no incentive to not injure them. I know dozens of farmers whose animals are not nearly so lucky.

Finally, I urge you (and anyone) to visit the farm and see for yourself how they operate if for no other reason than that they are probably the only producer of foie gras who is confident enough in the integrity and humanness of their work to allow visitors.

I hope that I have addressed your concerns and, if I have not assuaged them, at least given you pause to reconsider them.

Sincerely,

Bob del Grosso

Chef

Hendricks Farms and Dairy

.....

From: Possie Badham [possie@hawaii.rr.com]
Sent: Saturday, February 20, 2010 5:58 PM
To: JGO Testimony
Subject: SB 2170

Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m

Dear Senators,

We are opposed to SB2170, regarding banning foie gras produced by force feeding.

We sell foie gras to hotels and restaurants in Hawaii. It is an important part of our business. We are one of many local vendors providing foie gras. It is something chefs and their patrons (visitors and locals) want.

While there is information against foie gras, it is not validated by published reports of farm inspections by journalists and veterinarians. Peer-reviewed, internationally published research supports that force feeding ducks is not detrimental to the welfare of the animals.

Earlier testimony and statements made to the press against foie gras are incorrect and misleading. The main deception is that there are farms that produce foie gras by simply allowing the waterfowl to eat a lot. If that were possible, it would be done. Foie gras produced in this way cannot be found for purchase. That being the case, SB2170 does ban foie gras completely.

We have issues with the legality of a ban on foie gras sales. Foie gras is produced under federal inspection in other states and countries. We have always understood that states should not make a law that pre-empts federal law. There has been comment that other countries have banned foie gras. The truth is, in the whole world, only California has banned the sale of foie gras, to start in 2012, and that will be challenged in the courts.

Foie gras farming is acceptable animal agriculture, as observed by veterinarians and reported by numerous journalists. This is supported by research. Foie gras is an important culinary ingredient in Hawaii. A ban on foie gras sales is not legally appropriate.

Statements have been made that SB2170 will have very little impact on Hawaii. SB2170 will impact our business and numerous hotels and restaurants throughout the state.

We urge you to learn the facts. Banning foie gras based on the emotional and uninformed opinion of a small group is not the right thing to do.

Respectfully,

Shawn Badham

Shannon Piper

Gourmet Foods Hawaii
740 Kopke St. Honolulu, HI 96819
ph: (808) 841-8071 Fax: (808) 842-5093

From: Advocate [advocate@animalactivist.com] on behalf of Toni Jolovich [sooshigr1@hotmail.com]
Sent: Saturday, February 20, 2010 5:30 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Miss Toni Jolovich
365 NE Kearney Ave
Bend, OR 97701-4573

From: Advocate [advocate@animalactivist.com] on behalf of Mary Cronin [marycronin2003@yahoo.com]
Sent: Saturday, February 20, 2010 8:00 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 21, 2010

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Thank you for your consideration.

Sincerely,

Ms. Mary Cronin
1 Keahole Pl
Honolulu, HI 96825-3415

From: Advocate [advocate@animalactivist.com] on behalf of amanda tabon
[amanda_bernier@hotmail.com]
Sent: Sunday, February 21, 2010 9:01 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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Thank you for your consideration.

Sincerely,

Ms. amanda tabon
PO Box 959
PMB 903
Kihei, HI 96753-0959

From: Advocate [advocate@animalactivist.com] on behalf of Felicia Ann Waialae [feliciaannsugars@hotmail.com]
Sent: Saturday, February 20, 2010 9:00 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Felicia Ann Waialae
PO Box 1885
306
Waianae, HI 96792-6885
(808) 677-6271

From: Advocate [advocate@animalactivist.com] on behalf of Jasmine Cronin [jasminecronin@gmail.com]
Sent: Saturday, February 20, 2010 9:30 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 21, 2010

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Miss Jasmine Cronin
1 Keahole Pl Apt 1106
Honolulu, HI 96825-3420
(808) 395-6634

From: Advocate [advocate@animalactivist.com] on behalf of Laura Haack [haacks@hawaii.rr.com]
Sent: Saturday, February 20, 2010 10:00 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 21, 2010

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Thank you for your consideration.

Sincerely,

Dr. Laura Haack
PO Box 975
Kekaha, HI 96752-0975
(808) 337-1998

From: Advocate [advocate@animalactivist.com] on behalf of Naomi Egami [nomie_34@yahoo.com]
Sent: Sunday, February 21, 2010 12:01 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 21, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Naomi Egami
2850 Pukoloa St Ste 107
Honolulu, HI 96819-4435
(808) 349-8334

From: Advocate [advocate@animalactivist.com] on behalf of Andy Takata [atakata1@mac.com]
Sent: Sunday, February 21, 2010 12:31 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 21, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Miss Andy Takata
1441 Hoohulu St
Pearl City, HI 96782-2917

Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m.

JGOTestimony@Capitol.hawaii.gov

Dear Senators,

I am opposed to SB2170, regarding banning foie gras produced by force feeding.

While there is information against foie gras, it is not validated by published reports of foie gras farm inspections by journalists and veterinarians. Peer-reviewed, internationally published research supports that force feeding ducks is not detrimental to the welfare of the animals.

Earlier testimony and statements made to the press against foie gras are incorrect and mis-leading. The main deception is that there are farms that produce foie gras by simply allowing the waterfowl to eat a lot. If that were possible, it would be done, if only to save labor costs. Foie gras produced in this way cannot be found for purchase. That being the case, SB2170 does ban foie gras completely.

Statements have been made that SB2170 will have very little impact on Hawaii. Foie gras is widely used in the finest restaurants and by many people at home. It is a wonderful and important culinary ingredient and more widely used than indicated.

I also have serious issues with the legality of a ban on foie gras sales. Foie gras is produced under federal inspection in other states and countries. I have always understood that states should not make a law that pre-empts federal law. There has been comment that other countries have banned foie gras. The truth is, in the whole world, only California has banned the sale of foie gras, to start in 2012, and that will be challenged in the courts. SB2170 is a bad law.

Foie gras farming is acceptable animal agriculture, as observed by veterinarians and reported by numerous journalists. This is supported by research. Foie gras is an important culinary ingredient in Hawaii. A ban on foie gras sales is not legally appropriate.

Respectfully,

Peter A. and Sara M Dudgeon.

Testimony for Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m **Opposed**

Marcus Henley
80 Brooks Road
Ferndale, NY 12734

All About Foie Gras

Foie Gras Tours

I am a foie gras farmer. Because foie gras has been called into question, our farm has taken Temple Grandin's advice. We have glass walls. We give two or three tours a week to interested students, chefs, legislators, veterinarians and the media. In legal language, we have an argument for our judges: the farm speaks for itself.

If you are going to decide on an issue such as this, someone making the decisions should have direct experience. This is also about hundreds of jobs in America. We agree that if animals are abused, the practice should not continue. But for the sake of our jobs and our families, if we are to be judged, let us be judged fairly.

I offered, to both Senator Hee and one of the supporters of the bill, to pay for an impartial observer from Hawaii to travel to New York to inspect a foie gras farm. I think that is very fair. I did not get a response.

Why Are We Talking About Foie Gras?

Why this is an issue? If you come to a foie gras farm, you will not have a problem. But, very few people come to foie gras farms. There are only three in the United States. Hey, animal rights folks have to do something with their money. It is very logical to attack the smallest branch of animal agriculture. We have few resources. They have many. People have little experience with foie gras farming. We stick a tube down their throats for God's sake (that's got to hurt) and only rich people eat foie gras so who really cares. Better yet, from a political standpoint, giving something to a very vocal group of constituents, right or wrong, is much easier when it has little local impact.

Hawaii as Representative of the AR Strategy

In 1965 some animal rights people came to the government of Luxembourg and said they did not like this foie gras stuff. They did not ask to prohibit sales. Prohibition on sales is prohibited by the EU Constitution, but that was later. Anyway, the government asked if anyone in Luxembourg would be affected. No. There were no farms. OK, if we give you this, will you go away and leave us alone for awhile? Yes. OK, production of foie gras is illegal in Luxembourg.

This got moved around for some years and several other European countries that did not have foie gras production did the same thing. This built an *a priori* argument. If this country said it is bad, it must be bad. The language of the Hawaii bill makes that argument. California did it so it

must be bad. There was never a substantive discussion of the facts. Who cared? Even the French foie gras farmers did not care. They could still sell their products in those countries and potential competitors were eliminated.

In California the only foie gras farmer questioned was Sonoma Farms. They were going out of business because of legal challenges (California law was later changed to prevent this type of lawsuits against animal agriculture). Sonoma agreed to the deal if they were allowed to continue the farm until the retirement age of the operators and be shielded from legal action. Read the bill. The legal shield is in the language. There was never a presentation of the facts from the foie gras side.

With the exception of New York, foie gras legislation has been put forward in places that have no foie gras farming and usually not much sales, like Hawaii. In New York, we have been investigated by the local district attorney, the ASPCA, and several governors. A ban foie gras bill has been in the legislature for almost 20 years. New York knows better because the issue has been investigated.

Hawaii is the perfect opportunity to build on the California *a priori* argument. Some constituents ask for this. You look around and ask if this affects your state. The answer is, not much, though local high-profile chefs may differ. We can do this symbolic thing and nobody is hurt in your state. Which will then be the reason for bans in the next state.

Isn't It Cruel?

We have provided other testimony, including research and decisions of the American Veterinary Medical Society which says that it is not detrimental to the animals.

When I give tours, I start off in the office, giving someone in the group a feeding tube and asking them to insert in their throat. They look at me in horror. Of course they do. It would hurt. But ducks are not people.

Ducks have no teeth. They eat live fish and rough grasses. Crustaceans. If we do that, please call 911. They eat rocks, to lodge in the gizzard to assist in grinding their food. The esophagus of a duck is lined with a very different material than our throat. It has to be. Further, ducks can capture and eat prey underwater. They can do this because their trachea opens under their tongue. Their trachea and esophagus are not in the same place, like ours. We have a gag reflex to prevent food from entering our respiratory system. This is not necessary in ducks. Ducks have no gag reflex. We have our voice box in the neck. A duck's voice comes from the chest. There is no impeding structure in the neck.

Ducks are prey animals and competitive within the species for food. Like a hamster, they can take in a great amount of food, more than their digestive system can handle at once, and store it in a sac at the base of the neck. If they find an abundant food source, they can scarf it down ahead of the other ducks and before they get eaten by a hawk.

We drop food into the sac, not “pumping food into the stomach”. It is a normal process. The tube in no way hurts the duck. The capacity of the sac is a liter. We never give them more than a third of their storage capacity at a feeding.

Tours of the farm are rather dramatic. People don't know what to expect after all the hype. We would expect, if we are hurting the animals, that they would struggle against the feeding and avoid the feeders. That is not the case. Aversion behaviour decreases during feeding (which for us is three times a day, maximum 30 seconds total, for 21 days, after the ducks are 12 weeks old).

We see a learned response in the ducks. They are not hurt, so they do not avoid the feeders. If they are hurt, there should also be a chemical response, with adrenaline-like chemicals. It is not present during feeding. That information, the scientific studies, is included in other material you have been given.

What About the Pictures?

Hey, let me go to your house and put cameras in the walls. There are a few images out there that show ducks in distress. Happens to all of us. Wherever you live, give me a camera and an escort and I will visit your police stations, emergency rooms, accident scenes, and do a photo essay that will make you sick. You would know better. The images are true, but that is life and that does not represent your community appropriately.

One of the members of the American Veterinary Medical Association who visited our farm said in the JAVMA: “Dr. Gordon did so because, he said, the AVMA “is claiming” to be a science-based organization. “We've all seen the pictures. Seeing with your own eyes and penetrating the issue is worth a thousand pictures.”

I had a television crew come not long ago. Free access to the farm. They never ran the story because there was no story. That is why we give the tours.

There are about 50 million ducks and geese are grown for foie gras each year in the world. Certainly you can break into a farm and take some pictures that are not good. Our population of ducks is about 80,000 right now. We have a 4% mortality rate, less than most commercial chicken operations. Showing a few pictures, taken over many years, just does represent what we do. This is why we open our farm so people can see for themselves.

I can't say there are not bad farms. Same with people, families and communities. But overall, foie gras farmers must care for their animals appropriately.

Banning Foie Gras is a Bad Precedent

This is a wedge issue. We produce foie gras under Federal inspection. Our state and others, and the countries producing foie gras, have animal welfare laws in place to prevent abuse to animals. California has passed its law but it has not taken effect and will be challenged in the courts. The spirit of the Constitution says that is the provenance of the Federal legislature to regulate

interstate commerce. Further, the Federal Meat and Poultry Acts govern what can be produced and sold in America. States rights are important. It may be that states can prohibit the practice, but as in the European Union, the Constitution and Federal pre-emption laws argue that sales of products legally produced under Federal inspection should not be prohibited in other states.

I don't know how pineapples are picked. Perhaps by machine. If not, may we in New York say that stoop labor is not appropriate, thus we will prohibit the importation of pineapples on the basis of our sensibilities?

Come see us.

From: Advocate [advocate@animalactivist.com] on behalf of Jaci Chan [easyryder@hawaii.rr.com]
Sent: Sunday, February 21, 2010 11:31 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 21, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Jaci Chan
1355 16th Ave
Honolulu, HI 96816-4301

From: Advocate [advocate@animalactivist.com] on behalf of Patricia Deeds [msdogggone@aol.com]
Sent: Saturday, February 20, 2010 2:00 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Patricia Deeds
1--3 Montrose Ave
Laurel, MD 20707
(301) 497-7692

From: Advocate [advocate@animalactivist.com] on behalf of Euge Maria Cara
[marukairuz@yahoo.com.ar]
Sent: Saturday, February 20, 2010 4:00 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Euge Maria Cara
PO Box 790783
Paia, HI 96779-0783
(808) 572-8238

From: Advocate [advocate@animalactivist.com] on behalf of Malia Dowling [onalani82@gmail.com]
Sent: Sunday, February 21, 2010 3:02 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 21, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Mahalo for your consideration.

Sincerely,

Ms. Malia Dowling
5610B Kaapuni Rd
Kapaa, HI 96746-9221

From: Advocate [advocate@animalactivist.com] on behalf of Ryanon Medeiros [kehau68@hotmail.com]
Sent: Sunday, February 21, 2010 3:02 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 21, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Ryanon Medeiros
PO Box 511
Lawai, HI 96765-0511

From: Advocate [advocate@animalactivist.com] on behalf of Evelyn Baumberger
[e7bowen@yahoo.com]
Sent: Friday, February 19, 2010 6:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Mahalo for your kokua,

Sincerely,

Ms. Evelyn Baumberger
PO Box 3850
Lihue, HI 96766-6850

From: Advocate [advocate@animalactivist.com] on behalf of Joy Marsico [joymarsico@yahoo.com]
Sent: Friday, February 19, 2010 6:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Joy Marsico
1729 Morado Hills Ln
Las Vegas, NV 89128-7904

From: Advocate [advocate@animalactivist.com] on behalf of Amber Knight [mrskiddens@gmail.com]
Sent: Friday, February 19, 2010 6:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Amber Knight
87 Kowailani Cir
Kihei, HI 96753-8274

From: Advocate [advocate@animalactivist.com] on behalf of Hiroko Woessner
[hirokohst@yahoo.co.jp]
Sent: Friday, February 19, 2010 6:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Hiroko Woessner
335 Kuikahi Dr
Wailuku, HI 96793-1529
(808) 214-6374

From: Advocate [advocate@animalactivist.com] on behalf of Hannah Vallejo [vallejoh67@gmail.com]
Sent: Friday, February 19, 2010 7:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Miss Hannah Vallejo
708 Mokauea St
Honolulu, HI 96819-4081
(808) 351-3745

Testimony for Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m
Maria Wilhelm
14 Jackson Drive
Ellenville, NY 12428

Attached is a letter from a member of the New York State Assembly, Michael Benjamin, explaining that he had sponsored a bill to ban foie gras in New York. After exploring the issue and visiting a foie gras farm, he withdrew his support for the bill in 2007. Also included are press releases describing the rejection of similar bills in Maryland in 2008 and Maine in 2009.

Similar measures have been considered and rejected in Hawaii in 2006, Connecticut, New Jersey, Massachusetts, Illinois, Michigan, Washington and Oregon. While the bill passed in California, it passed without input from foie gras farmers. Rather, it passed with the approval of the foie gras farmer in California who was burdened with excessive litigation fees. He agreed to the bill but with the condition that legal actions by the activists cease and he be shielded by law from further legal action.

There is a general understanding that there is no basis for attempts to ban foie gras farming and that the animals are not mis-treated. The Chicago ban was passed as part of a multi-piece omnibus bill. The Chicago City Council was nationally criticized until the ban was overturned.

The California bill has yet to take affect. It is probable that the sales portion of that bill will be challenged in court as a restriction of interstate commerce or pre-emption of the Federal Meat and Poultry Act.

From the Chicago Tribune:

May 14, 2008
City Council reverses foie gras ban

Posted by Dan Mihalopoulos at 2:05 p.m.

With Mayor Richard Daley running the vote, the Chicago City Council on Wednesday repealed its controversial ban on foie gras.

Over the shouted objections of Ald. Joe Moore (49th), the ban's sponsor, the council used a parliamentary maneuver to put the ordinance on the floor for a vote.

The council voted 37-6 to repeal the two-year-old ban, which critics argued had made Chicago—and the City Council—a national laughingstock.

Ald. Thomas Tunney (44th), a restaurant owner, forced the vote on the measure that prohibits restaurants in the city from serving the delicacy made from the engorged livers of ducks or geese.

Moore, whose pleas for a debate were ignored by Daley, warned fellow aldermen "tomorrow it could happen to you."



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

MICHAEL A. BENJAMIN
Assemblyman 75th District
Brooks County

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Brook, New York 10460
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U ALBANY OFFICE
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Albany, New York 12248
518-455-5272
FAX 518-455-6825
benjamin@assembly.state.ny.us

CHAIRMAN
Subcommittee on
Regulated Mortgage Lenders

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January 13, 2009

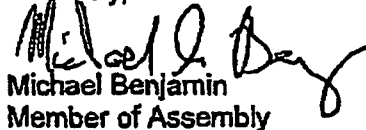
Representative Alan Casavant
22 Meetinghouse Road
Biddeford, ME 04005

Dear Representative Casavant,

A few years ago, I was presented information on foie gras farming that convinced me to sponsor legislation to ban foie gras farming in New York. In 2007, I was subsequently invited to a foie gras farm. After visiting the farm and talking with experts – including two veterinarians - I decided to withdraw my support for the bill. I withdrew my bill because I did not observe cruel treatment or overcrowding of the birds. After speaking with local representatives, I became convinced of the economic importance of that farm to the Sullivan County community.

If you have any questions, please give me a call. I am sure the farm would be happy to have you visit also.

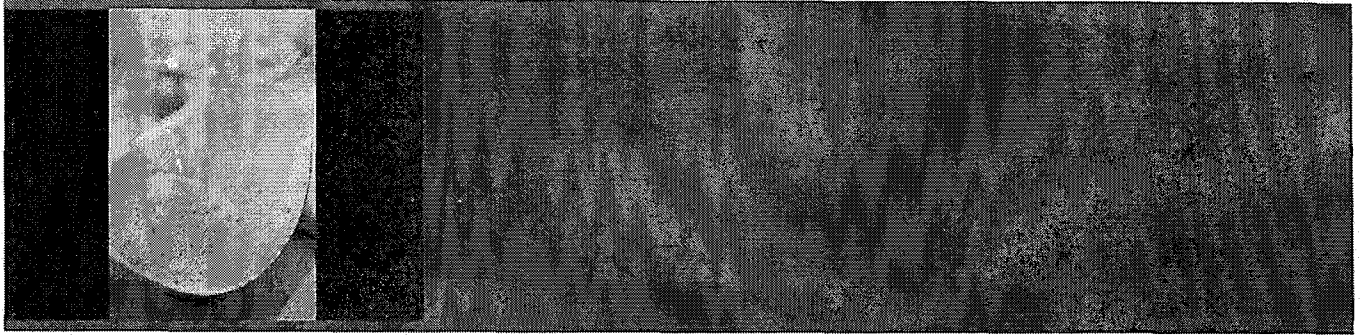
Sincerely,


Michael Benjamin
Member of Assembly

Bloomberg.com

Sponsor of New York Foie Gras Ban.....Changes His Mind

By Henry Goldman



[+ Enlarge/Details](#)

June 11 (Bloomberg) -- The sponsor of a proposed New York state ban on force-feeding ducks to make foie gras said he no longer believes the practice is inhumane.

``I had a change of heart," said Assemblyman Michael Benjamin, a Bronx Democrat, in a telephone interview today.

Benjamin made his comments moments before New York City Councilman **Tony Avella** held a news conference on the steps of City Hall to call for support of Benjamin's law. Avella, joined by **animal-rights activists**, said it's wrong to stuff food down the throats of ducks and geese to produce the fatty delicacy.

``The practice of force-feeding birds in order to produce foie gras is simply cruel and inhumane," said Avella, a Queens Democrat. The process involves using a metal tube and air pressure to feed birds large amounts of food to swell their livers over a period of several weeks, Avella said.

Benjamin, though, said a farm visit convinced him the bill he sponsored isn't necessary.

``To my knowledge none of the ducks looked uncomfortable or mistreated," Benjamin said.

``We shouldn't anthropomorphize animals into humans. What might look painful to us isn't painful to them."

The sponsor of a similar bill in the state Senate, Frank Padavan, Republican of Queens, hasn't changed his mind, spokesman Brian Gorman said.

Animal-rights groups have seized on the foie gras production issue in recent years with mixed success. Chicago banned foie gras from its restaurants and stores two years ago, only to repeal the measure last month. California has passed a **ban on production** that would take effect in 2012.

Expanding Necks

Duck farmer Michael Ginor, co-owner of Hudson Valley Foie Gras, said he doesn't use compressed air to force-feed his birds. The necks of ducks and geese expand and their metabolisms can handle such large portions of food, he said.

Ginor said his farm and **La Belle Poultry**, also in New York state, account for a total of \$20

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(US) Maryland Legislature Rejects Proposed Foie Gras Ban

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[AnimalConcerns.org](#) [View profile](#) [More options](#) Mar 10 2008, 3:03 pm

ANNAPOLIS, Md., March 10 --

On March 10th, the full Maryland Legislature turned back an attempt advanced by animal rights groups to impose a ban on the production and sale of foie gras in that state. The proposed ban was rejected after being the subject of a Senate Committee hearing. Representatives of the Artisans Farmers Alliance and the Maryland Restaurant Association as well as the former President of the New York State Veterinary Medical Society all spoke against the merits of a proposed ban.

Two days after the March 4th hearing, Maryland House Delegate Tanya Shewell withdrew her bill. In the Senate, the bill's sponsor, Senator Joan Carter Conway, backed away from the provisions that would have banned the sale and transport of foie gras, saying publicly, "We may have gone too far [with this]". She expressed general reservations about the bill and said, "I have heard additional information about the foie gras process that has caused me to change my mind."

full story:

<http://www.sunherald.com/447/story/422303.html>

— <http://www.animalconcerns.org/> —

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ARTISAN FARMERS ALLIANCE

Foie Gras Farming Challenge Defeated in Maine

Augusta, ME (March 11th, 2009)

The Joint Standing Committee on Agriculture, Conservation and Forestry of the 124th Maine Legislature met today to vote on whether to prohibit foie gras farming in the State of Maine.

After hearing both sides of the issue and studying materials provided by activists and foie gras farmers, the Committee voted unanimously "Not to Pass" the legislation.

The legislation and the thinking behind it followed standard animal rights tactics. Legislation is proposed in an area where the farming practice is not done. Legislators are encouraged to pass this the legislation as no one is affected and a vocal minority constituency, often backed by political donations, is appeased.

The bill sponsor, Representative Alan Casavant, wrote: "I submitted the bill on behalf of a constituent... Since there are no facilities in Maine, and there is no discussion of such a facility, it appeared to be relatively neutral. Animal Rights groups are in agreement, as well as many members of the Legislature."

Members of the Maine Restaurant Association who had visited Hudson Valley Foie Gras pointed out that the activist claims against foie gras are just not true. Further, Casavant's position that the legislation is neutral was also not true. Although sales of foie gras would still be permitted, sales would certainly be affected, in a difficult economic environment, by passage of the bill. Further, the passage would be used to justify similar legislation in other jurisdictions.

In spite of the failure of the California politicians in enacting the 2012 ban on foie gras there, it seems that there are a lot of fair and conscientious

From: Advocate [advocate@animalactivist.com] on behalf of Lori DelBello [wealthenergy@msn.com]
Sent: Friday, February 19, 2010 7:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Lori DelBello
676 Imihale St
Kihei, HI 96753-6056

From: Advocate [advocate@animalactivist.com] on behalf of James Woessner [jameswoessner@yahoo.com]
Sent: Friday, February 19, 2010 7:28 PM
To: JGO Testimony
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Thank you for your consideration.

Sincerely,

Dr. James Woessner
335 Kuikahi Dr
Wailuku, HI 96793-1529
(808) 250-1128

From: Advocate [advocate@animalactivist.com] on behalf of NHEL OTKIN [gmommie17@aol.com]
Sent: Friday, February 19, 2010 7:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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Thank you for your consideration.

Sincerely,

Mrs. NHEL OTKIN
2101 7th St
Brownwood, TX 76801-4804

From: Advocate [advocate@animalactivist.com] on behalf of gretchen manzer [gretchenmanzer@yahoo.com]
Sent: Friday, February 19, 2010 8:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

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Thank you for your consideration.

Sincerely,

Mrs. gretchen manzer
91-1145 Kaimalie St
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(808) 469-8675

From: Advocate [advocate@animalactivist.com] on behalf of todd yasutake
[yasutake.todd@gmail.com]
Sent: Friday, February 19, 2010 8:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. todd yasutake
2836 Laola Pl
Honolulu, HI 96813-1040
(808) 398-2949

From: Advocate [advocate@animalactivist.com] on behalf of Lisa Soyejima-Nordstrom
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Sent: Friday, February 19, 2010 8:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Lisa Soyejima-Nordstrom
725 Kapiolani Blvd Apt 819
Honolulu, HI 96813-6001
(808) 286-0676

From: Advocate [advocate@animalactivist.com] on behalf of Joan Ludwig [joanlud@yahoo.com]
Sent: Friday, February 19, 2010 8:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Joan Ludwig
91-543 Farrington Hwy.
Kapolei, HI 96707

From: Advocate [advocate@animalactivist.com] on behalf of David Starsoul
[davidstarsoul@yahoo.com]
Sent: Friday, February 19, 2010 8:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

Dear People;

Only human beings have the free-will choice to be good, or evil. Which one are you?

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,
David Starsoul

Sincerely,

Mr. David Starsoul
1285 Olinda Rd
Makawao, HI 96768-7114

From: Advocate [advocate@animalactivist.com] on behalf of Sommerlyn Leong [sommerlyn@gmail.com]
Sent: Friday, February 19, 2010 8:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Sommerlyn Leong
94-1363 Kulewa Loop # 15-A
Waipahu, HI 96797-4355

From: Advocate [advocate@animalactivist.com] on behalf of Naoko Black
[naokoblack@hotmail.com]
Sent: Friday, February 19, 2010 9:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

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Thank you for your consideration.

Sincerely,

Mrs. Naoko Black
91-1070 Hokuwela St
Kapolei, HI 96707-3013
(808) 772-4685

From: Advocate [advocate@animalactivist.com] on behalf of Danell Avila [avila.danell@gmail.com]
Sent: Friday, February 19, 2010 9:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Danell Avila
94-164 Anania Dr Apt 255
Mililani, HI 96789-2056

From: Advocate [advocate@animalactivist.com] on behalf of KATE SCHROEDER
[kateonmaui@gmail.com]
Sent: Friday, February 19, 2010 9:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you so much for your consideration.

Sincerely,

Mrs. KATE SCHROEDER
45 Hoe St
Paia, HI 96779-8104

From: Advocate [advocate@animalactivist.com] on behalf of cely rohr [cely_rohr@hotmail.com]
Sent: Friday, February 19, 2010 11:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

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Thank you for your consideration.

Sincerely,

Mrs. cely rohr
91-525 Puamaeole St Apt 37A
Ewa Beach, HI 96706-4444

From: Advocate [advocate@animalactivist.com] on behalf of vanessa russo [gattamiao7@yahoo.it]
Sent: Friday, February 19, 2010 11:28 PM
To: JGO Testimony
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Thank you for your consideration.

Sincerely,

Mrs. vanessa russo
Via M.Llo Caviglia 24
Palermo, HI 90143

From: Advocate [advocate@animalactivist.com] on behalf of antonio carlos silva rosa [antosilro@gmail.com]
Sent: Saturday, February 20, 2010 12:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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Thank you for your consideration.

Sincerely,

Mr. antonio carlos silva rosa
2424 maile way
honolulu, HI 96822

From: Advocate [advocate@animalactivist.com] on behalf of Xana Santos [xana_niz@hotmail.com]
Sent: Saturday, February 20, 2010 12:28 AM
To: JGO Testimony
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Feb 20, 2010

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Thank you for your consideration.

Sincerely,

Miss Xana Santos
PÓVOA DE VARZIM
Póvoa de Varzim, HI 4490
91

From: Advocate [advocate@animalactivist.com] on behalf of MARGARETE BIRMINGHAM
[margasilveira@gmail.com]
Sent: Saturday, February 20, 2010 12:28 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

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Thank you for your consideration.

Sincerely,

Dr. MARGARETE BIRMINGHAM
1860 Ala Moana Blvd Apt 1301
Honolulu, HI 96815-1638

Testimony Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m
Izzy Yanay
80 Brooks Road
Ferndale, NY 12734

In 1998 the European Union Committee of Animal Welfare published a report on the welfare aspects of foie gras production (http://ec.europa.eu/food/fs/sc/scah/out17_en.pdf). This study is often cited as condemning foie gras production. Actually, it noted a lack of research and understanding of foie gras farming and made specific recommendation for foie gras farmers.

The specific recommendation and my comments are provided below. In summary, we agree that foie gras should be produced humanely. In the United States, all of these recommendations have been followed.

• 8.3.4 The specific recommendations are:

a. No process should be used that results in an increase in liver size such that its function is significantly modified or that it directly or indirectly causes increased mortality, pain, or distress to the animal.

Our mortality rates are less than commercial chicken farms. New research shows that the animals are not experiencing pain, as evidenced by lack of aversion behavior and lack of chemical indicators of pain response.

b. No feeding procedure should be used that results in substantial discomfort to the animals, shown by aversion to the feeding procedure or any other indicator of poor welfare in the birds. Automatic feeding devices should not be used unless proved to be safe for the birds.

You are welcome to observe our birds during the feeding process, as many have, to see these factors.

c. All persons in charge of birds kept for foie gras production should be properly trained and competent.

We have an employee training program, code of conduct and measures to ensure proper animal care.

d. The use of small individual cages for housing these birds should not be permitted. Birds should be kept in social groups and be provided with adequate water and light sufficient for normal behaviour. Birds should be able to stretch their wings, preen themselves normally, walk and show normal social interactions.

No individual cages are used in the United States. We are certified "cage free" by the USDA.

e. All flocks should be subject to an official monitoring program in which morbidity, mortality and other welfare indicators are recorded. Such programs should include provision for immediate action when problems are detected. Records should be available for external audit.

This is an important part of our farm.

f. Research should be carried out as detailed in Chapter 7.

I will provide a brief discussion of the research carried out since this report following.

The past, present and future of force-feeding and “foie gras” production

D. GUÉMÉNÉ^{1*} and G. GUY²

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Force-feeding is a very old practice, first recorded in ancient Egypt, but until the 1950's foie gras production remained somewhat limited in volume. Foie gras is currently produced in various countries but approximately 80% of world production and consumption takes place in France.

Geese, which were the most common specie been force-fed until recently, now account for less than 10% of the total world foie gras production. Ducks such as the Muscovy duck (*Cairina moschata*) account for less than 5%, and mule ducks for the rest. Thus, over 35 million mule ducks were force-fed in France in 2001, accounting for nearly 95% of the domestic foie gras production. This increase was made possible by technical progress in specific breeding programmes and force-feeding practice. However, the future of this production is uncertain, at least in Europe. Indeed, although a number of experimental approaches have shown that there is no scientific evidence that validates such adverse comment, this procedure is highly criticised in terms of animal welfare. The Council of Europe therefore adopted two specific recommendations in 1999 and although its practice is not banned at present, it is limited to the areas where it is already practised and only under specific rearing conditions. Therefore, the question is: will it be still possible to produce foie gras in France or elsewhere in Europe in the future and, if not, where and how will it be produced?

Keywords: foie gras; waterfowl; geese; ducks; production; rearing conditions; legislation

Introduction

The tradition of force-feeding is very old, probably originating from Egypt; where there is early evidence in paintings. The Greeks and the Romans perpetuated the tradition, later expanded during the Middle Ages by Jewish populations. At present, 80% of the world foie gras production originates from France (CIFOG, 2002), although the genotypes used and the procedure itself have changed. This paper gives a brief historical review of production, describes the present situation and provides a prospective overview.

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Animal welfare

Foie gras production is strongly criticised in Europe as it is considered to be detrimental to animal welfare. However, no scientific data is to date available to prove these allegations. In order to evaluate the impact of such practices for birds, a number of scientific investigations have been set up in the major fields of physiology and endocrinology, behaviour and nociception.

PHYSIOLOGY

One of the first studies conducted in this area concerned the reversibility of steatosis. Several experiments were carried out (Babilé *et al.*, 1996, 1998; Bénard *et al.*, 1996, 1998) and they indicated that steatosis is fully reversible, after a short period both for geese and mule ducks, even after 3 successive force-feeding periods. Moreover, liver function and histological structure are preserved (Babilé *et al.*, 1996, 1998; Bénard *et al.*, 1996, 1998). Different stress indicators such as changes in corticosterone (Faure *et al.*, 1996, Guémené *et al.*, 1996, 1998a, 2001) have been used to investigate acute and chronic stress related to force-feeding and have reinforced our knowledge regarding duck and goose physiology. It has been reported that neither the first episode of force-feeding nor subsequent episodes induce any significant increase in plasma corticosterone levels when ducks are kept in individual cages. On the other hand, significantly higher corticosterone levels were

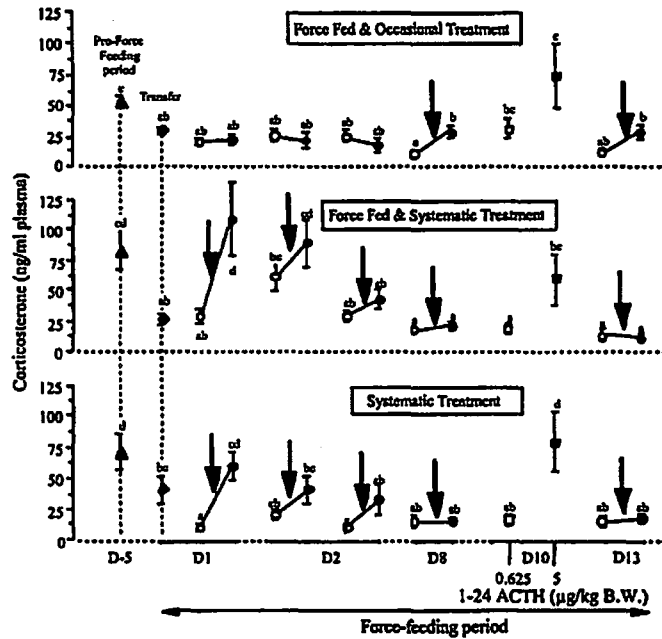


Figure 1 Changes in corticosterone concentrations (ng/ml plasma) in male mule ducks during the rearing period (\blacktriangle , floor pen), at the time of transfer to individual battery cages (\blacklozenge) and during the force-feeding period while being force fed twice daily and/or occasionally (arrows, upper panel) or systematically (2 lowest panels) tightly constrained in a net for 15min [before (\circ) and 15min after constraint (\bullet)], or 15min after injection of ACTH at doses of 0.625 (\square) or 5 μ g/kg B.W. (\blacksquare). (Mean \pm SEM). a, b, c & d: means for a specific group with different letters differ significantly ($P < 0.05$).

Force-feeding and foie gras production: D. Guémené and G. Guy

measured after handling during the rearing period in birds raised in collective pens. Further experiments have shown that the corticotrope axis was fully functional, and that these ducks were able to secrete corticosterone after a physical stress such as restraint in a net for 15min (Guémené *et al.*, 1998b) (Figure 1).

Behaviour

One major criticism based on the excessive amount of food that the birds have to ingest daily during the force-feeding period was counteracted by the observations of geese spontaneously ingesting large amounts of grass or over 3kg of carrots per day. Likewise, spontaneous hyperphagia in ducks has been confirmed in that spontaneous daily intake (up to 750g) has been reported (Guy *et al.*, 1998). The behavioural responses of geese and ducks previously trained to move from their rearing pen to a feeding pen in order to have access to their food have also been studied. After a training period, half of the birds were fed using a force-feeding procedure, the amount of food ingested being adjusted to the amount spontaneously ingested by control birds. Ducks exhibited only partial avoidance of force-feeding and no sign of aversion was observed in geese (Faure *et al.*, 1998, Guémené *et al.*, 1998b). Moreover, it was observed in a subsequent experiment (Faure *et al.*, 2001) that the flight distance of ducks was greater when faced with an unknown person than with the caretaker, *i.e.* the person who performed the force-feeding procedure. Furthermore, there was no development of aversion to the operator throughout the force-feeding period since the flight distance became shorter with time (Faure *et al.*, 1998, 2001). Lastly, behaviour has been observed in ducks force-fed in different housing systems. No significant changes were observed in duck behaviour throughout the procedure, with the exception of panting behaviour, which increased in frequency by the end of the force-feeding period, the increase being greater for ducks housed in individual cages. This could indicate a defect in the thermoregulatory process. On the other hand, individual cages were not associated with the expression of stereotypy, passive behaviour or any indication of frustration (Faure *et al.*, 2000). Ducks housed in these cages were even found to be more active than those raised in collective cages.

Nociception

Animal activists often maintain that this procedure is painful for the birds. Further investigations have been set up to look at potential signs of pain in ducks at different stages of the force-feeding period. These practical situations have been compared to pharmacologically treated ducks in which necrosis of the crop was provoked under anaesthesia by an irritating substance (Servière *et al.*, 2002). Local inflammatory processes resulting in extra-vasation responses, revealed by a specific marker, were very intensive in treated control ducks, but were not observed in force-fed ducks at the beginning or in the middle of the force-feeding period. Nevertheless, slight symptoms were observed in a few ducks by the end of the force-feeding period, probably due to moderate inflammation. In similar experimental conditions, observations of peripheral and central neuronal activation showed indications of pain signalling in the medulla and brains of chemically treated birds, but not in force-fed ducks.

Although there is a need for further investigations in all these areas, the present results do not support criticisms of force-feeding and foie gras production.

Is there any future?

"Grammont's Law", passed in France in 1850 at the instigation of the founders of the French Society for Animal Protection (SPA) was one of the first, if not the first, laws

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to forbid its production everywhere. However, current and proposed regulations only apply to existing EU State members and/or the EC members who have ratified the convention, whereas due to the WTO agreement trade cannot be prohibited. Current regulation of poultry husbandry practices does not apply to other foreign countries. Such countries could then expand poultry production such as foie gras to a considerable degree, so as to meet market demands in Western European countries. Such a situation would result in unfair competition because products would be imported without the sanitary and welfare warranties applicable to present EU members. If such a situation were to occur then welfare and sanitary problems will not disappear but will be swept under the carpet only to occur elsewhere.

Conclusion

Although they are not involved in the production of foie gras, a number of European state members want to ban it in all European state member countries. Practised for thousands of years, foie gras production can be considered as part of French culture and is of great economic significance. Based on the extra physiological use of a natural fattening phenomenon, foie gras has been recognised as a non-pathological and non-harmful product. Many changes have been made in order to improve both working conditions for the producers and animal welfare. It has been shown that physiological indicators of stress, nociceptive signs and behavioural responses were hardly affected by the force-feeding procedure. Other research programmes are still in progress in various fields such as genetic adaptability of birds, environmental preservation and rearing conditions and they should also contribute to improvements in the overall conditions of foie gras production. Such scientific results and the economic background should be taken into account when new laws and recommendations are established rather than anthropomorphic considerations. However, it is at present rather difficult to anticipate what the overall context of this type of production will be in Europe in the future.

Acknowledgements

The authors thank Doreen Raine for greatly improving the quality of the manuscript.

References

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- CIFOG (2002) Rapport économique. AG du 06/09/2002. Anglet France.

From: Advocate [advocate@animalactivist.com] on behalf of Irene Baniaga
[mannagrouphawaii@live.com]
Sent: Saturday, February 20, 2010 12:28 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Irene Baniaga
45-205 Kanai Pl
Kaneohe, HI 96744-2709

From: Advocate [advocate@animalactivist.com] on behalf of Annet van den Heuvel
[annettavandenheuvel@hotmail.com]
Sent: Friday, February 19, 2010 11:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Annet van den Heuvel
roggestraat 8
utrecht, HI 3572vz
(030) 234-1596

From: Advocate [advocate@animalactivist.com] on behalf of Lisa Miyakado [sundayowl@aol.com]
Sent: Friday, February 19, 2010 11:28 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Miss Lisa Miyakado
1051 Mokuhano St
Honolulu, HI 96825-2844

From: Advocate [advocate@animalactivist.com] on behalf of Darryl Nordstrom
[daigoro@hawaii.rr.com]
Sent: Saturday, February 20, 2010 12:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I'm not a vegetarian, but I am human. If you have not seen how foie gras is made, you should. After I saw a report on how foie gras was

produced, I have refused to eat foie gras. Actually I have never eaten it, and never will. I can't believe an animal could be treated so cruelly. I honestly believe if people knew how this animals were tortured to provide a "delicacy", most people would refuse to eat it. Yourselves included.

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

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Thank you for your consideration.

Sincerely,

Dr. Darryl Nordstrom
725 Kapiolani Blvd Apt 819
Honolulu, HI 96813-6001
(808) 593-8218

From: Advocate [advocate@animalactivist.com] on behalf of Sylvie Gros Lambert [lotus66@gmail.com]
Sent: Saturday, February 20, 2010 12:58 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

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Thank you for your consideration.

Sincerely,

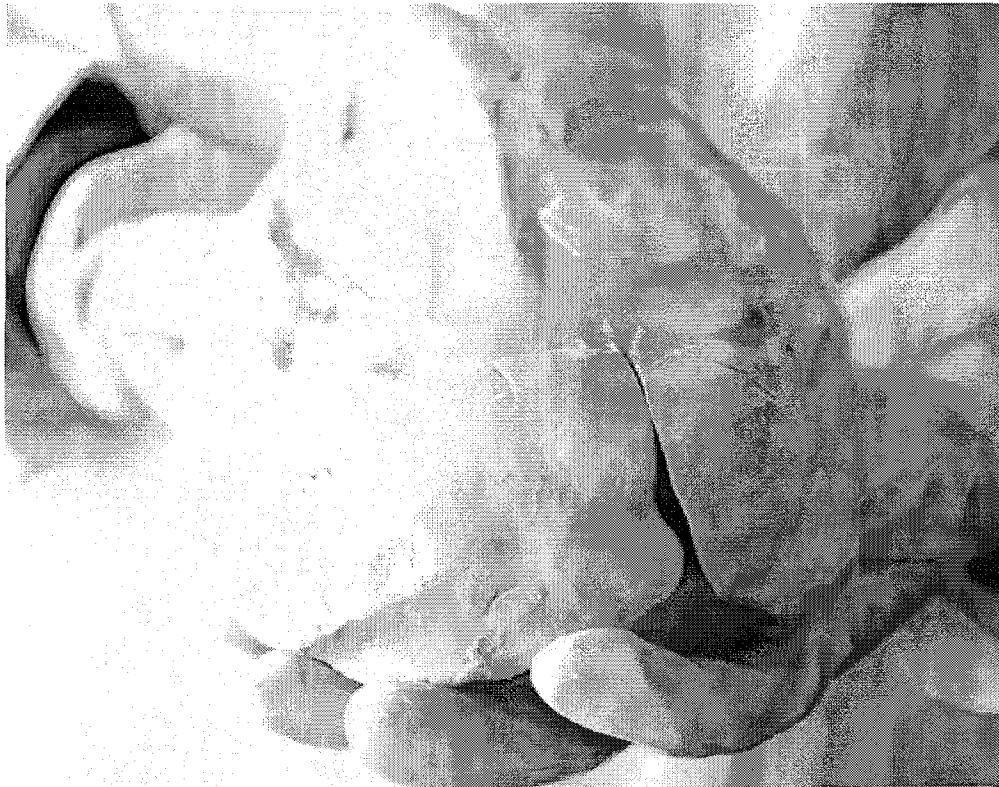
Ms. Sylvie Gros Lambert
rue Bois-Gotha 102
Liege, HI 4000

Testimony for Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m

Sohnnie Best
PO Box 551
Ferndale, NY 12734

Edible Hudson Valley, Winter Edition 2010
<http://www.ediblecommunities.com/hudsonvalley/winter-2010/food-for-thought.htm>

FOOD FOR THOUGHT



taboo & delicacy

The Ethics and Ethos of Foie Gras

by lisa m. dellwo & photography by jennifer may

I love to eat foie gras. So much so that once, at Four Square restaurant in Durham, NC, I went a little crazy and ordered a second round of foie gras instead of dessert.

So when I was asked to write about foie gras for Edible Hudson Valley, I initially demurred. "I like foie gras," I told my editor, knowing that he would want me to explore the animal welfare issues that make the delicacy such a controversial food choice.

When he explained that liking foie gras didn't necessarily disqualify me from writing the piece, I still resisted. Frankly,

I wasn't sure I had the stomach for what I'd find out.

Which made me feel small. Which meant I had to take the assignment.

For the uninitiated, foie gras—literally “fat liver” in French—is produced when ducks or geese are fed through a funnel in a process called gavage, or force-feeding. The process, which dates back to ancient Egypt and which artificially mimics the dietary habits of migratory geese, produces an oversized liver that is less dense and gamy and more buttery and delicate than a typical liver. Foie gras is typically used to make terrines, served cold, or it is sliced, seared over high heat and often served with fruit-based accompaniments that complement the liver's flavor and texture.

It's rich, delicious and expensive—a cholesterol extravaganza that I'd normally limit myself to once or twice a year (the temporary insanity of that dessert episode notwithstanding).

It is also a gastronomic hot potato. Not only animal rights activists but also garden-variety carnivores are repelled by the concept of force-fed ducks. Some cities and states have explored banning the sale or production of foie gras, largely because of the apparent cruelty of the gavage process. So before I even began researching this article, I became familiar with “the look”—the one friends would give me when I told them about the assignment. “The look” was usually accompanied by “You're going to be against it, right?”

That's exactly what I needed to find out. I had a pile of research to read, but I also had the advantage of proximity: one of the nation's four foie gras producers is a mere two hours' drive away from me. I e-mailed Hudson Valley Foie Gras, knowing from my reading that the company allowed media to tour the facility, but expecting to be put off for days. Instead, less than 48 hours after my initial contact, operations manager Marcus Henley greeted me as I pulled into the 160-acre farm in Sullivan County.

Henley is a longtime poultry farmer whose soft Arkansas accent has survived years of working in the Northeast. He has the wary look and guarded speech of someone who has verbally fenced with opponents. I'd given him little reason to surmise whether I was pro, con or neutral. And yet, he was willing to show me every stage of production, including gavage and slaughter. “We have an open farm,” he maintained.

We had timed my visit to coincide with the afternoon feeding of the ducks but—at my choice—not the morning slaughter. As Henley told me later, “Force feeding is the point of coming here.”

It was definitely the point, but we wouldn't go there right away. First, he walked me into a meager office suite adjoining the slaughter facility, which was being sanitized after the morning's activities. The wood-paneled hallway was covered with framed menus from top restaurants, many of them signed by the chefs. Presumably they all featured foie gras.

There, in a cardboard box, were some duckling youngsters: 50 newborn Moulard ducks, yellow, fluffy and adorable, who had been hatched at a neighboring farm owned by the company. They are “sexed” (separated by gender) soon after hatching, and the females, who apparently do not produce wonderful foie gras, are sent to farmers in Trinidad, where the strong flavor of the Moulard hybrid is appreciated. (Some foie gras farms euthanize the female ducks soon after birth—this one does not.)

The youngest ducks are housed together in massive barns with large windows to let in the sunlight. When Henley arrived at the farm in 2001, they were kept outside in paddocks. He tried them in open fields so that they would be true free-range birds, but he found it difficult to control predation and sanitary conditions. So the ducks are in facilities that can be thoroughly sanitized between production cycles, and the loss to predators like hawks and weasels is minimized.

In one barn housing older birds that were still eating a normal diet, Henley demonstrated by walking among them that the ducks develop an aversion to humans. It was clear from the way they massed away from him that this was true. It was also pretty clear that he was carefully preparing me for what I might see later.

Finally, we reached the force-feeding barn, to which the birds are transferred at about 12 weeks old. After adjusting my eyes to the dim light in this chilly barn, I saw rows of knee-high enclosures, each about the size of a restaurant booth, and each with about 10 mature ducks within. Like all of the other barns, it smelled funky—about like any other

barnyard I'd visited, but not nauseating or ammoniac, which would have meant sanitary conditions weren't up to par.

Throughout the tour, Henley had peppered the conversation with bits of duck lore and anatomical explanations. For instance, ducks in the wild need to find and consume food quickly and then get back under cover, away from predators. So they have a crop at the base of their necks, a pouch that can hold up to a liter of food to be digested later. For instance, the esophagus lining of a duck is more hardened than that of a human, so that it can withstand the swallowing of a whole fish. For instance, the entrance to a duck's trachea is not shared with the esophagus, so the funnel is not cutting off the duck's airway.

The message was clear: ducks are different physiologically from humans, and I shouldn't anthropomorphize when I see the gavage: I shouldn't imagine that they can't breathe, that their throats are being torn up and that they're being fed more than they can handle. Those are all concerns that are expressed by almost anyone with an imagination who has heard about gavage.

I was ready. Apprehensive, but ready.

We walked about halfway up an aisle to a pen where a young woman was perched on a low stool. She nodded a greeting and then firmly scooped up one duck and planted it between her knees. With one hand, she positioned a funnel into the duck's long throat; with the other, she felt the crop at the base of the neck. If it was full, it meant the duck hadn't digested its previous meal and would not be fed this time. Then she took a measure of dry grain from a bucket and dropped it into the funnel, where it entered the duck's crop with an assist from a small electric-powered auger that keeps the funnel from clogging. She pulled the funnel out, released the duck to the other side of the pen, and reached for the next duck.

"Is that it?" I thought. It was pretty anticlimactic. We watched a few more ducks being fed, and here's what I noticed: The ducks were handled firmly and matter-of-factly. It wasn't the kind of gentleness with which you'd treat a pet, but it wasn't overtly rough or violent. Force wasn't involved, in either the capture or the feeding. Some of the ducks flapped around and squawked a bit before or after being fed, for a few seconds. None of them vomited. Nor did any of them go running up to the feeder asking for seconds.

We went further down the aisle, where Henley said we'd see ducks who were at the end of the process. Typically at Hudson Valley Foie Gras, that point arrives at 21 days. It used to be 28 days, but the cycle was reduced at the advice of an animal welfare specialist concerned about the impact of the longer period on the duck's mobility and foot health. Stopping at another feeding station, Henley pointed out that these ducks were significantly bigger.

"Veinte días?" he asked the feeder.

"Veinte," she responded.

These ducks had been force-fed for 20 days. At that stage, it is critically important for the worker to feel the duck's crop; any who have stopped digesting food are taken for slaughter, even if they haven't spent the full 21 days in gavage. The 20-day ducks were bigger and somewhat grimmer—they are washed several times during the process but not during the last 10 days. Their reaction to the gavage was about the same as that of the younger ducks—they didn't come running to be fed, but they didn't appear to fear it either.

The last thing I saw was birds on their first day of gavage. This is what Henley had been preparing me for when he talked of the aversion adult ducks develop to humans. He warned me that it is on the first day that the ducks experience the most stress, because they have not been handled by humans.

We watched. These ducks may have seemed a bit more flustered, but not much.

I drove away from the farm feeling pretty comfortable with what I'd seen. These were farm animals, no doubt—not someone's pets or hobby ducks. But I'm not an animal welfare specialist. So I called one. Dr. Temple Grandin, the noted author of *Animals Make Us Human*, and whose work in this field has made her the go-to person for people with questions like mine.

Grandin was surprisingly accessible, and listened patiently while I described what I'd seen a few days earlier. "It

wasn't upsetting," I told her. "But I'm not an expert."

That was all right, she told me. "How the public would react is part of the equation," she said. It's the wedding guest philosophy, or the airplane approach, she explained: If you took 10 people out of a wedding reception or off an airplane at La Guardia—in other words, a randomly selected population—and showed them a farming operation, it's a good test of whether it's cruel. She takes regular people to cattle slaughter operations for the purpose of seeing their reaction. "If it makes them puke," then you have a problem, she said.

Moreover, it was acceptable to her that I'd been given the tour in a relatively calculated fashion, with a series of benign visits leading up to the gavage. She does the same with her cattle slaughter tours, preparing people for what they're going to see.

At that point, I was feeling pretty comfortable with foie gras.

But not so fast.

Grandin told me that she will not eat foie gras, even though she is a meat eater. She has sufficient reservations about the process, and whether the 21-day gavage "pushes the biology" of the duck—that is, whether it is inducing a metabolic disorder and whether there is a large die-off of ducks toward the end of their lives.

According to Henley, the death rate of ducks at the farm is about five percent, about the same as you'd find in a commercial chicken operation, although the chickens are slaughtered at just seven weeks.

The question of whether the foie gras liver is diseased is one of the tenets upon which the animal welfare groups pin their objections to the product. A news article in the Journal of the American Veterinary Medical Association described a site visit by several veterinarians to Hudson Valley Foie Gras. As a result of the site visit, the association declined to pass two pending resolutions opposing foie gras productions. (The AVMA is one of a long list of organizations and government bodies who declined to enact foie gras bans after sending representatives to visit Hudson Valley Foie Gras.) However, one of the visiting veterinarians, although he thought the birds were well cared for, said that the process induced liver disease.

Ugh. Liver disease. But like every issue surrounding foie gras, it's not that simple. For every doctor who says the foie gras is essentially a diseased liver, you can probably find two others who say it is not. Henley showed me a letter from Stephen H. Caldwell, MD, a liver specialist at the University of Virginia who had examined fatty duck liver at 18 days and wrote, "There is no disease." Storing fat in the liver and thereby enlarging it, he pointed out, is an adaptive mechanism of birds preparing for long migrations.

That mechanism, in fact, is the basis for a fascinating new development in the world of foie gras. In Spain, a farmer named Eduardo Sousa has come up with what the BBC called "the holy grail of foie gras"—fatty liver produced without force feeding. His approach is to take advantage of the natural habit of wild geese (he uses geese, not ducks) to stuff themselves in advance of migration, storing lipids in ever-growing livers much as the force-fed ducks do. His product has produced a certain level of controversy—winning an award for excellent foie gras from a French culinary organization while being termed not foie gras by some gastronomes. But it is generating excitement from chefs and others who want to enjoy gavage-free foie gras. Perhaps one day in the Hudson Valley, we will have that opportunity. As Time magazine reported this summer, chef Dan Barber of Westchester's Blue Hill at Stone Barns has asked the resident farmers at Stone Barns to experiment with Sousa's techniques. The much anticipated results of this experiment are still in the waiting.

The title of the Time article was "Can Ethical Foie Gras Happen in America?" (August 12, 2009), which implies that it isn't happening in this country at all. I don't think that's true. I watched ducks being treated with care throughout my visit to Hudson Valley Foie

Gras. They are force-feeding 12,000 ducks at a time (a number that astounded me—a lot of people are eating foie gras and the other products like duck leg confit produced at the farm), and I met a lot of those ducks. If what I saw was an elaborate front for a crueler shadow operation, they were spending an absurd amount of time and money on putting on a show.

In addition to talking to Temple Grandin, I had a conversation with Erika Voogd, an animal welfare specialist who has consulted with Hudson Valley Foie Gras over the past several years. It was on her recommendation that the force-feeding was reduced from 28 to 21 days. She also made recommendations regarding “humane harvest”—her term for slaughter—that she says the farm has implemented. During each of her visits, including an unannounced one last summer, she was convinced that an operation that appeared in general to be humane was becoming more and more so. “If you’re going to do this,” she said, “They’ve tried hard to put in place a system that’s as noninvasive as possible.”

If you’re going to do this. It comes down to that. In one of my many recent conversations with friends about whether foie gras production was cruel, one of them finally said, “But foie gras is unnecessary.” Of course it is. It’s unnecessary in the way that fine Bordeaux is, or even bacon and eggs for breakfast. We don’t need it to survive. But if you believe that we join together at the table for pleasure as well as sustenance, then who defines what is unnecessary? It’s truly an individual choice.

Just before I sat down to write this article, I watched a video on YouTube that has been used by animal welfare groups who oppose foie gras. It was a sort of snuff film that I’d read about in Mark Caro’s sensible book *The Foie Gras Wars* (which I recommend if you want to read more deeply into this subject). It had been shot, presumably with a hidden camera, by a worker at a Canadian foie gras facility. The mistreatment of ducks as shown on that video was repugnant, and I can understand why someone watching it would oppose foie gras.

But what was on that video bore no resemblance to what I saw at Hudson Valley Foie Gras. Obviously, you could argue that my four-hour visit wasn’t long enough to uncover abuse. But the company has made a point of opening its doors to visitors—from the media, from activist groups, from restaurant kitchens, from veterinary associations, from the public. As chef John Novi of Depuy Canal House told me, if the operations at Hudson Valley Foie Gras were inhumane, “They would have been exposed after all these years.”

About halfway through the reporting for this article, I told my editor that the ethical issue was a non-story as far as I was concerned. I wanted to write about the food. I visited the Culinary Institute of America, where an international competition of young chefs featured foie gras from the Hudson Valley. I talked about different preparations with a couple of chefs—including Novi from Depuy Canal House, who hasn’t eaten foie gras in years for health reasons but who always has it on his menu, and Shane Ingram, from the restaurant in Durham where I ate foie gras for dessert. He’d visited Sonoma County Foie Gras years ago and felt comfortable with what he saw. That operation will be effectively out of business in a few years when California’s 2012 ban on foie gras production takes place.

Moving through the evolution of this story, I became convinced that the ethical issue was, after all, the story. If you don’t eat meat, fine. If you don’t want to eat liver (Dad!), fine. If you object to foie gras on humanitarian grounds, you should know that the sensationalist charges by activists do not always play out in reality. Educate yourself about the process. (Once again, I recommend Caro’s *The Foie Gras Wars*). You may still find that you’re uncomfortable with the product.

If you do like foie gras and want to continue eating it, you have a responsibility to know exactly how it comes to your table, and you should know that some farms outside of the country are not nearly as attentive to the animals’ well-being as the farm I observed. (Temple Grandin told me that if foie gras production were to be banned here or in the European Union, it would probably move to Eastern Europe, where “I can assure you [conditions] will be horrible.”)

It comes back to eating locally, knowing your farmer and demanding transparency about sourcing from restaurateurs. I can’t report to you about conditions at other farms, but my own observations and my conversations with animal welfare specialists leave me satisfied that the ducks at Hudson Valley Foie Gras are treated as ethically as possible, given their fate.

From: Advocate [advocate@animalactivist.com] on behalf of Alexander Lau [anderlau@gmail.com]
Sent: Saturday, February 20, 2010 3:59 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. Alexander Lau
2527 Tantalus Dr
Honolulu, HI 96813-1206

From: Advocate [advocate@animalactivist.com] on behalf of Topper Smith [bill_s_@hotmail.com]
Sent: Saturday, February 20, 2010 4:59 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

It's time to STOP these BARBARIC practices and become a CIVILIZED society!!!

Thank you for your consideration.

Sincerely,

Mr. Topper Smith
PO Box 2303
Kailua Kona, HI 96745-2303
(808) 640-4460

From: Advocate [advocate@animalactivist.com] on behalf of Nick Carter [earthhuman2@aol.com]
Sent: Saturday, February 20, 2010 5:29 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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Thank you for your consideration.

Sincerely,

Mr. Nick Carter
RR 2 Box 4792
Pahoa, HI 96778-9779
(303) 726-6904

From: Advocate [advocate@animalactivist.com] on behalf of DIANE HANZEL
[kinelife@hawaii.rr.com]
Sent: Saturday, February 20, 2010 6:59 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

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Thank you for your consideration.

Sincerely,

Miss DIANE HANZEL
62-620 Kamehameha Hwy Ste B
Haleiwa, HI 96712-1478

From: Advocate [advocate@animalactivist.com] on behalf of Christopher Harrison [wow91263@hotmail.com]
Sent: Saturday, February 20, 2010 7:59 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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Thank you for your consideration.

Sincerely,

Ms. Christopher Harrison
PO Box 385015
Waikoloa, HI 96738-5015
(808) 989-7814

From: Advocate [advocate@animalactivist.com] on behalf of Tabetha Watts
[tabethaanne@hotmail.com]
Sent: Saturday, February 20, 2010 9:29 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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Thank you for your consideration.

Sincerely,

Mrs. Tabetha Watts
94-1002 Kaele St
Waipahu, HI 96797-4833
(409) 599-6184

From: Advocate [advocate@animalactivist.com] on behalf of Barbara K. Ige [bkige@ix.netcom.com]
Sent: Saturday, February 20, 2010 8:59 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Dr. Barbara K. Ige
2717 Arizona Ave Apt 9
Santa Monica, CA 90404-1518

From: Advocate [advocate@animalactivist.com] on behalf of Kaitlyn McKee
[silversurferkauai@hotmail.com]
Sent: Saturday, February 20, 2010 9:29 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Kaitlyn McKee
94-1221 Ka Uka Blvd Unit 108-202
Unit 108-202
Waipahu, HI 96797-6202
(828) 357-4060

From: Advocate [advocate@animalactivist.com] on behalf of Shari Grounds [shari5@aol.com]
Sent: Saturday, February 20, 2010 9:59 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Shari Grounds
1439 Auwaiku St
Kailua, HI 96734-3702
(808) 262-2064

From: Advocate [advocate@animalactivist.com] on behalf of Felipe Menossi [felipemenossi_6@hotmail.com]
Sent: Saturday, February 20, 2010 10:29 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. Felipe Menossi
r Jose Salomoni 325
Franca, None 14401 298
91937487

From: Advocate [advocate@animalactivist.com] on behalf of Janis Garcia [janism@hawaii.edu]
Sent: Saturday, February 20, 2010 10:29 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Janis Garcia
94-786 Kaaholo St
Waipahu, HI 96797-1282

From: Advocate [advocate@animalactivist.com] on behalf of Darrell Hayashi [witchblade36@juno.com]
Sent: Saturday, February 20, 2010 10:59 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. Darrell Hayashi
PO Box 1647
Kaneohe, HI 96744-1647

From: Advocate [advocate@animalactivist.com] on behalf of brai mars [braimars@rocketmail.com]
Sent: Saturday, February 20, 2010 11:29 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. brai mars
PO Box 26027
Honolulu, HI 96825-6027
(808) 542-6961

From: Advocate [advocate@animalactivist.com] on behalf of Donna Beasley
[bloodhoundgal@aol.com]
Sent: Saturday, February 20, 2010 12:30 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 20, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Donna Beasley
PO Box 852
Rising Sun, MD 21911-0852
(717) 786-3158

Testimony for Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m

Geoff Cabrera
117 Rocky Hill Road
Grahamsville, NY 12740

Activists claim foie gras is "diseased" because of the enlargement. On the contrary, liver enlargement is normal for ducks and geese when food is abundant prior to migration. Through selective breeding, today's foie gras farmers have a better yield than in nature, as is the case in all of agriculture.

I am providing the introduction and conclusion of an extensive scientific study that concludes the liver enlargement is not pathological. Also attached is the opinion of an internationally known liver researcher who has examined foie gras livers and again concludes this is a normal, no pathological process.

Geoff Cabrera

Contribution to the Study of the Physiology of Ducks during Force-feeding: Study of Hepatic Steatosis
Bull. Acad. Vet. France-2006 Tome 159-No. 1.

By Genevieve BENARD⁽¹⁾, Toussaint BENGONE⁽¹⁾, Dieter PREHN⁽¹⁾,
Suzanne DURAND⁽²⁾, Charles LABIE⁽¹⁾, Patrick BENARD⁽²⁾,
(Report presented on November 24, 2005)

SUMMARY :

The objective of this project was to study the morphological and functional changes in force-fed ducks. (*Cairina Moschata x Anas platyrhynchos*), subjected to three cycles of two weeks of force-feeding followed by four weeks of alimentary rest.

It is proven that following a period of force-feeding, the hepatomegaly obtained is expressed by a decrease in the clearance capacity. If these animals have free access to food, the entire morphological, chemical and biochemical parameters, as well as the BSP test parameters, are in the same order of size as those measurements of the control animals.

The animals tolerate three consecutive cycles of force-feeding/rest well, since they do not present any signs of pathological manifestation and since the entirety of the parameters measured or calculated are not statistically different from those observed or measured from the control animals of the same age. Also, when the force-feeding is conducted following professional standards, under a artisan's working conditions, the steatosis induced is reversible; therefore it is possible, on the clinical scale, to have acceptable defining criteria for the conditions of welfare of the animals being bred.

Keywords: duck, force-feeding, foie gras, hepatic function, bromosulphonethalein (BSP), welfare

• Introduction

A very ancient practice, the main goal of the force-feeding of birds was obtaining animals whose flesh was infiltrated with fat; it had evolved toward the middle of the 19th century toward the production of foie gras whose gastronomic merits were praised by the Romans and to which references have been found starting from the 15th century.

The evolution of society's awareness, particularly on the subject of animal welfare and protection, has led to the establishment of rules in the form of a European directive which, in its main lines, bans the force-feeding of animals. The section entitled "animal welfare" of the Committee of Veterinary Science has performed a review of the scientific data available, in relation to the force-feeding of web-footed creatures and their welfare (X, 1996). Based on this review, the permanent committee of the European convention for the protection of animals on ranches has sent out a plan of recommendations concerning the Barbary ducks and the hybrids of Barbary ducks and the domestic ducks (PERMANENT COMMITTEE, 1999). The text adopted by the permanent committee on June 22, 1999 has provided a supplementary plan, article 24, which stipulates that "the countries authorizing the production of foie gras must encourage studies bearing on the aspects of welfare and research of alternative methods not involving forced feeding. Until new scientific results are obtained on alternative methods and their welfare aspects, the production of foie gras must only be practiced where it already exists, and this only following the standards provided by the national legislation" (X, 1998).

In this context, we have taken the initiative of an experimental program aimed at stating, on the biological plane, the characteristics of hepatocytes at the time of force-feeding, in view of obtaining foie gras.

- **CONCLUSION**

The act of subjecting the ducks to three cycles of 2 weeks of force-feeding, then 4 weeks of return to free feeding, has allowed us to show that under these conditions, the animals do not die and do not show any clinical signs of pathological problems. The hepatic steatosis through force-feeding, reversible is similar to the physiological steatosis observed with birds at the time of adaptation to certain stages of life, such as the start of egg-laying and migrations (PILO and GEORGE, 1983). Also, one can conclude that force-feeding, when it is conducted following the professional artisan standardized criteria, it does not cause any suffering; consequently, such conditions allow us to ensure acceptable conditions of welfare of waterfowl.

The DIGESTIVE HEALTH CENTER of EXCELLENCE
DIVISION of GASTROENTEROLOGY and HEPATOLOGY

January 26, 2008

Marcus Henley
HVFG, LLC
Attn: Marcus
80 Brooks Road,
Ferndale, NY 12734

Carl Berg, M.D.
Interim Chief

Steven Cohn, M.D., Ph.D.
Interim Director, Digestive
Health Center of Excellence

re: Fatty Liver

Dear Mr. Henley

Abdullah Al-Osaimi, M.D.
Curt K. Argo, M.D.
Brian W. Behm, M.D.
Stephen J. Bickston, M.D.
Stephen H. Caldwell, M.D.
Fabio Cominelli, M.D., Ph.D.
Sheila E. Crowe, M.D.
Peter B. Ernst, D.V.M., Ph.D.
Meredith Gross, M.S.
Michel Kahaleh, M.D.
Diklar Makola, M.D., Ph.D.
Patrick G. Nonhup, M.D.
David A. Peura, M.D.
Theresa T. Pizarro, Ph.D.
Steven M. Powell, M.D.
Brian K. Reuter, Ph.D.
James K. Roche, M.D.
William G. Ross, M.A.
Vanessa M. Shami, M.D.
Alda Vidrich, Ph.D.
Paul Yeaton, M.D.
Andrew Wang, M.D.

I am writing in response to your inquiry regarding the nature of fatty liver in palmipedes such as geese and ducks. I have been actively researching fatty liver in humans and in animals for the past 15-20 years, and I am an internationally known expert on the subject. I have published many of my studies in highly ranked and peer-reviewed journals, and I have been invited to speak on this topic at conferences worldwide. Although my work centers on humans, I have personally studied fatty liver in palmipedes and am very qualified to address your inquiry. I have attached my CV for your review.

First, it should be noted that cyclical fatty liver is commonly observed in nature. Thus, it can hardly be called a disease state in and of itself. It is a normal ability although it serves a purpose and it is not evenly distributed among species. It has been observed in rutting deer and certain non-hibernating cold weather mammals. The ability to store fat in the liver can be considered as an adaptive mechanism to feast and famine conditions. In palmipedes, it appears to be a natural pre-migration process similar to concepts inherent to the thrifty genome hypothesis of energy management. In other words, prior to long migrations, the animal turns on certain pathways which facilitate storage of fat for energy needs – the liver is a crucial depot for this process. We have hypothesized that the ethnic variation noted in human fatty liver results from similar eons old adaptive processes.

The ancient practice (millennia old – see below) of foie gras farming takes advantage of this natural cycle by feeding excessive carbohydrates to the geese or ducks. Thus certain geese have this ability and certain others with presumably less migratory patterns do not.

I have personally examined the histology of fatty duck liver at 12 days and 18 days of carbohydrate loading by both standard light microscopy and electron microscopy. There is no 'disease'. The liver in this situation contains abundant triglyceride stores but the histology is consistent with simple steatosis (fatty liver) indicating long term stability, reversibility and an absence of NASH or non-alcoholic steatohepatitis (evidence of cell injury). The latter condition, NASH or nonalcoholic steatohepatitis, is in humans associated with a risk for cirrhosis and shortened lifespan. However, the former, simple steatosis, as seen in the palmipedes, is not. This course has been recently confirmed in human natural

history studies showing that simple steatosis (or steatosis without fibrosis or cellular ballooning, precursors to cirrhosis) is associated with longevity (*Ekstedt et al Hepatology 2006;44:865*). This severe pattern is not seen in the palmipedes. Thus simple steatosis in palmipedes is more characteristic of normal longevity.

Is fatty liver in and of itself a disease state? As noted above, human data indicates that simple steatosis is stable, associated with normal longevity and not associated with progression to cirrhosis. Since the word 'disease' implies some sort of apparent shortening of life or obvious dysfunction, I would have to answer 'no' – it is not a disease state. Is there impairment? I have seen the carbohydrate loaded ducks at 12 and 18 days and I can say from personal observation that no impairment was evident to me. I am not a veterinarian but I am a very experienced physician and I can say with confidence that I could not detect any impairment. Aside from twice per day tube feeding which lasted all of 1 minute each, the animals were running around in an open pen.

Energy management involves the triad of metabolic cross talk between the liver, skeletal muscle and adipose tissue. These three key organs are integrated through the activity of pro- and anti-glycemic hormones. It should be noted that prized beef such as Kobi and Angus is 'marbleized' meat indicating an increased fat level that results from changes in their dietary intake and regulatory hormones aimed at increasing their muscle fat. These common sources of beef are obviously not considered diseased. I have attached references and an abstract (see below) regarding the effects of diet on these common sources of beef and the effects of diet on muscle fat and mitochondria.

The idea that fatty liver in the palmipede constitutes a diseased state strikes me as a quasi-religious belief rather than a scientific fact. One might also ban marbleized meats such as Kobi or Angus beef, bacon and even cod liver oil which also derives from the liver's well known ability to store fat. The health effects of consuming this traditional and ancient type of food is no better or worse than that associated with eating any sort of fatty meat.

I hope these comments are helpful. I will be glad to speak to anyone who would like to present a contrasting opinion. Please see also the comment below.

Best regards,

Stephen Caldwell, MD
Director of Hepatology
University of Virginia
Charlottesville, VA

PS: As you know, perhaps better than I, foie gras farming is thousands of years old, dating back to ancient Egypt. It is of interest that the actual word for 'liver' in Latin-based languages (*fegato*, *figado*, *higado*) and ancient Greek (*sykoti*) derive from the Roman and Greek terms for fattened liver which results from feeding animals an over abundance of figs (carbohydrate). Below, I have attached an excerpt from a recent essay:

Belying the long history of foie gras in human culture, both the Latin term for liver '*ficatum*' and the lay Greek term '*sykoti*' are derived from the name for fattened animal livers, *iecur ficatum* in Latin and *hepar*

sykoton in Greek. Both phrases describe animal liver fattened with figs ('*fico*' in Latin and '*syko*' in Greek) which imparted an especially popular flavor to the liver. The dish was so popular that the adjective or actually the past participle (*ficatum* or *sykoton*) eventually evolved into a noun – the Greek adjective becoming a common term for 'liver' – *sykoti* in Greek- and the Latin term which became the root for 'fegato' in Italian, 'figado' in Portuguese and 'higado' in Spanish.

References:

1. please see **Ekstedt et al *Hepatology* 2006;44:865** and my attached CV for my publications
2. **Juria C et al Adipocyte fatty acid-binding protein and mitochondrial enzyme activities in muscles as relevant indicators of marbling in cattle. *J Anim Sci* 2007 Oct;85(10):2660-9.**

Marbling is an important criterion for beef quality grading in many countries. The purpose of the current study was to utilize the natural genetic variation to identify major metabolic indicators of marbling in cattle differing in genotypes. Rectus abdominis (RA, oxidative), semitendinosus (glycolytic), and longissimus thoracis (LT, oxido-glycolytic) muscles were taken from steers of different genotypes that expressed high [Angus, n = 16; and crossbred (Angus x Japanese Black), n = 10] or low (Limousin, n = 12) levels of marbling in their meat. Muscles from Angus and crossbred steers were characterized, as expected, by a greater triacylglycerol (TAG) content (P < 0.001) and also by greater protein contents of fatty acid-binding protein specific for heart and muscles (H-FABP; P < 0.001 for RA and P < 0.05 for LT muscle) or for adipocytes (A-FABP; P < 0.001 for RA and LT muscles). Moreover, oxidative enzyme activities (beta-hydroxyacyl-CoA dehydrogenase, citrate synthase, isocitrate dehydrogenase, cytochrome-c oxidase) were greater (P < 0.01 to 0.001) in the 3 muscles studied, whereas glycolytic enzyme activities (phosphofructokinase and lactate dehydrogenase) were lower (P < 0.001) in RA muscle in Angus and crossbred steers compared with Limousin steers. Significant correlations were observed between TAG content and H- and A-FABP protein contents, and oxidative (r > or = +0.55, P < 0.001) or glycolytic enzyme activities (r > or = -0.47, P < 0.001), when the 3 genotypes and muscles studied were considered as a whole. In addition, A-FABP protein content and some oxidative enzyme activities were significantly correlated with TAG content independently of the genotype and muscle effects. In conclusion, A-FABP protein content, as well as oxidative enzyme activities, may be used as indicators of the ability of steers from extreme genotypes to deposit intramuscular fat.

3. **Gill RK et al. Impact of beef cattle diets containing corn or sorghum distillers grains on beef color, fatty acid profiles, and sensory attributes. *J Anim Sci* 2008 Jan 11**
4. **Nelson ML et al. Effects of supplemental fat on growth performance and quality of beef from steers fed corn finishing diets. *J Anim Sci* 2008 Jan 11**

From: Robert Young [rskyoung1@gmail.com]
Sent: Sunday, February 21, 2010 3:22 PM
To: JGO Testimony
Cc: 'Robert Young'
Subject: Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m.

In the 4000 years that farmers starting with the Egyptians have force fed birds, there has been no evidence that the practice is detrimental to the health, comfort or well being of the birds. The bill should be defeated.

If you want something to be concerned about, please examine the practice of giving antibiotics to food animals and the consequences for humans including those who do not eat the animals.

Respectfully submitted and Mahalo,

Robert Young

From: Advocate [advocate@animalactivist.com] on behalf of becky robison [beckyr12p@gmail.com]
Sent: Friday, February 19, 2010 4:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. becky robison
3214 Mokihana St
Honolulu, HI 96816-1293

From: Advocate [advocate@animalactivist.com] on behalf of Shannon Nesbitt [mauinezy@aol.com]
Sent: Friday, February 19, 2010 4:58 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 19, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Shannon Nesbitt
6431 Puupilo Rd
Kapaa, HI 96746-9464

February 20, 2010

Heading: Judiciary and Government Operations Committee
SB2170 relating to force feeding

Hearing date, 2/23/10, 10:00a.m.

Dear Sir or Madame:

I am Dr. Susan C. Trock and I am writing in opposition to SB2170. I am a veterinarian. I graduated from The Ohio State University in 1984 with my DVM. I have an MPH and am board certified by the American College of Veterinary Preventive Medicine and in the specialty of Epidemiology. During my years in private and public practice I have had the good fortune to work with many dedicated professionals in production agriculture who strive to improve the products that make it possible for a relatively few individuals to feed the people of this country and the world. In my experience, no well-run production agriculture establishment will tolerate animal abuse or neglect if only because such activities negatively impact the bottom line. The feeding of ducks to produce foie gras is acceptable animal agriculture.

Speaking as one who has actually visited a foie gras operation on several occasions, I have concluded that the way the New York operation conducts its production practices, from hatching ducklings through the feeding of ducks, is not harmful or particularly stressful to the duck. The process of hand-feeding a duck is a close approximation of the feeding a mother bird provides to her young. The esophagus of the bird is well adapted to having the bill of the mother bird or the hand feeding funnel inserted in order to fill the crop.

I have observed the feeding process and found that it takes 10 – 12 seconds to deliver the feed to the duck. The person feeding the ducks is seated and settles the duck under his or her legs. None of the ducks that I observed struggled to escape the process. Considering the size and strength of these large ducks, if they wanted to get away from the situation, they certainly could. The duck is able to move about freely immediately after the feeding has taken place.

When I walked up to the corrals where the fed ducks are housed, there was no mass movement or panic to get away as you would expect if the ducks had come to associate people with unpleasant, cruel or inhumane treatment. The ducks are curious of new visitors but there is no panic or fear evident in their behavior. On the contrary, the workers handling the ducks treated them with the utmost care and respect. The ultimate proof of careful handling is evident in the product yield which would not be as high from stressed or mishandled ducks.

A recent paper in *World Poultry Science Journal* (Guémené, D.; Vol. 60, March 2004) attempts to address the concern that this procedure is painful for the birds. The author compares ducks having been experimentally treated in an attempt to mimic the local inflammatory response postulated to occur during forced feeding to the response in actual force-fed ducks. The author concluded that, although further investigations may be indicated, '...the present results do not support criticisms of force-feeding and foie gras production' as being painful to the birds.

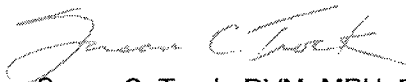
I am a 26-year member of the American Veterinary Medical Association. The AVMA represents more than 80,000 veterinarians. The AVMA acts a collective voice for its membership and the profession. It is one of the largest and oldest not-for profit veterinary medical associations in the world. It is the accrediting body of the 28 veterinary medical schools in the United States. The AVMA has several committees, including the Animal Welfare Committee. This Committee is guided by the AVMA Animal Welfare Principles (attached). In past years various interest groups have introduced proposals seeking to have the AVMA condemn foie gras production.

Hudson Valley Foie Gras invited the members of the AVMA Animal Welfare Committee to visit the production facility to evaluate the care provided to the ducks and production practices. Several members of this Committee have visited. In previous years (2005 and 2007) the AVMA has rejected proposals to condemn the practice of feeding ducks for foie gras production. The AVMA and its members recognizing the value of science, good animal husbandry combined with objective observations and assessment of farm practices.

The New York producer, Hudson Valley Foie Gras, has routinely invited those who have questions pertaining to foie gras production to visit the facility before passing judgment on this agricultural practice. I urge the Judiciary and Government Operations Committee to carefully weigh the actual practice and scientifically supporting information applicable to the practice of foie gras production to reach the only objective conclusion possible – to not condemn or ban this practice. A decision that is supported by the AVMA and is in line with accepted practices of animal welfare and agricultural practices.

Thank you for your consideration.

Respectfully,



Susan C. Trock, DVM, MPH, Dipl: ACVPM (Epi)
824 Lisha Kill Road
Niskayuna, NY 12309

The American Veterinary Medical Association has defined its commitment to animal welfare through the adoption of the following Animal Welfare Principles that serves as guidance when the Association develops policies and takes action to ensure the welfare of animals:

AVMA Animal Welfare Principles

The AVMA, as a medical authority for the health and welfare of animals, offers the following eight integrated principles for developing and evaluating animal welfare policies, resolutions, and actions.

- The responsible use of animals for human purposes, such as companionship, food, fiber, recreation, work, education, exhibition, and research conducted for the benefit of both humans and animals, is consistent with the Veterinarian's Oath.
- Decisions regarding animal care, use, and welfare shall be made by balancing scientific knowledge and professional judgment with consideration of ethical and societal values.
- Animals must be provided water, food, proper handling, health care, and an environment appropriate to their care and use, with thoughtful consideration for their species-typical biology and behavior.
- Animals should be cared for in ways that minimize fear, pain, stress, and suffering.
- Procedures related to animal housing, management, care, and use should be continuously evaluated, and when indicated, refined or replaced.
- Conservation and management of animal populations should be humane, socially responsible, and scientifically prudent.
- Animals shall be treated with respect and dignity throughout their lives and, when necessary, provided a humane death.
- The veterinary profession shall continually strive to improve animal health and welfare through scientific research, education, collaboration, advocacy, and the development of legislation and regulations.

Testimony for Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m
Dotty Moylan
80 Brooks Road
Ferndale, NY 12734

The following article is a comprehensive discussion of both sides of the issue and a report of a visit to a foie gras farm.

Dotty Moylan

The Village Voice, 2/18/2009
<http://www.villagevoice.com/2009-02-18/restaurants/is-foie-gras-torture>

Restaurants

Is Foie Gras Torture?

Comments (118) By Sarah DiGregorio *Wednesday, Feb 18 2009*

It's very hard to watch the video about foie gras from the People for the Ethical Treatment of Animals and not conclude that you should lay off fatty liver.

You're shown a disheveled duck squeezed into a cage so small that the bird can't open its wings. Disturbingly, it rocks back and forth. You then see an enormous barn full of birds, all of them immobilized in tiny cages. There are graphic shots of birds' festering open sores with rats nibbling at them, some that are dying slowly, and some with holes punched through their necks. We learn that foie gras production has been banned in the United Kingdom, Israel, and Switzerland.

The Humane Society and the ASPCA have also joined PETA to oppose foie gras. They object to the force-feeding process, called "gavage," which entails putting a metal tube down a duck's throat to deliver a large amount of corn-based food that causes the liver to enlarge. The process, animal rights groups say, causes trauma to the duck's esophagus and beak. Also, they say, the enlargement of the liver—from six to 10 times the normal size—causes the ducks to become deathly ill, struggle to walk and breathe, and vomit up undigested food. At the website of the humane group Farm Sanctuary, a photograph of a healthy, fluffy white duck rescued from a foie gras farm is contrasted with a shot of two ducks in tiny cages, both covered with their own yellow vomit.

"I am disturbed by the rough handling that creates myriad lesions—fractured limbs and infections of their feet," says Dr. Holly Cheever, vice president of the New York Humane Society, a veterinarian, and an occasional consultant to PETA. "Pneumonia and esophageal scarring, fungal and bacterial infections, and, in rare cases, the rupture of the liver from excess pressure on a badly swollen organ—not to mention the semi-comatose and seizing states I have seen in the end stages as the liver fails and the brain can no longer function . . . yet, the feeder will grab a seizing or semi-comatose bird and force the tube down to continue the process of liver engorgement. Surely you do not need a veterinary affidavit to label this as cruel?" Cheever says that the esophagi are often "blown open" and that the fattened liver becomes profoundly diseased, which causes the birds to die a slow death, beset with seizures and unable to walk.

Groups that oppose the production of foie gras have pushed for city and state bans on the product, sometimes with success, as in California, and sometimes with temporary success, as in Chicago. Meanwhile, various groups continue to hold demonstrations outside restaurants that serve the product, and the Humane Society has brought lawsuits against a local farm.

After watching the gruesome images, it's not hard to understand the legislative concern. No one wants tortured ducks on their watch. After all, we adore ducks—Daffy, Donald, even the Aflac duck—because we find them funny and appealing, much more so than chickens or turkeys.

However, in some cases, legislators have reversed course. In 2007, New York State Assemblyman Michael Benjamin withdrew his name from a proposed bill banning foie gras production in the state after he visited the biggest foie gras farm in the country, Hudson Valley Foie Gras.

What did he see there? Fortunately, Hudson Valley is only about two hours from the city. I figured the only way to know for sure whether foie gras equals torture was to go see it produced for myself. I called a contact at the gourmet food company D'Artagnan, which works closely with Hudson Valley, and asked if I could look around. I'd want to see the force-feeding. And the slaughter. And bring a photographer.

"No problem," came the reply.

In the United States, foie gras production is tiny compared to other animal husbandry. There are four American foie gras farms, and all raise ducks rather than geese, selling not only livers but also breast and leg meat, sausages made with scraps, and down from the feathers. Hudson Valley offers duck testicles and duck tongues, too.

And although Hudson Valley is the biggest foie gras producer in the country, processing 4,000 to 6,000 ducks a week, it raises birds by the traditional model, instead of the industrial one. That means that everything&-;from the egg hatching to the 21-day force-feeding period and the slaughter-happens on the same farm, tended to by the same workers. So I'd be able to see it all.

When I told Cheever that I was visiting Hudson Valley, she said that I'd be witnessing an elaborate cover-up. "With 150 people living on-site, they can cherry-pick out the disastrously sick ducks," she said. She also didn't believe that the farm force-feeds for only 21 days before slaughtering the ducks. "By the end of the third to fourth weeks, their breathing is strained and their limbs may be lame from infection and injury or fractures, but YOU will not see those birds," she wrote to me in an e-mail.

Hudson Valley Foie Gras is not actually in the Hudson Valley, but in a sparsely populated, rather desolate town called Ferndale in the Catskills region. First stop was the home of Marcus Henley, the farm manager at Hudson Valley, who lives with his wife, Sohnnie (pronounced "Shaun-ie"), on 12 acres, with a black cat, a canary, and some koi. Both are from Arkansas. Henley studied science in college, served in the Army, and then started managing poultry farms in 1983. He came to Hudson Valley in 2001.

On their kitchen table, they'd laid out a spread of products from the farm. There was duck confit, smoked duck breast, deviled duck eggs, duck prosciutto, torchon of foie gras, and foie gras butter-a heart-stopping concoction of rendered foie gras fat and black truffles. The Henleys are 95 percent vegetarian, for health reasons, so this meal was unusual for them.

Henley shrugged when I asked him about the first time he had tried the product. "A boy from Arkansas doesn't get a lot of chance to eat foie gras," he said. I told him that I'd spoken with Cheever, and that she insisted I would not be allowed to see the ducks in the later stages of force-feeding and that the sick ducks would have been removed so I couldn't see them. He laughed. "It's not necessary to do that," he said. "Anyone can come anytime, unannounced. But she says we lie, that we're hiding a horror chamber. We have national-level vets come visit-we have journalists and chefs. How am I going to trick these people?"

Henley assured me that the next morning, when I visited the farm, I'd be able to see what was behind every door. "And there is every possibility that, at some point, we will see a dead duck," he cautioned. The farm has a mortality rate of about 5 percent (from when they're hatched to when they reach 15 weeks, which is when they're slaughtered), so some animals do die along the way-as they do at every farm.

I'm no bird expert, so that night at the hotel, I made a list of the criteria that Dr. Temple Grandin had given me in a phone interview. Grandin is a universally respected animal-welfare expert whose opinions are esteemed by groups as radically far apart as McDonald's and PETA. Grandin cautioned that she hadn't been to a foie gras farm herself, but she *would* say that "ducks and geese will do a certain amount of gorging-that's natural." She explained that the birds prepare for migration by storing fat in their livers and beneath their skin. "An enlarged liver is not necessarily sick, but it's a matter of how far you push it. Are you overloading the birds' biology to the point where it falls apart? Is the duck so big and distorted that it can hardly walk?" She mentioned that birds do not have a gag reflex as humans do, but that the handlers must be careful not to hurt the birds' esophagi with the feeding tube.

Check for bright eyes, clean feathers, foot conditions, and the level of the smell of ammonia in the barn, she said. The birds won't be hungry, so they wouldn't flock to the feeders, but I should watch to see if they tolerate the feeding or try to get away. And if they do show aversion, I should try to figure out if it's because they don't want to be handled or don't want to be fed.

Both Grandin and Cheever agreed that it was important that I see the ducks in the later stages of force-feeding-if any ducks were sick, it would be these. But Cheever was convinced that the farm wouldn't show me those birds.

The next morning, I drove down the narrow road surrounded on either side with fields blanketed in snow and lit by a yellow moon about to set. The farm was at the end of the road, made up of long, low buildings constructed of lumber and corrugated steel. The structures looked out of date, having been built in the 1950s, but Izzy Yanay, the Israeli-born owner of the farm, said he's unable to put money into improvements until he's free from legal bills, the result of ongoing lawsuits from the Humane Society.

We met up with Henley and started to look around. The first thing I noticed was the lack of tiny cages. Hudson Valley raises its ducks in free-feeding barns until they're 12 weeks old. After that, the birds are moved to the force-feeding barns, but

instead of being put into individual cages, they're housed in relatively spacious, open-topped group pens about the size of an office cubicle. In fact, none of the four foie gras farms in the United States currently uses the individual cages that have shown up in industrial farms in Canada and France. Hudson Valley's products are certified "cage-free."

Henley then took me to watch the oldest ducks get loaded into a rolling cart bound for the slaughter room. They waddled to the front of their pens and regarded us curiously. The birds that finished their feeding regime yesterday were the ones being loaded up for the big goodbye, while the others, who were on day 21 that day, were being fed.

The room is lined with four rows of pens that run lengthwise down the barn. There were 11 ducks in each four-by-six-foot pen, which are raised about a foot off the ground; wire mesh forms the floors of the pens, so that duck waste can fall through it into the channel beneath. The place smelled funky, and faintly of ammonia, but not overwhelmingly so. So far, the sights could not have been more different from the horrifying images I'd seen on the Internet.

Henley said that he'd been making some changes on the farm with the help of animal-welfare consultants, including Dr. Ericka Voogd (a colleague of Grandin's) and Dr. Tirath Sandhu, an avian scientist who is retired from the Cornell Veterinary School. One of the alterations could be found in the nurseries, our next stop.

This nursery held four-day-old chicks and smelled woody from the fluffy sawdust bedding covering the floor. The flock of yellow babies cheeped and toddled around the warm room. Until recently, the chicks lived on just one level of sawdust, but moisture from their drinking water would drip down into the bedding. At the prompting of the welfare consultants, the farm installed a wire-mesh ramp on one side of the room, leading up to a level wire-mesh floor, where the water nipples are now located. Moisture drips down through the mesh, and the bedding stays dry. Plus, said Henley, "it adds a level of complexity to their environment."

Henley then took us through a door into a similar room, which held nine-week-olds that looked nearly full-grown. The mass of feathers moved as one, scampering away from us as we entered the room. "You have to move slowly, or they'll stampede," Henley told us. We walked slowly out into the center of the room, and it was like parting the sea-but a sea of ducks.

Once the birds hit 12 weeks, they're moved from the growing areas where they waddle around freely and have windows for natural light to the group pens, where the 21-day force-feeding begins and the room is lit artificially. (It does seem like a step down in living arrangements.)

We headed back to the buildings where the feeding was taking place. A worker climbed into the pen with a stool and a wooden divider. (Each worker has a group of 320 to 350 ducks that he or she feeds every day during the 21-day regimen; workers whose ducks have low mortality rates and high-quality livers get bonuses.) A tube with a funnel at the top was strung from a wire above, and the worker slid it along into the pen she was about to work in. The birds clustered on one side of the pen, but didn't show nearly as much aversion to humans as the nine-week-olds we had just seen did-the older ducks seemed less alarmed by humans, which is hard to reconcile with if they were being tortured.

The woman sat on the stool, put the wooden divider in the middle of the pen, and reached for the first bird. She positioned the bird's body under her leg, eased the tube down the bird's throat, and poured a cupful of feed into the funnel above. A rotating auger spins in the funnel to make sure all of it goes down the pipe, but the food is delivered by gravity. The birds did not relish being grabbed, but the actual process with the tube didn't seem to bother them much. They sat with the tube down their throat for a very short period of time-about 10 to 15 seconds-without struggling or showing sign of distress. The whole process-pick up, position, feed, and release-took about 30 seconds. I watched the birds closely as they walked away from the feeding. Each waddled calmly away, looking unfazed: no breathing problems, no vomiting, and no trouble walking. Their feathers were fairly clean, and I didn't see any lesions on their feet or bodies.

But these ducks were only on their 12th day of force-feeding, so I asked to see the ducks on their 21st day again-this time, to pay more attention to the details of the feeding. We went back up to the area where we had started from. Some of the cages that were full when we saw them earlier were now half-empty, because some ducks actually go to slaughter earlier than the 22nd day. The feeder feels the base of each duck's esophagus (sometimes called a "pseudo-crop"), where feed is held that has yet to be digested. Birds that haven't digested the last feeding are marked with blue chalk and not fed. If they still haven't digested by the next feeding, they're not fed yet again and are marked with pink chalk and taken with the next batch to be slaughtered.

The birds on their 21st day of feeding appeared very much like the ones at 12 days, but were fatter and had dirtier feathers. The birds are bathed on the second and 10th days of feeding, but Henley said the farm was working with its animal-welfare consultants to find a way to keep the birds' feathers cleaner and thus prevent sores. These birds' reactions to the force-feeding were indistinguishable from those of the 12th-day birds. I looked for the signs that I'd been told would show me that the birds were desperately ill, but these birds, on their 21st day, were not having trouble walking or breathing, they weren't having seizures, and they weren't comatose.

I was at the farm for five hours, all told. I saw thousands of ducks, but not a drop of duck vomit. I didn't see an animal that was having a hard time breathing or walking, or a duck with a bloodied beak or blown-open esophagus. I did see one dead duck. And now I was going to see many more, as I went to the area where they are slaughtered.

Just before they are killed, the birds are hung upside-down (the most common poultry-slaughtering method) and hitched to a moving belt. A breast rub-installed at the suggestion of the animal-welfare consultants-stabilizes the upside-down birds and keeps them calm. Then they're knocked unconscious by a dip in electrified water, and, finally, a man in a yellow rubber suit uses a three-inch knife to make a deep cut in their necks. It all happens very quickly. A stainless-steel tub collects the crimson blood. It's not pleasant, but not as difficult to watch as you might think. And if I can't deal with it, I shouldn't be eating meat.

Soon afterward, I remembered to ask to see the esophagi removed from the slaughtered birds so I could check if they'd been damaged. I was taken past the workers slicing off the garnet breasts and legs and weighing cream-colored livers, and back into the slaughtering room. One worker was slicing off the feet, heads, and necks of the just-plucked ducks and placing those bits into a large garbage bin.

Rick Bishop, Hudson Valley's marketing director, plunged his bare hand into the bin and brought up a floppy, yellowish tube. It was stretchy, smooth, glossy, and thick. He turned part of it inside out, and I looked for abrasions, punctures, and bruises-anything that a layperson could identify as a sign that this esophagus had lived a tortured life. Nothing. I looked at several more esophagi plucked randomly from the bin, and all of them were pale pinkish-yellow and intact-no wounds, no blood, and no bruises or scrapes.

After the inspection, I sat down with Yanay, the owner, in his office. It didn't take much to set him off-animal activists are driving him nuts.

"You say I'm torturing ducks? Well, let's go and see. I invite the whole world to come and see," he said, sounding upset.

So where are the terrible images coming from? Some are from industrial farms in France, where individual cages are common. But Yanay blames bad farm management, not foie gras production itself. "Rats eating ducks?" he said. "You have a rat problem!"

One form of good management, Yanay added, is having each worker responsible for a particular group of ducks. They can track mortality and injuries for each worker-and workers who don't measure up are fired.

Yanay said that his farm is under a microscope, and his legal costs this month were \$50,000. The Humane Society has hit the farm with several unsuccessful lawsuits. The latest one-which the New York Supreme Court dismissed, but is now in appeal-accuses the farm (and the New York State Department of Agriculture) of selling an adulterated food product, because, the plaintiffs say, the livers of force-fed ducks are diseased.

The notion that foie gras is diseased liver is often cited by opponents of the food. Cheever's e-mail to me described how, in the later stages of force-feeding, "air sac and lung volumes are compromised, and they begin to show metabolic illness from liver function impairment."

But Dr. Jaime Ruiz, director of Cornell's duck-research laboratory (and who was at pains to note that he did not support or oppose foie gras production) told me, "The farmers that I know here in New York and France handle the birds carefully, not feeding them above the physiological limits of the birds." He also said that he did not think that force-feeding, done correctly, would cause pain and that he does not consider an enlarged liver to be diseased.

I also called Dr. Sandhu, the retired avian scientist who consults with Hudson Valley Foie Gras on animal welfare. "I have been working with ducks all my life, for 30 years," he said. "[Foie gras] is not a disease. It has been shown by experiments that in birds with fatty livers, if you stop force-feeding, the liver comes back to a normal status." I asked him if the liver in foie gras birds was able to function. "Yes," he said. "It still functions normally and removes toxins. The bird is still standing; it is not sitting down. The weight of the liver is not causing the birds to collapse-they are walking and interacting with other birds."

Animal rights' groups often cite a 1998 report on foie gras from the European Commission's Scientific Committee on Animal Health and Animal Welfare. The 93-page report, though eventually concluding that "force-feeding, as currently practiced, is detrimental to the welfare of birds," is not exactly the slam dunk for animal rights' groups that I had been led to believe.

The report does not propose ending foie gras production, but instead puts forth recommendations for improving the way it's done. In fact, a part of the last section reads, "Since foie gras needs to be produced in order to satisfy the consumers' demand, it is important to produce it in conditions that are acceptable from the welfare viewpoint." The committee's

suggestions include making sure that the liver size isn't causing distress to the animal, properly training all persons in charge of the birds, and banning the use of small, individual cages.

Meanwhile, the debate is not a theoretical problem for Knife + Fork, a small restaurant on the Lower East Side. Chef and owner Damien Brassel serves foie gras from the Hudson Valley farm, and he's convinced that the product is humane. "They go out of their way to show everyone exactly how it's done," he says, and suggests that the protesters go see it for themselves. Instead, the protesters have been outside his restaurant on the weekends, chanting things like, "Damien Brassel: How many geese have you tortured today?" The other night, Brassel went out to offer them some foie gras, which did not amuse them. "I take it personally," he says. "They're standing out there in leather jackets and Ugg boots." But the protesters' efforts are actually causing Brassel to sell more foie gras—customers have been requesting it, and he's added it to his tasting menu.

For now, protesters haven't been showing up outside Brassel's apartment or threatening his customers. But, as Mark Caro recounts in his book *The Foie Gras Wars*, due out in March, these tactics have recently been used by activists in Philadelphia. In one case, the general manager of a restaurant recalled that a protester screamed at a customer, "You should die of cancer!" and another restaurateur recounted that protesters would yell, "We know where you live, and we're gonna get you!" Sometimes, the protesters would actually show up in the neighborhood, or a child would come home saying that someone told her that her father murders ducks.

Why are activists so devoted to this issue? Most of the organizations against foie gras also advocate vegetarianism or veganism. If you generally oppose the manipulation of animals for food, you're going to oppose foie gras all the more, because the production does manipulate the animal more than usual. Manipulation does not necessarily equal abuse, though. But it's manipulation of a different sort that is at work in the videos I watched before my Hudson Valley visit. Those images are not representative of the reality at the nation's largest foie gras farm.

The fact that foie gras is delicious is nice, but it is also besides the point. If hanging puppies by their ears and cutting off their paws produced the most fantastic meat imaginable, I wouldn't eat it and neither would you. Just because we eat animals doesn't mean that we don't draw lines about the welfare of the animals we're going to eat. I support humanely raised (not penned) veal, and I buy cage-free eggs. I don't think it's OK to cut the fin off a shark and throw it back into the water. Personally, I would avoid foie gras from the producers in France and Canada that use individual cages. The fact that some industrial farms elsewhere are making foie gras in inhumane ways doesn't mean that all foie gras production is inhumane. You can buy humanely raised chicken, or you can buy chicken that's had a nasty, brutal life. The same goes for foie gras.

If I had seen with my own eyes that Hudson Valley produced foie gras by abusing ducks, this article would have turned out very differently. But that just wasn't the case.

Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m.

I am Dr. Kay W. Wheeler, DVM and I am writing in opposition to SB2170.

I took my Doctorate in Veterinary Medicine from Kansas State University in 1977. For 26 years I was a Veterinary Medical Officer with the Animal and Plant Health Inspection Service, one of the units of the United States Department of Agriculture. I was the Area Veterinarian in Charge (AVIC) of the State of New York for nine years and also served as AVIC in West Virginia, Pennsylvania and New Jersey for shorter periods.

A number of years of my career in the Federal Government were spent doing animal welfare inspections in research laboratories, zoos, and animal suppliers. In the course of my professional life, I have had occasion to observe and work to correct the abuse and maltreatment of animals. I have also had the good fortune to work with many dedicated professionals in production agriculture who strive to improve the products that make it possible for a relatively few individuals to feed the people of this country and the world.

In my experience in production agriculture, no well run operation is going to tolerate the abuse or neglect of their animals.

Since my retirement from Federal Service in 2004, I have been consulting in the field of biological security. For the past several years I have been consulting with Hudson Valley Foie Gras (HVFG) to monitor and improve their biological security practices. During this time I have seen the animal husbandry practices and the feeding practices at HVFG and I can report to you that the ducks are not being mistreated and that the degree of stress is truly minimal.

The people handling the ducks are sensitive, caring people who seem to have real concern for the health and well being of their charges. In the hands of a well-trained feeder, the act of inserting a tube and feeding the duck is benign, causes no damage and is not particularly stressful to the duck. The practice of feeding ducks and geese for the production of foie gras is an old and well respected agriculture practice and should not be legislated out of existence.

Respectfully yours,

Kay W. Wheeler, DVM

Veterinary Consultant

From: Aaron Rosenthal [chef885@gmail.com]
Sent: Sunday, February 21, 2010 11:30 PM
To: JGO Testimony
Subject: Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, Hearing date, 2/23/10, 10:00am

Dear Senators,

I am opposed to SB2170, regarding banning Foie Gras produced by force-feeding.

I first want to say that I appreciate you taking the time to read this letter. Thank You.

I am a student at the Culinary Institute of America, the worlds premier culinary school. I am proud to be part of a very knowledgeable, interested community in which all of us are working to create the best Culinary and Baking professionals of the next generation. As a student I not only spent a large amount of time studying for class, but I also take the time to research extra curricular topics in order to further my education. One of these topics is Foie Gras.

I have been able to attend multiple demos and discussions, read articles and books regarding the wonderful, luxurious, and prestigious product that is Foie Gras. What really allowed me to understand the process was the one on one tour I was able to take at Hudson Valley Foie Gras. Here I was able to put everything together. I was able to see that this product, which can have a taboo behind its product and practices, can actually be a truly humane, and thoughtful process.

From my research I have discovered that the method of gavage is not a new concept. It has been around for hundreds of years. The only thing that has changed is that we have become smarter and understood how to create the best product possible, and give the ducks the best environment possible.

I was able to see the full facilities at this farm. I was able to see the product from duckling, to growth, to gavage, and to slaughter. All in all, the step that Foie Gras production has taken in order to be humane and care for their animals is tremendous. First off, there is no euthanizing. In order to produce proper, highest quality Foie Gras the ducks are bred and the males are used for Foie Gras. In factories the females would be undesirable and would be sent off to be killed before they were able to live their life. Here they are utilized with the same care to produce duck products of the same quality. Secondly, the ducks are not forced to eat more than they can. The gavage, or feeding process, is a natural migratory measure in order to accept stores to allow the duck to travel during the winter months. It is not diseased. At the farm, the ducks are fed a quality feed and are fed by people who care about their ducks and know their ducks. If a duck cannot accept more food in the gavage process, then the feeders will not force them to eat more. Nor are these animals thrown away, they are processed to make sure that their life was equally as important as the ducks which were able to be bred to the full, beautiful Foie Gras.

The feeding process does NOT choke these animals; their air pipe is placed under their tongue, which allows these animals to naturally fish under water. The animal blocks off the possibility of being choked when fed. Also the liner of the ducks esophagus is much stronger than ours, and is made to swallow certain animals whole, and raw. It has the ability to handle the tube that is being used for feeding, and is not in the duck for more than 15 seconds.

The ducks are cage free: they are able to spread their wings, walk around, as they will. They are not stuck in a cage and used as a production line. The ducks were never afraid of the workers or us. All of the staff was under very strict sanitary rules, they all devoted to

their job and the final product. There is care in the process, thought. It is not a mindless skill, which is taken over by robots, or a couple engineers.

I have been working in the industry for around 6 years now, and I am just beginning; however, I can tell you that Foie Gras is something that is, and will always be regarded as a very important, extraordinary and can even be memorable. It is a key product in the finest of restaurants that I have worked in. The only way people can even comment about Foie Gras is by going themselves and seeing the facility. A lot of the complaints are false. The facility was wide open to us, and we were not suppressed in any way in our questions, or curiosity and our stand in order to make sure that we serve the best product available cared for by people who agree that they can produce the best product available.

Please do not ban Foie Gras produced by force-feeding in the state of Hawaii.

Thank you for your time,

Aaron

From: Advocate [advocate@animalactivist.com] on behalf of Catherine Gregoire
[cattastrophe@hotmail.com]
Sent: Sunday, February 21, 2010 10:02 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 22, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mrs. Catherine Gregoire
949 Kokomo Rd
Haiku, HI 96708-5014

From: Advocate [advocate@animalactivist.com] on behalf of Marilyn Seligman [mskauai52@yahoo.com]
Sent: Sunday, February 21, 2010 10:02 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 22, 2010

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Marilyn Seligman
PO Box 463
Lawai, HI 96765-0463

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 21, 2010 9:01 PM
To: JGO Testimony
Cc: thaiqn@yahoo.com
Subject: Testimony for SB2170 on 2/23/2010 10:00:00 AM

Testimony for JGO 2/23/2010 10:00:00 AM SB2170

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Thai Nguyen
Organization: Individual
Address: 1118 Pua Ln Apt 116 Honolulu, HI
Phone: 916-996-8684
E-mail: thaiqn@yahoo.com
Submitted on: 2/21/2010

Comments:

Foie gras is made by force feeding ducks to enlarge their livers to 12 times their normal size. This practice is inhumane and should be stopped for the sake of the animal's well being. Hawaii's state biologist and bird expert Fern Duvall agrees with every animal protection organization that force feeding is inhumane. Animals like these ducks should not have to suffer like this. Please help stop foie gras from being sold in Hawaii and any where else. Thank you for your love and understanding.

From: Advocate [advocate@animalactivist.com] on behalf of Claire Nakasue
[clairemyn@hotmail.com]
Sent: Sunday, February 21, 2010 8:02 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Claire Nakasue
1487 Hiikala Pl Apt 8
Honolulu, HI 96816-5633

From: Advocate [advocate@animalactivist.com] on behalf of Gail Ogata [go2511@aol.com]
Sent: Sunday, February 21, 2010 7:32 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 21, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Gail Ogata
2511 Waiomao Rd Apt G
Honolulu, HI 96816-3450

From: Bryan Pease [bryanpease@gmail.com]
Sent: Sunday, February 21, 2010 6:10 PM
To: JGO Testimony
Subject: SUPPORT: SB2170 banning cruel foie gras
Attachments: cheeversd.pdf; Ward_stone.pdf; drstone.pdf

Committee: JGO
Room: 016
Hearing Date: 2/23/2010 10:00:00 AM

Dear Senators:

I am an attorney in California who worked on the legislation here to ban the sale of livers from cruelly force fed ducks, which SB2170 currently before your committee is based on. I am writing to thank Sen. Taniguchi for docketing this item, and I hope that the full committee will vote in favor.

The whole point of foie gras production is to enlarge the bird's liver to up to 12 times its normal size, and livers do not get that painfully large without force feeding, so a ban would be straightforward to enforce. By not allowing such a cruel product to be sold in Hawaii, you will be helping to protect the state's reputation as not being involved with animal cruelty.

In California, five city councils have so far passed resolutions supporting the statewide ban that is to take effect in 2012: San Diego, San Francisco, West Hollywood, Berkeley and Solana Beach. Influential chefs such as Wolfgang Puck and Charlie Trotter have also sworn off foie gras.

I am attaching a letter from Dr. Holly Cheever, a veterinarian who has toured U.S. foie gras farms, as well as reports from Dr. Ward Stone, the head wildlife pathologist for the NY State Dept. of Environmental Conservation. Dr. Stone has examined ducks from foie gras farms and finds that having a liver that large is a severe pathological state that is very painful for the birds.

Please do not hesitate to contact me with any questions. Thank you for your attention to this matter.

Regards,

--
Bryan W. Pease
Attorney at Law (lic.: CA & NY)
302 Washington St. #404
San Diego, CA 92103
(mailing address only)
p (619) 723-0369
f (619) 923-1001
www.bryanpease.com

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**Holly Cheever, D.V.M.
665 Clipp Rd.
Voorheesville, NY 12186
(518)-765-4213**

December 5, 2006

To the members of the San Diego City Council,

Re: Legislation to Ban the Sale of Foie Gras

I am writing you to ask you to please vote in favor of the proposed ordinance to prohibit the sale of foie gras (a "gourmet" item made from the diseased livers of force-fed ducks and geese) in the City of San Diego. Although it is considered to be a delicacy, the production of this prized item is accomplished by a process which is extremely cruel to the birds and because of the abuse involved, has been outlawed in several countries including Israel, Denmark, Poland, Norway, and Germany. In 2004, Governor Schwarzenegger signed a California bill into law which prohibits the production and sale of foie gras in California after a 7-year phase-out period. Additionally, in April 2006, the Chicago City Council voted overwhelmingly for an ordinance banning this cruel product within city limits. This ordinance went into effect in August 2006.

To introduce myself, I am a practicing veterinarian in upstate New York whose area of expertise is the investigation and prosecution of animal abuse cases. My animal hospital cares for many avian species, including domestic and wild waterfowl, since we are recognized by the state's Department of Environmental Conservation as licensed wildlife rehabilitators. My education includes a degree from Harvard University (A.B. '71, *summa cum laude*) and from the College of Veterinary Medicine at Cornell University (D.V.M. '80), from which I graduated with a class rank of #1. I have received many awards and citations for my anti-cruelty work from the New York State Troopers, The American Society for the Prevention of Cruelty to Animals, the Humane Society of the United States, and from many local animal protection organizations. I also lecture to law officers three times annually on how to implement the state's anti-cruelty laws.

I have first-hand experience with the production of foie gras since I have inspected the primary New York State producer, located in Ferndale, NY, on 3 occasions. The first inspection was part of an undercover investigation in 1991 when the operation was under the management of Commonwealth Enterprises. I enclose the photos from this distressing investigation. The second was part of an invited inspection with representatives from Whole Foods, Inc. in 1997, in which the owners of Hudson Valley Foie Gras hoped to convince this distributor to carry their product nationwide, claiming that it was made by a humane process. The representatives were horrified by what they saw and declared they would never do business with the parent company because of the distressingly brutal treatment of the ducks that they witnessed. I enclose a copy of their letter eschewing this product and expressing their displeasure at the inaccuracy of D'Artagnan's portrayal of their production methods.

My third inspection was in November 2005, in which I accompanied members of a New York State veterinary group by invitation from the Hudson Valley Foie Gras plant. Based upon my previous observations, it was clear to me that the operations at this facility had been altered and choreographed so as to display a more humane system and to eliminate the more cruel aspects of the production method. The producers have clearly found a way, after the spectacular failure of their Whole Foods, Inc. effort, to display their system to the dozens of visitors whom they have invited to their farms since 2004 in an effort to stave off the outlawing of their production system, as has happened in California. Instead of showing visitors the true production line, in which fifteen to twenty workers move rapidly through their 350 birds each, fed three times daily, to produce the 6,000 birds they market weekly, invited guests are now shown a very staged feeding session in which two workers move slowly through pens of birds who are all in the early stages of their 4 week feeding process, and therefore do not exhibit the pathetic ill-health (respiratory distress, epileptic seizures, inability to walk) of the birds in their final 10-14 days. If the true force feeding process were like their staged displays, Hudson Valley Foie Gras would be producing approximately 300 birds per week, not 6,000.

To create 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 pours a fatty, 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 from reveal ruptured esophagi, ruptured livers, grossly swollen and discolored livers, and a host of internal and external infections. Their feathers are tattered; their legs are lame and covered with abscesses and injuries. The force feeding process lasts for four weeks at the Hudson Valley Foie Gras plant, and these birds suffer progressively to a horrific degree before being slaughtered.

Since there are only three producers in the country (one in California and two in upstate New York), and since this is such a specialty item, a boycott of the product will not cause a failure of American agribusiness, nor will it result in depriving the public of an essential nutrient. If those who purchase and eat this product could only see the diseased organ inside the body of a filth-encrusted duck, the last place they would put this "delicacy" is in their mouths. **Please vote in favor of the proposed ordinance**, thereby insuring that the product of this brutal agricultural practice is disallowed in your city and assisting the efforts of animal protection groups nationwide who aspire to eliminate this cruel practice.

Thank you for your attention in this matter.

Sincerely,

Holly Cheever, DVM

To Whom It May Concern:

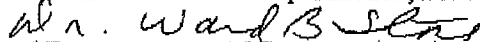
I was born and educated in New York State and hold undergraduate and graduate degrees in zoology with a graduate specialty in animal pathology and parasitology from Syracuse University. I also was awarded a Doctor of Science (Hon.) from the State University of New York in Animal Pathology and Toxicology. I am a U.S. Navy veteran and graduated from a 14 month course in Clinical Pathology from the National Naval Medical School at Bethesda Maryland.

For more than 36 years I have been the Wildlife Pathologist for the New York State Department of Environmental Conservation. This is a competitive civil service position and my entire career with the state has been as head of the Wildlife Pathology Unit in Delmar, New York. I have been an author on more than 200 scientific and popular papers.

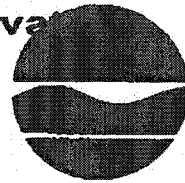
In my position as state wildlife pathologist I have examined and carried out thousands of necropsies on waterfowl, and have published a number of papers related to duck pathology. I have on several occasions performed post-mortems on ducks that died while being grown for duck liver pate production. The ducks were mulards; a Muscovy duck and domestic duck cross. Some of the birds died from massive hemorrhage into the body cavity when the liver tissue was torn, resulting in heavy bleeding. With the forced overfeeding that such ducks receive the liver and its hepatocytes are overloaded with lipids, and the greatly enlarged liver places stress on the capsule on the livers surface. Even minor trauma can cause the capsule to tear with damage to the liver proper, resulting in fatal hemorrhage. The overloading of the liver with lipid (lipidosis) is a pathological process and I have never seen extensive lipidosis in waterfowl except for the cases involving overfeeding for liver pate.

In addition to the liver pathology I have seen cases where the esophagus was torn or lacerated. In waterfowl the esophagus is lined with a slippery mucosa that aids in the movement of food toward the thickly muscled cornified cellular lined ventriculus (gizzard). The esophagi of ducks are capable of considerable distention and they can be stretched in natural feeding until they are so thin that they appear to be almost transparent. In the insertion of heavy feeding tubes followed by the rapid release of a blast of food I have seen esophagi lacerated, resulting in death of the ducks.

I eat meat including ducks on occasion. However, the short tortured lives of ducks raised for Foie Gras is well outside the norm of farm practice. Having seen the pathology that occurs from Foie Gras production, I strongly recommend that this practice be outlawed.


Ward B. Stone, B.A., M.S., Sc. D. (Hon.)
Wildlife Pathologist,
Adjunct Professor, SUNY Cobleskill
Adjunct Professor, College of Saint Rose
NYS Dept. Environmental Conservation
Wildlife Pathology Unit
108 Game Farm Road
Delmar, NY 12054
wbstone@gw.dec.state.ny.us
(518) 478-3032
(518) 478-3035(F)

New York State Department of Environmental Conservation
Division of Fish, Wildlife, and Marine Resources
Wildlife Pathology Unit
108 Game Farm Road, Delmar, NY 12054



M E M O R A N D U M

TO: Dr. Holly Cheever

FROM: Dr. Ward Stone

SUBJECT: Progress Report on Mulard Ducks (2)
WPU Case #05-38-07A&B

DATE: December 2, 2005

History: The hybrid, male ducks were received by the Wildlife Pathology Unit on October 3, 2005.

Gross Pathology: Both adult males, with yellow paste filling the esophagus and up to the covering the glottis. The lungs were edematous and hemorrhagic. The livers showed extreme hepatomegaly and light color. Both had bumblefoot lesions on the plantar surfaces of both feet. Bony-swellings were present in the right and left lateral bill of (A). Several small pieces of aluminum were present in the gizzard of (A). The diagnosis based on necropsy was that death resulted from pneumonia.

Histopathology: 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.

Comments: The birds died at the time of force feeding. They were filled with food paste from the proventricular area to the region of the glottis. The ducks had pneumonia and severe hepatomegaly which causes respiratory stress by displacing air sacs. The birds had sore feet from bumblefoot.

It would appear that the stresses of the final forced-feeding caused an acute respiratory limitation on ducks already suffering from pneumonia and severe hepatomeglia restricted respiratory activity due to liver pressure on air sacs. This killed the ducks.

Dr. Ward B. Stone
Wildlife Pathologist

WBS:rd

From: Advocate [advocate@animalactivist.com] on behalf of Sandra Hironaga [sandy1083@hawaiiantel.net]
Sent: Sunday, February 21, 2010 5:32 PM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 21, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Miss Sandra Hironaga
1453 Noelani St
Pearl City, HI 96782-2066

From: Holly Hadsell El Hajji [chefhollyh@gmail.com]
Sent: Sunday, February 21, 2010 3:51 PM
To: JGO Testimony
Subject: Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m.

Dear Senators,

I am opposed to SB2170, regarding banning foie gras produced by force feeding.

While there is information against foie gras, it is not validated by published reports of foie gras farm inspections by journalists and veterinarians. Peer-reviewed, internationally published research supports that force feeding ducks is not detrimental to the welfare of the animals.

Earlier testimony and statements made to the press against foie gras are incorrect and mis-leading. The main deception is that there are farms that produce foie gras by simply allowing the waterfowl to eat a lot. If that were possible, it would be done, if only to save labor costs. Foie gras produced in this way cannot be found for purchase. That being the case, SB2170 does ban foie gras completely.

Statements have been made that SB2170 will have very little impact on Hawaii. Foie gras is widely used in the finest restaurants and by many people at home. It is a wonderful and important culinary ingredient and more widely used than indicated.

I also have serious issues with the legality of a ban on foie gras sales. Foie gras is produced under federal inspection in other states and countries. I have always understood that states should not make a law that pre-empts federal law. There has been comment that other countries have banned foie gras. The truth is, in the whole world, only California has banned the sale of foie gras, to start in 2012, and that will be challenged in the courts. SB2170 is a bad law.

Foie gras farming is acceptable animal agriculture, as observed by veterinarians and reported by numerous journalists. This is supported by research. Foie gras is an important culinary ingredient in Hawaii. A ban on foie gras sales is not legally appropriate.

There are many more issues of food safety that we should be focusing efforts on

Respectfully,

Holly Hadsell El Hajji
Pacific Motion Picture Catering
Culinary Consultant
Blog
<http://www.hollyhadsellentertaining.com/>

From: Jo Evans [girljo@gmail.com]
Sent: Monday, February 22, 2010 7:19 AM
To: JGO Testimony
Subject: Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m.

Judiciary and Government Operations Committee, SB2170 Relating to Force Feeding, hearing date, 2/23/10, 10:00 a.m.

I am writing to let you know that I am opposed to SB2170, regarding banning foie gras produced by force feeding.

While there is information against foie gras, it is not validated by published reports of foie gras farm inspections by journalists and veterinarians. Peer-reviewed, internationally published research supports that force feeding ducks is not detrimental to the welfare of the animals.

Earlier testimony and statements made to the press against foie gras are incorrect and misleading. The main deception is that there are farms that produce foie gras by simply allowing the waterfowl to eat a lot. If that were possible, it would be done, if only to save labor costs. Foie gras produced in this way cannot be found for purchase. That being the case, SB2170 does ban foie gras completely.

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Foie gras farming is acceptable animal agriculture, as observed by veterinarians and reported by numerous journalists. This is supported by research. Foie gras is an important culinary ingredient in Hawaii. A ban on foie gras sales is not legally appropriate.

Respectfully,

Jo Evans

**West County Farm Bureau
94-403 Ukee Street
Waipahu, Hawaii 96797**

February 23, 2010

**WRITTEN TESTIMONY
SENATE JUDICIARY AND GOVERNMENT OPERATIONS COMMITTEE**

Senator Brian Taniguchi, Chair
Senator Dwight Takamine, Vice Chair

SB 2170 Relating to Force Feeding

Chair Taniguchi, Vice Chair Takamine and Members of the Committee:

West County Farm Bureau represents farmers and ranchers from the Waianae Coast, Central Oahu and the North Shore of Oahu. Many of our members raise cattle, chickens and hogs. We oppose SB 2170 and respectfully submit the following reasons why the production of Foie Gras is misunderstood.

Waterfowl like ducks and geese voluntarily increase their food consumption for migration, which increases their liver size. Having a fatty liver or producing Foie Gras is not dangerous like fatty liver disease in humans or chickens. The use of the terms, "force feeding" of this bill is extreme. The American Veterinary Medical Association does not oppose the production of Foie Gras because it is an enhanced, sophisticated feeding practice not harmful to ducks. The ducks have food available for their free choice at all times.

The liver of ducks is very plastic or expandable, so if the bird is no longer considered for Foie Gras, its liver will decrease in size. The esophagus of the duck is expandable so the feeding tube is easily inserted. The practice of using a firm or hard tube is safer because a soft feeding tube has a higher degree of danger penetrating the esophagus due to more mobility. It has been observed in California that some ducks actually follow the farmer when he begins the tube feeding. It has also been observed that the mortality and morbidity of this Foie Gras farm in California is less than the broiler operations producing chicken meat. These ducks are well cared for as reflected in the higher livability.

Valuable pet birds or zoo avian species that become seriously ill may receive tube feeding to save their lives. Some of us have experienced our cat or dog suffering from organ failure where it is an acceptable veterinary practice to insert tube feeding by the nose to sustain their lives.

Those who oppose the consumption of meat portray Foie Gras as unkind. We respectfully request that you oppose SB 2170. The production of Foie Gras is based on safe and sanitary husbandry; inspected by the USDA FSIS and not opposed by the American Veterinary Medical Association. Allow the consumers of Hawaii to have the right to choose their food that is produced by acceptable best management practices.

Thank you for the opportunity to submit comments.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 22, 2010 8:33 AM
To: JGO Testimony
Cc: yagtg@yahoo.com
Subject: Testimony for SB2170 on 2/23/2010 10:00:00 AM

Testimony for JGO 2/23/2010 10:00:00 AM SB2170

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Tresno Gunawan
Organization: Individual
Address:
Phone: 808 839 4499
E-mail: yagtg@yahoo.com
Submitted on: 2/22/2010

Comments:

Dear Sen. Taniguchi:

Hawaii's state biologist and bird expert Fern Duvall agrees with every animal protection organization that force feeding is inhumane. Livers that are several times their normal size as a result of force feeding should not be sold in Hawaii. Thank you for your attention to this matter.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 22, 2010 9:20 AM
To: JGO Testimony
Cc: dannygr@hawaiiantel.net
Subject: Testimony for SB2170 on 2/23/2010 10:00:00 AM

Testimony for JGO 2/23/2010 10:00:00 AM SB2170

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Daniel Grantham
Organization: Individual
Address: POB 610 Haiku, HI
Phone: 808 572-4571
E-mail: dannygr@hawaiiantel.net
Submitted on: 2/22/2010

Comments:

There is already enough cruelty in killing animals for food. Overfeeding is very painful and disrespectful of a helpless animal. There is no human need for such an abusive practice.

Testimony of Vicky Cayetano in Support of S.B. No. 2170, Relating to Force Feeding

February 3, 2010

My name is Vicky Cayetano and I am testifying as an individual in support of this measure. I have always been an advocate for laws that prohibit acts that I consider cruelty to animals. As set out in the preamble of this bill in Section 1, it has been a practice to force feed geese or ducks in order to fatten their liver. One method of force feeding is where a metal tube or pipe is inserted into the bird's throat and the food "forced" into the bird. As you will see, it is a very cruel and painful method.

It should be noted that California adopted a ban on the production and sale of foie gras that is produced using the force feeding method. The ban takes effect in 2012.

This bill would prohibit the sale or distribution in Hawaii if a product, such as foie gras, is the result of force feeding a bird to enlarge its liver. It also creates a fine for a violation of this law.

I ask that this committee take notice of the cruelty involved in force feeding these birds and pass this measure forward.

Thank you for the opportunity to testify on this bill.

Hawaii State Senate
Re: Bill SB2170

To all concerned,

Please accept this correspondence as my views on SB 2170.

As you are probably aware, I have been a professional Chef for my entire adult life and I have worked with every conceivable ingredient, including Foie Gras.

I find the Senates' consideration of SB 2170 quite disturbing as it clearly singles out a specific product that should be protected by the free market system. I understand the controversy surrounding the production of Foie Gras, but I also understand the actual methods used in its production.

My stance on this matter is one of choice. Let the people decide whether they want the product. If special interest can convince enough people that the practice is unacceptable in our society then it becomes a non issue. The American consumer is capable of making their own choices. If government wants to educate consumers on their choices that is one thing but, it is not the role of government to make those choices.

We work very hard in our industry to promote sustainability, in the interest of Hawaii's future. We need to focus on encouraging Best Management Practices by farmers, ranchers and us as users of the agricultural products -- and that can be done through consumer choice ...it should not be legislated. There are other practices that are KNOWN to be detrimental such as smoking but why do we allow Tobacco farmers to continue to sell their products in our State?

It puzzles me that the senate can be willing to consider a bill that outlaws a product that employs a practice that is allegedly cruel to a Goose or Duck, but will not take the same stance on addictive and harmful products that are clearly toxic to the consumer.

We as a society have been blessed with the ability to make choices, we choose our government and we choose what we eat. At no time did I ever imagine that the people that we chose to govern would tell me what to eat.

Respectfully,

Roy Yamaguchi

From: Sylvan Schwab [sylvanj@clearwire.net]
Sent: Monday, February 22, 2010 10:51 AM
To: JGO Testimony
Subject: Fwd: Sentaniguchi@Capitol.hawaii.gov

Begin forwarded message:

From: Sylvan Schwab <sylvanj@clearwire.net>
Date: February 22, 2010 10:20:23 AM HST
To: JJGOTestimony@capitol.hawaii.gov
Cc: Barbara Steinberg <h2ocolor@webtv.net>
Subject: Sentaniguchi@Capitol.hawaii.gov

The simple fact is that chopped liver can be made from animals who have not been tortured this way and can be much more tasty than Foie Gras. Therefore those individuals who believe they are being deprived of some tasty delicacy are simply contributing to unnecessary cruelty to animals. We are not trying to make the world vegans. That is simply unrealistic. There is no reason to promote animal cruelty and passing of this bill should be a no brainer. Pass Senate Bill 21 70.

Sylvan Schwab
East Maui Animal Refuge
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From: Barbara Steinberg [h2ocolor@webtv.net]
Sent: Monday, February 22, 2010 10:45 AM
To: JGO Testimony
Subject: TESTIMONY 2170

From: Sylvan Schwab
Sent: Monday, February 22, 2010 10:20 AM
To: JJGOTestimony@capitol.hawaii.gov
Cc: Barbara Steinberg
Subject: Sentaniguchi@Capitol.hawaii.gov

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Sylvan Schwab
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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 22, 2010 10:30 AM
To: JGO Testimony
Cc: lilykyu@aol.com
Subject: Testimony for SB2170 on 2/23/2010 10:00:00 AM

Testimony for JGO 2/23/2010 10:00:00 AM SB2170

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Lily Yu
Organization: Individual
Address: 5350 Kahalakua St. Honolulu, HI 96821
Phone: 255-9146
E-mail: lilykyu@aol.com
Submitted on: 2/22/2010

Comments:

From: Advocate [advocate@animalactivist.com] on behalf of Grant Moniz [riccoruby@yahoo.com]
Sent: Monday, February 22, 2010 11:34 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 22, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Mr. Grant Moniz
1825 Puowaina Dr
Honolulu, HI 96813-1735

From: Advocate [advocate@animalactivist.com] on behalf of Gabriela Patino [psycogirl77@hotmail.com]
Sent: Monday, February 22, 2010 11:34 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 22, 2010

Hawaii State Senate Judiciary and Government Operations Committee

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increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

Thank you for your consideration.

Sincerely,

Ms. Gabriela Patino
CLAVELINAS 159
Mexico, None 02800
015555569585

From: Advocate [advocate@animalactivist.com] on behalf of Lana Rapoza [rapozat001@hawaii.rr.com]
Sent: Monday, February 22, 2010 11:34 AM
To: JGO Testimony
Subject: Support for SB 2170 (Hearing: February 23, 2010; 10 a.m.)

Feb 22, 2010

Hawaii State Senate Judiciary and Government Operations Committee

Dear Senate Judiciary and Government Operations Committee,

I am writing in support of SB 2170, A Bill for an Act Relating to Force Feeding, which would prohibit the sale and distribution of foie gras produced using force-feeding. Foie gras is made by force-feeding ducks and geese such enormous amounts of grain and fat that their livers become diseased and painfully engorged. People worldwide are

increasingly associating foie gras with extreme cruelty to animals, and other states and countries have banned this cruel product, including California, where the sale and production of foie gras will be illegal starting in 2012.

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February 22, 2010

To Whom It May Concern:

First, I would like to thank you for taking time to read this letter.

I am very aware of the many important issues happening at this critical

time. I am also aware that if this law is passed someone will not have a business and lose a job. I believe there is always a solution to a problem. You are the solution. Animal cruelty is an on going problem all over the world. If animals were treated with respect and killed with respect, this would not be an issue. If there were unnecessary suffering of these animals, I would not be writing to you and there be no animal activist groups in existence. Please consider being the

front-runners for zero tolerance against animal cruelty in Hawaii. Show your compassion towards ducks & geese and other animals. Show the

rest of the world that Hawaii is truly The ALOHA STATE. I know we need stimulus to get back on track, but by doing this type of cruel act?

There is so much negative karma in the world, please put positive karma back in society's lives.

I humbly ask you and everyone's support to abolish this type of cruel practice to ducks and geese and any other animal by passing SB 2170.

Thank you so much for showing your compassion towards animals and for everything good that you do for the people of Hawaii.

Sincerely,

Mrs. Lana Rapoza  
PO Box 860344  
Wahiawa, HI 96786-0344  
(808) 375-3139

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**From:** Barbara Steinberg [h2ocolor@webtv.net]  
**Sent:** Monday, February 22, 2010 12:31 PM  
**To:** JGO Testimony  
**Subject:** Testimony SB2170

To JGO committee,  
thank you for holding a hearing for SB2170. please vote yes on this bill to ban sale of foie gras as it is cruelty to birds . They should not be force fed pounds and pounds of mush to force their livers to a state of fatty liver disease which stretches their little livers to 12 times the size to endure pain and suffering.

Should you find your pet or family member in this severe of state of fatty liver disease they would be rushed into biopsies and treatment . to save their lives . In this case they endure suffering to be killed

Regular farming is not same as this cruelty . Barbara Steinberg Kihei Maui



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**From:** Ann Wharton [annmcwharton@gmail.com]  
**Sent:** Monday, February 22, 2010 1:37 PM  
**To:** JGO Testimony  
**Subject:** Opposition to SB2170

Aloha!

My name is Ann Wharton. I am writing to you in opposition of SB2170, Relating to Force Feeding, which will be up for Senate Judiciary Committee decision making on Tuesday, February 23. As an informed citizen, I am very familiar with the practice of feeding ducks and geese and ducks for the production of foie gras. There are two farms in the United States that produce foie gras and both go to great lengths to ensure the least amount of distress to their birds during the feeding process. The liver in geese and ducks naturally enlarge to store fat in preparation as they migrate. The ability of these animals to store excess fat is a naturally occurring and the method and practice of feeding the ducks raised for foie gras is not inhumane.

SB2170 contains a great deal of misinformation. I am opposed to SB2170 and I urge you to vote against it. Thank you for the opportunity to be heard.

Ann Wharton  
46-144 Hilinama Street  
Kaneohe, HI 96744  
(808) 375-6489

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**From:** Eric Leterc [eleterc@thepacificclub.org]  
**Sent:** Monday, February 22, 2010 3:11 PM  
**To:** JGO Testimony  
**Attachments:** The right to eat A0210.doc

My name is Eric Leterc. I am writing to you in opposition of SB2170, Relating to Force Feeding, which will be up for Senate Judiciary decision making on Tuesday, February 23. SB2170 bans the sale and distribution of foie gras in Hawaii because and cites the rationale as inhumane treatment and cruelty to animals.

The production of foie gras and the manner in which the geese or ducks are raised is not inhumane. It is like any other animal industry – we slaughter cows, pigs and chickens without hesitation everyday. Foie gras does not pose a threat to the health and safety to consumers. As such, the public should retain the right to eat and support this product.

I want to continue to have the right to choose what I eat and don't eat. Please vote against SB2170. Thank you.

Eric Leterc  
Executive Chef  
The Pacific Club  
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## **The right to eat!**

Let check the history of foie gras:

The technique of gavage dates as far back as 2500 BC, when the ancient Egyptians began keeping birds for food and deliberately fattened the birds through force-feeding.

Roman gastronome Marcus Gavius Apicius, with feeding dried figs to geese in order to enlarge their livers. Traditionally feeding animal to make them fatter or better to eat has been happening from ancient to today life.

I would love to invite you to a tour of some duck and goose farm in France and you would understand that this animal are free to go in the field do not show any sign of abuse.

You have to understand as well as a farmer if you raise animal and you maltreat them you would not be able to sale your product because the quality of the meat would be stress so not good for the consumer.

What about our chicken raise in box who never see the daylight?

What about all of the chemical and process food that we are allowing people to consume?

What about the fast food chain who are force feeding people to get them Obese?

What are the percentages of people eating Foie Gras in Hawaii?

At the end I think we should be able to choose what ever we want to feed our body!

Hawaii should be an example to the Nation on sustainable farming and quality. We need to focus what in more important for our state.

Always cook with Aloha, Chef Eric



RESTAURANTS

February 22, 2010

Senator Brian T. Taniguchi  
10<sup>th</sup> Senatorial District  
Hawaii State Capitol, Room 219  
415 South Beretania Street  
Honolulu, Hawaii 96813

Re: SB2170 Ban on the production and sale of foie gras in Hawaii

To Chairman Taniguchi and Members of the Committee:

My name is Alan Wong. I am writing to you in opposition to SB2170, Relating to Force Feeding, which will be up for Senate Judiciary Committee decision making on Tuesday, February 23. SB2170 bans the sale and distribution of foie gras in Hawaii because it defines the practice by which geese or ducks are raised to produce foie gras as inhumane.

I am against legislation that bans our restaurants from serving ingredients that we choose to serve. As a chef/restaurateur, we base our menu items on dishes our guests enjoy and choose to order. There are far more serious issues to address in regards to food, food safety, proper disclosure on labels, etc. I agree that inhumane treatment of animals is not acceptable. If the treatment of the animals can be verified as to be humane, the question is why are going down this path and waste valuable precious time, energy and money on a subject that is far less serious than other issues in our time.

There are two farms in the United States that produce foie gras and both go to great lengths to ensure the least amount of distress to their birds during the feeding process. The feeding process they practice are not in opposition to what naturally occurs in geese and ducks whose livers enlarge as part of their preparation to store fat for migration. To assume that any inhumane practice of all commercial businesses engaged in foie gras production is the same and generalized to all industry producers, is irresponsible and misleading to the public.

If the customer stops buying any food item or dish, I simply stop buying it because the customer has told me that this is not what they want. If the customer keeps buying, and even keeps complimenting the dish, we keep buying it, cook it and serve it. I do not profess to be the expert on the subject; all I am saying is that there are other far more serious things going on to deal with, and let's leave it up to the customers to decide. Educate them, make them more aware - yes, teach them - yes, and leave it up to them. When will it end? What is the next thing that will get banned?

We, in the restaurant industry, have a hard enough time as it is. The attrition rate of restaurants closing in this economy is staggering and continues to decline. Our mom and pop stores and restaurants in our communities are disappearing. We need support through legislation to help keep restaurants alive and thriving. We elect politicians to represent us; let's reconnect, engage in more constructive, positive issues that bring us forward in this coming challenging decade.

Thank you for your time.

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