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Animal Holocaust in Film: Researching the Difference in Animal Welfare in film from 1903 to 2013 with regard to the work of The American Humane Association, established in 1943.

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Abstract

Animals have been seen as objects that exist only for the purpose of man. They have been used as food, clothing, for medicinal purposes, experiments and entertainment. Being used for food and medicine is seen as a rational explanation for causing harm to non-humans, as it ensures the survival of the human race, yet in entertainment, i.e. circuses, fairs and more recently motion pictures, there is no explicit *need* for the use and harm of animals. From the on-set, motion pictures have been using and abusing animal actors, often to the point of death. What I intend to research is what established the animal rights issues, how they came about and thus, how animal actors have been treated since the formation of animal rights organisations. Organisations such as the *American Humane Association* and *PETA* (People for the Ethical Treatment of Animals) were established to ensure the welfare and rights of animals, but only one organisation that has the right to film sets and guarantee the welfare of animals used in the film industry. I will be exploring whether or not the presence of the AHA has affected, for the better, the lives of animal actors. I intend to do this by researching how they monitor film sets, if there have been allegations of abuse on sets that were monitored and analyse the ratings that have been given to films observed by AHA representatives. Through contact with PETA, the AHA and private animal trainers I will examine what exactly is being done to ensure and guarantee that animals are not being harmed in the making of films.

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Chapter 1

A History of Horrors: The First Animal Actors

Animals have always been used for the benefit of the human being, starting with being used to feed humans and clothe them which has been done for thousands of years. They were then used to make work easier for human beings, travel was made shorter on horseback and work on fields was eased for humans as they utilized animals in farming. The use of animal meat and clothing was a necessity for the human race's survival and development and the use of animals for travel and farm work also had its advantages. They are now utilized in experimental drugs testing (cosmetics/pharmaceutical) which, although it has been the subject of political and ethical debates within human society, is still broadly approved within our culture as it arguably benefits the human being. However, they have also been immersed in entertainment, from the Ancient Roman circus amphitheatres and chariot racing to modern day bull fights and hunting. Violence and abuse towards the animals in these „sports“ was and is not uncommon, and with such a brutal aspect to the games, death has been inevitable. What this depicts is the progressive utilization of animals, where once we used them for our survival, now we use them for our pleasure. With the arrival of motion pictures in the late 1800's it was not long before animals were introduced to the big screen. But how are audiences to understand the apparently endless menagerie of animals in the wild (Algar, 1958), heroic animal companions (Petrie, 1994) and cartoon creatures (Hernadi, 1989) that have permeated film since its inception? Animal actors have been a constant, yet little considered presence, but what does this mean for animals and their rights? The finding of this thesis suggests that the first years of cinema portray the often unsympathetic behaviour towards animal actors as without animal abuse laws in place filmmakers were free to do whatever they deemed necessary, and this resulted in the deaths

of many animals for the purpose of action scenes and experimentation. The training of animals to perform tricks or stunts was rarely used in early films, animals were forced to perform, and more often than not, were killed in the process. Animals that were trained to perform were usually trained in extreme conditions, using negative reinforcement and punishment to exercise control. With no laws came no responsibility towards the animals used in film. The first film to blatantly portray animal cruelty began as an experiment and turned into one of the most explicit animal deaths caught on camera in the early 1900's. This was Thomas Edison's short film portraying the electrocution of a small elephant.

Thomas Edison produced the short scientific film in 1903 trying to disprove the safety of alternating currents, as he had previously established that direct currents were the standard for electricity distribution and was living off the royalties of his discovery. He aptly named it „*Electrocuting an Elephant*“ (Edison, 1903). The purpose of the film was to show the harmful nature of alternating currents. George Westinghouse and Nikola Tesla, other inventors of the time, invented the new currents that would revolutionise the distribution of electricity and Edison's aggressive campaign to disprove the alternating current took a macabre form, as he publically electrocuted a small number of animals, such as stray dogs, cats, cattle and horses, with alternating currents. He finally brought an Elephant, named *Topsy* by her park handlers, to be electrocuted, fed her poisonous carrots (in case she didn't die from electrocution¹) attached metal plates to her feet and sent hundreds of volts of electricity through her body until she fell, dead, to the ground (Figure 1). *Topsy* was a baby circus elephant that got into trouble for squashing three handlers at the Coney Island Circus, one of whom were reportedly feeding her lit cigarettes. Because of her behaviour the

¹ Information found at <http://footnotables.blogspot.ie/2010/01/tangled-tale-of-toppy-elephant.html>

handlers decided she was a danger and condemned her to death. Edison's work caused uproar at the time as people saw the small giant chained and murdered. While the fascination surrounding the short film concerns the pain the animal endured, the purpose was to portray the harmful aspect of alternating currents, by killing an animal that has no use for either electricity or anything that comes with it, as it is a human necessity. Yet *Topsy* was forcibly electrocuted to prove the dangerous nature of electricity. By killing the smaller animals with the currents, Edison had already proved that they were dangerous, yet determined to prove how dangerous they were, he continued to kill *Topsy* to completely discredit the new form of electricity distribution. Ironically, it is alternating currents that have been providing electricity to homes all over the world for nearly a hundred years, not direct currents. What Thomas Edison is portraying in his short film is the attitudes humans have obtained towards animals and the lengths to which people will go in the hope of financial gain. *Topsy* was killed to prove a point, however it was a different point she proved. Animals have been treated as commodities in the film industry, since there has been no attempt to protect animals used in film, *Topsy* was not given any sort of numbing agent, or anaesthetic before the electrocution. No precautions were taken to ease her pain. It is easy to use animals for experimentation because they cannot complain in a way that is understood by the human race. The filmed murder of *Topsy* portrays the typical attitudes filmmakers generally have towards the animal kingdom, and would continue to have for decades to come. Edison purposefully chose *Topsy* for his experiment as the park officials at „Luna Park Zoo“ in Coney Island decided that the female elephant was becoming too aggressive and decided it would be easier to slaughter her. According to reports the park officials had previously thought of hanging the giant but could not proceed due to humanitarians and animal activists complaining (America, 2013). Edison had no reason to release the film, since his point (that alternating currents were dangerous) had been proved, (although most people don't strap

metal plates to their feet and body when interacting with electrical equipment), yet he did release it with the year in a campaign against the alternating current. The scene has been re-used in many other media such as games for the XBOX (Assassins Creed 2), and films like „*Little Fugitive*“ (Lipper, 2006).

Other films have also been released documenting real life events that were equally as appalling towards animals.

One such film representing this animal cruelty was released in 1900. It was a documentary film recording a traditional bull fight. „*Spanish Bullfight*“ (Unknown, 1900) was filmed in a crowded arena, by an unknown director and portrayed a bull charging at a picador on a horse. Bull fights are a common activity/game in Spain and represent part of their culture. While the film accurately portrayed the ruthless behaviour towards the terrorized animal, it received much attention for its callous nature and unsympathetic look at how the bull was treated as one man can be seen throwing stones at the bull in order to make it charge. Yet it, alongside Edison’s short film received much attention showing that there is a need to observe cruel treatment towards animals. Author Dr. Ja Robertson states in „*The Hidden Cinema: British Film Censorship in Action 1913-1975*“ (Robertson, 1993) about „*Spanish Bullfight*“ (Unknown, 1900) filmed by an unknown Frenchman:

When the BBFC (British Board of Film Classification) were established in the beginning of 1913 there had been no set rules for animal treatment. A „*Spanish Bullfight*“ was nevertheless rejected on 14th March. This was one of 22 films rejected that year and in the first BBFC annual report „*Cruelty to Animals*“ was high on the list for cuts or outright rejections of the 22 films, although *Spanish Bullfight* was not expressly mentioned.

It is interesting that although we can see that animal cruelty in film was observed and acknowledged in 1913, laws concerning the welfare of animals used in the film industry

have yet to be put in place, exactly one hundred years later. The need for people to witness the spectacle of animal torture has had an impact on the regulations concerning animal treatment. It appears that cinema has reproduced the historical and present attitudes towards animals, by not treating them with any sort of respect in film. It has, if anything, created a new medium for seeing the spectacle of animal torture that society has found so fascinating throughout history. But why is it taking so long to create systems capable of protecting animal actors? Animal cruelty was first noticed in film in 1913, and now exactly one hundred years later, still no laws have been put in place to protect animal actors. What „*Spanish Bullfight*“ (Unknown, 1900) depicted were the existing attitudes towards watching the spectacle of animal exploitation and how that attitude has not changed in the last century.

As the film industry developed and the documentation of real life events started to take hold in film, animals began taking centre stage as an air of mystery still surrounded much of the animal kingdom and how they existed. Human populations in cities and urban areas are removed from the animal kingdom more so than those who live in rural areas, who are surrounded by nature and a menagerie of animals. Walt Disney is now best known for his lovable children’s cartoons and fairy tales, but single handed, he created a platform for wildlife films with his early work „*White Wilderness*“ (Algar, 1958), an award winning documentary which portrayed the day to day lives of animals indigenous to Canada. Controversy soon surrounded the film as accusations of animal abuse began. It is a common myth that lemmings can and have committed suicide on occasion but Disney chose to draw on this illusion, portraying a mass of lemmings apparently jumping off a cliff into the Arctic Ocean. In 1982, reports were produced claiming that the lemmings were hurtled off the cliff on a rotating disc, and not into the

Arctic Ocean, but the Bow River in Alberta, Canada (FifthEstate, 1982). The narrator of the film, Winston Hibler, stated that the Lemmings were not likely to be committing suicide, rather, they were trying to find a way across the water and died of exhaustion. It is doubtful that the Lemmings were trying to find a way across the „Arctic Ocean“ as the narrator suggests, as it implies they could see the other side, and were innocently trying to get across, yet what happened was less than innocent as thousands of the small animals were hurled off a cliff to their deaths. While „Documentary“ implies that what the audience is seeing is real life captured, „*White Wilderness*“ did not capture the real life of the Lemming species, instead they were subjected to abuse in order to portray a hypothetical situation. Burt suggests that:

These nature films often impose a human narrative, a human cultural aesthetic, upon animals. The films may be flat-out faked: there“s a rich tradition of nature-film fakery. But even when there“s no explicit attempt to deceive, still, they may mislead or miseducate viewers. (Burt, 2002)

Disney indeed misrepresented the lemming population by fabricating the suicide scene, but his greatly received „documentary“ paved the way for this genre of filmmaking.

The many films over the first few decades of film that employed the use of animal actors, (Toto in „*The Wizard of Oz*“ 1939, Trigger in „*My Pal Trigger*“ 1946 and Cheetah in the „*Tarzan*“ series, early 30“s) were under no obligation to treat the animals with respect or compassion. John Berger proposes in his essay „*Why look At Animals?*“ (Berger, 2000) that animal imagery in modernity is a substitute for a lost, direct relationship with animals. Animals in film were widely received with awe and joy, watching Chimpanzees walk and dress like human beings and engaging in human activities on screen was nothing short of amazing. Children and adults alike became accustomed to seeing animal actors and it was a

welcomed display, with the notions of abuse far from the minds of audiences. Berger states that audiences, and human beings in general, have lost touch with the real animal, instead we are bombarded with images of the false animal (Berger, 2000). The false animal we see in film is not a genuine representation of how they live. In films they are human companions, funny creatures that have audiences laughing with enjoyment or heroic friends willing to die for their masters. This is a false representation of the animal kingdom, as in reality they are treated with disdain, disrespect and trained in horrible conditions to perform the comic and remarkable acts we see on screen and find so amusing. In this way, film has altered our understanding of the animal, making us perceive what we see in motion pictures as almost accurate representations of animal behaviour. Burt states that animals are “*A rupture in the field of representation*” (Burt, 2002) commenting that audiences are unable to accept that animal images are merely fictional. Mockery of animals is also a familiar aspect of modern society, including film, as is decontextulization: transferring animals from their natural habitat, context and existences, and reconfiguring them as participants in a purely anthropocentric description: from „*King Kong*” (Guillermin, 1976) to „*101 Dalmatians*” (Herek, 1996) and the „*Beethoven*” (Levant, 1992) films to „*Doctor Doolittle*” (Thomas, 1998). The film industry and habitually Hollywood films operate in the spectacle of animals, rather than the real, causing the establishment of fantasy perceptions of animals. When bombarded with the mockery of animals on the big screen, one soon expects to see it in reality. Burt suggests that the mockery and decontextualization of animals in film serves as a disguise because the authentic animal would be too boring, or disheartening for the viewer to endure (Burt, 2002). Therefore, in order to entertain the masses, spectacle became imperative to a film’s success and with that, manipulation and exploitation towards animal actors. With film portraying animals in so many negative ways and audiences lapping up the spectacle, one must question whether it is in our nature to take pleasure in viewing such horrific acts

towards members of the animal kingdom, and whether it effects how we view animals outside of film. There is a definite fascination with seeing this form of animal on screen; the best friend to man, the comic fool and the adventurous side-kick. It could be due to both spectacle and fascination in films containing animal actors that have suppressed the creation of laws protecting animals used in film. However, what needs to be understood is not the motivation for animal imagery in film but the affects it has on animal rights, how we perceive them and think about them.

Case Study: *Jesse James* (1939)

Up until the release of *Jesse James* (King, 1939), there were no set rules for the treatment of animals involved in filming, and because of this many directors were under no obligation to house, transport or treat the animals appropriately. Up until this point in film history, animals had been abused and killed, however, the extent of it was and still is not well known. „*Jesse James*“ (King, 1939) told the story of the infamous American outlaw, and being a western, one would expect nothing less than horses, guns and action. What audiences witnessed were indescribably realistic action scenes that gained the film much attention.

Allegations began concerning the realism of some of the action scenes that employed animals and as a result, an investigation took place. The realism that the movie was applauded for was in fact reality. The action scene portraying a cowboy and his horse falling from a 75 foot cliff was in truth a horse falling to its death (Figure 2). Blinders were attached to the creature’s eyes in order to trick it into jumping off the cliff. Unfortunately, the horse did not die on impact, but instead broke his back and had to be put down later (FifthEstate, 1982).

Alongside this disturbing allegation of abuse, it was reported that eight other horses were killed by tripwire in other scenes. While there was no actual evidence (documentation, witness reports) proving the abuse, the scenes that made it into the final cut portray the exploitation of the horses. The technique of using tripwire to stumble the horses to look like they had been shot was not uncommon in films of this genre in the early decades of the 1900's. Training animals to fall on cue is possible and is being used in film presently, but with no set guidelines for the filmmakers using animal actors in 1939 the easiest option was to force them to fall. Not only would it save money, but it would require only a few takes, saving time as well. It also illustrates the lack of rights for animal actors at the time. No precautions were taken to ensure the safety of the horses as they were perceived as disposable commodities in the filming process. Without rights they are nothing more than possessions, displaying the negative opinion of animals. Little did the public know at the time, they were witnessing the deaths of numerous horses. For the first time in film history audiences really began to question the use of animals in the film industry and it was due to the horrific action scenes in this particular film that the *American Humane Association (AHA)* became involved in creating guidelines for the use of animals in film, and was given permission to monitor animal welfare on film sets.

Chapter 2

The Beginning of Animal Rights.

Animals have been used for centuries to feed, clothe and develop the human race, but in the last few decades, the public have become increasingly aware of the existence of a new cause: Animal rights and liberation from abuse and torture. One needs to begin with a bit of history to put into perspective the animal rights movement and how our consciousness of animal rights has shifted throughout history. Although it is described as a „movement“, it was not a clear cut political organization, rather people who had concern for both the welfare and rights tried to develop ways of changing the treatment of animals. Concern for animal welfare can be found throughout history, the Buddhist and Hindu idea of compassion has always been universal, extending to the animal kingdom along with the human species. Judaism is as much a code of practice for living as a religion and frequently brings animals into the moral arena, for example, working animals, like people, must rest on the Sabbath. Similar beliefs cannot be found in most western thought or religion however. With regard to Christianity, Thomas Aquinas stated that the only possible objection to animal cruelty was that it could lead to cruelty towards humans, that animals and plants alike were for the use of people (Panaman, 2008). This became the official view of the Roman Catholic Church, although passages in the bible portray evidence of caring attitudes towards animals: “He that killeth an ox is as if he slew a man” (Isaiah 66.3) and “A righteous man regardeth the life of the beast” (Proverbs 12.10). In general however, established Christianity is not sympathetic to animals, and some Christians think that animals were put on the earth for human use due to a passage in Genesis that states humans have “dominion” over animals. In addition to this attitude Pope Pius IX refused permission for the founding of a society for the prevention of cruelty towards

animals in 1860², on the grounds that it would imply human beings had a duty towards lesser creatures (Humphrys, 1995).

In 1800 Britain, animal rights were being recognised by citizens. The first efforts to obtain legal protection for members of the animal kingdom were underway by the Royal Society for the Prevention of Cruelty to Animals with the introduction of a bill, introduced in April 1800, against Bull-Baiting, but to no avail³. The Bill was defeated and took another twenty years for it to be passed. What this suggests is that animal rights had a beginning in the early nineteenth century but was vigorously condemned as something of lesser importance. Not many people were interested in the safety of animals when they had their own socio-political issues to deal with. Campaigns were started in the early 1970's protesting many animal rights issues, like the anti-sealing campaign (Lynx, 1980's) the anti-fur campaign (PETA, 1980's) and the anti-leather campaign (PETA, 1980's) showing a new way of understanding animal products. The abuse needed to acquire leather and fur from animals was brought into the public eye by many organisations such as „*The Animal Rights movement*“ (1970), „*Animal Liberation Front*“ (1976), „*Lynx*“ (1985) and „*PETA*“ (1980) who produced highly publicized advertising to raise awareness (Figure 3).

In „*Animal Rights and Wrongs*“ (Scruton, 2000) Scruton suggests that it is due to the decline in religious belief that the questions of animals and their welfare “have risen so predominantly to consciousness in recent times” (Scruton, 2000). He goes on to say:

² Information found at <http://www.animalsandethics.org/chronology.html>

³ Information found at: _____

Towards insects we have little sympathy; reptiles and fish delight us but inspire no affection; mammals in general (or at least the larger mammals) prompt our warm concern...Our nearest neighbours, the higher primates, are so like us in appearance and so able and willing to ape our interests that we find it difficult at times not to look at them as...human children (Scruton, 2000).

This idea of perceiving the animals the same as perceiving children is a common concept, even in film. Animals are anthropomorphised constantly in film, as a way of making them understandable. It is similar to Berger's idea of the false animal, seeing them as something they are not. Scruton continues in his evaluation of our treatment towards the animal kingdom:

We cannot kill a sick old man to feed a swarm of hungry rats, great as the net balance of pain over pleasure might be. But we can kill a healthy bullock to feed a sick old man. (Scruton, 2000)

What Scruton is implying is our lack of justice and our moral solipsism, where only the self (human) is important, not the other (non-human). While we show compassion to members of the animal kingdom we appreciate for aesthetic purposes, human beings are still the most important and everything else comes second only to our well-being. This can also link to the animal cruelty formula used in animal experimentation, the ethical arithmetic developed for the use of animals in drug testing, experimentation, cosmetic testing etc. Where the results of testing on animals would greatly affect the human race, and the suffering of the animal is low, then experimentation is ethical. Therefore, even with suffering, no matter how great or small, it is deemed essential compared to the benefit for human beings. The arithmetic also relies heavily on the value of both a human life and a non-human life, which is difficult for many reasons, the most important one being that the value of a human life is always deemed more than that of an animal⁴, which has been the cause of much mistreatment towards

⁴ Information found at: http://www.bbc.co.uk/ethics/animals/using/experiments_1.shtml#h4

animals. Both aspects Scruton examines, the anthropomorphism of animals and the valuation of human lives over that of non-humans, has impacted the perception of animals.

Randy Malamud, professor at Georgia State University and author of *„A cultural History of Animals in the Modern Age“* (Malamud, 2011) states that we as a race:

Regularly imprison and torture animals in factory farms and research laboratories. We displace them as our cities and suburbs expand. We poison them as we dump toxins into their food-ways, we commodify them in the pet industry. But even when we take a break from such active physical assaults, we are prone to engage with animals in ways that hurt their spirits and impinge upon their welfare. (Malamud, 2011)

This connects to using animals in film. Although most animals are not purposefully harmed for filming, this thesis will examine whether or not an animal's welfare is damaged in the filming process. What Malamud's statement portrays is the damaging effect human beings have had on the welfare of animals. Or at least that was the case before the 1970's, as since then animal rights has become quite prominent in society with various campaigns publicizing animal cruelty and this could be due to the decline in religious beliefs, according to Scruton. He states that people had no difficulty in rationalizing the difference between themselves and other animals when they were confident of their status as the highest order of creation, or "made in God's image" (Scruton, 2000) especially with the Christian bible telling people they had a right to feel more authoritative over animal. Religions influence over people's thoughts and feelings is dwindling though and society is now capable of questioning and criticizing their actions towards „lesser“ species. Scruton believes that due to the decline in religious beliefs animal rights has been given more thought and caused a new way of thinking towards non-humans. The ideology of animal rights have evolved continuously over decades, but many animal activists point to the publication of "Animal Liberation" (Singer, 1985) in 1985

as the catalyst for the modern American animal rights movement. In it Singer describes the history of animal rights in religion, culture and society.

With the rise of awareness towards animal rights, two forms of the movement came about; animal welfare versus animal rights. The difference of the two forms of the animal rights movement regards the use of animals against the treatment of animals. Animal welfare argues for stronger laws preventing cruelty and requiring humane treatment. So animals used in farming should be treated compassionately while they are killed for their meat. Animals used in research and experimentation should have access to veterinary care while cosmetics that could cause many infections are tested on them (an example can be found with testing shampoo and other cosmetic products on rabbits because they have no tear ducts to examine the toxicity of the product). By contrast, animal rights advocates oppose any and all human use of animals. These include the use of animals in entertainment from circuses to zoos, animals used in farming, hunting and experimentation (Cass, 2004).

PETA (People for the Ethical treatment of Animals) is a non-profit organisation that was formed in 1980 to help prevent the mistreatment of animals. PETA falls under the animal rights side while the AHA (American Humane Association of America) falls under the animal welfare side. While the AHA began as an organisation set up to help children, founded in 1877, in 1940 it began taking animals into consideration and created a section dedicated to helping animal welfare. In film, the awareness of the treatment of animals, as stated above, came about after the release of „*Jesse James*“ (King, 1939). The American Humane Association of America began taking steps to ensure the welfare of animals used in film. They do not take the Animal rights stance that believes animals should not be used in

film, rather they take precautions to ensure that no animals come to harm while on a film or Television set.

Chapter 3

No! Animals Were Harmed in the Making of this Film.

With this new awareness surrounding animals used in the film industry only one group came about with the authority to monitor film sets; *The American Humane Association* (AHA). In 1940, only a year after „*Jesse James*“ (King, 1939) was released, the *Association of Motion Pictures* Producers agreed to give the AHA open access to the sets of movies using animals. While other organisations like PETA recognised a problem in the film industry, they did not have the resources to spread their monitoring to the animals in film. Since then films all over the world have been monitored by AHA representatives. They issued guidelines that filmmakers using animal actors could follow to ensure the safety of their actors. In the guidelines they state:

- No animal will be killed or injured for the sake of film production.
- The American Humane Association will not allow any animal to be treated inhumanely to elicit performance.
- General anaesthesia and sedation are high risk procedures and are prohibited for the sole purpose of filmmaking.

They also suggest that filmmakers should advise the film crew to contact the AHA when animals are being used to allow them to monitor the film set. With the guidelines set in place and the accessibility to the AHA becoming easier, audiences were ensured for the first time in film history that the animals they were seeing on screen were protected at all times. It provoked the question of animal safety for the first time in viewers and appeared to bring film into an era of unity for human and animal actors alike. They created the „*No Animals were*

Harmed in the Making of this Film” certificate to award films that adhered to the AHA Guidelines and ensured the safety of their animal actors. However, the use of the words “*should*”, “*encouraged to*”, and “*recommended*” are perpetuated so many times that the guidelines read more like a list of behaviours that are frowned upon than a set of strict rules to be taken seriously, “American Humane recommends that certain rodeo events be simulated to ensure the safety of the animals”⁵. What this also subtly suggests is that not adhering to the „*guidelines*“ will not bring about any penalties towards the film crew, there is no chapter in the guidelines providing information on the consequences of not following them. With no penalties for mistreating animal actors, the „*guidelines*“ and the AHA themselves have no real authority over the management of animal actors.

Even with the work of the AHA, there are still films that have been released with shocking allegations of abuse. These include „*Heaven’s Gate*“ (1980), that reportedly killed chickens, bled horses to use as fake blood and used explosives on horses in battle scenes, „*Pink Flamingos*“ (1972) used a live chicken in a sex scene which was killed in the process, „*Cannibal Holocaust*“ (1980) killed numerous animals during filming such as a muskrat, a large turtle, a snake, a pig and a monkey and „*Babel*“ (2006) twisted the head of a chicken (FifthEstate, 2013). This is a short list of the most recognisable films that have had animal cruelty portrayed, even with the help of the AHA. Who exactly is to blame? There can be hundreds of people on film sets from producers, costume designers, directors and animal wranglers to the actors and extra’s. However, if the AHA were doing their job, should these incidents of outrageous animal abuse not have happened? More importantly, why does it continue to happen?

⁵ Guidelines found at: <http://www.americanhumane.org/assets/pdfs/animals/pa-film-guidelines.pdf>

Another question to ask, and quite possibly the more important question to ask, is why filmmakers want to portray the actual deaths of animals on screen? One could argue it is for the purpose of realism, so that the film has a sense of real life about it and not fakery. We have all seen films that use animal doubles to complete a stunt or scene. „*Anchorman: The legend of Ron Burgandy*“ (McKay, 2004) tells the story of an anchorman coming to grips with having a female co-anchor. The film used a small Border Terrier for the character of Baxtor, Ron Burgandy’s dog. In an infamous scene with Jack Black, Baxtor is kicked off a bridge. For the scene, a toy dog was used and there was no post-production trickery used to create the illusion that it was the dog being thrown off. Instead they proudly showed the toy dog being kicked off the bridge which caused the usual response „that was so fake“ to films that show shoddy editing. However, what „*Anchorman*“ (McKay, 2004) portrays are the developing attitudes to animals. Of course Jack Black was not going to drop kick a small dog off a bridge, but many films have done much worse and been applauded for it by audiences. By using the toy dog, the film could ensure audiences that the little terrier portraying Baxtor was in no way harmed during the filming, however distracting the scene was, taking audiences out of the reality of the film. Most filmmakers would not want this separation from the film reality to actual reality and as an alternative, use live animals. No real documentation was made about the use of a fake dog for the scene, but then, why would there be? It is common sense not to kick a dog off a bridge and this appears to be the attitude of the filmmakers.

Another point to argue is the cost and time that would be saved. Filmmakers that kill animals on screen for the sake of a film are cutting costs by not having to make fake animals to

pretend to kill. It would only require one or two takes of killing a real animal, while with a fake you would need to find the most realistic way of portraying the death. Killing the actual animal on screen would solve all of these problems in filmmaking.

„No Animals were Harmed“-The Truth Behind the Words

After the copyright of the phrase „No Animals Were Harmed“ audiences felt at ease as they watched films with animal actors with the knowledge that there was supervision. The purpose of the disclaimer is to reassure audiences that despite the impression of violence, no harm was imposed on any animal in the world outside of the film (Mizuta, 2002). The disclaimer, according to the AHA, speaks for the animals that cannot speak for themselves or defend their rights, yet it also protects distributors from legal claims that could tarnish the reputation of their company and the film, which implies helping the film company if animal abuse allegations do arise. Both are contradicting descriptions of the disclaimer, one protecting the animals, the other protecting the film company. It also illuminates the anxiety that the apparent injury of the animal provokes, causing audiences to question previous films that used animal actors and current ones being released with the „No Animals were Harmed“ certificate, by acknowledging the frequency of violent representations in film (Mizuta, 2002).

While the disclaimer „guarantees“ the protection of animals in both film and television, safety issues are continuing in the film industry when it comes to the use of animal actors. There have been thousands of films monitored worldwide and given various ratings from „Outstanding“ to „Unacceptable“. In *„Animal Movies Guide“* (Wilson, 2007) Staci Layne Wilson says

In 2003, the film and television unit [of the AHA] monitored more than 800 productions at home and abroad and awarded over 150 „No Animals were Harmed disclaimers (Wilson, 2007).

Out of the 800 productions, only a little over 150 were given the disclaimer, raising the question of why exactly the remaining 650 films were not awarded. Although the AHA have monitored the films, they were unable to award all films the certificate, however, it is imperative to question whether or not their presence has affected animal actors. The AHA monitor films by firstly looking over the script and deciding if all scenes are safe for the animals. If they feel a scene is unsafe they will speak to the production about changing the scene. However, nearly 650 films obviously put animals in unsafe positions, so what exactly did the AHA do on the sets?

PETA (People for the Ethical Treatment of Animals) are an organisations set up to protect the rights of animals, their campaigns have included ending the use of fur and leather, stopping the sport of hunting and many other areas of the animal rights issues. Having been in contact with a PETA representative in regard to the use of animals in film, I acquired a list of films that have been given good ratings by the AHA while still harming animals in the filming (see Appendix). PETA has, for years, received reports alleging animal abuse on film sets. Due to the controversial nature of animal abuse in the film industry, and the lack of records, it is impossible to say for definite whether the following information is completely accurate. No records are ever made when an animal dies on or off set and the only way to obtain information is through people working on the set, either animal wranglers or other film crew members, who talk anonymously to animal activist groups such as PETA. In a letter sent from PETA to the AHA, Kathy Guillermo, Senior Vice President of PETA says:

Not all the alleged incidents resulted in death or injury, though some apparently did. What all the allegations do convey is that animals, as well as actors, have apparently been put at risk and that these risks could have been prevented. Here are specific allegations:

„Killing Lincoln“(Moat, 2013): A dangerous scene was filmed in which a horse, with an actor in the saddle, was forced to gallop across a narrow bridge with water, rocks and logs beneath. The bridge had no railings or siding, and the scene was filmed at night.

Before the scene was shot an AHA representative told Karen Rosa (oversees the AHA’s film unit) that it was dangerous for both the horse and actor. The representative was then removed from the set and assigned to another, while a less-experienced one was sent to allow the filming to continue⁶.

„Wrath of the Titans“(Liebesman, 2012): A horse died while being transported during the film. Despite this, the film was given an „Outstanding“ rating by the AHA.

Fifteen films in total were surrounded by animal abuse allegations on film sets that were monitored by the AHA from 2011 to 2012. Yet they were given the „No Animals were Harmed“ certificate and ratings that backed it up. Karen Rosa, the head of the AHA’s film and television unit, and the accused in the letters from PETA, says in an interview:

Everything from the smallest insect to the largest mammal, we believe, that for the sake of the environment, everyone should go home alive.

However she later talks about why she enjoys seeing live animals in film:

Capturing the real animal and its personality, the individual animal as well as the collective representation of the species, is unique and very special that it can be presented on film. (Bodner, 2011).

⁶ Information received through personal correspondence with Julia Gellucci, M.S., Animal Behaviour Specialist for PETA, received October 2012.

Rosa's interest in seeing the „real animal“ in film exposes the fascination in the spectacle of animals. What Rosa and audiences around the world are seeing is not the „real animal“, it is the trained animal, the exploited animal and ultimately, the *false* animal, yet she continues in the illusion that what we see on screen is an accurate representation of the animal kingdom and defends the continued use of live animals in film production, when the advances in film technologies have made both the staging of animal violence and the use of animals in film completely unnecessary.

PETA also received screenshots of emails sent from representatives to the AHA that appear to be informing them of deaths and improper treatment towards animals on film sets (Figures 3-5). Yet after the release of many of the films, they received great ratings from the AHA, who themselves had acknowledged the maltreatment. „*Abraham Lincoln: Vampire Hunter*“ (Bekmambetov, 2012) gained an „Acceptable“ rating when horses were drugged with banamine (anti-inflammatory drug), proving they were considered unhealthy, and then sold and shipped to Mexico to be slaughtered. „*Magic Mike*“ (Soderbergh, 2012) received an „Outstanding“ rating when not every scene was monitored. What these cases are proving is that the AHA disclaimer cannot be guaranteed as protecting the rights and lives of animal actors. Even when they acknowledge that some harm may have come to an animal on set, they are still handing out good ratings dissuading viewers from questioning the use of the animal on screen. Although these mistreatments did not leave every animal harmed, it reveals the diversity of animal mistreatment in film, and an overall lack of attention to detail for the AHA. Some animals were injured in transport to and from the film sets, some were not given adequate food and water, others did not receive proper veterinary care and some were completely neglected as proved in „*Pirates of the Caribbean*“ (Verbinski, 2003), where over 100 squid and fish were killed with explosions over a four day period because the

production did not consider how the explosions would affect fish, which proves Scrutons theory that fish receive no compassion or thought. The film received an „Acceptable“ rating.

In a statement, AHA dismissed the allegations, saying they were raised by

Second and third party sources, including a disgruntled AHA employee. These allegations derive from falsehoods, inaccuracies and deliberately misleading statements. (Verrier, 2012)

Although the AHA guarantee the safety of the animals used in the film industry with their legal disclaimer that states „No Animals were Harmed in the Making of this Film“, what it really means is that, on sets where AHA representatives are present, they do their best to ensure the safety of the animals used. Off-set however, they cannot say for certain that the animals did not meet harm, injury or neglect.

Case Study: „The Adventure of Milo and Otis“ (1986 and 1989)

The Japanese version of the children’s film „The Adventures of Chatran“ was released in 1986 (Hata, 1986) to much controversy, while the American version was released in 1989 under the name „*The Adventures of Milo and Otis*“ to a similar response from animal welfare groups. In a tale about a pug and a small, ginger kitten getting separated from one another, it portrays their journey to find each other again. Controversy and questioning arose due to the deadly nature of some of the scenes. Most of the film was shot over a four year period capturing shots of the pair as they wander a farm, which has the feel of pointless improvisation and the stringing together of shots to look somewhat like a plot. However, some of the situations the animals find themselves in appear quite deliberate and would not have happened without human intervention. Such scenes include:

- Otis (kitten) in a box on a river (Figure 6).

- Otis in a box going over a waterfall.
- Otis being thrown off a cliff. (Figure 9)
- Milo (pug) fights a bear in a river and then on land. (Figure 7-8)
- Otis fights a bear in a tree.
- Bear biting Otis' foot.
- Flock of seagulls attack Otis.
- Bear fighting many other small animals.

In each of these scenes, along with others of the pair playing with much smaller creatures like crabs or mice, human intervention was obvious along with maltreatment to nearly all animals used in filming. The films did not receive the „No Animals were Harmed“ disclaimer, however, at the end of the credits they stated that:

The animals used were filmed under strict supervision with the utmost concern for their handling.(The Adventures of Chatran, 1986)

After the 1989 release of the film, the AHA investigated allegations of breaking the kitten's foot to make it unsteady on its feet (the scene that backs up the claim is one of Otis hobbling over a large fallen tree), killing twenty kittens that were used in the scene where Otis *falls* off the cliff⁷, and the pug used in the scene where it was to fight a bear was badly injured. None of the allegations came up with any evidence and the production team denied putting the animals in any danger, however the scenes themselves do not prove that the film crew has the “utmost concern” for the animals. Many scenes did not make the final film due to aggressive nature or violence, but the ones that did make the final cut portrayed the exploitation and abusing of animal actors in the film industry (figures 7, 8 and 9). The neglect of the animal

⁷ According to reports, about 20 kittens were thrown off the cliff in an attempt to catch a shot of the cat walking out of the water. The kittens apparently did not survive the impact the first 18-19 times until one eventually did and they got the shot they were looking for (Cruelty on Film, 1982).

actors in „*The Adventures of Milo and Otis*“ (Hata, 1986) is obvious and again, proves the fascination with seeing animals hurt on screen. These films were released as children’s films and expose the desensitization towards animal cruelty that the film industry is promoting. By allowing children to witness the *adventures* of the duo and the not so friendly encounters with other animals, the young audience becomes so familiar with the spectacle that they subconsciously start to ignore and become blind to it.

The AHA were around a long time before the films were made and had access to the film if they felt their presence was needed, yet a film that used dozens of animals telling a story about a pug and a kitten had no monitoring whatsoever, possibly due to it being filmed in Japan. Instead the AHA investigated after the film was made, and could do nothing to prove that the allegations were accurate, because no record was made. If they had been on set however, even their presence could have had an impact on the treatment of the animals used. The beloved children’s film could have been a family friendly one, instead it appears more of a statement to the abuse of animals in entertainment.

Case Study: Cannibal Holocaust (1980)

One of the most vulgar films of the last century to portray animal cruelty blatantly was released in 1980 under the title „*Cannibal Holocaust*“ (Deodata, 1980). Controversy surrounded the film for its sensationalist content: real animal and human deaths⁸. The story portrays a documentary crew adventuring into the Amazon rainforest in search of real cannibals. The film falls under the horror/gore genre but what audiences were not aware of

⁸ A scene known as ‘*The Last Road to Hell*’ portrayed documentary footage of actual executions. There were also allegations of killing actors for some scenes but these were proved false at the trial when Deodata showed how pig intestines were used in the scene. (Davis, 2007)

to begin, was that seven real animal deaths were captured in the film. The scenes are sensationalist in their approach to the animal deaths, and were cut into the film for no other reason than the feel of reality. While vigorous attempts were made to make the human deaths appear real, the animal's deaths were given little effort and instead of using animal replacements a Muskrat, a large turtle, a snake, a spider, two squirrel monkeys and a pig were brought on set to be slaughtered, live on camera.

The scenes themselves are harrowingly graphic, slow and meticulous in their portrayal. The first animal to die is the Muskrat having a slim knife jabbed into his throat twice before having his insides removed. The turtle met the same fate (Figure 10) while the spider and snake were hacked with knives. The pig, however, caused problems with the actors. The character that was originally going to shoot the small animal refused and walked off the set, while a different actor had no problem kicking the little pig before shooting it in the head with a rifle. And although only one monkey can be seen being decapitated, two were used to get the footage. Every second of the animals' deaths were caught on camera and portrayed the fear the animals felt as they either screeched or struggled to get away. Deodata represents human barbarism towards animals used in filming and proves the worth of animal lives. Deodata sought out to portray the deaths as spectacle, deliberately killing the animals slowly and showing their pain to entice viewers with the realism; by showing the actual deaths of the animals, the deaths of the humans appear just as real. In fact, they appeared so real that Deodata, along with the producers and screenwriters were charged with producing a snuff film. The Italian Magistrate charged them with animal cruelty and obscenity (the production proved the human deaths were all simulated) and received a four month suspended sentence along with hefty fines for the animal brutality (Davis, 2007).

The AHA rated the film „Unacceptable“, yet why were they not on set? It is uncertain whether they have jurisdiction outside the USA as they have numerously stated that they did not have the authority to be on certain sets, yet they have also said that they have been on hundreds of sets worldwide. The AHA are the only group with the authority to monitor film sets, yet they appear selective in their monitoring, as they only supervise western film productions. The fact that „*Cannibal Holocaust*“ was filmed mostly in the Amazon rainforest appears to be the reason for not having a representative monitoring the set. They did however, criticize the film after it was released and urged viewers to boycott it, but it had gained so much notoriety that many people wanted to see what the interest was. Or, possibly, they wanted to see it because of the violence, knowing that it would be horrific. It is the fascination with brutality and violence that viewers find appealing in the gore genre after all. The AHA condemned the film and the animal cruelty was cut out of the film for the re-release on DVD. Although the AHA could not stop the killings, they could stop people from witnessing them. Stopping the spectatorship of such brutal scenes by editing the violence out would impinge on the success of the film as the violence was what sold it to viewers. Without the animal torture and pictures of human cannibalism, along with various graphic rape scenes, the film became less popular losing much of its original fascination. Presently it is not difficult to find the original uncut version online and it has regained that fascination among viewers in the past few years, quickly becoming the number one Cannibalism film of all time.

Chapter 4

Monkey Business in the Film Industry.

Chimpanzees, Monkeys and Gorillas have been a part of the film industry for decades. They have been portrayed as comical (wearing clothing or nappies), scary (giant gorillas terrorizing human beings) and adorable (again wearing clothing), but what hasn't been portrayed is the real life and characteristics of these animals. Chimpanzees have a life span similar to humans and if kept well, can live for decades. What viewers do not know about the chimps they see on screen is that they will only be in the first years of their lives, ranging from 3 years to 7. At 2, they are separated from their mothers and taken to be trained for entertainment. Their cuteness and affability is limited to their childhood though and after the age of 7 they become aggressive and hard to handle with the ability to injure or kill actors or trainers and it is around this time that they are retired from the movie business. Adding insult to injury, Chimps in Hollywood are usually portrayed as buffoons, objects to be mocked and laughed at, when in fact they are intelligent, feeling beings just like us. While their career contains as much abuse as other animals in films, it is their retirement from the industry that causes most of the concern. Most primates will be left at roadside zoos or laboratories and are kept in terrible conditions, being fed food not agreeing with their dietary needs, with no access to veterinary care and appalling accommodation. As they are no longer any use to filmmakers, they are literally thrown to the side of the road and forgotten about. Most accredited zoos will not accept entertainment chimps and monkeys due to the lack of primate socialization. This lack of socialization hinders their interaction with other primates, making them outcasts in their own species and unable to live alongside their own kind.

The training of primates is also difficult as they are naturally curious, playful and mischievous creatures. The only way to train them is to beat the curiosity out of them and replace it with fear. Smiling chimps can be found everywhere and are greatly received by cinema goers as delightful and lovable, however, showing their teeth in the wild is a sign of extreme fear. This is not what audiences believe when they see the huge smiles of primates on screen. As it relates so closely to human traits of happiness, we are unable to connect smiling with anxiety.

The Fate of Famous Apes

The most famous of Chimps would most likely be *Cheetah* from the „*Tarzan*“ (Gibbons, 1934) film series that aired in the 30’s. Although Cheetah is said to have lived a long and happy life filled with fame, there have been debates as to whether the chimp was indeed the same primate that starred in the „*Tarzan*“ films. There was more than one chimp used in the series and with a lack of documentation, it is impossible to know where the real Cheetah’s were left.

Tyler from the film „*Race to Space*“ (McNamara, 2001) and *Ripley* from the TV series „*Seinfeld*“ (1990) along with two other chimps, escaped their cages in *Zoo Nebraska* in 2005. Instead of being tranquilized and re-placed in the cages, they were vigorously pursued and shot dead with rifles by the handlers. In an investigation of the zoo in 2004, numerous citations were made which included: unsuitable living conditions i.e. rusty and broken cages, incongruous waste disposal and sanitation (animals were sitting in their own excrement), non-efficient lighting (cages and accommodation was too dark for the primates) and

unsupervised and un-trained employees⁹. It is the untrained employees that shot the Chimps dead instead of tranquilizing them proving that the workers were unfit to handle such an incident and therefore unqualified to be around large primates.

Clyde from the Clint Eastwood film „*Every Which Way But Loose*“ (Fargo, 1978) was best known for punching villains and making audiences laugh. However what most audiences do not know is that Clyde did not survive the making of the film. It was reported that he had been dead for nearly six months by the time he gained fame through the movie. Trainers told the media that Clyde had been beaten to make him passive during the filming. Accounts that the lead animal trainer took Clyde to an isolated spot because he wanted to talk with the animal, when Clyde became inattentive, he was beaten with a cane and an axe handle. Clyde tried protecting himself with his arms and rolling in a circle, tried to avoid the blows which were ultimately fatal. He died of cardiac arrest a month after the beating. Although the United States Department of Agriculture prosecuted Clyde’s owner, the trainer who beat him is still enjoying a lucrative career as one of the top animal trainers in Hollywood¹⁰.

Chubbs is a chimpanzee that was used for the 2001 film „*The Planet of the Apes*“ (Burton, 2001) and during an investigation (by PETA) they found him living in an underground cement pit that resembled a dungeon (Figure 11). The conditions were dirty and rancid as he was being fed everything from rotten fruit to dog food. He still sits in his own waste to this day.

⁹ Documentation of citations, appendix 2.

¹⁰ Information found at: www.paws

Jiggs, who appeared in two Tarzan films, „*Tarzan the Ape Man*“ (Van Dyke, 1932) and „*Tarzan and His Mate*“ (Gibbons, 1934), and numerous smaller productions, died at the young age of nine from Pneumonia. It is yet another example of neglect towards animals in the acting business.

Case study: „The Rise of the Planet of the Apes“ (2011)

To explore the idea of never having to use a live animal in filming I would like to introduce the first film to portray a story from an animal’s point of view without ever having an animal involved in the process. „*The Rise of the planets of the Apes*“ (Wyatt, 2011) is a film that portrays many aspects of the animal rights issues, from primates in research facilities and zoos where trainers use fear to suppress instinctual behaviours, to prejudice towards them from a social point of view, lesser beings require lesser thought. It raises ethical questions in regard to the treatment of all animals, and so the director, Rupert Wyatt, chose not to use animals in the filming of the epic drama. He explains that the theme of the movie is humanity's mistreatment and abuse of captive apes. Wyatt was adamant about not using animals during production especially now in the age of CGI, so he wanted to send the message to other studios that there is no need to use apes in the film making process. He says that it would have been offensively hypocritical to use live animals in a film defending the rights of animals (Berhaupt, 2012).

Wyatt used the same technology that was developed for „*Avatar*“ (Avatar, 2009) to depict his story i.e. computer generated imagery. The performers were all human, wearing performance capture technology that could capture the movement and emotions of the actors. Primates

express themselves similarly to humans so human voices were also used for the primate's voices and sounds. The researchers for the film also spent time in zoo's observing the primates movements and facial expressions so that the actors could accurately present the animals. This also allows the film to depict apes and chimps like the sentient beings they are, with the same emotional needs as human beings.

The results were outstanding when the film released in 2009, as audiences witnessed the first film portraying animals without having actually used animals. *Caesar*, the lead primate played by Andy Serkis, endeavours through emotional and physical abuse with such realistic responses that it was not easy to recognise CGI's involvement. PETA has praised the film for its decisions and awarded it a PETA Proggly Award, which applauds companies for innovative and animal-friendly achievements. It also received PETA's seal of approval both for the film's use of CGI and for highlighting animal rights messages. The applaud-able decisions made during the film making process has proved that the use of animals in the film industry is no longer required, as the film received numerous awards for best special and visual effects, best actors and Outstanding Animated Character in a Live Action Feature Motion Picture.

Compared to the earlier „*Planet of the Apes*“ films, which used live primates and human actors, Wyatt's version is visibly better quality, as the use of CGI is not noticeable. In terms of animal cruelty, while there have been no allegations towards the earlier films, as I have previously stated, Chubbs starred in the 2001 „*The Planet of the Apes*“ (Burton, 2001) and now spends his days in an underground pit. Wyatt's portrayal of primates on the other hand will not affect any animals in this way.

Chapter 5

Trained to Entertain.

Every animal audiences observe on the big screen has been trained for the purpose of entertaining. Whether it's a dog doing backflips, a primate walking up right and dancing or a horse rearing up angrily, every action that isn't forced i.e. tripwire, is a learned action. The business opportunities for training animals to entertain in film and television are vast. With the thousands of species of animals used in film, there is no end to the necessity of animal trainers or wranglers. With that opportunity though, there are no set rules for the training of animal actors, which means that there are no repercussions to abusing the animals. „*Amazing Animal Productions*“ is the world's largest animal provider for the entertainment industry. Their website states that they have had:

35 years of experience in providing affection-trained exotic and domestic animals for the television and motion picture industry¹¹.

The animals they train range from birds, dogs, and farm animals to „*Jungle giants*“ and sea lions. They also declare that their:

Animals are hand-raised by trainers at home. That's why they're so safe and comfortable in human surroundings. All of our animals are Affection Trained with love, respect and positive reinforcement.

Unfortunately, the affection-based training they received has been refuted by PETA as they investigated the organisation for abuse and neglect towards the animal. Throughout the inspection they found that:

The U.S. Department of Agriculture (USDA) [had] cited Amazing Animal Productions for failure to have an adequate environmental enhancement plan to promote the psychological well-being of primates, failure to provide adequate space,

¹¹ Website found at <http://www.amazinganimalproductions.com/joomla/component/content/?view=feature>.

exhibiting animals without a valid USDA license, and failure to handle chimpanzees safely (see Appendix).

In 2009, they were also cited for having insufficient veterinary care, leaving an incredibly matted Great Pyrenees dog to the extent that it was affecting his health and failure to supply adequate space for hybrid puppies to lie in a manner that was normal. The list goes on and explains twelve citations from between 2004 and 2009 including nearly a hundred misconducts on behalf of the company. This reveals that massive lack of care towards animal actors being trained to entertain. The animals in their repertoire received little care towards their psychological well-being which problematized the hope of any of the animals being replaced in sanctuaries.

There are many other animal training facilities that are violating the rights and welfare of animals in entertainment that continue to violate and exploit them. Such organisations include: *Amarillo Wildlife Refuge* whose owner pleaded guilty to federal wildlife trafficking charges, *Steve Martin's Working Wildlife* has a catalogue of USDA citations that includes housing primates in the dark for up to 18 hours a day, *Hawthorn Corporation* which has a long history of USDA sanctions for abusing and neglecting animals, *Arbuckle Wilderness* also has a long history with the USDA as 60 charges of Animal Welfare Act violations were charged from 1999 to 2002 and *M&C Exotics* who advertise animals for sale on a regular basis and have been cited for improper treatment and unclean living standards for the animals. This list goes on, as the most that can be done to prevent this type of behaviour towards animals is fining the parties involved and withholding licenses. However, organisations like these will continue to deal in animals as long as there is a market for it.

Case Study: Water for Elephants (2011)

Training animals for film and television can bring about many cases of abuse, as not all animals are train-able. In many situations, negative reinforcement is a technique used which can not only physically hurt the animal, but psychologically scar the creature also. This issue came to the forefront of the animals in film subject in 2011 after the release of the film „*Water for Elephants*“ (Lawrence, 2011). In a story portraying animal abuse, it was behind the scenes that were much worse than the abuse portrayed in the film. The elephants used in the film were from a company called „*Have Trunk Will Travel*“ who in an investigation were found to be beating the elephants in order to force them to perform. Undercover footage of the elephants being beaten with bull hooks, electrocuted and screaming in pain can now be found online¹². On the set however, the AHA provided video proof that the animals were not harmed on the set and were treated humanely. Reese Witherspoon says of AHA,

They're very conscious of how the animals were treated. They're on set everyday...
They're just the happiest animals. You can tell.(Zelman, 2011)

It is doubtful, however, that the actors would have known anything about the animals being abused. The elephants were abused before the filming started, so not only would the actors, directors, producers, and crew not know about the cruelty, but the AHA, who are in a position to protect animals used in film, also would not be aware. This is exactly the problem with protecting animals used in film. The only group with the authority to monitor the safety of the actors only has access to the film set, not the housing, care, transport or training. With the animal acting business booming, it is impossible to inspect every training facility without the resources and therefor many organisations are getting away with abusing the animals and

¹² Information found at: <https://www.youtube.com/watch?v=Gt3tqsYfMg>

using negative reinforcement to train them. What's worse even still, is that the abuse is not illegal.

„A-Z Animals Ltd“ on the other hand, is a British based group that also deal in training animals for film and television. Although their website¹³ advertise animals „for hire“ exposing the commodification of animals for film, there have been no citations for mistreatment of animals. The company work in both Britain and Ireland in advertising, film, television and photography. They work with a wide variety of animals but not to the extent of „Amazing Animal Productions“ with their exotic creatures. When asked about their supervision on sets they responded that

The shoot and the welfare of the animals are monitored throughout by a veterinary surgeon on set - as is normal on all TV commercial shoots - our company is instrumental in introducing the concept of the attendance of qualified veterinary surgeons on such shoots. It is our guidance to all our clients that they should have a veterinary surgeon in attendance to monitor animal welfare.¹⁴

They also stated that positive reinforcement is their only method of training, awarding the animals with treats so that they learn the difference between the behaviour that gets awarded and the behaviour that is not. They continue to say about the animals that

They learn very quickly that they are training the trainer to give them the reward they seek, by offering the behaviour that elicits the reward! This allows the horse, dog or whichever animals to decide how best to achieve the reward they themselves wish to achieve. Classically, this would have had its beginnings as operant behaviour training as coined by BF Skinner although we have refined this somewhat further - it's a very kind, highly focused way of training.

¹³ Information found at : <http://www.a-zanimals.co.uk/animals-for-hire/our-animals-for-hire>

¹⁴ Personal correspondence with 'A-Z Animals Ltd' 10/12/2012

Organisations like this are rare in the world of animal entertainment, as it is usually easier to scare an animal into doing certain actions than taking the time to train it under positive conditions. The training of animals itself is endangering both the mental and physical health of animals. Wild animals have extremely specialized needs. Big cats, elephants and bears are roaming animals, requiring a lot of open space to explore and exercise. In training facilities these animals are subjected to intense confinement and deprived of opportunities that express their natural behaviour. This often leads to psychological distress. They become neurotic, pacing back and forth (as one would see them do in Zoos) and elephants develop painful foot conditions and arthritis. The chimpanzee grin we see so much in advertising and on screen, is as mentioned before, a sign of fear, which they perform on command as a result of fear-based training methods. As young primates such as chimps are curious and energetic, their trainers physically assault and psychologically trouble them in order to calm them down. The training of wild animals is not easy, it takes time and effort alongside attention and care but most of the organisations set to train animals to entertain do not bother with these training techniques, instead opting for the cheaper and more brutal fear-based training.

By acknowledging this often deadly training of animals, one is capable of understanding a bit more that the animals we see on screen, are indeed false representations of their species. They are trained to do everything from smiling to hand-stands, all for the purpose of entertaining the masses.

Chapter 6

When Does the Use of Animals Become the Abuse of Animals?

This is a highly disputed question. There are many areas of the animal rights movement from disagreeing with the use of animals in farming, laboratories and film, to agreeing with them as long as the animals are treated compassionately. It is a complex subject with many different groups on either side of the argument. However, when regarding filmed media, which has no benefit for human beings other than enjoyment and pleasure, the question of the use of animals is easier to define. When using the Ethical Arithmetic associated with animal testing it is clear that animal pain and suffering outweighs the contribution to human beings. Replacing the word “experiment” with „scene“ we get the following:

If performing a [scene] would cause more harm than not performing it, then it is ethically wrong to perform that [scene].¹⁵

Thus, using animals in film and harming them because of it is ethically wrong as not using them in film wouldn't cause any harm. However as it has been over one hundred years since the issue of animal cruelty and exploitation was acknowledged, it is required to find the difference, if any, in the treatment of animals used in film between then and the present. What laws have been put into practice? What changes have been made to the rights of animals used in filming? While it is obvious that animal cruelty is positively still a concern, there have been changes in the way the animal the animal is both observed and represented. At the beginning of cinema and well into the 70's and 80's, animals were seen as humorous, anthropomorphised, side-kicks; creatures with human values, emotions and needs. Certain species have been stereotyped, such as the bat, now seen as a bloodsucking creature from the

¹⁵ Information found at: http://www.bbc.co.uk/ethics/animals/using/experiments_1.shtml

many „*Dracula*“ films, the suicidal lemmings from „*White Wilderness*“ (Algar, 1958) and the man eating sharks as seen and embodied in „*Jaws*“ (Spielberg, 1975) . In the last ten years or so there has been a shift both in the way animals are perceived and portrayed, especially in light of the many nature documentary films being released attempting to capture the real animal. „*The Cove*“ (Psihoyos, 2009) exposes the harrowing slaughter of thousands of dolphin each year in Japan, „*March of the Penguins*“ (Jacquet, 2005) looks at the annual journey of the Emperor penguins and „*Arctic Tale*“ (Ravetch, 2007) portrays the life cycle of a walrus mother and her calf and a polar bear mother with her cub. Each of these films have revealed the true animal in many senses, whether the exploitation of them or their instinctual migrations. Fiction films like „*Rise of the planet of the Apes*“ (Wyatt, 2011) are also depicting animals as real beings that require the same respect as human beings.

While the representations of animals are slowly modifying, film has yet to cease neglecting animals. Although the use of non-humans in film is shifting slightly, animals are still being mistreated, abused and killed within the movie business, whether it is in their training (Water for Elephants), the actual filming (Cannibal Holocaust) or off-set (Wrath of The Titans). As human beings, we generally don't like to think about the wild, natural animal because we have just about extinguished nature from our daily lives. We prefer our animals framed within our screens, domesticated within our homes and dressed up for our spectacle, so the use of animals will certainly continue to fill our Television screens, the question is are they protected? Over the past 70 years frequent allegations have been made about animal neglect on film sets each year exhibiting the lack of concern for animal safety by the AHA. Even with AHA representatives on set, non-humans have been killed, neglected or mistreated in other ways, as proved by „*Pirates of the Caribbean*“ which killed over a hundred squid and fish with explosions while AHA was monitoring. The AHA, who „guarantee“ the welfare of

animals in film are becoming less reliable and their stamp of approval guarantees nothing. Throughout the research for this thesis, it has become clear that the AHA, while being a privately funded organisation, receives donations from the Screen Actors Guild (FifthEstate, 1982), implying that they are too close to the film industry to be completely unbiased. Many other organisations do not believe in the work of the AHA, Animal Liberation Front have said that the AHA “don't do a good job”, PETA has said “The AHA is not doing enough!”¹⁶ explaining the “recent allegations of cruelty on film sets, and negligence of AHA”.

An additional issue to take concern with is the consequence of maltreatment and the lack of punishment. Since their Guidelines are just that, there is no penalty for not following them, nor does it state anywhere that the film crew *must* contact the AHA when they are using live animals, instead the AHA „recommend“ they be contacted. In fact the only power the AHA has over a film is their ability to withhold the „No Animals Were Harmed“ disclaimer, which may or may not affect the movie at the box office. This has not stopped films from using the disclaimer illegally however, as several recent films have used the slogan illegitimately such as „*The kings Speech*“ (Hopper, 2010). Although there were no animal mistreatment allegations, the film was threatened with legal action by the AHA if they did not take the disclaimer off the end credits as no AHA representatives monitored the film. The producers of the film claimed they did not realise the slogan was trademarked

As an independent UK production we were unaware that the phrase „no animals were harmed“ had a certification mark and any implication that the American Humane Association was involved in our UK production was unintentional. (Gardner, 2011)

¹⁶ Personal Correspondences: Animal Liberation Front, emails received from 09/2012 to 11/2012
PETA, emails received from 09/2012 to 15/2013

In a statement about the film, Karen Rosa (head of the film and Television Unit) said that changing the phrasing could rectify the situation but that "If there's any implication of an endorsement, it could still cause confusion." (Gardner, 2011). It appears by this statement that the AHA is concerned more with the legal issues of using the trademarked disclaimer than with the animal actor's safety. Changing the phrasing of the term is still ensuring audiences that the animals were cared for but since there is no evidence to prove that, it is impossible to say whether the animals were looked after or not. Consequently the AHA should not be content with the producers simply altering the phrasing as it could well be dishonest.

Finally, it is imperative to address the most senior advisers in the AHA Film and television Unit, since it is their responsibility to oversee all productions. According to PETA's senior vice president Kathy Guillermo (see Appendix), many of the allegations throughout the past three years, although not all, have involved MS. Karen Rosa, the Director of the Film and Television Unit. PETA received countless reports from people on film sets that believed the AHA representatives had not received the support needed from Ms. Rosa to ensure the safety of the animals. It was also alleged that inexperienced representatives were purposefully chose to monitor sets because they would not make filming difficult. Guillermo goes on to say that:

Whistleblowers allege that Ms. Rosa is a reflection of a pervasive culture at AHA in which „relationship building“ with producers and directors has become more important than effective oversight. (See Appendix)

A specific allegation concerns the film „*Lone Ranger*“ (Verbinski, 2013) which I have mentioned previously, where an AHA representative who reviewed the script was anxious about certain risky scenes that involved animals and a river. The representative's worries

were not backed by AHA management and a trainer was fired for not cooperating with the producers. Not surprisingly, an incident did occur with a horse as it was swept downriver with a rider. Although neither were injured, the incident proves that the AHA concerns lie with their relationship with the film crew. Ms. Rosa has proved that animal welfare on set is not a primary concern. However, the AHA have argued that the need for a good relationship with producers/directors is paramount as it ensures that the film companies will contact AHA for further film productions (FifthEstate, 1982). Nevertheless, if the AHA are not ensuring animal safety in films to their full capacity, because of their need to build „relationships“ with film producers, then their word simply cannot be trusted. If they are willing to allow potentially harmful and risky scenes to go ahead for a film crew, then is it possible they are willing to cover up details about the safety of their animal actors also?

There are ways of altering the use of live animals in film to ensure and guarantee their safety. In a letter from Julia Gallucci (PETA, Animal behaviour specialist) to the AHA she suggests numerous ideas that would do so. These include banning the use of great apes in the film industry, adding “Pre-production training and living conditions off set were not monitored” to the current „No Animals Were Harmed“ disclaimer and strongly advising the use of CGI and animatronics where necessary.

Cast Study: *The Hobbit: An Unexpected Journey* (2012)

„*The Hobbit: An Unexpected Journey*“ (Jackson, 2012) was the much anticipated prequel to „*The Lord of the Rings*“ (Jackson, 2001) trilogy. It portrays the journey of the young Bilbo Baggins setting out on a journey with dwarves to reclaim their stolen

home. The use of CGI throughout the film illuminates the fantasy aspect of the narrative, and also gives the impression of non-reality. With most films using CGI the use of real animals is not needed, however, Peter Jackson did indeed use live animals for the film. Before the film was finished production, reports were alleging that three horses had died due to the appalling housing conditions approximately 186 miles from the main set¹⁷. The farm itself was described as a “death trap” by animal handlers/wranglers hired to monitor the animals (Cooke, 2012). After production finished however, numerous more reports were made stating that 27 animals had indeed been killed on the dangerous farm, as it was filled with sinkholes and jagged fencing.

One miniature pony, Rainbow, fell from the bank surrounding the farm overnight and was found at the bottom with a broken back the next morning. She was euthanized the next day. Two other horses got their legs caught in the fencing which caused serious injuries, and were covered up for the shooting of the scenes. Six goats, six sheep and a dozen chickens were also killed on two separate occasions when dogs attacked. It was also alleged that a horse was hobbled (his legs were bound and he was left lying on the ground for over three hours), which is against the AHA guidelines. Although the wranglers informed the production company of the danger, they did not relocate the animals. Throughout the entire production numerous animal wranglers left their jobs (Cooke, 2012). Peter Jackson redirected the allegations by focusing on the use of animals in his action scenes. He says “The producers completely reject the accusations that 27 animals died due to mistreatment during the making of the film” (Newkirk, 2012) and goes on to say:

¹⁷ Information found on AHA website at: <http://www.americanhumane.org/about-us/newsroom/news-releases/aha-the-hobbit-animal-deaths.html>

Extraordinary measures were taken to make sure that animals were not used during action sequences or any other sequence that might create undue stress for the animals involved. Over 55 per cent of all shots using animals in *The Hobbit* are in fact computer generated; this includes horses, ponies, rabbits, hedgehogs, birds, deer, elk, mice, wild boars and wolves. The American Humane Association (AHA) was on hand to monitor all use of animals by the production. No animals died or were harmed on set during filming. We regret that some of these accusations by wranglers who were dismissed from the film over a year ago are only now being brought to our attention. We are currently investigating these new allegations and are attempting to speak with all parties involved to establish the truth.(Newkirk, 2012)

Jackson refers to the animals used on set, however, it was off set that these animals died. He speaks of the AHA monitoring the film, but as previously stated, they do not monitor the animals training, housing or transport to and from the sets, which factored into the deaths of the animals used in „*The Hobbit*“. The AHA were indeed „monitoring“ the film, however there were accusations that they were absent from numerous scenes involving animals. It was after the third horse died that the AHA recommended better housing for the animals but were ignored. AHA President and CEO Dr. Robin Ganzert made the following statement:

We are currently only empowered to monitor animal actors while they are working on production sets. We do not have either the jurisdiction or funding to extend that oversight to activities or conditions off set or before animals come under our protection. There are too many incidents off the set and this must stop. It is vital that we work with the industry to bring the kind of protection we have for animals during filming to all phases of production.(Edel, 2012)

Since then the AHA are asking for additional jurisdiction and funding to keep animal actors safe not only on set, but off set as well

To address illegitimate suppliers of animals and to ensure proper training, housing and retirement of these important and beloved co-stars of film and television.¹⁸

¹⁸ Quote found on AHA website at: <http://www.americanhumane.org/about-us/newsroom/news-releases/aha-the-hobbit-animal-deaths.html>

As of yet, no actual action has been taken to change the policies. It is important to note that it took twenty seven animal deaths on the production of a single film for the AHA to respond with any kind of proposed changes to their policies. This thesis has looked at 23 specific films with animal abuse allegations, with, on average, two animals hurt per case which brings the total animal abuse cases to 46. Therefore, an average of 46 animals have been hurt since the AHA began its film monitoring. I would also like to point out that I have not, by any means, documented every animal cruelty case alleged in film, just the more prominent of them, which suggests an even higher number and yet the AHA brag a 99.98% success rate (Arbeiter, 2012). It also begs the question of whether the AHA would have responded as heavily if the allegations hadn't been leaked to the public.

The use of animals in film will continue to be a common feature of motion pictures. It has been a century since animal abuse in film was first recognised and in spite of this, little has changed in terms of animal welfare. The AHA was established to ensure the well-being of animal actors yet have proven time and time again that they are thoroughly inefficient at carrying out this task. They argue a lack of jurisdiction causes difficulties in enforcing their oversight of film sets and regulations, yet they act more as a source of marketing for compliant filmmakers being able to boast the „No Animals Were harmed“ disclaimer. With the public allegations surrounding „The Hobbit“ the AHA's work came to the forefront of many accusations causing them to rethink their actions and propose new regulations, bringing hope for the future of animal actors, however, it will be ineffective without the match in competence.

References/Bibliography

- 101 Dalmatians*. 1996. [Film] Directed by Stephen Herek. s.l.: s.n.
- Abraham Lincoln: Vampire Hunter*. 2012. [Film] Directed by Timur Bekmambetov. s.l.: s.n.
- AHA, n.d. *americanhumane.org*. [Online]
Available at: <http://www.americanhumane.org/assets/pdfs/animals/pa-film-guidelines.pdf>
[Accessed 13 05 2013].
- America, R., 2013. *Topsy The Elephant*. [Online]
Available at: <http://www.roadsideamerica.com/story/3641>
[Accessed 23 Feb 2010].
- Anchorman: The legend of Ron Burgandy*. 2004. [Film] Directed by Adam McKay. s.l.: s.n.
- Anon., 2012. *The Tangled Tale of Topsy The Elephant*. [Online]
Available at: <http://footnotables.blogspot.ie/2010/01/tangled-tale-of-topsy-elephant.html>
[Accessed 14 05 2013].
- Arbeiter, M., 2012. *Peter Jackson and the AHA address animal death reports surrounding 'The Hobbit'*. [Online]
Available at: <http://www.hollywood.com/news/movies/44586490/peter-jackson-and-the-aha-address-animal-death-reports-surrounding-the-hobbit?page=all>
[Accessed 17 05 2013].
- Arctic Tale*. 2007. [Film] Directed by Adam Ravetch. s.l.: s.n.
- Avatar*. 2009. [Film] Directed by James Cameron. s.l.: s.n.
- Beethoven*. 1992. [Film] Directed by Brian Levant. s.l.: s.n.
- Berger, J., 2000. *Why look at Animals?*. s.l.:Penguin.
- Berhaupt, N. A., 2012. *„Rise of the Planet of the Apes“ proves technology can replace live animal actors*. [Online]
Available at: <http://blog.timesunion.com/animalrights/rise-of-the-planet-of-the-apes/3647/>
[Accessed 13 05 2013].
- Bodner, P., 2011. *Animal Safety on Movie Sets Still a Concern*. [Online]
Available at: <http://learningenglish.voanews.com/content/animal-safety-on-movie-sets-still-a-concern-130814933/114587.html>
[Accessed 23 11 2012].
- Burt, J., 2002. *Animals in Film*. s.l.:Reaktion Books.
- Cannibal Holocaust*. 1980. [Film] Directed by Ruggero Deodata. s.l.: s.n.

Cass, S. M. N., 2004. *Animal Rights: Current Debates and New Directions*. Oxford: Oxford University Press.

Cooke, S. V. G., 2012. *27 Animals Die During Making of The Hobbit, Says Handlers*. [Online] Available at: <http://newsfeed.time.com/2012/11/19/27-animals-died-during-making-of-the-hobbit-say-handlers/>

[Accessed 16 05 2013].

Cruelty on Film. 1982. [Film] Directed by FifthEstate. s.l.: s.n.

Curious George. 2006. [Film] Directed by Matthew O Callighan. s.l.: s.n.

Davis, L., 2007. *5 horror movies so gruesome, the makers were investigated for cruelty and murder*. [Online]

Available at: <http://io9.com/5955517/5-horror-movies-so-gruesome-the-makers-were-investigated-for-cruelty-and-murder>

[Accessed 01 03 2013].

Docotr Doolittle. 1998. [Film] Directed by Betty Thomas. s.l.: s.n.

Edel, R., 2012. *American Humane Association Responds to Animal Deaths on "The Hobbit"*.

[Online]

Available at: <http://blog.northjersey.com/jerseydog/7792/aha-responds-to-animal-deaths-on-the-hobbit/>

[Accessed 17 05 2013].

Electrocuting an elephant. 1903. [Film] Directed by Thomas Edison. s.l.: s.n.

Every Which Way But Loose. 1978. [Film] Directed by James Fargo. s.l.: s.n.

Felix The Cat. 1989. [Film] Directed by Tibor Hernádi. s.l.: s.n.

Gardner, E., 2011. *'The King's Speech' Threatened With Legal Action Over 'No Animals Harmed' Claim*. [Online]

Available at: <http://www.hollywoodreporter.com/blogs/thr-esq/kings-speech-threatened-legal-action-96849>

[Accessed 15 05 2013].

Humphrys, M., 1995. *Killings for Christianity*. [Online]

Available at: Markhumphrys.com/christianities.killings.html

[Accessed 26 02 2013].

Jaws. 1975. [Film] Directed by Steven Spielberg. s.l.: s.n.

Jesse James. 1939. [Film] Directed by Henry King. s.l.: s.n.

Killing Lincoln. 2013. [Film] Directed by Adrian Moat. s.l.: s.n.

King Kong. 1976. [Film] Directed by John Guillermin. s.l.: s.n.

Lassie. 1994. [Film] Directed by Danie Petrie. s.l.: s.n.

Little Fugitive. 2006. [Film] Directed by Joanna Lipper. s.l.: s.n.

- Lone Ranger*. 2013. [Film] Directed by Gore Verbinski. s.l.: s.n.
- Magic Mike*. 2012. [Film] Directed by Steven Soderbergh. s.l.: s.n.
- Malamud, R., 2011. *A Cultural History of Animals in The Modern Age*. s.l.:Bloomsbury Academic.
- March of the Penguins*. 2005. [Film] Directed by Luc Jacquet. s.l.: s.n.
- Mizuta, A., 2002. The Death of An Animal. *Film Quarterly*, Vol. 56, pp. 09-22.
- Newkirk, I., 2012. *The Hobbit Movie is no Fantasy for Animals*. [Online]
Available at: <http://www.independent.co.uk/voices/comment/the-hobbit-movie-is-no-fantasy-for-animals-8411487.html>
[Accessed 16 05 2013].
- Panaman, R., 2008. *How To Do Animal Rigts*. [Online]
Available at: <http://www.animaethics.org.uk/aquinas-thomas.html>
[Accessed 26 02 2013].
- Pirates of the Caribbean*. 2003. [Film] Directed by Gore Verbinski. s.l.: s.n.
- Race to Space*. 2001. [Film] Directed by Sean McNamara. s.l.: s.n.
- Robertson, J. C., 1993. *The Hidden Cinema: British Film Censorship in Action 1913-1975*. s.l.:Routledge.
- Scruton, R., 2000. *Animal Righsta and Wrongs*. Britian: Metro Books.
- SeaBiscuit*. 2003. [Film] Directed by Gary Ross. s.l.: s.n.
- Singer, P., 1985. *The Animal Liberation Movement*. s.l.:Old Hammond Press.
- Spanish Bullfight*. 1900. [Film] Directed by Unknown. s.l.: s.n.
- Tarzan and his Mate*. 1934. [Film] Directed by Cedric Gibbons. s.l.: s.n.
- Tarzan and His Mate*. 1934. [Film] Directed by Cedric Gibbons. s.l.: s.n.
- Tarzan The Ape Man*. 1932. [Film] Directed by W. S. Van Dyke.. s.l.: s.n.
- The Adventures of Chatran*. 1986. [Film] Directed by Masonori Hata. s.l.: s.n.
- The Cove*. 2009. [Film] Directed by Louis Psihoyos. s.l.: s.n.
- The Hobbit: An Unexpected Journey*. 2012. [Film] Directed by Peter Jackson. s.l.: s.n.
- The Killing Season*. 2013. [Film] Directed by Mark Steven Johnson. s.l.: s.n.
- The Kings Speech*. 2010. [Film] Directed by Tom Hopper. s.l.: s.n.
- The Lord of the Rings*. 2001. [Film] Directed by Peter Jackson. s.l.: s.n.
- The Planet of the Apes*. 2001. [Film] Directed by Tim Burton. s.l.: s.n.
- The Planet of The Apes*. 2001. [Film] Directed by Tim Burton. s.l.: s.n.

The Rise of The Planet of The Apes. 2011. [Film] Directed by Rupert Wyatt. s.l.: s.n.

Verrier, R., 2012. *PETA calls for probe into alleged animal abuse on film sets*. [Online]
Available at: <http://articles.latimes.com/2012/sep/11/entertainment/la-et-ct-onlocation-20120911>
[Accessed 17 05 2013].

Water for Elephants. 2011. [Film] Directed by Francis Lawrence. s.l.: s.n.

White Wilderness. 1958. [Film] Directed by James Algar. s.l.: s.n.

Wilson, S. L., 2007. *Animals Movie Guide*. s.l.:Staci Wilson.

Wrath of The Titans. 2012. [Film] Directed by Jonathan Liebesman. s.l.: s.n.

Zelman, J., 2011. *'Water for Elephants' Animal Abuse Allegedly Revealed in Undercover Video*.
[Online]
Available at: http://www.huffingtonpost.com/2011/05/11/water-for-elephants-animal-abuse-video_n_860792.html
[Accessed 03 03 2013].

Appendix

Figure 1: Topsy Electrocuted



A shot from „*Electrocuting an Elephant*“ (1903), showing the smoke rising from her feet before she falls dead to the ground.

Figure 2: Jesse James



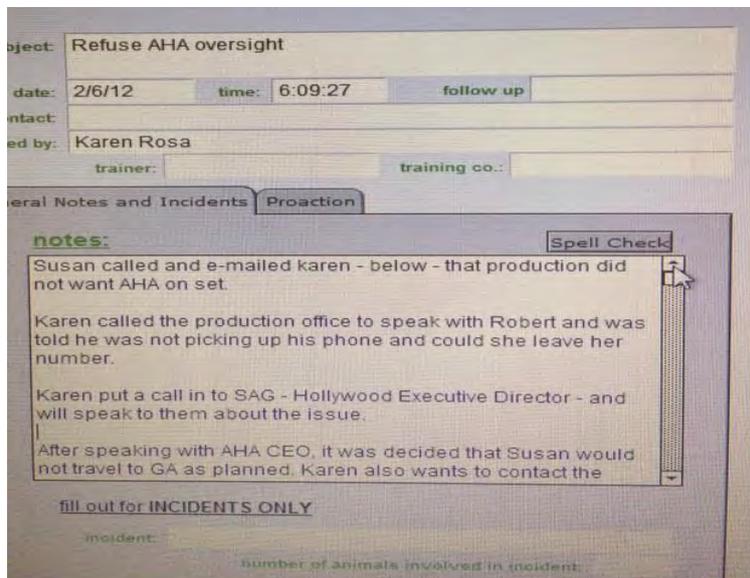
A shot from „*Jesse James*“ (1943) portraying the actual death of a horse falling from a cliff.

Figure 3: Lynx Advertisement



David Bailey produced this advertisement in 1986 to support the Anti-fur movement.

Figure 4: Email from AHA Representative



An email to the AHA concerning *'The Killing Season'* (Johnson, 2013) explaining that the production company did not want the AHA overseeing a scene with elk fighting.

Figure 5: Email from AHA Representative

subject:	explosions in water kill fish & squid		
date:	2/6/03	time:	follow up
contact:	Beth Langhorst, Rep on set		
created by:	imatijick		
trainer:		training co.:	

General Notes and Incidents Proaction

notes: Spell Check

Chuck from Props Dept. complained to Rep about fish and squid washing up on shore since explosions in Wallilabu Bay. Rep never saw any of this (tho witnessed explosions). Auxiliary Location Mgr. had kept count: 46 little fish, 51 little squid over course of 4 days. No one mentioned it to Rep at the time and are done with explosions. No one thought the explosions would result in this outcome, so no precautions taken.

An Email sent to the AHA by one of their representatives on the set of *'Pirates of the Caribbean'* (Verbinski, 2003) explaining the deaths of close to 100 fish and squid with explosions. The AHA on site did not witness the mass murder.

Figure 6: Email from AHA Representative

subject:	Susan - Permit Research		
date:	2/7/12	time:	3:31:10
contact:			
created by:	Karen Rosa		
trainer:		training co.:	

General Notes and Incidents Proaction

notes: Spell Check

I looked up Chestatee Wildlife Refuge on USDA..... licensed since 1995 ... with violations over the years.... several for for inadequate facilities and housing (interesting... hope their fences can hold the elk in when they get to "sparring".... and for lack of veterinary care for a tiger with arthritis in their compound....

Legal Name (DBA):
CHESTATEE WILDLIFE PRESERVE

Customer No:

fill out for INCIDENTS ONLY

incident: _____
number of animals involved in incident: _____

Screenshot of email sent to AHA explaining that the company (Chestatee Wildlife Refuge) renting the animal actors to the production of *'The Killing Season'* has been cited for inadequate housing and veterinary care

Figure 7: Otis in a Box



'Milo and Otis': Otis in a box on a river, soon to be introduced to the bear.

Figure 8: Milo clings for life



Milo after being introduced to the bear in the river, catches onto a branch and looks hopelessly at the camera.

Figure 9: Milo fights a bear



Milo fighting a bear in a scene that was not cut from the film.

Figure 10: Otis falls



Otis falling off the cliff after being attacked by seagulls in a scene that caused the deaths of approximately 18 kittens.

Figure 11: Butchered Turtle



Actors hold down a turtle and hack its head off. The turtle is very much alive as this happens.

Figure 12: Chubbs



Chubbs from Tim Burton's *'The Planet of the Apes'* (Burton, 2001) in the dungeon where he will spend the rest of his life.

Letter 1:

September 10, 2012
Eric V. Bruner, Chair
Mabel McKinney-Browning, Ed.D., Vice Chair Michael A. Steinig, Esq., Secretary
Board of Directors
American Humane Association
1400 16th St. N.W., Ste. 360
Washington, DC 20036

**Via U.S. Postal Service and e-mail: mabel.mckinneybrowning@americanbar.org;
michael.steinig@pillsburylaw.com**

Dear Mr. Bruner and AHA Board Members:

I am writing to express deep concern about alleged problems with oversight on the sets of film and television productions that use animals. As it is the American Humane Association's (AHA) role to monitor the use of animals on set, for which AHA is funded by the Industry Advancement and Cooperative Fund and private donors, we urge you to initiate a thorough and independent investigation of these allegations. If they prove to be valid, we ask that you take immediate steps to correct any problems and circumstances that allowed them to occur.

PETA has for years received whistleblower reports alleging animal abuse on sets, but following our release of leaked information about the mistreatment and deaths of horses on HBO's *Luck* and the subsequent cancellation of the program, we received an unprecedented number of reports concerning more than a dozen film and television projects, four of which are in production right now. All these allegations suggest that problems could have been avoided with adequate oversight by the AHA. In some cases, it is alleged that AHA management looked the other way or was even complicit in arranging for the filming of sequences that were potentially dangerous for animals. Each film and the specific allegations surrounding it is listed below. I have noted where additional evidence was provided, and I have attached that evidence.

Many, though not all, of the allegations involve the AHA's Karen Rosa, who has been overseeing the AHA's film unit. According to the reports we have received, some people on the sets of some films believe that AHA representatives have not received the support needed from Ms. Rosa to ensure the safety of animals. Specific allegations are below, but in general, Ms. Rosa has allegedly refused to back the recommendations of the AHA representatives on set and has thus allowed situations that put animals in jeopardy. Others allege that AHA representatives inexperienced with the species of animals being used have been assigned to productions *because* they are inexperienced and won't make filming difficult while more experienced representatives have been removed.

We understand that Ms. Rosa will soon be removed from her position, but based on what we have been told, it does not appear that this will mean an end to the oversight problems. Whistleblowers allege that Ms. Rosa is a reflection of a pervasive culture at AHA in which "relationship building" with producers and directors has become more important than effective oversight.

At least one of the allegations involves AHA President Robin Ganzert, and some whistleblowers have reported that orders from Ms. Ganzert direct AHA staff, including Ms. Rosa, not to "make waves" or cause tension between the AHA and certain directors and production companies. This is particularly problematic as we are told that trainers and wranglers hired by production companies rely on AHA representatives to prohibit dangerous conditions. Some trainers don't wish to raise objections to producers in this competitive business—even if they are invited to do so by producers—so they voice their concerns to AHA reps who, we are told, have in the past made these concerns known and have thus protected animals. It has been alleged that some directors and producers have been entirely unaware of the potential danger of some scenes because AHA reps were allegedly instructed by their supervisors not to discuss the trainers' concerns. Similarly, it is alleged that production companies have not been made aware that animal suppliers hired for their films have a history of animal welfare violations.

Whistleblowers allege that the AHA film ratings are not reliable. We have been told that the ratings of some films do not reflect what occurred on set, that acceptable ratings have been given when not all animal action was monitored, and that ratings were changed when the AHA feared that information about problems on the set would be leaked.

Not all the alleged incidents resulted in death or injury, though some apparently did. What all the allegations do convey is that animals, as well as actors, have apparently been put at risk and that these risks could have been prevented.

Here are specific allegations:

The Killing Season (in production; projected release date 2013; Millennium Films and Corsan Pictures; directed by Mark Steven Johnson; starring Robert De Niro and John Travolta): The production company did not want an AHA rep on the set for the filming of scenes in which elk are supposed to fight. Karen Rosa informed the AHA rep on set that she wanted to contact producers and the Screen Actors Guild to lodge a complaint but was overruled by Robin Ganzert. One reason given was that if animals were injured with an AHA rep present, doing nothing, it would be "not a good position to be in." The AHA rep was also concerned that the supplier of the animals, a wildlife facility registered with the U.S. Department of Agriculture, has a record of violations for inadequate housing and veterinary care, thus making the AHA's presence on the set during the elk fight scene particularly important. *Five screen shots of what appear to be e-mails from AHA staff seem to support these allegations (the screen shots are attached).*

Killing Lincoln (in production for National Geographic Channel, based on the book by Bill O'Reilly; projected release date 2013; Scott Free Productions; directed by Adrian Moat; starring Billy Campbell and Jesse Johnson): A dangerous scene was filmed in which a horse, with an actor in the saddle, was forced to gallop across a narrow bridge with water, rocks, and logs beneath. The bridge had no railings or siding, and the scene was filmed at night. Before the scene was filmed, the AHA rep assigned to the set told Karen Rosa that this was dangerous for both horse and actor and that the trainer had asked the

rep to oppose the filming. Rosa removed this rep from the set and assigned another, less-experienced rep to the set, and the scene was filmed as planned. *An online photograph of the bridge is attached.*

Lone Ranger (in production, projected release date June 28, 2013; Silver Bullet Productions; directed by Gore Verbinski; starring Johnny Depp and Armie Hammer): The AHA rep who reviewed the script was concerned about many risky scenes involving animals. The rep's concerns were not backed by AHA management. One trainer was fired for refusing to cooperate with producers who wanted the scenes to be shot as planned. In one scene, horses with riders were to swim across the Colorado River. The first swim took place without incident, but before the swim back across was filmed, hours later, the river had risen more than a foot because of rainstorms upriver. One horse and rider swam back without incident, but a second horse and rider were swept downriver. Fortunately, a production crew was in a pontoon boat downriver. Two men jumped in to try to grab the horse. Eventually, someone was able to throw a lasso around the horse's head and pull the horse to the shore.

The Hobbit (in post production, projected release date December 13, 2012; New Line Cinema, directed by Peter Jackson; starring Benedict Cumberbatch and Elijah Wood): *According to a New Zealand newspaper article, three horses being used in the production died (the article is attached).* One miniature horse was housed with larger, high-strung horses who trampled him. A second horse was placed in a partially fenced area that bordered a cliff with a sharp drop to a river below; the horse was found dead at the bottom of the cliff. The third horse died from unexplained causes, possibly related to feed. The AHA acknowledged the deaths in a public statement and says that an investigation was conducted. Whistleblowers tell us that the only wrangler on the set—who was interviewed in the article attached—voiced his concerns to production about the housing of the horses and was subsequently fired. Others complained to AHA reps, who did not take action and did not convey all the wranglers' concerns to production.

Boardwalk Empire (HBO TV; created by Terence Winter; starring Steve Buscemi and Kelly Macdonald): A horse died on the set of this program on June 25, 2012. We understand that the horse died of a possible heart attack under extremely stressful conditions, including chaotic activity on the set and an incoming thunderstorm, yet filming was not stopped to allow the horse to calm down.

Wrath of the Titans (2012; Warner Bros.; directed by Jonathan Liebesman; starring Sam Worthington and Liam Neeson): A horse died while being transported during this film. Despite this, the film was giving an "Outstanding" rating by the AHA. *The AHA ratings review is attached as the link appears to have been recently been disabled.*

<http://www.americanhumanefilmtv.org/reviews/wrath-of-the-titans/>

Abraham Lincoln: Vampire Hunter (2012; Abraham Productions; directed by Timur Bekmambetov; starring Dominic Cooper, Benjamin Walker, and Rufus Sewell): Horses were drugged with banamine, a nonsteroidal anti-inflammatory, indicating that they were not considered fit, and some of the horses used were later sold and shipped for slaughter in Mexico. The AHA acknowledged in its first review of the film that not all scenes involving animals were monitored, yet it gave the film an "Outstanding" rating. When PETA heard the allegations of drug use, we immediately wrote to Robin Ganzert, who responded that the allegations were unfounded but that the AHA was nevertheless downgrading the rating of the film to "Acceptable" (*our letter is attached*). *The AHA's current "Acceptable" rating review is attached as the link appears to have been recently been disabled.* <http://www.americanhumanefilmtv.org/reviews/abraham-lincoln-vampire-hunter/>.

Magic Mike (2012; Iron Horse Entertainment; directed by Steven Soderbergh; starring Channing Tatum and Alex Pettyfer): The AHA acknowledged that not all animal scenes were monitored, but it nevertheless rated the film "Outstanding." *The AHA ratings review is attached as the link appears to have been recently been disabled.*

<http://www.americanhumanefilmtv.org/reviews/movie-review-magic-mike/>

Moonrise Kingdom (2012; Indian Paintbrush; directed by Wes Anderson; starring Jared Gilman, Kara Hayward, and Bruce Willis): An underage kitten was used on the set, in violation of AHA guidelines and possibly state law. *A screenshot of what appear to be AHA computer notes dated January 2012 stating that Karen Rosa approved the use of the kitten and mandating that precautions be taken is attached.* Despite this and following the controversy surrounding the AHA-monitored show *Luck*, the organization rated the film "Unacceptable" (*The AHA ratings review is attached as the link appears to have been recently been disabled.*

<http://www.americanhumanefilmtv.org/reviews/moonrise-kingdom/>) for this very reason, stating: However, the film has earned a **Monitored-Unacceptable** rating due to the fact that our Certified Animal Safety Representative discovered the kitten they were using was underage, per our *Guidelines For The Safe Use of Animals In Filmed Media*. Since, the production never notified us as to which days they were going to use the kitten. American Humane was not able to enforce our Guidelines for the safe handling of the kitten. This lack of notification, coupled with the unintentional negligence in using a kitten that was under eight weeks of age, led to our decision to rate the film Monitored-Unacceptable.

The Girl With the Dragon Tattoo (2011; Columbia Pictures; directed by David Fincher; starring Daniel Craig and Rooney Mara): The scene in which the body of a cat was found after being killed was not monitored as it was filmed in Sweden and the AHA did not want to pay for its rep to travel. In its review, the AHA acknowledges that the scene was not monitored: "In the scene where cat is found dead on front porch, production provided documentation." Yet the AHA rated the film "Outstanding." *The AHA ratings review is attached as the link appears to have been recently been disabled.*

<http://www.americanhumanefilmtv.org/reviews/girl-with-dragon-tattoo/>

The Immortals (2011; Relativity Media; directed by Tarsem Singh; starring Luke Evans and Mickey Rourke): A finch used in the production escaped and was found dead, yet the film was rated "Outstanding." *The AHA ratings review is attached as the link appears to have been recently been disabled.* <http://www.americanhumanefilmtv.org/reviews/the-immortals/>

The Conspirator (2010; Wildwood Enterprises; directed by Robert Redford; starring Robin Wright and James McAvoy): The horses supplied by a Savannah, Ga., company were underweight, lame, improperly shod, improperly harnessed, and housed in filthy, substandard conditions. *Photos of two of the horses are attached.* AHA reps on set were concerned but were instructed not to inform the production company. The same company was hired to supply horses for the film *Savannah* (2012; not yet released; Unclaimed Freight Productions; directed by Annette Haywood-Carter; starring Jim Caviezel), as the production company did not know of previous problems, and the horses were in similarly poor condition.

There Will Be Blood (2007; Paramount Vantage; directed by Paul Thomas Anderson; starring Daniel Day-Lewis and Paul Dano): Three horses died. Two horses reportedly suffered from colic and died suddenly of unknown causes. While colic can occur for various reasons, whistleblowers state that horses were not given adequate water on very hot days (dehydration can cause colic, and heat is an aggravating factor). Whistleblowers further report that AHA reps discovered discrepancies between the reports of the horses' age, sex, and breed supplied by the trainer and the reports supplied by the veterinarian. None of this was reported in the review of the film, which was rated "Acceptable."

<http://www.americanhumanefilmtv.org/archives/movies/mr.php?fid=7881>

Failure to Launch (2006; Paramount; directed by Tom Dey; starring Matthew McConaughey and Sarah Jessica Parker): A chipmunk was killed when a trainer transported him inside his clothing rather than transferring him to a cage for proper transport. Despite this, the film was rated "Acceptable."

Pirates of the Caribbean (2003; Walt Disney Pictures; directed by Gore Verbinski; starring Johnny Depp): *Explosions set by production in Wallilabou Bay resulted in the deaths of 46 fish and 51 squid over a period of four days (a screen shot of what appear to be AHA notes on this is attached)*. There is no mention of the deaths in the review and the film was rated "Acceptable."

<http://www.americanhumanefilmtv.org/movie-review-archives/>

Please understand that while PETA opposes nearly all uses of animals in film and television, we take the position that if animals are going to be used, it is vital that their safety and well-being be of paramount concern and that their use be monitored adequately. As you know, the AHA has the right to be present whenever animals are on set and to preview scripts and comment when problematic scenes are planned. If these rights are waived by the AHA, the animals have not been protected to the greatest extent possible. The result can be injuries and death. Further, production companies that are relying on the AHA to advise them may be unaware that they are risking the safety of animals. As PETA is not equipped to take on this role and has no desire to do so, we urge you to investigate and, where appropriate, take action to correct the situation so that, at the very least, the AHA's ratings truly represent what actually occurred on the set.

I look forward to hearing from you.

Best regards,

Kathy Guillermo
Senior Vice President
PETA

cc: Industry Advancement and Cooperative Fund, 3601 W. Olive Ave., Burbank, CA 91505-4662
Dr. Robin Ganzert

Letter 2:

September 13, 2012

Dr. Robin Ganzert

President and CEO

American Humane Association

Dear Dr. Ganzert,

We regret having to send you this letter. As you are no doubt aware, based on numerous complaints that PETA has received through the years about the treatment of animals during movie and television productions, we've urged the American Humane Association (AHA) to improve its system of monitoring these productions. Most recently, PETA contacted the AHA in response to complaints about the AHA-monitored film *Abraham Lincoln: Vampire Hunter*. Since three horses died during the production of HBO's *Luck*, numerous complaints have surfaced in reference to several AHA-monitored productions. We believe a complete overhaul of the current monitoring system is in order, and we've included several suggestions for policy revisions below:

- Ban the use of great apes in all productions, and ensure that all films using great apes against the AHA's recommendations receive an "Unacceptable" rating.
- All AHA animal safety representatives must be experts on the species whose use they are charged with monitoring. A dog expert should not monitor the use of equines, for instance. If several species are used, experts familiar with the needs of each species must be present.
- An animal safety representative must be present *the entire time* an animal is used in a production in order to grant an AHA rating.
- Animal safety representatives should report all animal welfare concerns, throughout all phases of a project, to the production team in charge, and they must immediately stop production if they foresee the possibility of harm coming to an animal.
- Animal safety representatives must report all incidents of cruelty to animals to local law-enforcement authorities and to the production company.

- In the standard AHA disclaimer, “No animals were harmed in the making of this film,” add the following sentence: “Pre-production training and living conditions off-set were not monitored.”
- When a script calls for the use of wild animals, strongly recommend that computer-generated imagery, blue-screen technology, animatronics, or stock footage be used instead of live animals or that the script be changed when possible. If none of this is possible, prohibit the use of weapons, such as bullhooks (on elephants), whips and electrical shock devices.
- Because horses are particularly vulnerable, never allow horses to be placed in dangerous situations. A horse behaviorist and a licensed state humane officer must be present during all filming, including during transportation to and from the set and from scene to scene, and must be familiar with AHA guidelines and follow them without fail.
- The AHA’s Film & TV Unit should be supervised by an animal behaviorist who has expertise with both domesticated and wild animals. A veterinarian who is not also a behaviorist is not sufficient.

There is, of course, much more that can be done to ensure the safety of animals during filming, but based on the complaints our organization has received, these seem to be the points that require immediate attention. Please let me know if you have questions regarding these recommendations. Thank you for your time.

Best regards,

Julia Gallucci, M.S.

Animal Behavior Specialist

PETA

206-898-3653

Report 1:

PETA facts sheet

Amazing Animal Productions (Sidney Yost)

USDA License #93-C-0590, 2065 W. College Ave., Apt. 200, San Bernardino, CA 92407

Amazing Animal Productions (formerly known as Amazing Animal Actors) has failed to meet minimal federal standards for the care of animals used in exhibitions as established in the Animal Welfare Act (AWA). The U.S. Department of Agriculture (USDA) has cited Amazing Animal Productions for failure to have an adequate environmental enhancement plan to promote the psychological well-being of primates, failure to provide adequate space, exhibiting animals without a valid USDA license, and failure to handle chimpanzees safely.

A primatologist who investigated Amazing Animal Productions witnessed chimpanzees who were being beaten in order to make them obedient. Amazing Animal Productions' chimpanzees have attacked and bitten at least two children. Sid Yost was fined and incarcerated for possessing a prohibited species in violation of California state law. A federal grand jury charged Sid Yost with fraud and making false statements in a bankruptcy-related indictment. Contact PETA for documentation.

October 21, 2009: The USDA cited Amazing Animal Productions for failure to correct a previously identified noncompliance of failing to handle animals in a manner that would ensure minimal risk of harm to the animal and the public because the facility continued to offer public encounters with animals, including big cats.

Amazing Animal Productions was also cited for a number of additional non-compliances, including the following: failure to provide veterinary care to a Great Pyrenees dog who was matted to such an extent that the inspector determined that the health of the animal could be affected; failure to provide shelter with sufficient space for hybrid puppies to sit, stand, and lie in a normal manner; failure to maintain a wood shelter box for hybrids Dakota and Sierra (the box was chewed to the extent that screws were exposed, posing a risk of injury to the animals); failure to provide a tether arrangement that would adequately contain an adult cougar (the clasps on the tether had no locking mechanism, and the tether was in an area without a perimeter fence); failure to provide a perimeter fence around a chain-link mesh enclosure intended for a cougar; failure to provide ferrets with sufficient space for adequate freedom of movement; and failure to maintain records documenting a proper inventory of all animals at the facility. The USDA inspector noted that

Amazing Animal Productions did not have the necessary state permits to possess a fox, five ferrets, and a prairie dog nor the necessary county permit to house a cougar on the property. It was also noted that Amazing Animal

Productions provided false information to the USDA regarding the fox by claiming that someone else held the state permit for the animal.

June 10, 2009: The USDA cited Amazing Animal Productions for failing to handle animals in a manner that would ensure minimal risk of harm to the animal and the public during “Animal Workshops,” “Animal Clinics,” private events, and photo-ops in which members of the public were allowed to have direct contact with animals, including big cats.

The USDA also cited Amazing Animal Productions for failure to provide adequate enclosures and sufficient space to wolf hybrids who were housed in airline transport crates; failure to properly store fruit (which was intended to be fed to the animals), some of which was overripe and had flies on it; failure to provide adequate sanitation in the kitchen area, which was filthy with dirt and food debris and contaminated with flies and mouse droppings; and failure to notify the USDA of a new location housing animals.

April 9, 2009: The USDA cited Amazing Animal Productions for failing to handle animals in a manner that would ensure minimal risk of harm to the animal and the public during the April 4, 2009, appearance at Grizzly Jack’s Grand Bear Resort. At that event, a wolf hybrid attacked and injured a 2½-year-old girl. The wolf hybrid was subsequently euthanized. The USDA also cited Amazing Animal Productions for failure to provide current health certificates for two wolf hybrids (including the animal who attacked the girl), a monkey, and two dogs as well as for failure to provide records of acquisition and disposition for three ferrets, two pigs, and a red fox.

April 4, 2009: According to news reports, a 2½-year-old girl was attacked by a wolf hybrid who was being displayed by Amazing Animal Productions at Grizzly Jack’s Grand Bear Resort in Utica, Illinois. As the leashed wolf—who weighed approximately 100 pounds—was led through a curtain and onto a stage, the animal reportedly lunged at the girl, biting numerous parts of her body, including her face and neck. The girl was taken by ambulance to a hospital.

The wolf hybrid was euthanized, and the girl’s parents subsequently filed lawsuits against Grand Bear Resort and

March 18, 2008: The USDA cited Amazing Animal Productions for unsafe handling of a lion during an appearance on The Tonight Show. The report states, “Licensee exhibited a 7½-month-old lion on a leash in the presence of the general public, during a taping of The Tonight Show. A leash does not constitute a barrier, and there is a risk to the safety of the public when a leash is the only restraint in use.” Amazing Animal Productions was also cited for failing to provide adequate space to a lynx who was in an enclosure of “inadequate size and design.” The inspector wrote that the enclosure did not allow the lynx to make “normal postural adjustments, such as standing on rear feet” and that the animal was “showing signs of stress, such as constant pacing.” The USDA also cited Amazing Animal Productions for a number of other noncompliances, including the following: failure to provide adequate shelter to a squirrel whose only protection from the cold was a ventilated airline crate; failure to provide a sufficient perimeter fence around a tiger enclosure, a red fox enclosure, and a capuchin monkey enclosure to prevent people and animals outside the fence from having contact with the animals inside; failure to provide food in a manner that ensures that the food remains uncontaminated and that animals receive necessary nutrients; failure to provide adequate sanitation in a squirrel enclosure that had an accumulation of food debris and excreta and a capuchin monkey

enclosure with a build-up of food debris; and housing a rabbit and a primate in the same primary enclosure.

August 29, 2006: The USDA cited Amazing Animal Productions for failure to correct a previously identified noncompliance of not providing handles or handholds on a chimpanzee transport enclosure in order to allow the enclosure to be moved easily in case of emergency. Amazing Animal Productions was also cited for failure to provide adequate veterinary care when it could not provide documentation that a 6-year-old chimpanzee named Cody was receiving the preventive care prescribed in the facility's written program of veterinary care. The inspector wrote, "With a primate, such as this chimpanzee, many bacteria, viruses, and parasites can be shared with human beings and vice versa. This chimp is used in exhibition work [in which] it interacts [with] and touches human beings. Therefore, preventative vaccinations and appropriate diagnostic testing ... are essential for the protection of both the chimp and the humans." Amazing Animal Productions was also cited for failure to provide adequate environmental enhancement to a chimpanzee who was housed in isolation while traveling for several days at a time. The inspector wrote,

"Chimpanzees are typically very active, social animals. Isolation from the rest of the troop for several days can be detrimental to their well-being, especially when housed in the much smaller primary enclosure"

August 14, 2006: The USDA cited Amazing Animal Productions for failure to provide an adequately ventilated enclosure to transport chimpanzees, failure to maintain a current written program of veterinary care, failure to provide a permanent primary enclosure for a tethered dog, and failure to provide a veterinarian-approved environmental enhancement plan for primates.

July 12, 2005: The USDA cited Amazing Animal Productions for failure to provide environmental enhancement to promote the psychological well-being of nonhuman primates. It was unclear if modifications to the environmental enrichment plan had been approved by the veterinarian, and the schedule that was provided during the inspection did not reflect the actual enrichment that was being provided to the animals. The inspector wrote, "Documentation of enrichment is spotty. The daily log does not contain enrichment information for approximately 40% of the days."

October 24, 2004: A USDA spokesperson told the Los Angeles Daily News that the agency is investigating Yost for alleged violations of the Animal Welfare Act.

March 3, 2004: The USDA cited Amazing Animal Productions for failure to properly handle dangerous animals who are used for public exhibition. The inspector wrote, "There is no documentation of the knowledge and experience of [the] employees to allow for the determination that they have sufficient knowledge and experience to ensure the safety of the animals and the public." The inspector also notified Amazing Animal Productions that it was prohibited

