

April 23, 2004

To: Senate Committee Member  
From: Jeanne Smith, DVM  
Re.: Senate Bill 1520, Ban on Foie Gras in California.

Dear Committee Member:

I am a private veterinary practitioner, working out of Placerville. I have been in private, all bird practice since 1988. I obtained my Bachelor of Science degree in Avian Sciences at UC Davis, attended veterinary school at UC Davis, completed an Avian Medicine Internship (emphasis on poultry) at North Carolina State University School of Veterinary Medicine, and completed an Avian Medicine Residency at the state diagnostic laboratory in Turlock, CA. I have been in hundreds of poultry houses of various types in my career, although I see very little commercial poultry in my current practice. About 20% of my practice is small backyard or show poultry flocks, including ducks and geese.

On April 19 I was asked to inspect the Sonoma Foie Gras premises to render my professional opinion about the conditions and welfare of the birds there. I made arrangements to visit the next day, too soon for special accommodations to be made in preparation for my visit. Although I had a vague understanding of foie gras production, I had never been to a foie gras facility.

In my walk-through of the feeding barns, where the birds are gavaged, I was immediately impressed by the cleanliness of the building. There was almost no bird odor. The floors had very little accumulation of droppings. The pens were some of the cleanest poultry pens I've encountered. I asked how frequently the houses were cleaned out and was told every two days. This is remarkable in the poultry industry. There was no accumulation of dust or cobwebs on walls or ceiling. The air quality was exceptionally good. The waterers were the cleanest I've ever seen in a poultry house. It was hard for me to evaluate temperature control because I was there on a very mild day, but the walls were well insulated and one entire end wall was made up of pads for cooling air as it flows in. Overall, I would say that the conditions in these houses would rank them in the top five poultry houses I've been in.

I have heard some of the claims made by opponents to foie gras production. My observations of these birds did not substantiate their claims. Out of 4,050 birds I saw two that were too weak to hold their heads up or stand (2/4,050 is less than 0.05%). The incidence of swollen feet and lameness was lower than I see in backyard ducks and geese

given access to large pens and ponds or in flocks at parks. The number one presenting complaint by owners of pet ducks and geese is lameness. It's a common problem no matter how they are housed and treated. At Sonoma Foie Gras I saw 11 birds out of 4,050 that exhibited lameness (11/4,050 is 0.27%). Those ducks that were lame were well hydrated and they were not dirtied by their own waste at all, so their droppings were just passing through the pen grates. The only panting or heavy breathing I saw occurred when I stood by a pen and the birds huddled away from me. Birds surrounded by others became hot and panted. When I moved on and looked back at the pen, those birds returned to normal breathing within a minute or two. I asked what was done with the birds that do become lame. I was told that if they were lame before they gained weight, they were processed for meat just as any other meat moulard would be. If they had gained weight, they were processed the day after they became lame for foie gras. To me that is a very humane disposition. Birds are not allowed to linger in a lame condition and they do not need to ambulate to get fed and watered. Pet duck owners are not that humane.

Bird housing and management was also sufficient to prevent cannibalism. Ducks that are overcrowded, stressed, or otherwise poorly managed readily cannibalize each other. I did not see one cannibalized bird in the feeding buildings, brooder buildings, or free range pens.

I observed the gavage procedure with two separate machines and two separate operators. I also observed ducks that had only had two gavaged meals and ducks that had been fed for one week. The tube was an appropriate size to eliminate the possibility of going down the trachea instead of the esophagus and a larger tube is less likely, not more likely, to damage the esophagus. The tube was small enough to easily be accommodated by a moulard duck's esophagus. The birds that had only received two meals acted nervous and fearful as the operator entered their pen. They showed no further stress from being handled and fed. They accepted the feeding well, with no evidence of ill effect. As soon as the operator moved on to the adjacent pen, they became calm and looked perfectly normal. The birds that had been fed for one week accepted the handling and feeding with almost no struggle and acted perfectly normal immediately after. I saw no bird regurgitate, shake its head, or gape as if the procedure had been uncomfortable or difficult. I frequently tube feed sick ducks and geese and teach my clients to tube feed their ducks and geese for home care. I would use a tube the size of the one used at Sonoma Foie Gras if I had a practical food receptacle to deliver the food with. I'm limited to using a large syringe that must fit on a tube no larger than 3/8 inch. The small tubes I use run the risk of going down the trachea or perforating the esophagus wall if the neck isn't kept perfectly straight. The birds I tube feed struggle and become stressed. None of them take it in stride like these ducks do. I believe the speed at which the procedure is done, the size of the tube, and the expert restraint and handling by the operators makes this an easily tolerated process for the birds.

Although I saw birds with enlarged livers, I saw no birds showing clinical signs of liver disease. Droppings appeared normal, there were no birds showing neurologic signs, and there was no evidence of regurgitation of food. Contrary to what the opponents to foie gras production say, an enlarged liver will not cause respiratory signs in a duck. The liver enlarges downward into the abdomen, not upward impinging on the heart and lungs. The air sacs primarily lie in the dorsal or back area of the bird's thorax and abdomen and

by looking at these ducks you can see that the enlarged liver droops downward away from the back area.

I have concentrated my remarks on the feeding building management because this is the area of major concern regarding this bill. But in walking through the brooder buildings and the free range pens, I can say that the management throughout the ranch is excellent. Ducklings had access to plenty of floor space per bird, the air quality and litter conditions were excellent. Sufficient feeders and waterers were supplied and kept in clean conditions.

Sonoma Foie Gras is the only foie gras producer in California. Therefore this proposed bill essentially states that Sonoma Foie Gras “fails to meet standards of humane treatment” of birds. I have visited the ranch in question and can say from my experience and training that these birds are treated well within the standards of humane treatment. If another foie gras producer were to become established in California that did not adhere to humane practices, currently existing legislation against inhumane treatment of animals, such as the Animal Welfare Act, could be imposed. Sonoma Foie Gras demonstrates to me that foie gras production is not inherently cruel or inhumane, therefore blanket legislation to outlaw all foie gras production is not appropriate.

Sincerely,

Jeanne Smith, DVM