

THE REGULATORS: Congress Sits Up, Speaks

By Cindy Skrzycki
Washington Post Staff Writer
Tuesday, October 31, 2000 ; Page E01

Congress has called out the dogs on this one. Literally.

Sen. William V. Roth Jr. (R-Del.) called on his Saint Bernards, Wilhelm IV and Tsunami, to help earlier this month to end the importation of dog and cat fur for use in apparel and other items.

"We want this horrible practice to end and today we are asking Congress to pass the Tariff Suspension and Trade Act of 2000 and help save our friends," according to a news release put out in the dogs' names.

The dogs didn't hold a news conference, but the canine lobbying was part of a big win for the Humane Society of the United States, which put Congress on the scent.

The provision, contained in a broad miscellaneous tariff bill passed last week, bans the import, export, manufacture and distribution of dog and cat fur in apparel and other goods. It addresses what Congress believes to be the illegal international trade of 2 million dogs and cats who are slaughtered annually for their fur.

Besides zero tolerance for canine and feline imports, sale and transport, the new law calls for heavy civil penalties that range from \$3,000 to \$10,000 per violation. If dog or cat fur is used, it has to be labeled. And the only dead dog or cat that now will be allowed into the country is a deceased pet that has been preserved through taxidermy.

Congress also threw in a \$500 bounty for those who furnish leads on violators.

Wayne Pacelle, a Humane Society senior vice president, said: "It's an important step forward to halt the massive killing of dogs and cats for their pelts in Asia, which are then exported to Western markets. Consumers should be vigilant and shun any fur product and purchase non-animal alternatives."

Though U.S. companies said they don't know of anyone who deliberately orders canine and feline fur, they kept a watchful vigil over the legislation. The \$1.4 billion fur industry feared the bill was a step toward trying to eliminate the legitimate fur trade.

"We were worried that legitimate fur products would get caught up in it," said Teresa Platt, executive director of Fur Commission USA, which represents 600 domestic mink and fox farmers.

Importers and retailers also thought the original legislation, introduced by Roth and Rep. Gerald D. Kleczka (D-Wis.), was extreme, but they support the final version.

"The Humane Society thinks this is big business," said Brenda Jacobs, an attorney for the U.S. Association of Importers of Textiles and Apparel. "We don't believe there is anyone doing this. Nobody thinks they are importing dog and cat fur. It's just not the mentality. You don't do it."

In the end, the new ban doesn't contain some elements the industry opposed, such as additional criminal penalties and labeling any garment with fur. Until now, there was no federal law banning the use of dog and cat fur. Labels are required for fur only on garments costing more than \$150.

The Treasury Department will oversee the new regulatory scheme, police the program and report back to Congress annually on its progress. The U.S. Customs Service, besides stopping pet fur at the border, will certify labs to do testing for businesses concerned they may have been slipped pet fur by an unscrupulous manufacturing source.

There isn't a requirement, but testing is one way to ensure that a company took "reasonable care" in ordering the goods. The Humane Society said there are DNA tests that can distinguish among furs, a claim that mink and fox farmers dispute.

Customs has the capability to tell the difference using microscopic analysis of the hair and hair follicles, said James Michie, spokesman for Customs.

One patent lawyer said there's often no need to test: "It's like a diamond versus zirconium. An expert would know."

The battle over pet fur began when the Humane Society turned over to Congress the results of a two-year investigation that exposed cross-border trading in the pelts of cats and dogs in Asia. The group also turned up examples of the problem in this country through testing and a close reading of labels.

It found some 400 mens' fur-trimmed parkas from Asia, labeled "Mongolia dog fur," in stores owned by the Burlington Coat Factory Warehouse Corp. "We specified coyote for the trim and that's what we thought we got," said Stacy J. Haigney, an attorney for Burlington. "The factory abroad used some local wild dog and labeled it Mongolia dog on a tiny label. You'd have to look for it."

Haigney said the company pulled the coat off the sales floor and gave refunds to customers. Burlington made a \$100,000 donation to the Humane Society. "We're not insane. No one wants to sell this stuff," he said, adding that animal-rights activists attacked the company anyway on Web sites.

The Humane Society also turned up some figurines with cat-fur trim in one of Hallmark Card Co.'s Gold Crown stores. Hallmark said these stores are independently owned. They carry Hallmark merchandise but buy from a variety of vendors. In this case, the store owner thought the trim was synthetic.

OUT FOR COMMENT: Bats, ghouls, spinning skulls and spiders. The National Highway Traffic Safety Administration has dressed up its home page (www.nhtsa.gov) with dancing pumpkins and a reminder to drivers to look out for "hordes of sugar-crazed kids (and some not-so-kids) racing from house to house." Besides some useful traffic safety tips for boys and ghouls, the webmaster at the agency, Pat Donohue, provided a link to the 1999 Department of Halloween Pumpkin Masterpieces, a Transportation Department contest that looked for the funniest, ugliest and scariest carved gourds from employees. There were many, and you can click on and enlarge any of them. . . . Happy Halloween.