Comments on Draft law 'Amendments to the Animal Protection Law' (Latvia)

Humane Society International/Europe (HSI) warmly welcomes the Latvian government's proposal to amend its Animal Protection Law to prohibit the breeding of animals for the production of fur.

The intensive confinement of wild animals in small wire cages in close proximity with one another fur is produced, solely to supply the frivolous needs of the fashion trade, is an inherently inhumane practice. As the statement of grounds for this legislation observes, the practice of fur farming is ethically unacceptable and deemed unjustifiable by citizens.

While we would prefer to see an earlier end to this industry than the proposed phase-out by 2028, we appreciate that this is a political compromise to allow producers to generate income to cover the investments that have been made in their enterprises. This decision-making also echoes political agreements previously reached in other Member States, such as the Netherlands and Belgium, to phase-out fur production on their territories.

In the following, we outline a number of reasons why it is justifiable to ban fur farming not only on the grounds of animal welfare, but also to protect public health and native biodiversity.

Animal welfare problems are inherent to fur farming

The most commonly farmed fur-bearing species, mink and fox are carnivorous predators and are highly inquisitive, active animals with complex social lives. Unlike most other types of farmed animals, which tend to be flock or herd species, mink are solitary by nature. Mink and fox are both territorial species and, in the wild, go to great lengths to defend their territories. As will be further outlined below, these animals are unsuited to farming conditions and especially intensive breeding and rearing.

Mink farming

In the wild, mink are extremely active and solitary animals, strongly motivated to range over large territories of several kilometres, to hunt by following scent trails, and to create, live in and investigate dens and burrows. As semi-aquatic mammals their territories include lakes and rivers, where they carry out key behaviours including swimming and diving for prey.[1]

The life that mink are condemned to on fur farms stands in stark contrast to this. The excessive energy of these animals is confined to cages and nest boxes typically measuring 90x30x45cm. Being naturally solitary animals, the stress of being forced to live in cages with siblings, without access to water for swimming, and next to neighbouring cages with completely unrelated mink, often leads to fighting, injury, instances of cannibalism and death.[2,3,4]

Stereotypical behaviour (such as pacing along the cage wall, repetitive circling/nodding of the head, etc.) and auto-mutilation (i.e. sucking or biting of the animal's tail fur, or other parts of the pelts) is

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[1] Larivière S (1999) Mustela vison. Mamm Species 608: 1–9.
[2] Mason GJ, Cooper J, and Clareborough C. "Frustrations of Fur-Farmed Mink." Nature 410 (2001): 35-36.
[3] Hansen SW, and Damgaard B. "Effect of Environmental Stress and Immobilization on Stress Physiological Variables in Farmed Mink." Behavioural Processes 25 (1999): 191-204.
[4] The Case Against Fur Factory Farming: A Scientific Review of Animal Welfare Standards and 'WelFur'
A report for Respect for Animals written by Heather Pickett BSc MSc and Professor Stephen Harris BSc PhD DSc [Case-against-fur-farming.pdf (furfreealliance.com)]

routinely observed in farmed mink. These unnatural behaviours provide a strong indication of stress and poor animal welfare.[5,6,7,8]

Fox farming
Wild foxes can have a home range of 20-30km^2, and can migrate over hundreds of kilometres seasonally. Their habitat is rich and varied, allowing for key behaviours including hunting, territory establishment and den building, socialisation and mating. By contrast, foxes on fur farms live in battery cages of a typical size of 0.8-1.2m^2. This space can in no way be described as meeting these animals' physiological or behavioural needs.[9]

These battery cages are barren with the exception, in some cases, of a wire shelf and/or an item for gnawing. The persistent lack of meaningful and varied stimulation and opportunity to practice normal behaviours often leads to stereotypical behaviours, repetitive movements that are indicative of a compromised mental state.[10] Injuries also occur as a result of fighting with cage mates, which is also a consequence of the stress of confinement.[11]

Welfare problems have also arisen in fox from the fur industry's selective breeding animals to favour large body size and loose skin. In the wild, arctic foxes weigh in the region of 3kg. On fur farms they are reported to weigh in excess of 20kg – over six times the species' natural size[12]. This is done to increase the fur yield per animal, but it is important to note two undesirable consequences of this breeding.

The first is that these grossly overweight animals frequently suffer from a variety of long-term health problems, including infections at the site of skin folds, in particular around the eyes; deformed or 'bent' feet, and difficulty in moving around[13]. Secondly, while selective breeding has increased the size of fox, the cage sizes have remained the same, giving the overall result that over time these animals are being afforded less and less space, relative to their size[14].

Fur industry attempts at 'humane-washing'
In recent years, the fur industry in Europe has been keen to maintain that it is working to improve the welfare of animals on fur farms. To these ends, they have established the WelFur scheme.[15] This is an industry-led voluntary welfare certificate for fur farms, which in reality requires lower standards than the law in some EU Member States.

The truth is that the intensive battery cage systems that are found on fur farms in the EU have remained largely unchanged over the years. The WelFur programme, which is designed around the current housing systems and current minimum levels of European Union legislation (i.e. Directive 98/58/EC on the protection of animals kept for farming purposes and Regulation (EU) 1099/2009 on the protection of animals at the time of killing), offers neither satisfactory nor reliable solutions to the inherent animal welfare problems associated with fur farming.

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[5] Mason, GJ "Age and Context Affect the Stereotypies of Caged Mink." Behaviour 127, no. 3/4 (1991): 191-229.
[6] Meagher, RK, Campbell DLM, Dallaire JA, Díez-León M, Palme R, and Mason GJ. "Sleeping Tight or Hiding in Fright? The Welfare Implications of Different Subtypes of Inactivity in Mink." Applied Animal Behaviour Science 144, no. 3-4 (2013): 138-46.
[7] Dallaire, JA, Meagher, RK Diez-Leon M, Garner JP, and Mason GJ. "Recurrent Perseveration Correlates with Abnormal Repetitive Locomotion in Adult Mink but Is Not Reduced by Environmental Enrichment." Behav Brain Res 224, no. 2 (Oct 31 2011): 213-22.
[8] Polanco A. "The Forms of Stereotypic Behaviour in Farmed Mink (Neovison Vison)." University of Guelph, 2016.
[9] Nimon AJ, and Broom DM. "The Welfare of Farmed Foxes Vulpes Vulpes and Alopex Lagopus in Relation to 10 Housing and Management: A Review." Animal Welfare 10 (2001): 223-48.
[10] https://www.furfreealliance.com/wp-content/uploads/2020/01/CertifiedCruel_FFA-Research-Report.pdf
[11] Mason, GJ. (1991). Stereotypies—A critical-review. Animal Behaviour, 41(6), 1015–1037.
[12] https://www.furfreealliance.com/wp-content/uploads/2020/01/CertifiedCruel_FFA-Research-Report.pdf
[13] http://www.respectforanimals.org/new-footage-of-finnish-fur-farm-shows-horrific-obesity-in-foxes/
[14] https://www.hsi.org/wp-content/uploads/2019/05/Five-Freedoms-and-Fur-Trade-briefing-2019.pdf
[15] https://www.sustainablefur.com/wp-content/uploads/2018/12/WelFur_Briefing.pdf

For example, the WelFur criteria do not require access to swimming water for mink or sites for digging for foxes. As the ability to search for food in water (mink) and to dig (fox) are to be considered as natural behaviours and the motivation to carry out such behaviour probably is high, the WelFur criteria for the species in question do not meet their specific physiological and behavioural needs[16].

In addition, the WelFur evaluation scheme combines different welfare measures into an overall score for a farm. This practice obscures individual measures and therefore allows serious welfare problems and injuries to be masked. The aim of its scoring system is to rank farms in relation to each other and against "current best practice".

The WelFur protocol does not assess animal welfare in relation to an "absolute" welfare level, nor does it assess animal welfare on an individual animal level. The Welfur framework is not designed to provide reasonable assurances that individual animals will not suffer from poor welfare.[17]

Over the past few decades, the conditions on fur farms across the globe have been documented by animal protection organisations. Time after time this film footage shows the same kind of animal welfare problems that the industry claims it has been actively solving in the framework of the WelFur programme.[18]

Even the most recent images captured on European fur farms, including in Latvia, which purportedly comply with fur industry welfare standards, reveal animals displaying stereotypical behaviour, self-mutilation, cannibalism, untreated wounds and so forth[19]. The conclusion that can be reached is that the fur industry's voluntary welfare standards are not only inadequate, but may also be viewed as tantamount to 'humane washing'.

Failures to achieve the 'Five Freedoms' for farm animal welfare

On the basis of veterinary analysis of footage from fur farms in Europe, HSI has concluded that the conditions under which fur-bearing species are kept do not even allow the basic 'Five Freedoms' for farmed animals to be met.

These five freedoms also form the basis for the World Organisation for Animal Health's (OIE) guiding principles on animal welfare, and are also codified as welfare needs in EU legislation, namely in Directive 98/58/EC on the protection of animals kept for farming purposes, as well as the Council of Europe's 1999 Recommendations Concerning Fur Animals.[20]

It should be noted that these Five Freedoms are today viewed by animal welfare scientists as the most basic obligations of those who keep animals, yet fur-bearing species kept on fur farms in intensive battery cage systems are not afforded even these freedoms, nor could they be said to have "a life worth living".

In October 2018, HSI and Finnish organisation Oikeutta Elaimille conducted an investigation on two Finnish fur farms, which have been certified by the European fur industry body as having 'high welfare'. Documentary evidence of the living conditions and the observable physical condition and behaviour of both mink and foxes was recorded and later subjected to veterinary analysis, which focused on the

[16] Mason GJ, Cooper J, and Clareborough C. "Frustrations of Fur-Farmed Mink." Nature 410 (2001): 35-36.
[17] https://www.furfreealliance.com/wp-content/uploads/2015/11/Case-against-fur-farming.pdf
[18] https://www.furfreealliance.com/wp-content/uploads/2015/11/Case-against-fur-farming.pdf
[19] https://www.theguardian.com/environment/2020/sep/29/film-showing-cannibalism-prompts-probable-ban-on-fur-farms-in-poland
[20] https://www.hsi.org/wp-content/uploads/2019/05/Five-Freedoms-and-Fur-Trade-briefing-2019.pdf

five freedoms and the implementation of Directive 98/58/EC.[21] **Footage from Latvian fur farms obtained by other organisations show very similar conditions and welfare problems for mink.**[22]

There is no doubt that *none of the Five Freedoms* are being met consistently on these farms. By implication, therefore, the conditions are highly likely to contravene the guiding principles of the OIE, the European Directive 98/58/EC Concerning the Protection of Animals Kept for Farming Purposes, as well as the Council of Europe's 1999 Recommendations Concerning Fur Animals.

Such fur farming footage has also been analysed with respect to violations of EU Directive 98/58/EC concerning the protection of animals kept for farming purposes. This legislation lays down minimum standards for the protection of animals bred or kept for farming purposes, including for fur production.

Article 4 of the Directive states: 'Member States shall ensure that the conditions under which animals (other than fish, reptiles or amphibians) are bred or kept, having regard to their species and to their degree of development, adaptation and domestication, and to their physiological and ethological needs in accordance with established experience and scientific knowledge, comply with the provisions set out in the Annex.'

Based on the available scientific literature around the physiological and behavioural needs of fur farmed animals, HSI concluded that fur farms do not meet the requirements of Article 4, most notably in relation to: a) the inadequate size of the cages; b) the lack of non-wire substrate to allow for key behaviours such as digging; and c) (in the case of naturally solitary and semi-aquatic mink) the lack of provision of water for swimming and lack of opportunity for animals to withdraw meaningfully from the presence of other animals.

Likewise, footage from fur farms routinely show additional failures to comply with the terms of the legislation. For example, injured animals are evidently not being cared for appropriately, or placed in isolation with dry bedding as required by clause 4 of Directive 98/58/EC.

Public health risks

As illustrated above, the living conditions in fur farms, which keep animals in close proximity and at high densities, fail to satisfy many of the animals' most basic welfare needs. Not only are these captive wild animals highly stressed and thus immunocompromised, but they are crowded into close contact with each other's respiratory secretions and excrement. Fur farms also often lack naturally mitigating factors, such as genetic variability and healthy distance between animals. The animals are confined to small wire cages with bedding materials – as well as dried faeces that accumulate under the cages - that also generate a lot of dust.[23]

For these reasons, fur farms provide ample potential channels for diseases to propagate from one animal to another, and conditions in which viruses may genetically recombine into forms potentially virulent to humans.[24] There is also already an unacceptably high level of mortality among animals kept on fur farms. This poses the risk that mortality due to infectious disease may not necessarily be detected. The high density of animals on fur farms also means that it is difficult for workers to frequently monitor the health status of individual animals. Animals suffering from the symptoms of infectious diseases may, therefore, go unnoticed.

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[21] https://www.hsi.org/wp-content/uploads/2019/05/Five-Freedoms-and-Fur-Trade-briefing-2019.pdf See footage here: Fur Farming in Finland Exposed! - YouTube
[22]https://r.search.yahoo.com/_ylt=AwrE1x5Wm5Ri2asAgRpXNyoA;_ylu=Y29sbwNiZjEEcG9zAzEEdnRpZANMT0NVSTAxOV8xBHNlYwNzcg--/RV=2/RE=1653935063/RO=10/RU=https%3a%2f%2fwww.dailymail.co.uk%2fnews%2farticle-9672989%2fHorrifying-footage-exposes-grim-reality-mink-fur-farm-Latvia.html/RK=2/RS=iXBYYeUb_9IDADTF7IHjRzoeSS0-
[23] Koopmans, M. "Sars-Cov-2 and the Human-Animal Interface: Outbreaks on Mink Farms." The Lancet (2020). https://www.thelancet.com/pdfs/journals/laninf/PIIS1473-3099(20)30912-9.pdf
[24] HSVMA Statement on Fur-Farmed Animals and the Risk of Disease https://www.hsvma.org/index.php?option=com_content&view=article&id=1179:fur_riskofdisease&catid=19:default

As the COVID-19 pandemic has illustrated, fur farms can pose a threat to public health by acting as potential viral reservoirs. Mustelids, in particular, are susceptible to respiratory diseases, including SARS-CoV-2. Since April 2020, this virus has spread in farmed American mink in various EU Member States, including Latvia, as well as in the US and Canada, leading – in some cases – to the mass culling of the animals.

Outbreaks of COVID-19 on mink farms in both Europe and North America have clearly demonstrated that it is possible for viral pathogens to jump back and forth between humans and animals bred for fur. The outbreaks of COVID-19 among mink herds also raised serious concerns about the existence of a reservoir of SARS-CoV-2 and genetic mutations in the virus as a consequence of infection in mink could affect our ability to halt the spread of and eliminate the disease. Indeed, the entire Danish mink herd was culled in November 2020 given fears that mutations in the virus in mink, which had already been detected in humans, may undermine the efficacy of future vaccines.

The outbreaks of COVID-19 on fur farms raise critical issues about the risks posed by intensively keeping animals in close confinement for the purposes of fur production. The continued existence of fur farms, which solely exist for the production of luxury products for which there are many good and humane alternatives, also perpetuates a needless potential reservoir for future emerging infectious viral diseases.

There is no good societal – or moral - justification to allow fur farming to continue. Closure of the industry would only have a limited economic impact on a small group of individuals profiting from the practice of exploiting animals for their fur. The protection of human health – as well as animal welfare – outweighs the interests of a tiny minority who operate fur farms.

It is also pertinent to note that Members of the European Parliament also share these concerns about the practice of fur farming. In their Resolution of 9th June 2021 on the EU Biodiversity Strategy for 2030, they observe that "fur production, which involves the confinement of thousands of undomesticated animals of a similar genotype in close proximity to one another under chronically stressful conditions, can significantly compromise animal welfare and increases their susceptibility to infectious diseases including zoonoses, as has occurred with COVID-19 in mink".[25]

Lastly, during the Agriculture and Fisheries Council meeting of 28th -29th June 2021, the Netherlands and Austria presented an information note to EU Agriculture Ministers on the issue of fur farming. This was formally supported by Belgium, Germany, Luxembourg and Slovakia.[26] They called on the European Commission to undertake appropriate action to end fur farming in Europe, setting out their reasons for this request in terms of animal welfare, ethical considerations and the risks posed to public health. At this meeting, 12 Agriculture Ministers spoke in favour of eliminating fur production in the EU, including Poland, Italy and Bulgaria.

Protecting biodiversity

Lastly, in addition to the animal welfare problems and public health risks associated with fur farming, it is also important to note that fur farms also pose a risk to native wildlife. Raccoon dogs have already been listed on the list of Invasive Alien Species (IAS) of Union Concern in the framework of the EU Invasive Alien Species Regulation, just as have muskrats, which have not been farmed for many decades, were introduced into ecosystems in Europe from fur farms and became invasive.

The American mink is one of the most invasive alien species in Europe, but has still not been listed on the list of IAS of Union Concern due to resistance from Member States where fur farming still continues. Fur farms have always been the key pathway of the introduction thereof and this species has long been implicated in the displacement of native mammals and biodiversity loss, particularly

[25] https://www.europarl.europa.eu/doceo/document/TA-9-2021-0277_EN.html
[26] https://data.consilium.europa.eu/doc/document/ST-10111-2021-INIT/en/pdf

voles and ground-nesting birds.[27] Bulgaria has also recently drafted a legislative proposal to ban mink farming on the grounds of the invasiveness of the species.

It is also pertinent to note that if infection by SARS-CoV-2 spills into wild mustelids, these could have the potential to become a permanent reservoir of infection for humans and other animal species. Such a scenario has been seen before with rabies in raccoons and skunks.[28] In some countries, this could also pose a risk to the European mink, which is a critically endangered species and extinct in most of its original range, partly due to competition with the invasive American mink.[29]

In sum, the protection of native biodiversity is yet another good reason why the proposed ban on fur farming in Latvia is fully justified.

Contact
Dr Joanna Swabe
Senior Director of Public Affairs
Humane Society International/Europe
e. jswabe@hsi.org

[27] https://circabc.europa.eu/sd/a/a56cd4b4-4b2c-4b7f-979e-acda14ef2bfc/Neovison%20vison.pdf
[28] Manes C, Gollakner R, and Capua I. "Could Mustelids Spur Covid-19 into a Panzootic?". Vet Ital Sep 9 (2020). https://pubmed.ncbi.nlm.nih.gov/32909703/
[29] Maran T., Skumatov D., Gomez A., Põdra M., Abramov A.V. & Dinets V. 2016. Mustela lutreola. The IUCN Red List of Threatened Species 2016: e.T14018A45199861. https://dx.doi.org/10.2305/IUCN.UK.2016-1.RLTS.T14018A45199861.en