

# EXHIBIT 3

## DECLARATION OF PEGGY W. LARSON, DVM, MS, JD

I, Peggy W. Larson, declare as follows:

1. I am a doctor of veterinary medicine, currently practicing in Vermont. I have personal knowledge of the facts set forth in this declaration. The facts set forth are true to the best of my knowledge and recollection.
2. As described in the attached Curriculum Vitae, I am a licensed large animal veterinarian and have been practicing veterinary medicine for over 45 years. I received a Doctorate of Veterinary Medicine from the University of Ohio in 1965, a Masters of Science in comparative pathology from the University of California at Davis in 1968, and a Juris Doctorate from Vermont Law School in 1988.
3. From 1968 to 1978, I was a practicing large animal veterinarian in North Dakota, focusing on food animal and equine medicine and surgery. I performed diagnosis, treatment, and surgery, and frequently assessed, observed, and treated horses in my professional capacity.
4. I served as a Veterinary Medical Officer for the United States Department of Agriculture (USDA) from 1979 to 1985. In this capacity, I managed federal livestock disease control programs in Vermont, performed animal welfare inspections at circuses and research facilities, and issued federal health certificates on export animals.
5. In 1984, I was appointed by the Governor of Vermont to the position of Vermont State Veterinarian and Acting Chief of Livestock and Meat Inspection. In this position, I managed ongoing livestock and meat inspections programs and rewrote Vermont's meat and poultry inspection regulations. For approximately four months, I inspected all of Vermont's slaughter facilities until a permanent veterinary meat inspector was hired.
6. As a veterinarian and a former USDA employee, I am familiar with the variety of drugs, substances and treatments given to American horses. I also have personal

knowledge regarding the issues surrounding the slaughtering of horses for human consumption, including the sources from which horses for human consumption originate, and horse slaughter welfare issues in general. As a large animal veterinarian, I have observed horses first hand in small and large communities throughout the country.

7. I have reviewed Exhibit 1 to the Petition for Rulemaking submitted by Front Range Equine Rescue. Based on my experience and knowledge of the industry, I am informed and believe that many of the drugs, substances and treatments listed on Exhibit 1 are commonly used on American horses in the companion, competitive and sport areas. Many of those drugs are prohibited for use in horses intended for human consumption, and others have never been tested on humans to determine the effect of ingestion, or the degree to which any residue of these drugs, treatments and substances remains in horses who have been exposed to them.
8. Based on longstanding medical and scientific principles, it is impossible to declare horse meat safe for human consumption when the horses who are slaughtered for that meat have been exposed to an unidentified (and unidentifiable) number of drugs, treatments and substances, in unknown (and unknowable) quantities, at various times during their life.
9. In order for horse meat to be safe for human consumption, each of these drugs will have to be identified and the following will have to be determined: the length of time the drug is present in the horse after the last administration of the drug, what drug residuals remain after a specified waiting period, how much residue is allowable in the meat, and the toxic effects of the drug in humans, including humans who may have special sensitivities or medical conditions that may make them more susceptible to these drugs.
10. In order for horse meat to be safe for human consumption, a testing method will have to be developed to identify and quantify each of the drugs, treatments and

substances commonly used on American horses. Until these criteria are met, horse meat has to be deemed unsafe for human consumption.

11. Based on the foregoing and my training and experience, it is my professional opinion that American horses who are sent to slaughter for human consumption have potentially been treated with a variety of drugs, treatments and substances that potentially renders their flesh dangerous to people who eat horse meat and makes the horses' meat unsafe for human consumption.
12. Horses bound for slaughter are frequently shipped for long distances, and sometimes in a manner that fails to accommodate their unique temperaments and physical requirements. See C.L. Stull, *Response of Horses to Trailer Design, Duration, and Floor Area During Commercial Transportation to Slaughter*, J. ANIM. SCI. 77:2925-2933 (1999). Transported horses are often not given food and water every 28 hours, despite the federal law. T.H. Friend, *A Review of Recent Research on the Transportation of Horses*, 79 J. ANIMAL SCI. E32 (2001) ("Continuous transport of slaughter horses for 30 hours is common, and some trips last 36 hours or longer.").
13. Because of the methods of transport, horses often suffer a variety of injuries and illnesses during transport. See, e.g., K.A. Houpt & S. Lieb, *Horse Handling and Transport*, LIVESTOCK HANDLING AND TRANSPORT (2000) (describing "moderately severe back injuries" in transported horses); G. Giovagnoli, M. Trabalza Marinucci, A. Bolla & A. Borghese, *Transport Stress in Horses: An Electromyographic Study on Balance Preservation*, 73 LIVESTOCK PRODUCTION SCIENCE 247 (2002). The lack of proper food and water in already weakened animals can lead to further injuries, illness and death during extended transport.
14. Consequently, many horses may arrive at the slaughterhouse too sick or injured to stand up and walk. If they are ill, the microorganisms and other infecting agents would taint their meat and render it unsafe for human consumption.

15. The horses that survive transport are put into holding pens at the slaughter plant. These pens often lack shelter and expose the horses to extreme temperatures, rain and snow. This further increases the chances of disease and infection, and the possibility that the horses' meat will have dangerous microorganisms or other problems that could make their flesh dangerous if it was turned into meat.
16. As summarized in one study, "slaughter horses have usually been trucked for extensive distances. Many times they are injured or unhealthy, housed poorly, fed and watered improperly, and sometimes held for long times, as much as a week, in dirty confined pens at the slaughter plant." Gary D. Anderson & Don R. Lee, *Salmonella in Horses: A Source of Contamination of Horsemeat in a Packing Plant Under Federal Inspection*, 31 APPLIED AND ENVIRONMENTAL MICROBIOLOGY 661 (1975). This type of situation creates great potential for the growth of bacteria that can lead to severe health problems in humans who eat the meat of these horses.
17. During my tenure as a meat inspector in Vermont, I inspected slaughter animals, mostly dairy cattle. I became quite familiar with the behavior of these animals as they proceeded through the slaughter process. Even tame dairy cattle can become quite agitated in a slaughter plant. These animals are away from familiar surroundings, often for the first time in their lives, and they are often forced to move with an electric prod and they react accordingly.
18. Horses are more easily frightened than cattle. Horses can become particularly frightened, because they are historically prey animals. Consequently, based on my experience with large domestic animals, I believe that horses are uniquely unsuited to processing at a slaughter plant. It is very difficult to secure a horse's head which diminishes the effectiveness of the captive bolt. Sometimes horses have to be hit several times with the captive bolt, causing tremendous suffering before they are effectively rendered unconscious. Subsequently, it is highly probable that some horses may not be rendered unconscious when hung and bled.

Horses are also more likely to injure themselves trying to escape the runway in the slaughter plant.

19. According to USDA documents, there are numerous documented cases of inhumane slaughter of horses, ranging from improper handling to outright abuse.

As explained by a USDA inspector working at the Cavel plant in Illinois:

I observed the plant manager herding horses into the alley way to the knock box. Nine horses were overcrowded in the alleyway causing undue excitement which was further exacerbated when two or more employees from the kill floor began yelling and hitting these horses causing the one in the end of the line to slip and fall.

Likewise, on March 13, 2005, a USDA inspector at the Cavel plant reported:

Eight horses were in the alleyway leading directly to the knock box. The employee who is routinely assigned to work on the kill floor, hanging the horses on the rails, was using a riding crop to whip the horse in the alleyway closest to the knock-box. This horse continued to move backwards, away from the knock-box causing the other horses behind it to be overcrowded. As the whipping continued the horses in the alleyway became extremely excited. I immediately told the employee to stop but he did not listen to me. During this time, the last horse in the alleyway attempted to jump over the alleyway wall and became stuck over the top of the wall. Eventually it had flailed around enough to fall over to the other side of the wall.

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Meanwhile two more horses fell down in the alleyway. The first was the second horse in the line to the knock box. It had fallen forward and the horse behind it began to walk on top of it as the downed horse struggled to get up. The second horse to fall was the fourth horse in the line. It had flipped over backwards due to the overcrowding and was subsequently trapped and trampled by the fifth and sixth horse in the line in their excitement to move forward. Attached to this declaration are true and correct copies of the relevant USDA reports describing these incidents. In my professional opinion, this document illustrates the inhumane treatment of horses.

20. As companion animals, horses are not suited for this kind of inhumane treatment. An alternative for unwanted horses is euthanasia by a trained and licensed veterinarian. As with unwanted dogs and cats, the process of professional euthanasia quickly and painlessly ends the animal's life without the pain and suffering of long-distance transport, handling, and slaughter for human consumption. All equine veterinarians are capable of humanely euthanizing horses. I euthanized horses when I was a large animal practitioner, and it can be done in a quiet, safe and nonfrightening way. The horse does not struggle, is not fearful and dies a quiet and certain death.
21. Horses that eventually make their way to slaughter are taken to large horse auctions where they are purchased by "killer buyers." Some of these horses are healthy retired or unsuccessful race horses. Others are surplus riding school and camp horses. Many were companion animals whose owners gave them up for sale. Wild horses removed from public lands also constitute a percentage of the horses sent for human consumption, as do foals from mares whose urine is collected for the production of hormone replacement therapy drugs.
22. Many of the horses slaughtered are young and healthy, because they have been raised as companion or competitive horses, and treated with all the drugs and substances with which such animals are treated.
23. Many horses who are slaughtered for human consumption are also lame, blind, starved and/or show evidence of lack of care such as saddle sores, overgrown hooves, bad teeth, and injuries. These horses thus also show signs of having been used in the companion and competitive sectors before being sold for meat.
24. In addition, there is believed to be "a thriving trade in stolen horses going to slaughter." C.L. Stull, *Evolution of the Proposed Federal Slaughter Horse Transport Regulations*, 79 J. ANIMAL SCIENCE E12 (2001). The stolen horses presumably come from the sources identified above.
25. Transportation to a slaughter facility, especially in a multiple horse transport

vehicle, is frightening for most horses but is especially traumatic for wild horses, who resist handling during gather and transport operations. Because of their wildness, the fear they display in response to proximity to people in strange environments, and their resistance to handling and transport, wild horses experience high levels of distress and therefore the risk of injury is greater during the events leading up to slaughter.

I declare under penalty of perjury that the foregoing is true and correct, based on my own personal knowledge, and as to those matters, I believe them to be true.

Executed this 15 day of March, 2012, in Williston, VT.

  
Peggy W. Larson, DVM, MS, JD