

Lessons learned from cruelty trial

By **CHARLIE ARNOT**
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WHILE the owner of a hog farm and two of his employees were acquitted on all but one of 10 charges, all producers should take a lesson from the recent animal cruelty case against an Ohio hog farmer, according to veterinarians who testified during the trial.

"I think everybody learned something from this, and I hope the rest of the industry is taking notes," said Don Sanders, an associate professor with the Ohio State University College of Veterinary Medicine.

After a day-and-a-half of testimony, a municipal court judge found the manager of the hog farm near Creston, Ohio, guilty of improperly handling piglets. Undercover video showed Joe Wiles, the son of farm owner Ken Wiles, grabbing the pigs by their ears and legs and tossing them into a transport buggy.

A charge of failing to provide food, water and veterinary care to animals against Joe Wiles was dismissed. Other charges against Ken Wiles and another farm employee related to the use of blunt force trauma to euthanize pigs were dismissed early in the trial.

Euthanasia debate

Much of the testimony centered on the farm's practice of euthanizing sows by hanging them with log chains attached to a front-end loader.

Judge Stuart K. Miller said he evaluated the expert testimony of two veterinarians who expressed differing opinions.

Sanders accompanied law enforcement officials to the farm last fall after the California-based Humane Farming Assn. (HFA) submitted a 77-page complaint that included secretly taken video (*Feedstuffs*, Dec. 18, 2006).

Sanders testified that he told the farm owner that hanging was not an acceptable method of euthanasia and provided him with a variety of practices recommended by the American Association of Swine Veterinarians (AASV).

Paul Armbrecht, a swine veterinarian from Lake City, Iowa, testified that he did not feel that hanging presented the potential for more pain than most of the other methods recommended by AASV.

"Where I may be in disagreement with Dr. Sanders is that the guidelines for euthanasia provided by AASV are options and guidelines but are not all inclusive," said Armbrecht.

In announcing the "not guilty" verdict, the judge reportedly said while he found video images of a sow convulsing from a chain noose "offensive," he concluded that "even the experts have no easy way to handle euthanasia."

Sanders said he was surprised that nine of the 10 counts were dismissed.

"I believe the decision was appropriate, but the bigger message here is that all swine producers need to self-assess their operations and what is perceived by outsiders," he said. "We've got to continue a dialogue on appropriate management practices such as sow euthanasia."

Armbrecht noted, "In my opinion, the judge did a fair job of reviewing all of the information before rendering his ruling. I'm concerned about how the information was garnered at the farm. That's the lesson for all pig producers."

Key Points

- Testifying veterinarians disagree on euthanasia methods.
- Producers should "self-assess operations" and consider outside perception.

Hidden camera

John Knoldt, whose legal name until less than a year ago was Chris Parrett, according to the *Wooster Daily-Record*, videotaped activity at the Wiles farm as an undercover investigator after one of the farm's employees contacted HFA and complained of conditions.

Knoldt worked at the Wiles farm in February and March 2006 and selectively recorded acts of perceived cruelty via a buttonhole camera. He said he also returned to the farm last fall without permission to videotape farm conditions.

When he was hired, Knoldt said he used his real name but gave a false address and lied about being a relative of the complaining employee. He said HFA paid him \$400 a week for the video and his field notes. During his trial testimony, he wore a fake beard and moustache to hide his identity from courtroom cameras.

Armbrecht advised producers to do background checks on employees and lock their barns. He also recommended that producers make sure the practices they are using fall under the guidelines of the industry's Pork Quality Assurance program and that they have regular informational sessions with employees to find out if they have any concerns.

Armbrecht said he also worried about the general public's perceptions negatively affecting the hog industry's ability to operate.

"I'm very concerned that some of our agricultural practices have potential for being misconstrued," said Armbrecht. "Look at what's happening in the Netherlands. How long are we going to be able to castrate pigs?"

Dutch supermarkets recently announced that as of 2008, they will only sell pork produced at farms where piglets receive anesthetic prior to castration.

"There's a huge chasm in people's understanding of where food comes from and the traditional practices that are being used," said Armbrecht.

Sanders agreed that there is a disconnect between consumers and livestock producers.

"When moral outrage comes into play, people aren't going to pay any attention to science," said Sanders. "Consumers will accept science until it goes against what they perceive as moral ethics. When moral ethics are involved, science be damned. They know what they feel rather than have science telling them what is appropriate."

Livestock victory

In addition to money spent obtaining the video, HFA reportedly purchased \$40,000 in local newspaper ads late last year to publicize the case and urge the public to contact the prosecutor and demand that charges be filed. The prosecutor said the response was overwhelming. (*Feedstuffs*, January 22)

"(The judge) has rendered the

most shameful, legally incorrect and scandalous court decisions we have ever encountered," said HFA, according to a statement on its web site.

Dick Isler, executive vice president of the Ohio Pork Producers Council, called the trial outcome a "huge victory" for the livestock industry.

"The judge saw through the animal rights activists' hidden cameras and trumped up charges and determined that what was happening on the Wiles farms, except for the one case, was acceptable," Isler said.

"Obviously, I'm happy with the outcome of the charges," Ken Wiles said after the verdict, according to local media reports.

When contacted by *Feedstuffs*, Wiles declined to comment because of a civil suit he's facing from a former employee — the same employee who instigated the investigation by contacting HFA. He said he would welcome the opportunity to talk about the case after the civil case has been resolved.

Joe Wiles was ordered to pay a \$250 fine and serve one year of community control, during which time he was ordered to participate in training on the proper handling and transportation of hogs. While the charges against Ken Wiles were dismissed, Sanders said it's not as if he escaped the situation completely unscathed.

"I think he got a massive wake-up call," Sanders said. "I think his punishment financially is pretty severe because of attorney fees, and he still has a civil suit against him."

Isler said Wiles has changed some of his production practices. "He has worked with his veterinarian and the local Humane Society," Isler said. "I think that's a lesson we all need to learn. We have to do what the consumer wants — what the public wants — when it comes to livestock production."

Sources said the Ohio pork industry was divided on the case. Some wanted to distance themselves from the situation, while others advocated coming to Wiles' defense. Local community members responded by holding fund-raising events to help him defray legal costs.

"Anyone could be next," said local dairy producer Earl Jentes, according to media reports.

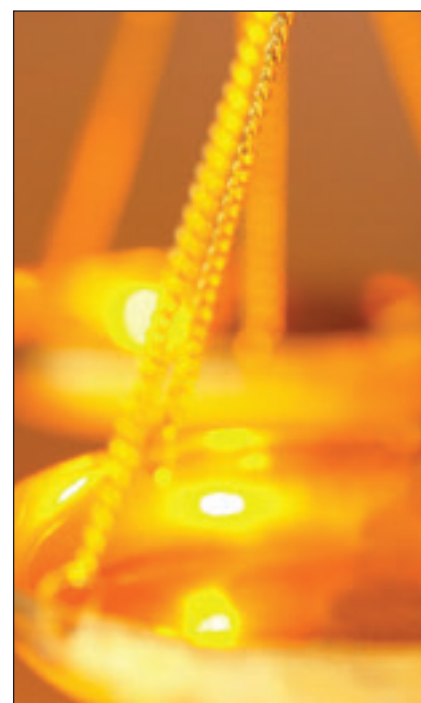
Group upset with Microsoft

Microsoft's plan to donate money to one of the leading animal welfare organizations in the country has the Animal Agriculture Alliance up in arms.

The computer software giant is partnering with the Humane Society of the United States (HSUS) on a program called the "i'm Initiative." Whenever a Windows Live Messenger user has a conversation, Microsoft will give a portion of the program's advertising revenue to one of 10 organizations the user selects. HSUS is one of the choices.

A Microsoft spokesman said the program is "a great way to enable people to help causes that are important to them."

"(We are) highly concerned about Microsoft teaming with an organization whose leaders have such a radical agenda," said Kay Johnson, executive vice president of the Animal Agriculture Alliance. "The alliance urges everyone involved in America's food chain — from individual



farmers and ranchers to processing companies to retail establishments — to contact Microsoft and demand that it terminate its financial support of HSUS."

'No pigs' mantra

A southeast Iowa town considered to be the spiritual center of the Transcendental Meditation movement in the U.S. is threatening to use eminent domain to purchase some land near the town rather than see a hog production facility built.

Maharishi Vedic City administrators drafted a plan to force a local farmer to sell the land so they could turn it into a city park.

The town, which was incorporated in 2001, designated Sanskrit as its official language, adopted a new currency and outlawed the sale of non-organic food. Fewer than 500 people live there.

"It would be a very difficult situation for the city if a hog confinement is built on its boundaries," said city attorney Maureen Wynne. "The city is an all-organic city. (Hog confinements) are not part of the national organic standards."

The land owner said he and his brothers merely investigated the possibility of building a hog confinement facility on the 149-acre tract of land and have since shelved the idea. The land is described as being "a few miles" from town.

A county official called the city's plan "shady."

"When you have a local government talking about doing condemnation on a farm when they have excess land themselves is ludicrous," said Jefferson County Board of Supervisors vice chairman Dick Reed, according to the *Des Moines Register*. "It's his land, and it is Iowa, and it is Jefferson County. We raise hogs in Jefferson County."

City officials delayed a vote on the park plan while it negotiates with the landowner and county officials.

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