

Supreme Court refuses horse-slaughter case

By Danielle Begalke

Staff Writer

The Supreme Court on June 16 declined to hear a horse slaughter plant appeal filed by Belgium-owned Cavel International.

Cavel's was one of 112 petitions taken to the Supreme Court for review that day.

Only three cases were accepted, and the other 97 percent, including Cavel's, were denied.

The foreign company sought to appeal the Illinois Horse Meat Act, which prevents the slaughter of horses for human consumption. The law forced Cavel to shut down its Dekalb, Ill. slaughterhouse last year and ended horse slaughter in the United States. The facility, which shipped most of its meat overseas, processed 40,000 to 60,000 horses each year. Cavel tried multiple appeals after the ban's enactment last May. The law was upheld in July by a federal judge and in August by the federal appeals court. The reinstatement of a 1949 state law had previously shut down two equine slaughter facilities in Texas.

Through a petition to the Supreme Court, Cavel hoped to prove that the Illinois ban violated the Commercial Clause of the United States Constitution, which prohibits individual states from creating laws that interfere with interstate or foreign commerce.

With the Supreme Court's dismissal of Cavel's case, the facility has run out of legislative options, which means the slaughterhouse's closure likely will be permanent. "I guess they had other important issues to deal with and weren't concerned with that," Mrs. Linke said about the Supreme Court's decision to deny a review of the case.

While it might seem unusual to some that a horse related organization would support horse slaughter, AQHA stands behind Cavel in its fight to reopen the Illinois slaughter house. Members of pro-slaughter organizations have zoned in on the unintended consequences that have resulted following the closure of equine slaughterhouses in the United States. "The USDA reported a 312 percent increase from 2006 to 2007 in transport of slaughter horses into Mexico," Mrs. Linke said.

According to a study done by the Animal Law Coalition, an organization that seeks to stop animal cruelty and suffering through legislation, exports of slaughter horses to Mexico and Canada had entirely replaced the reductions in U.S. slaughter by the first quarter of this year — meaning the same amount of American horses are being slaughtered as before Cavel closed. As a breed registry, AQHA has been accused of wanting horse slaughter reopened merely to regain the plummeting horse market. Mrs. Linke did not deny that the horse market has plunged since Cavel closed in 2007. "Horses sent to slaughter were kind of the bottom end of our market," she said, "and when that's no longer an option, you've just lost what sets the base for the bottom end of the market."

As a result, the industry as a whole has struggled to figure out the base price for a horse — from a

backyard horse to “quality” horses. The flailing market is only a small portion of the problem, Mrs. Linke said. “It’s not the economy part so much for us (AQHA), as it is for the welfare of the horse,” she said.

Horror stories of slaughter methods in small Mexican slaughterhouses have flooded the Internet over the past year. “They’re not regulated—at least here in the United States we had USDA oversight,” Mrs. Linke said. While the same number of American horses are being slaughtered, they are spending more time in the trailer to get over the border where they are slaughtered under worse conditions. “To us, that’s a lot more inhumane than going to process (in the United States),” Mrs. Linke said.

Those stories of over-the-border slaughter are why animal welfare organizations such as the American Horse Defense Fund are trying to pass the American Horse Slaughter Prevention Act, said Shelley Sawhook, president of the group. The act would place a federal ban on transporting any horse to slaughter on U.S. highways and roads. The law was introduced in 2000, Mrs. Sawhook said. “Now it’s 2008 and we’re still fighting for it,” she said. Mrs. Sawhook denies claims that the closure of facilities such as Cavel have increased unwanted horses and horse abuse in the country. “There’s not a number out there that can’t be shaped in some sort,” she said. Groups on each side of the controversy seem to have their own statistics. “It’s hard to track, because some states don’t even keep accurate numbers,” she said, “and sometimes they have an expert from one small area.”

She agrees that the horse market is going through a rough patch, but she believes other factors are contributing to that. “There are a number of issues that affect the value of horses, including feed costs, drought and the economy,” she said. Along with increasing fuel costs, the rising corn price because of ethanol and lack of hay acres as more farmers produce corn also could be contributing factors, she said.

Mrs. Sawhook believes that if the borders closed and the slaughter of American horses ended, the industry could absorb the extra horses. This opposes many pro-slaughter groups’ fears that the end of horse slaughter would lead to a swelling population and horses running rampant. Data show there are 9.5 million horses in the country, and only 1 percent of those horses are slaughtered each year, she said. “One percent is not that big of a deal,” she said. “The industry could absorb that. Ten percent of the horse population dies from natural causes each year, Mrs. Sawhook said.

By being responsible horse owners and acknowledging demand by practicing responsible breeding, she said the population could be controlled. Meanwhile, other horse owners are worrying about the math. Will there be enough hay and owners willing to take care of the horses? For now, the horse industry remains split — is horse slaughter a humane option to control the population?

As for the opposing groups — the AQHA and AHDF, their responses were unanimous — they’ll continue to lobby Congress.

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