



SVME Newsletter

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President's Message

President's Message- Winter 2008

With 2008 upon us, I thought I would focus this President's message on some of my dream veterinary resolutions- kind of a wish list-for the New Year.

1) Felony status for animal cruelty offenses in every state in the nation. Mahatma Gandhi stated, "the greatness of a nation and its moral progress can be judged by the way its animals are treated." There are still 7 states (Idaho, Alaska, Arkansas, Mississippi, Utah, and North and South Dakota) that do not consider animal cruelty a felony.

2) Veterinary Good Samaritan Laws for reporting animal cruelty in every state: By virtue of their education and experience, veterinarians are in the best position to identify and report suspected cases of animal cruelty. Protecting animals from abusive situations should be accepted as a basic responsibility of being a licensed veterinarian. Veterinarians who make such reports in good faith should be protected from lawsuits claiming breached client confidentiality or slander. Less than 1/4 of the states in the country currently have such statutes on the books.

3) Mandatory reporting of animal cruelty

I have heard and read the pro and con arguments regarding mandatory veterinary reporting of known or suspected animal cruelty and I have come to the conclusion that such reporting will ultimately protect more animals and potentially children given the link between animal cruelty and child abuse. Assuming Good Samaritan reporting laws are in place, I believe veterinarians have a moral obligation to report animal cruelty regardless of whether concurrent attempts at client education are undertaken.

4) "Lemon laws" for all cats and dogs purchased from breeders and pet stores: I am proud that my home state, Rhode Island, has joined almost 20 other states in the nation with laws that give the consumer some recourse when a dog or cat is purchased from a pet store or breeder and found to have an infectious and/or congenital defect soon after purchase. Such laws empower the public, provide for veterinary care for these unfortunate animals, and discourage irresponsible breeders and puppy mill operations.

5) Stricter enforcement of AWA at puppy mills across the country. Every week at my own emergency and referral hospital we see puppies purchased from local pet stores with severe and often refractory pneumonia. The growing use of the internet to sell puppy mill dogs directly to the public is now exacerbating this problem. The public and our legislators must demand greater resources and manpower to enforce the Animal Welfare Act provisions that regulate this unseemly industry.

6) More proactive, animal-welfare friendly leadership at the AVMA: The AVMA has seen itself embroiled in a number of high profile animal welfare issues in the last few years (swine housing systems, Fois gras, horse slaughter and forced molting of chickens, to name a few). In most of these debates, the AVMA has taken positions which in my opinion, have failed to adequately acknowledge our professed oath to "protect animal health and relieve animal suffering" While I commend the recent formation of the AVMA's Animal Welfare division, currently headed by SVME member, Dr. Gail Golab, I hope the new year brings the AVMA closer to completely fulfilling its charge as the preeminent voice for animal welfare in the world.

7) Acknowledgment in the eyes of the law that animals are more than simple property: As a small animal practitioner who sees every day how much animals mean to their owners, I am convinced that a change in the legal status of animals as simple property is warranted and inevitable. What that new designation will be is obviously open to considerable debate and discussion but I cannot, in good conscience, hide behind unproven economic fear mongering to justify absolving negligent veterinarians from economic compensation to the very pet owners who are willing to spend thousands of dollars to care for their “property”.

8) System for preventing frivolous lawsuits and excessive punitive damages against vets: An inevitable sequelae of changing the legal status of animals will be an increase in legal action brought against veterinarians. Financial caps on non-economic damages and a system that assesses the merits of a claim prior to allowing legal action to proceed are just a couple of options for limiting disgruntled clients and opportunistic lawyers from exploiting veterinarians as financial targets. (I told you this was a “wish list” didn’t I?)

9) Better communication and cooperation between veterinarians and their local shelters and humane societies. Tension between veterinarians and their local animal protection organizations frequently result in the very animals we all care about getting caught in the practical and philosophical debate about how best to help them. Let’s all try to keep our eye on the prize—more access to veterinary care for more animals and a decrease in the number of unwanted dogs and cats in our pounds and shelters.

10) An understanding by the public of the economic realities of owning and running a veterinary hospital. As much as we all would love to provide an unlimited amount of discounted and pro bono services to the public, animal control officers and the shelter community, this is, I believe an unfair expectation placed on many veterinarians. Pet ownership is a luxury and not a right and pet owners should be financially prepared to care for their pet’s health needs. Similarly, if town managers and the public believe that appropriately caring for stray and injured animals is important, then funds should be allocated each year for this purpose. The ethical dilemma of providing care to those without resources should not be financially and disproportionately borne on the backs of veterinarians.

Anyone who would like to comment on this message, please feel free to post your thoughts to the SVME listserv at svme@listserv.vetmed.wsu.edu or me privately at GBYLC@AOL.com

I wish all the members of the SVME a safe, happy and fulfilling new year.

-Gary Block DVM, MS, DACVIM

SHOMER AWARD 2008

The Society for Veterinary Medical Ethics (SVME) is inviting nominations for its 2008 Schomer Award. This award is dedicated to the memory of Dr. Robert Shomer. Dr. Shomer was a co-founder and first President of the Society for Veterinary Medical Ethics. He was very passionate about the ethics of veterinary practice.

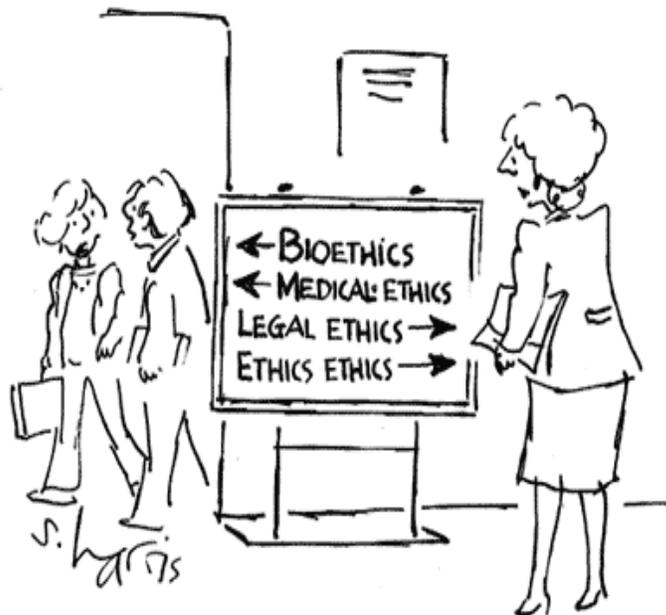
This award is bestowed upon an individual who has made a significant contribution to the field of veterinary medical ethics. Selection criteria for the award include leadership, scholarship, good character and a history of inspiring students and/or members of the veterinary profession. Previous winners of this prestigious award include Dr. Carl Osborne and Dr. Bernard Rollin.

Nominations can be made by email to Dr. Gary Block, SVME President: GBylc@aol.com. They must include a detailed description of the nominee including contributions to the field of veterinary ethics and must be received no later than March 31, 2008.

For more information about the award and selection criteria, refer to the SVME web site:

http://www.vetmed.wsu.edu/org_svme/shomer_award.htm

Deadline for submission is March 31, 2008



SVME WALTHAM Student Essay Contest

The SVME and WALTHAM sponsor this annual essay contest to foster and encourage future veterinarians' interest and understanding of veterinary ethics.

Through a generous grant from The WALTHAM Centre for Pet Nutrition, the SVME Student Essay Award now includes a \$1000 prize to the winning essay's author as well as up to \$1000 in travel expenses to attend the SVME annual meeting that takes place at the AVMA convention.

The topic this year will be

The Veterinary Practitioner's Role in Animal Cloning

Cloning of food producing animals has been readily available for a number of years and recently, the banking of tissues of companion animals is being marketed to pet owners. How should a veterinary practitioner respond to client requests for tissue collection for the purpose of cloning? Include in your analysis an exploration of veterinarians' professional responsibilities to various parties. Focus your essay on the unique problems associated with the cloning of either food producing animals or those with companion animals. Consider how a veterinarian's role and responsibilities may differ based on the medical condition of the patient and timing of client request for tissue collection.

Deadline for essay submission is March 30th, 2008.

Instructions for essay submission can be found on the SVME website at www.vetmed.wsu.edu/org_svme/



"AS THEY SAY, DO THE RIGHT THING."



"Went in for a simple blood test and got cloned by mistake."

EQUINE SLAUGHTER DEBATE CONTINUES

With no equine slaughterhouse plants currently operating in the United States, the AVMA and Veterinarians for Equine Welfare continue to spar over the ramifications of the American Horse Slaughter Prevention Act. The bill, currently pending in Congress, would prohibit the slaughter of horses in the United States for human consumption abroad as well as their export for the same purpose.

The AVMA has actively lobbied against passage of this bill and notes that many of their previously noted animal welfare concerns are coming to pass as a result of the current ban on equine slaughterhouse operation in this country. In an article in the January 15th, 2008 issue of *JAVMA*, author R. Scott Nolen notes that as predicted, the number of horses being sent across the border to Mexico and Canada has increased since equine slaughterhouses in the United States closed their doors. Dr. Gail Golab of the AVMA Animal Welfare Division, in comments made to this author, expresses serious concern that handling of horses at some Mexican slaughterhouses may result in mistreatment or even outright abuse of the animals. Dr. Golab adds that one of the bill's shortcomings is that there are no funding provisions that will allow for enforcement of the ban on horses crossing the borders which will likely occur with or without passage of this legislation.

Countering these statements, Veterinarians for Equine Welfare note an overall decrease in the number of horses being slaughtered for human food consumption and go on to criticize the AVMA for thwarting efforts to pass the federal bill. Both sides acknowledge that some of the Mexican

slaughterhouses are owned and operated by the same companies that own plants in the United States. Vets for Equine Welfare believe that the AVMA is being disingenuous by neglecting to note this in their recent JAVMA article. In addition, they argue, enforcement of regulations for this industry is lax and inconsistent which results in abuse regardless of where these horses are ultimately slaughtered—hence their desire to ban the practice in its entirety.

A crucial area of debate between the two sides appears to center on the definition of “unwanted horses”. The AVMA notes that regardless of the reason, these horses are unwanted by their owners and destined for slaughter. Further, the costs associated with disposing of these horses can be prohibitive for some horse owners. Vets for Equine Welfare believes many of these horses are healthy enough to obtain new homes, may have been obtained through false pretenses, are not necessarily old and infirmed, and at minimum, are deserving of humane euthanasia without the stress and potential mistreatment associated with transport and handling to and at the slaughter house. Whether one views horses as working animals or companion animals creates an additional ethical component to this debate.

The AVMA declined to publish an editorial response penned by Vets for Equine Welfare spokesperson Dr. Nicholas Dodman on the contested grounds that it included factually inaccurate information. Interested individuals can view Dr. Dodman’s letter at

http://www.vetsforequinewelfare.org/javma_rejects_truth.php

For a point-counterpoint overview of the equine slaughter issue, see the MAY 2007 SVME newsletter at www.vetmed.wsu.edu/org_SVME/

HSUS+AVAR = HSVMA
Humane Society Veterinary Medical Association

New Veterinary Organization to Challenge AVMA

Gary Block DVM, MS, DACVIM

The opinions expressed in this article are those of the author and do not necessarily represent those of the SVME Board

For over 100 years, the AVMA has been the de facto voice of the United States veterinary profession. Now, an upstart but well financed effort by the Humane Society of the United States (HSUS) has stepped up to provide a competing voice for veterinarians and the public. Within the last few months, the HSUS has combined forces with The Association of Veterinarians for Animal Rights (AVAR) to create the Humane Society Veterinary Medical Association.

The HSUS is the largest animal protection organization in the country with 10 million members and a budget of over \$100 million. There are 11,000 AVMA members who are also members of the HSUS. The AVAR, by comparison, with membership in the thousands and a budget of less than \$500,000 has approximately 3000 veterinary and many non-veterinary members. While both AVAR and the HSUS claim that their core missions and philosophies will remain unchanged, the elimination of the word “rights” from the new organization’s name is clearly an effort to present a less controversial face to AVMA members and the general public. Critics of the new organization see this as a public relations sleight of hand designed to distract from the fact that both organizations have repeatedly been accused as fronts and cohorts of more radical animal rights organizations such as People for the Ethical Treatment of Animals. Over the last two decades, AVAR has suffered from this perception in their efforts to pass animal welfare resolutions in the AVMA House of Delegates. Ironically, some of these resolutions were ultimately adopted when championed by less controversial messengers such as The American Animal Hospital Association. Responding to accusations of an extreme animal rights agenda, current HSUS president, Wayne Pacelle notes in a DVMNews magazine interview that he is trying to take the HSUS in a more modest direction and promotes the term “animal protection” instead of “animal rights”.

The timing for creation of this new organization is likely the result of a convergence of a number of professional and societal factors. As society has become more urban and less agrarian, the professions’ membership has become increasingly involved in small animal medicine. The drop in veterinarians practicing and working with large animals has created inherent controversies between small animal veterinarians who generally view animals as having some intrinsic value above and beyond their actual worth, and large animal veterinarians who by necessity see their patients as commodities whose economic value is more finite and tangible. The AVMA has the unenviable task of representing the interests of these groups as well as those veterinarians involved in public health and research. This has, at times, forced the AVMA to take what to many appear to be industry-friendly positions that run counter to animal welfare concerns. Lastly, women, who now comprise over 50% of the profession’s membership are statistically more likely to be sympathetic to the philosophical concept of animal rights and animal welfare concerns.

The HSVMA will likely be an attractive alternative for some veterinarians and veterinary students who have tired of the AVMA’s bureaucratic, sluggish and sometimes inelegant response to controversial animal welfare issues. Another aspect of the HSVMA’s membership drive will be to promote veterinary specific business insurance programs that will, as Pacelle says, free veterinarians from being held “hostage” to the AVMA for business reasons even though they may not

agree with many of the AVMA's position statements on animal welfare issues.

In responding to the creation of the HSVMA, AVMA Executive Vice-President, Dr. Ron DeHaven commented in a mass e-mail sent to AVMA members that "The AVMA values the diversity and opinions and perspectives within our membership" and notes that dual membership in both organizations is an option for veterinarians. He does point out that the AVAR, and by extension, the HSVMA is an animal rights organization whose philosophical view of animals is fundamentally different from that of the majority of AVMA members.

With over 10,000 AVMA members already HSUS members, the new HSVMA has the potential to wield considerable clout in AVMA policy making. How many current AVMA/HSUS members will join the HSVMA and whether the new organization will try to exert its political muscle to obtain affiliate organization status or some other role in the AVMA's leadership or governing bodies, remains to be seen.



"What do you mean, you need to find a balance between work and family? We consider you part of our family."

SVME PRESENTATIONS 2008



Sunday, July 20

- 8:00-9:50 AM Incentive Pay Plans for Veterinarians; Do They Work and are They Here to Stay?"
-Dennis McCurnin DVM, DACVS
- 8:00-9:50 AM The Ethics of Using Incentive Pay Plans to Reward Clinical Veterinarians.
-Clayton MacKay DVM
- 10:00-10:50 AM Cloning In Veterinary Medicine
-Bernard Rollin PhD
- 11:00-11:50 AM Stem Cell Research
- Bernard Rollin PhD

Lunch

- 1:00-1:50 PM How the AVMA Animal Welfare Division and Animal Welfare Committee Identify and Come to Conclusions on Specific Issues."
-Gail Golab DVM, PhD
- 2:00-2:50 PM The New Face of Animal Research
-Patty Olson DVM, PhD
- 3:00-3:50 PM When the Law and Ethics Collide
-Kate Knutson DVM
- 4:00-4:50 PM Humane Society Veterinary Medical Association
-Andrew Rowan PhD, HSUS

NEWS

Educational Memorial Programs

Educational Memorial Programs (EMPs) are becoming increasingly popular in veterinary medical education. EMPs mimic the human body donation programs that have been established at medical schools for over a century. Several U.S. veterinary schools have developed EMPs with deceased animals being donated to the veterinary teaching hospital directly by their owners. EMPs offer veterinary schools an alternative, potentially less controversial source of cadavers for teaching purposes, and offer animal owners a special opportunity to support the training of future veterinarians.

With the aid of a group of veterinary clinicians, professors and administrators, The Humane Society of the United States (HSUS), has created a website, www.educationalmemorial.org that is dedicated to the topic of Educational Memorial Programs

The aim of this website is to provide helpful information about EMPs to interested veterinary faculty and administrators. Much of the information provided is drawn from the experiences of anatomy instructors and other faculty at Tufts University School of Veterinary Medicine, where a donation program has been successfully established. At the University of Pennsylvania, clinician Dr. Lili Duda cites educationalmemorial.org as the major resource for the establishment of an EMP at her school.

The HSUS has also hired a veterinarian to help assist in the development of an EMP at any interested veterinary medical school. For more information on this service, contact The HSUS Animal Research Issues department at ari@hsus.org.

FACTS AND OPINIONS

Foreclosure Pets...Innocent Victims

Many people out there are experiencing financial troubles as the mortgage foreclosure crisis continues to expand across the nation. Unfortunately, as their owners find themselves facing eviction; many pets become the forgotten, and truly innocent, victims as well. It can be a heartbreaking and frustrating situation for many people.

Foreclosure websites have stated that more than 8 million adjustable rate mortgages were given between 2004 and 2006. It is expected that almost 1.1 million of these will be foreclosed before the problem goes away. Given the current rate of pet ownership to be about 60% of the population, it is very easy to calculate the thousands of dogs, cats and other pets that could potentially face abandonment.

In Franklin County, Ohio, foreclosures this year are up more than 4 times last year's rate. Their local animal shelter states that about 20% of owners surrendering pets are doing so due to eviction proceedings. A humane society near San Diego California reports receiving 20-30 calls per day from owners looking to relinquish the family pet.

But others leave their pets behind on false hopes that someone will come along to care for them. In Cincinnati, Ohio, more than 50 cats were found in a house after the owner's eviction. Cases of starving, dehydrated and occasional dead pets have become common sights for real estate agents and law enforcement officers.

As difficult as times may seem, preparation can help to insure that your pets don't suffer similar fates. If you are facing foreclosure and cannot care for your pets, contact your local shelter or humane society. In some instances, rescue organizations may be available although their foster home space is very limited. If you must surrender your pet, do so before the eviction time comes. Gather any pertinent medical information from your veterinarian and let the shelter staff know about any behavior issues unique to your pet. These steps could spell the difference between a new home for your pet or potential euthanasia.

Many people might wonder how anyone could leave a pet behind during these trying times. But for thousands of people, their pets, regardless of their status, become just another weight, hastening their spiral downward. It is all too easy to just walk out the door, leave everything and hope for a new beginning somewhere else. The unfortunate truth is that many of these pets are left and months can pass before someone comes to check on the property. What's worse? In most cities, pets are considered to be personal property and can't be removed until after a foreclosure sale.



LISTSERV TOPICS HEATED.....

The following are excerpts from the SVME listserv. All members are invited to join in and express their questions, concerns and opinions.

Responses to this:

A curious topic came up the other day and I thought it might be interesting to discuss. I was listening to a radio talk show (the host happens to be an MD, lawyer, and bioethicist). He was arguing the case that physicians should be involved in capital punishment in order to insure that the process was smooth, dignified, and not botched (this was in reference to a recent execution that went very poorly according to reports—I don't know any of the details).

The AMA and all other medical organizations are adamantly opposed because it violates the Hippocratic oath, professional standards, etc. His counter was that if an individual physician didn't have ethical objections to capital punishment that he or she should be allowed to participate. Someone called in and suggested that veterinarians could satisfy the criteria the talk show host wanted (adequate medical training to insure a proper execution/lethal injection) and were perhaps even more qualified than physicians for this particular task due to their experience with euthanasia. Any thoughts or interest in discussing this topic?

I have always thought it interesting and incongruent that while we consider it wrong to allow for humane euthanasia with people it is considered equally unjust to allow our terminal 4 leggeds to suffer. It is a subject that often comes up with myself and my clients when we are in our euthanasia room and with their beloved pets. They often comment how better it is to have a planned euthanasia with those who love you by your side.

As most of you probably know, efforts have been repeatedly made to bring the AVMA into the lethal injection debate because of our Guidelines on Euthanasia. We have consistently responded that our guidelines should not be used as a basis for evaluating human lethal injection—they don't address the stepwise procedure as used for human lethal injection and they also don't address the particular agent (Pavulon), which appears to be responsible for much of the procedural concern associated with human lethal injection. Unfortunately, there are a couple of sentences in our guideline document that continue to be misinterpreted—that's the reason that you'll now see the caution on the bottom of the first page of our report. Species differences and veterinary purview are the other issues.

Irrespective of the inappropriateness of veterinary involvement in the human lethal injection debate, I think we can be proud of the amount of time we spend worrying about whether animals have a good death and perhaps that concern is what should serve as the model, rather than the specifics of how it is done (since even though there may be similarities, there are also going to be species differences)? I think there are really two questions here: first, is human euthanasia/killing appropriate and when and second, if it is determined it is acceptable under particular circumstances, then what is the correct way to proceed? It seems like the second question may be easier to answer than the first.

Are physicians PROHIBITED from taking part, or just discouraged by the AMA? I could argue that being present was very much in line with the (modern) Hippocratic Oath. If someone is going to be killed anyway, it would seem to be a physician's DUTY to ensure it was done humanely. The modern oath says the following:

"Most especially must I tread with care in matters of life and death. If it is given me to save a life, all thanks. But it may also be within my power to take a life; this awesome responsibility must be faced with great humbleness and awareness of my own frailty. Above all, I must not play at God...I will remember that I remain a member of society, with special obligations to all my fellow human beings, those sound of mind and body as well as the infirm." These quotes do not seem to preclude taking a life, and in the case of a criminal, it would be society that was "playing at God." I would argue that the "special obligations" in the last sentence would include preventing suffering, if possible. While it makes sense to argue that a vet would be even better than a physician in overseeing executions, since we have more experience with euthanasia, we also have a whole lot less experience treating PEOPLE. At least by current law, that job is generally reserved for physicians, so they should have to deal with the ramifications of euthanasia for humans.

While I am not opposed to capital punishment, I don't think I'd want to be present. I also wouldn't want to be the one doing the killing. I suspect most physicians feel the same way, so it might be hard to get volunteers.

A related topic, of course, is euthanasia for terminally ill humans. I would also argue that it would be in line with the Hippocratic Oath to relieve otherwise unrelievable suffering, but the AMA (and the law) obviously disagrees. If they decided to approve the one, it would seem the other might logically follow....

I can certainly give you some input - I (along with 4 other veterinarians) am named on an amicus brief that has been submitted to the supreme court for them to discuss when they deliberate on lethal injection next year (hopefully January or February) The ASA have also submitted a brief. The Supreme Court will not discuss whether or not capital punishment should be abolished or not but will debate whether lethal injection constitutes cruel and unusual punishment. It is because of the "botched" execution in Florida that most states are currently on hold with executions. Having read a lot and seen the paper work on the Florida execution that went wrong I can say with certainty it will never be a fool proof process and can in no way be considered a "medical procedure" - there was no doubt that that person was awake yet paralyzed. The drugs used are thiopental, pancuronium and KCL without anyone monitoring the level of consciousness of the condemned person.

You can see our brief and others at: <http://www.law.berkeley.edu/clinics/dpclinic/LethalInjection/Public/briefs.html>

The account of the last Florida execution was grim reading - it took over 30 minutes for Angel Diaz to die after administration of the "cocktail" and it is clear he was conscious but paralyzed. At post-mortem there were 12 inch chemical burns on both arms (the drugs seem to have gone perivascularly).

The current job description for the Florida executioner is "must be 18, chosen by the prison warden, fee \$150".

Just a question about one comment made:

"... Regardless of what you think of the people on death row there is a big difference between euthanizing a dog and executing a person - the animals never know what is happening and can't know what is about to happen." How do we know that animals do not know what is happening? How could we find out whether they know or do not know? Would it make a difference in your practice of euthanasia if you had knowledge that animals know what is happening?

Our discussion is increasingly considering euthanasia and capital punishment to be comparable. Under legal theory and in practical application, they are not. Euthanasia is a term concerning the provision of a good death, pursuant to the consent of the being to be euthanized or that being's surrogate. For example, under death w/ dignity statutes (such as in Oregon) (not technically a euthanasia statute as the person to die administers the drugs to him/herself), a competent individual gets lethal drugs from a med doctor, then administers them to him/herself. Under the Netherlands model, the doctor administers the drugs (more a euthanasia model), again pursuant to consent. For animals, the owner consents, as the animal lacks capacity to consent and is property. Capital punishment is nothing of the sort as a theoretical construct. It is meant as punishment of a human without his/ her consent, sanctioned by the state, and justified on the rationales of retribution (for the crime) and/or deterrence (of others who from committing such crimes). The question of whether the rationales are adequate is a separate issue studied objectively, debated subjectively, philosophically, ethically ... In my opinion, destruction of vicious dogs cannot/should not be analogized to cap punishment of humans. The obvious legal reason is that animals do remain property, so a whole different set of processes and apply to destruction of them based on viciousness. (And there are of course the philosophical, ethical, etc., etc., arguments of which we are all aware and have debated . . . so not being repeated here.)

While I have not (and do not plan to) share my own view of capital punishment, I think that the question posed could be predicted to illicit what some members of the group think regarding capital punishment. Also, veterinarians' views of capital punishment individually and collectively may well impact whether they would want to be drawn into involvement with it (which gets us back to the initial question posed). I think an interesting aspect of the discussion here is how closely or distantly members of the group analogize between humans and non-humans, which is an issue that seems right on point for the kinds of things this group considers.

If you find this discussion interesting... join SVME and share your thoughts and opinions... Experience the intellect, knowledge and wisdom of so many of our SVME members. If you currently do not participate, I hope you will join in on these enlightening discussions.

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