

July 5, 2007

Surete du Quebec  
Poste de la MRC de Beauharnois-Salaberry  
47, rue Nicholson  
Salaberry-de-Valleyfield (Québec) J6T 4M9

RE: Cruelty to Animals at Élevages Périgord  
Request for Prosecutorial Action

To whom it may concern:

I am writing to direct your attention to recent conduct in St Louis de Gonzague, Quebec, witnessed and documented by an employee of a foie gras production facility. The evidence of this abuse, given to Farm Sanctuary and Global Action Network (GAN), constitutes egregious violations of Part XI, Section 446(1) of Canada's Criminal Code, Cruelty to Animals.

The conduct at issue occurred on a daily basis between 21 November 2006 and February 15, 2007 at a foie gras production facility owned and operated by Élevages Périgord, Inc. located at 226 Rue Principal in St-Louis-de-Gonzague.

Canada's Criminal Code, Part XI, Section 446(1), prohibits cruelty to animals and states,

- (1) Every one commits an offence who
  - (a) willfully causes or, being the owner, willfully permits to be caused unnecessary pain, suffering or injury to an animal or a bird;
  - (b) by willful neglect causes damage or injury to animals or birds while they are being driven or conveyed;
  - (c) being the owner or the person having the custody or control of a domestic animal or a bird or an animal or a bird wild by nature that is in captivity, abandons it in distress or willfully neglects or fails to provide suitable and adequate food, water, shelter and care for it;

Enclosed is edited video footage that contains numerous examples of violations of the statute, which transpired during the course of two-and-a-half-month employment tenure and were documented in their entirety in a series of videos filmed by the former employee.

As one leading Canadian poultry welfare expert states,

In summary, these nine scenes from a foie gras production unit show an enormous amount of suffering in the ducks being farmed. The suffering includes a very severe fear, frustration, discomfort and pain. If the same degree of suffering was inflicted on dogs, cats or horses, the perpetrators would be prosecuted to the full extent of the law.

The unedited video footage is available on request and contains evidence of scores of additional violations of the statute. In addition, please find attached a declaration provided by the former employee, which documents further instances of cruelty to animals.

The declaration is offered in support of the allegations contained herein, and aforementioned former employee is available to assist your office upon request and at your convenience.

The complaint against the actions of employees of Élevages Périgord, Inc. is detailed below. Attached are statements by independent, internationally-renowned experts in the field of animal husbandry that unequivocally declare that the actions depicted in the edited video footage fall below the parameters of usual and accepted industry standards and, moreover, are intentionally abusive, cruel, and malicious.

Please also find attached the audio declaration of the former employee of Élevages Périgord, who documented the many incidents of animal cruelty.

The videos, expert testimony, and declaration provide incontrovertible evidence of intentional torture and malicious killing of ducks and ducklings at the above-referenced facility and thus warrant an investigation and prosecution of all culpable parties.

### **I. Overview of Incidents of Cruelty to Animals at Élevages Périgord, Inc.:**

The majority of the conduct was commonplace and directed at live, fully-conscious ducks. The conduct is described in general terms to include the following:

1. Kicking, throwing and punching ducks.
2. Twisting the heads of live ducks until their heads detach from their bodies
3. Leaving ducklings to die of hypothermia and asphyxiation inside trash cans
4. Bashing live ducks against the wall and floor
5. Suffocating and crushing ducklings alive
6. Force feeding ducks.
7. Confining ducks inside tiny cages that immobilize them
8. Improperly gassing ducklings
9. Slaughter of fully-conscious ducks

These and similar behaviors were part of the daily routine at the Élevages Périgord facility in St-Louis-de-Gonzague, as documented herein, and employees engaged in these behaviors often at the direction of Élevages Périgord management.

As discussed in detail below, these behaviors were performed willfully and frequently maliciously, having been carried out unnecessarily and with the knowledge that they would inflict pain on the animals, and thus constitutes a violation of Part XI, Section 446(1) of Canada's Criminal Code.

## **II. Specific Incidents of Cruelty to Animals at Élevages Périgord**

The following section recounts the incidents in the enclosed video titled “Élevages Périgord Investigation,” which you may wish to review at this time. The edited video is not an exhaustive catalog of every incident witnessed and documented during the course of the investigation; rather, it should be viewed as a condensed, representative summary of routine conduct involving illegal cruelty to animals.

The video footage was filmed in the hatchery building, in the “growout” sheds, in the force-feeding (gavage) sheds and in the slaughterhouse facilities of Élevages Périgord. You may also wish to review the declaration of the former employee at this time. The declaration contains background information that explains the physical environment and places the contents of the edited video in proper context.

The edited video contains repeated examples of conduct that constitutes employee behavior that “willfully causes or . . . willfully permits to be caused unnecessary pain, suffering or injury to an animal or a bird” as defined under Part XI, Section 446 (1) of Canada’s Criminal Code. Part XI, Section 446 (3) defines an action of cruelty as “wilful” thusly:

For the purposes of proceedings under paragraph (1)(a) or (b), evidence that a person failed to exercise reasonable care or supervision of an animal or a bird thereby causing it pain, suffering, damage or injury is, in the absence of any evidence to the contrary, proof that the pain, suffering, damage or injury was caused or was permitted to be caused willfully or was caused by willful neglect, as the case may be.

This definition applies without question to the actions of the employees of Élevages Périgord, as documented by the former employee during his employment at the facility.

### **1. Kicking, throwing and punching ducks**

Ducks were subjected to extremely abusive handling during loading into crates for transport from the grow-out sheds to the force-feeding cages. Ducks who straggled were kicked and thrown to move them forward, without consideration for the fact that the ducks’ straggling may have been due to injuries or an otherwise physically-compromised state.

Says the former employee, “Frequently my coworkers would get very frustrated at the ducks and lose their tempers. I saw on numerous occasions workers who would kick with all their force a duck, so hard that the duck would be launched through the air 15 or 20 feet. Ducks near the rear of the flock would be picked up by their necks, heads or wings and be thrown towards the enclosure, sometimes 20 or 30 feet away.”

Ducks were shoved into crates, employees often punching them or using brute force to smash them into the small space. The former employee recounts that “sometimes a

worker would totally lose his cool and punch a duck repeatedly while swearing until the duck stopped moving.”

This behavior violates two sections of Canada’s Criminal Code: Part XI, Section 446(1)(a), which states that anyone who “willfully causes or, being the owner, willfully permits to be caused unnecessary pain, suffering or injury to an animal or a bird” is guilty of a crime, as well as Part XI, Section 446(1)(b) of Canada’s Criminal Code, which states that anyone who “by willful neglect causes damage or injury to animals or birds while they are being driven or conveyed” is guilty of a crime.

Incident 1: January 29, 2007:

Several employees are seen inside a large shed herding ducks towards crates stacked on a waiting truck. In an apparent attempt to expedite the process, the employees are seen kicking ducks with enough force to propel them through the air. In the same sequence, an employee is seen picking up a duck by the neck and hurling the bird several meters through the air.

Canadian Poultry expert Dr. Ian Duncan comments that handling the ducks in this manner

will result in the ducks suffering fear and pain and is a cruel and inhumane way to move ducks. The crating process itself is extremely rough with ducks being crammed into crates. This will result in injury and pain. Some ducks are also thrown from the barn to the crates over a distance of 4-5 meters. This will result in fear, injury and pain and is a cruel and inhumane way to move ducks. were treated violently, in ways that will have caused considerable fear and pain in addition to the suffering they were already undergoing from their physical problems.

Incident 2: February 8, 2007:

Employees are seen loading ducks into crates on the bed of a waiting truck. The ducks are roughly shoved into each crate, and an employee is seen punching a duck repeatedly, apparently to force the bird into the already overcrowded crate.

Regarding this scene, poultry expert Dr. Mike Appleby states, “The loading into crates was done in a way that was more violent and inhumane than I have ever seen before. Again this treatment was completely unnecessary, and was caused by a combination of excessive hurry, inadequate crate openings (or improper use of crate openings) and probably gross overfilling of crates.”

**2. Twisting the heads of live ducks until their heads detach from their bodies**

Ducks were killed by employees when they were deemed too small for foie gras production or were too sickly. Breeding females were killed if the persons performing the artificial insemination had difficulty inserting the inseminating gun into the birds’ vents.

In the following two incidents, the former employee explains that the supervisor did not send these ducks to slaughter because they were too small. He ordered two of the employees to kill them. After twisting the neck of one of the ducks, the employee doing the killing reportedly “backed up and said with a laugh that he had ripped off the duck’s head.”

As Dr. Laurie Siperstein-Cook explains, ” The technique of ‘cervical dislocation’ can cause rapid and painless death if done correctly, but these workers seem to show no care in performing this act humanely. “ The killing depicted in the scenes below do not even remotely resemble proper cervical dislocation and are gross and disturbing instances of malicious killing, done in violation of Part XI, Section 446(1)(a) of Canada’s Criminal Code.

#### Incident 3: February 7, 2007

A male employee is seen pulling a duck out of a crate, pinning the bird to the ground by standing on the bird’s back, and then twisting the bird’s neck around for several rotations. The employee then kicks the duck across the floor, so that it slides beneath the cages into the waste pit. The duck can be seen still flapping underneath the cages.

#### Incident 4: February 7, 2007

In a continuation of the previous scene, the same employee removes a second duck from a crate and twists the duck’s neck so violently that the head is severed from the body, attached only by a thread of tissue, and blood pours from the duck’s neck onto the floor. Even after the duck’s head is nearly severed, the duck’s beak can be seen to be opening and closing. The duck flaps and struggles for several minutes in this decapitated state.

#### Incident 5: January 12, 2007

An employee, identified by our former employee as the manager of the farm, is seen killing a breeding female by twisting her head. Standing on the duck’s back, the employee twists the duck’s neck around for several rotations and then tosses her into a pile of other dead or dying ducks, where she lies convulsing and flapping her wings.

In describing the aforementioned scenes, Dr. Duncan states, “A bird is held down and the head rotated until eventually the vertebral column breaks. This will result in severe pain to the bird and a slow agonizing death. This is a cruel and inhumane practice.”

In reference to Incidents 3, 4 and 5, Dr. Appleby states, “Killing animals by severing or breaking the neck is not humane, as brain sensation may continue for some time.”

### **3. Leaving ducklings to die of hypothermia and asphyxiation inside trash cans**

The former employee states that at the beginning of his tenure working at the farm, finding ducklings alive inside trash cans up to twelve hours after being gassed was common. As the winter progressed and the weather grew colder, however, finding ducklings still alive after gassing became less common, presumably because the freezing weather expedited their deaths.

He states, “We would rip open the garbage bags and shake out all the baby ducks into the bins designed for animal carcasses. . . on every occasion there would be live ducklings thrown into the garbage. . . sometimes almost every duck seemed to be alive.”

Abandoning baby birds to suffocate en masse inside trash cans, in freezing cold weather, most certainly violates Canada’s Criminal Code, Part XI, Section 446(1) (c), which states that anyone, “being the owner or the person having the custody or control of a domestic animal or a bird or an animal or a bird wild by nature that is in captivity, abandons it in distress or willfully neglects or fails to provide suitable and adequate food, water, shelter and care for it” is guilty of animal cruelty.

Incident 6: January 11, 2007

The lid of a trash can full of ducklings that have been gassed is lifted to reveal a duckling still alive, sitting upright on the top layer of the bodies, peeping audibly.

Incident 7: February 1, 2007

Trash cans filled with the bodies of newly-hatched ducklings, post-gassing are shown. In one trash can, faint peeping noises are heard and a duckling is seen on the top layer of the trash can, weakly struggling and exhibiting signs of life despite having been gassed.

Regarding the dying duckling in Incident 7, Dr. Appleby comments, “It must have been suffering, and will have died without intervention, from a combination of cold and the damage done to it. It may have taken a long time to die.”

Of incidents 6 and 7, Dr. Appleby states, “The fact that these two birds were alive suggests the possibility that others were also alive when they were placed in the trash cans, but were not seen either because they were buried or because they died without the cans being inspected. . . To leave survivors to die slowly, rather than looking after them or culling them rapidly, is severely inhumane.”

**4. Bashing live ducks against the wall and floor**

The ducks in the following sequences were killed during the loading from the grow-out sheds into crates for transport to the force feeding shed. Ducks that straggled would be singled out as too weak for force-feeding and would be killed. New employees were told to kill ducks without any instruction as to how to do so humanely, and the employees would improvise.

The former employee attests that ducks were usually held by the wings and legs and “swung like a cricket bat against the wall.” He states, “I noticed on some occasions that the duck would hit the ground first, and then the wall, or was not swung hard enough and would lay on the ground thrashing about, bleeding, while still alive for several minutes before dying.” He further states that “the ducks never died immediately. I would have to pick up the ducks, while still convulsing, throw them into the garbage bin on top of the other dead ducks.”

Killing animals by bashing their heads against the ground or a wall, especially by personnel completely untrained in methods of humane euthanasia, constitutes a serious violation of Part XI, Section 446(1)(a) of Canada's Criminal Code.

Incident 8: February 14, 2007

An employee removes a duck from the force feeding cage, takes it outside and smashes its head against the ground twice. He then places the duck's still convulsing body into a trash can full of other dead ducks. The bird is seen moving for at least a full minute after being smashed against the ground.

Incident 9: February 7, 2007

The same employee in Incident 10 is seen swinging a duck and violently bashing the bird against a concrete wall several times before dropping it into a pile where the bloodied and convulsing bodies of two other ducks are lying. The convulsing bodies of these ducks lying next to the wall indicates that at least three ducks were killed via head bashing against the concrete wall on this day.

Incident 10: January 28, 2007

The same employee as in the two previous incidents is seen holding a duck by the legs and then bashing the bird's body with considerable force against a concrete column twice before tossing the body aside.

Of these three incidents, Dr. Appleby writes that "the method used was unsatisfactory in each case because it was done in such a way that the body also struck the object (unavoidably so in (a) where the ground was used), which in other cases, or by other workers, could result in the body absorbing much of the blow."

Incident 11: December 29, 2007

Another employee is seen swinging the body of a duck, seemingly half heartedly, against the bars of a gate before dropping it on the ground. Another employee is heard to remark, "It's still breathing."

Regarding this incident, Dr. Appleby writes, that the method used was "was indefensibly inhumane" and "completely unacceptable." He adds, "In addition to the fact that the worker's actions are utterly inappropriate in themselves, they also suggest that he has not received any training in proper ways of killing birds humanely." This statement is corroborated by the experiences of our former employee that no such training was provided in humane methods of killing ducks on the farm.

Regarding Incidents 8-11, Dr. Ian Duncan states, "This is a completely unacceptable way to kill birds. The fact that the process had to be repeated several times with each bird shows that death was not sudden. It also means that the birds would suffer terrible injuries before actually being killed."

## **5. Suffocating and crushing ducklings alive**

The former employee states that at the hatchery, “The female ducks would be thrown into the garbage, and when the garbage was ¼ to ¾ full, depending on the worker the ducks would either be gassed with carbon dioxide or the bag would simply be tied shut without any gas whatsoever.”

The former employee further states that the manager of Elevages Périgord said that killing ducklings without gas was the preferred method of killing them, because the use of gas was seen as too costly. While the manager always killed ducklings himself without the use of gas, ducklings were also often killed without gas by other hatchery employees when the supply simply ran out, which occurred frequently.

Again, knowingly killing ducklings—approximately 1,000 per week-- by suffocating them or effectively crushing them is a blatant violation of Part XI, Section 446(1)(a) of Canada’s Criminal Code. It is evident that not even personnel in management positions have received proper instruction in the humane disposal of female ducklings or in their individual responsibility to ensure that the animals under their watch are handled and killed according to accepted standards, in compliance with the law.

#### Incident 12: Feb 1, 2007

The female employee is seen inside the hatchery building kneeling on a large garbage bag filled with ducklings, pushing down on the bag in an apparent attempt to force air from the bag and suffocate the ducklings. The female employee is heard to clearly state, “This is cruel.”

Of this killing method, poultry expert Dr. Mohan Raj states simply, “Killing of chicks by simply crushing them in a bag is the most inhumane act I have ever seen.”

After watching this scene, Dr. Ian Duncan adds, “This is a completely unacceptable way of killing any animals. It is cruel and inhumane and the ducklings will suffer a horrible death.”

Avian veterinarian Dr. Laurie Siperstein-Cook states, “Certainly, suffocation by lack of air is a cruel and slow death. The fact that ducklings were later found alive in the garbage bins is evidence that the killings were not performed humanely.”

### **6. Force feeding of ducks**

Ducks at Élevages Périgord are force fed large amounts of food several times a day in order to make their livers enlarge drastically. According to the former employee, “As my supervisor stated, the point of gavage is to make a duck as sick as possible, to bring them to the brink of death.”

The former employee reports that after each force feeding, the ducks would “vomit profusely and gasp for air, unable to lift their heads” and that “even a half hour later, walking down the rows of ducks, you could see some ducks vomiting.” This regurgitation is evident on the surface of the cages themselves, which are visibly covered in regurgitated food.

According to the former employee, the insertion of the force feeding tube down the throats of the ducks would cause internal injuries to the duck, as evidenced by the fact that the ducks would often spit up blood. “Sometimes the ducks would spit up so much blood that the neighboring ducks would also be covered in blood,” he states.

Further, the former employee reports that in the initial days of force feeding, the ducks struggled violently in their cages in an attempt to avoid the force feeding to the point where the workers’ hands would be hurt and bruised. He reports, “During the last days, it became easier to feed the ducks because they became so sick they could no longer struggle.” According to the former employee, “So many ducks died from force feeding that each week before garbage collection there would be dozens of trash cans overflowing with dead ducks.”

He further attests that “if the mortality rate was not high enough, we were instructed to boost the dosage given to the ducks....we did this fully knowing that we would kill some of the ducks by increasing the dosage so rapidly, but that it was worth it because of the increase in liver size of those ducks that managed to survive.”

The force feeding of ducks with the intent to induce a deathly illness violates every tenet of adequate care and should therefore be forbidden under Canada’s Criminal Code. Specifically, the act violates Section 446(1)(c) of Canada’s Criminal Code, which provides that anyone who, “being the owner or the person having the custody or control of a domestic animal or a bird or an animal or a bird wild by nature that is in captivity, abandons it in distress or willfully neglects or fails to provide suitable and adequate food, water, shelter and care for it” is guilty of the offence of animal cruelty.

#### Incident 13: February 12, 2007

An employee is seen grabbing confined ducks by their heads and roughly shoving a metal pipe, attached to a large machine, down each duck’s throat. The ducks try to avoid being grabbed by the employee prior to being force fed, and after the pipe is removed and the ducks are released, each duck shakes his head and gapes, sometimes expelling food from his beak.

This is just one incident of force feeding of nearly a dozen that were documented over the course of several months, but which occurred twice a day, each time involving over 1,000 ducks total.

Dr. Appleby comments that “several ducks appear to be actively avoiding the worker’s hand by crouching low in the cage, as he reaches to grasp the head of the next bird to be fed – although their ability to get away is extremely limited in the very small cage. After feeding, each duck shakes its head, gapes repeatedly, and holds its head up while gulping, all of which appear to demonstrate acute discomfort.”

Dr. Duncan describes the scene thusly:

[A] metal pipe is inserted into the duck's esophagus and a concentrated slurry of food is pumped into the crop. This process can lead to damage to the oesophagus with resultant pain. The normal procedure on foie gras units is to repeat this process two or three times a day. Within a few days, this results in the duck's liver becoming grossly expanded and pathologically fatty. The consequence of this is extreme discomfort for the duck."

Dr. Raj states simply, "Force feeding of seriously confined birds to produce fatty livers is probably the most extreme form of cruelty to sentient animals the mankind has ever invented."

### **7. Confining ducks inside tiny cages that immobilize them**

Ducks during the force-feeding period at Élevages Périgord are confined inside cages, which the former employee measured to be 7 ½ inches wide by 10 inches long—smaller than a sheet of typing paper. The cages are too small for the ducks to stand or turn around and they are virtually immobilized in this way so as to prevent them from avoiding the force feeding. Such extreme confinement in this manner prevents the birds from engaging in any normal behaviors such as preening, resulting in the evidently poor condition of the birds' plumage.

The former employee states,

"The cages were very small. Often the ducks, in an attempt to turn around, or in fear of humans, would get stuck in the bars. Wings, beaks and necks would get lodged between the bars, often resulting in broken wings, massive welts and open wounds on their beaks and bodies. On numerous occasions I saw ducks that had gotten their necks lodged in a way that left their head stuck in the water trough, resulting in the duck drowning."

#### Incident 14: February 12, 2007

The footage shows ducks confined inside individual cages in long rows. The cages virtually encase the birds' bodies, with only a hole at the top of the cage for each duck's head to stick out. According to the former employees, birds commonly suffered injuries when their beaks or wings became caught in the cages during their struggles to escape. Such confinement, especially when the animals are already suffering under the stress of force feeding, would unavoidably cause extreme suffering, in violation of Canada's Criminal Code, Part XI, Section 446(1)(a).

Dr. Appleby comments that "The video shows that the house and the individual duck cages are filthy and poorly maintained. Each cage is only just larger than a duck, preventing them from turning round or from making much movement at all except with the head. This will cause chronic frustration of much of the ducks' normal behaviour" and that "The ducks are gaping, which arises from the abdominal distension and breathing difficulty caused by force feeding. In my view, the welfare of these birds is very poor."

Dr. Siperstein-Cook states, “The swollen livers also put pressure on the abdominal airsacs which impairs the bird's ability to breathe. To make matters worse, the ducks in this factory are kept individually in tiny pens barely big enough for one bird. As the birds grow, the sides of the cages prevent the birds from inhaling deeply.”

### **8. Improperly Gassing Ducklings**

The hatchery employee told the former employee that when she first started working there, ducklings were killed simply by stuffing them en masse into trash bags and freezing them alive. However, the hatchery employee states, this practice changed somewhat after she complained and insisted being provided with gas to kill the ducklings. Despite this it is apparent from the video footage that the hatchery employee was never trained in the proper gassing of ducklings and therefore subjected them to extreme suffering via suffocation.

The former employee who videotaped the cruelty incidents recounts one incident in which ducklings were still alive in trash cans and were then deliberately dumped into the trash collection truck 24 hours after they had been supposedly gassed:

“One morning, the day after the babies were thrown out, we went to the back of the shed to collect egg trays and I heard peeping coming from a garbage bin. I opened the lid and was sickened to see that the ducks on the top were still alive and huddling by the body of a dead adult duck that someone had thrown into the garbage. That day after insemination I returned to see if the ducks were still alive. . . I opened the bin where the babies had been but it was empty, and at that moment I heard peeping coming from inside the garbage truck. They had been thrown into the garbage truck alive over 24 hours after first being thrown into the garbage.”

This description demonstrates both that the vast majority of the ducklings were knowingly improperly gassed on an ongoing basis. Further, employees knowingly emptied live ducklings into the trash cans and then into the trash collection trucks, knowing they had not been properly gassed. This behavior is a direct violation of Part XI, Section 446(1) (a), which states that anyone who “willfully causes or, being the owner, willfully permits to be caused unnecessary pain, suffering or injury to an animal or a bird” is guilty of animal cruelty.

#### Incident 15: December 22, 2006

A female employee is seen in the hatchery dumping live ducklings, along with egg waste, into large plastic bags, into which she then inserts a tube attached to a container that presumably contains CO<sub>2</sub> gas. The gas is then dispensed and the bag, containing ducklings and gas, is sealed. This scene is just one of several nearly identical scenes of gassing that were videotaped up until February 1, 2007

The gassing of ducklings in this manner is extremely inhumane, as only those birds on the top layer in the bag are likely to be affected by the gas. The vast majority of the ducklings in the lower layers of the bag will instead die via suffocation. The fact that the

gassing was done in this way suggests that no training in the proper methods of gassing was ever provided to employees by Élevages Périgord management.

As stated by Dr. Appleby,

“It is impossible that Carbon Dioxide penetrated down into the pile of ducklings sufficiently to achieve the appropriate concentration for the majority. Most ducklings will therefore have died slowly of suffocation. This is an extremely inhumane method of killing.”

### **9. Slaughter of fully conscious ducks**

Ducks at the Élevages Périgord slaughterhouse are shackled and have their throats cut manually by a slaughterhouse worker who appeared indifferent to whether or not the birds coming down the line were actually conscious when he punctured their jugular veins.

According to the former employee, “At the slaughter, I witnessed duck after duck being strung up, upside down, entirely missing the electrical bath and having their throats punctured, while fully conscious and flailing, blood spurting everywhere, sometimes in full view of the government veterinarian.”

The unnecessary pain involved in this procedure is a direct violation of Canada’s Criminal Code, Part XI, Section 446(1).

Furthermore, allowing ducks to be killed while still conscious is a violation of Canada’s Meat Inspection Regulations, 1990 which states,

Every food animal that is slaughtered shall, before being bled, (a) be rendered unconscious in a manner that ensures that it does not regain consciousness before death, by one of the following methods:

(i) by delivering a blow to the head by means of a penetrating or non-penetrating mechanical device in a manner that causes immediate loss of consciousness,

(ii) by exposure to a gas or a gas mixture in a manner that causes a rapid loss of consciousness, or

(iii) by the application of an electrical current in a manner that causes immediate loss of consciousness; or

(b) be killed by one of the methods set out in paragraph (a) or, in the case of a bird or a domesticated rabbit, by rapid decapitation.

It appears that none of the above three methods were adequately used to render the ducks unconscious prior to their throats being slit, despite the fact that our former employee reports that government inspectors were always on site during the slaughter process. These inspectors, like the slaughterhouse employees, appeared indifferent to the activities—ie, the slaughter of conscious animals—occurring around them.

Incident 16: January 24, 2007

Ducks are seen dangling from shackles as they head towards a slaughterhouse worker, who pierces the duck at the base of the skull with a knife and then draws the knife across the birds' necks. As the birds approach the employee, several are holding their heads up, indicating that they have not been adequately stunned. After the birds are cut with the knife, several are seen to flap their wings vigorously while holding their heads up.

After viewing the footage, Dr. Appleby comments, "The electric stunner appears to be working inadequately or perhaps not at all. Cutting the necks of ducks without prior stunning causes severe pain until loss of blood leads to unconsciousness."

Dr. Duncan adds, "The evidence suggests that the ducks are not unconscious when being cut. They are not showing the tetany and posture typical of electrically-stunned birds. The birds are therefore suffering pain during the slaughter process which is cruel and inhumane."

### **III. Conclusion**

The violations enumerated in this complaint are caused by a lack of essential training and policy and further countenanced by a lack of adequate supervision and disciplinary action. The result of the indifference demonstrated by Élevages Périgord toward the welfare of the animals it owns and slaughters plainly causes, procures, and authorizes the intentional and malicious behavior documented by its former employee. As such, Élevages Périgord must be held accountable for the violations of Part XI, Section 446(1) of Canada's Criminal Code discussed herein.

The innumerable incidents of cruelty documented in the video and declaration are self-evident; the extreme nature of the acts cannot be interpreted as other than willful and unnecessarily cruel. Moreover, the maliciousness demonstrated by employees of the Élevages Périgord is unmistakable. Farm Sanctuary and Global Action Network respectfully request that you charge all culpable parties, including the individual employees depicted in the video, supervisory personnel, and the Élevages Périgord Corporation, with multiple violations of Part XI, Section 446(1) of Canada's Criminal Code as well as distinct violations of Canada's Meat Inspection Regulation of 1990.

Sincerely,

Gene Baur  
President, Farm Sanctuary

Andrew Plumbly  
Director, Global Action Network