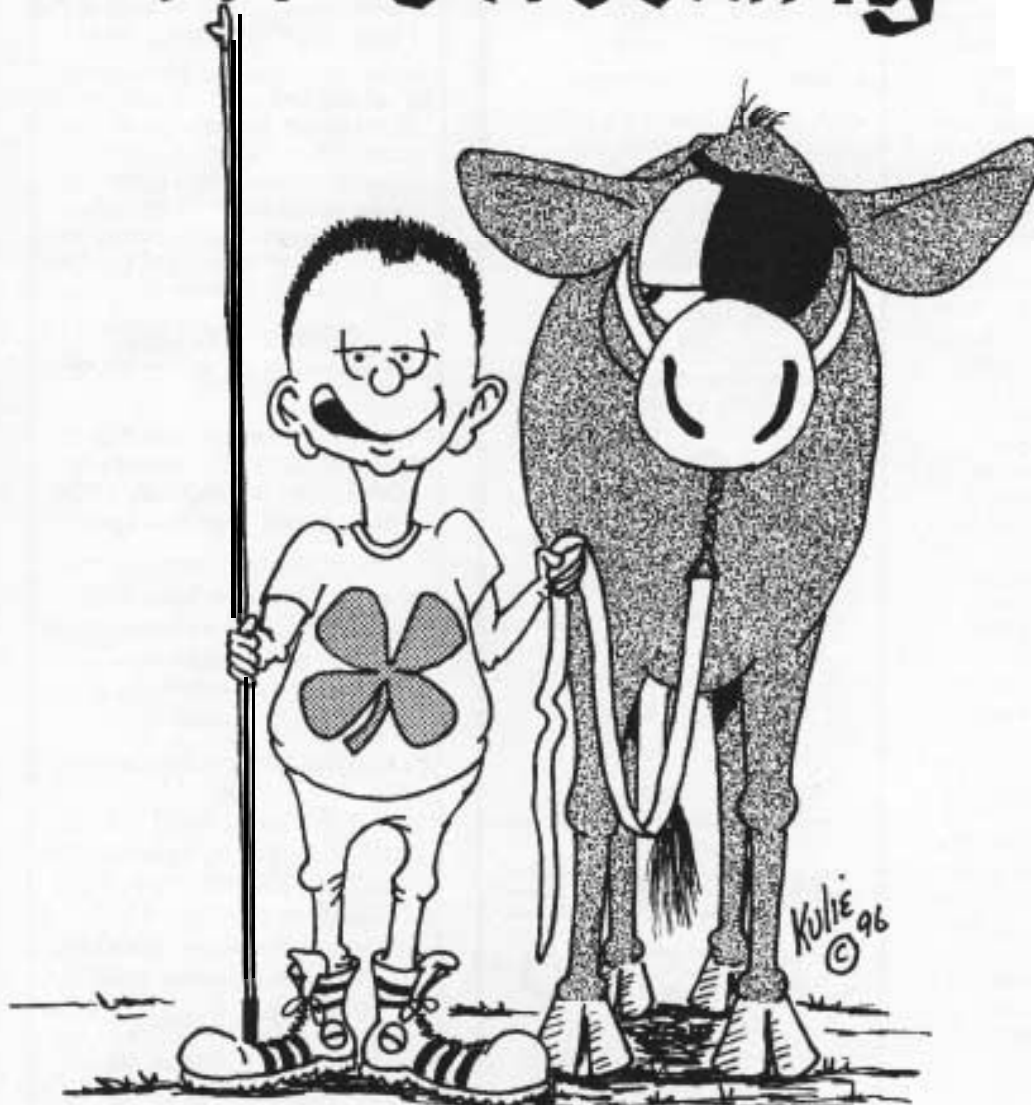


# ZERO TOLERANCE for Cheating



**HEY MAW, MY STEER PASSED THE DRUG TEST!!**

In part III of our special series we examine the final area of emphasis for the National Youth Livestock Program Ethics Symposium -enforcement.

The symposium, held this past December in Las Vegas, Nev., brought together both youth and adult representatives of agricultural organizations, managers of livestock shows and expositions, and state agriculture department officials. These crusaders delivered one resounding message—we can no longer tolerate unethical treatment by livestock exhibitors and fitters. Most importantly, they confronted the important issues head on and were able to share information, experiences and solutions.

The enforcement group met and discussed at length current laws, rules and codes of conduct in place. They also heard new proposals for eliminating cheating in livestock programs and shows. Some of these enforcement programs will take further development, but rest assured, they have the potential to be powerful weapons in the war against cheating and unethical practices in livestock programs and shows.

— Jeryllyn Johnson

## Ohio leads the Way With Innovative Enforcement Efforts

Tampering with show animals is not new. It's been around as long as fairs and expositions. Fred Dailey is well aware that history often repeats itself, but in 1994 this Director of the Ohio Department of Agriculture (ODA) received a wake-up call. How the ODA responded to a major show ring scandal is sure to enroll them in a page of history.

The ODA had an agreement with the Ohio State Fair to test class winners. After the champion market animals had been paraded, auctioned and sent to a processing plant, a state meat inspector working on the kill floor noticed vegetable oil in a lymph gland. Further testing of the carcasses found that seven of the top 10 steers and the grand champion market lamb had been tampered with or had clenbuterol residue in tissue.

When Dailey approached the governor of Ohio to report the incident, he was told, "Expose it or own it!"

The ODA immediately launched an investigation. Dailey predicted it would last two weeks. "But every time we turned over a rock, there was another snake under it," he says. Eighteen months and two weary ODA enforcement officials later, they finished the investigation.

Their bulldog tenacity paid off, and for the first time ever a state department of agriculture was able to prosecute individuals under the following statutes:

1. Cheating
2. Attempted theft
3. Theft
4. Adulterating food
5. Contributing to the delinquency of a minor

## 6. Possession of criminal tools 7. Forgery

To date, ODA has obtained 19 indictments by grand juries or guilty pleas and 13 convictions; two charges were dropped.

"We have some indictments and convictions pending," Dailey says. "Some were small fish, some were big fish. Most denied charges and criticized the Ohio Department of Agriculture — saying there must have been a mix-up at the packing plant or with the laboratory tests. Many hired expensive attorneys. Almost all later confessed and plea bargained."

To put together a strong case against the defendants, the FDA was called in and attorneys were hired by the Ohio State Fair. A total of \$50,000 was spent on legal fees. It paid off.

The sentences handed down by judges included prison time, being banned from showing and fitting livestock, restitution, stiff fines, community service (cleaning pens at fairgrounds and dog pounds), public apologies and placing paid advertisements in livestock and agricultural publications.

Dailey then set out to get to the root of the illegal drug and cheating problem. An ad hoc task force was appointed to develop and carry out positive solutions and guidelines. Their most major accomplishment was the Livestock Show Reform Act, which passed as law in May 1995 after receiving unanimous support from Ohio's House of Representatives and Senate.

A total of \$250,000 was appropriated by the state for ODA testing of exhibition livestock. This allowed ODA to add the services of forensic scientists and state-of-the-art

analytical equipment.

Dailey reported at the Ethics Symposium in Las Vegas that Ohio's Livestock Show Reform Act had received the endorsement of the National Council of State Governments. It will now serve as model legislation for other states. Oklahoma and Colorado have already taken Ohio's lead and passed new laws.

## Ohio livestock Show Reform Act:

1. Makes livestock tampering a specific 4th degree felony; sabotage is a 3rd degree felony.
2. Increases power of ODA to investigate and test livestock.
3. Authorizes ODA to promulgate statewide regulations defining tampering and food safety rules.
4. Authorizes ODA to establish optional grooming rules (use of dyes, artificial tailheads, etc.).
5. Allows ODA to shield county, state and independent fairs and other show sponsors.
6. Closed loop-holes in illegal or extra-label drug enforcement.

Dailey has never doubted that ODA did the right thing in exposing the Ohio State Fair scandal. He realizes the responsibility of illegal and unethical actions in this case do not lie solely with the people convicted. Who is really to blame? "All of us," Dailey responds. "But there is a silver lining in this cloud. Through collective efforts, we can clean up the problems and ensure a bright future for livestock exhibitors."

## Rule Infraction Database Takes a Byte Out of Crime

In January 1995 the National Western Stock Show in Denver attracted the attention of the nation. Needless to say, it was a trying time for manager Charles Sylvester.

"The unethical practices of a few exhibitors gave a black eye to the entire livestock industry," Sylvester says. "However, as is often the case when unfortunate situations of this magnitude arise, individuals and organizations pulled together to support one another and to confront the issues."

National Western officials did their best to handle the situation in an expeditious, professional manner. They kept the public and media apprised of what they were doing to resolve the crisis.

"We were able to turn a bad situation around by taking some positive steps toward restoring integrity to the livestock show industry and regaining public confidence and trust," Sylvester says.

Among those steps:

1. Strong sanctions in place against those who violate the rules of the National Western Stock Show;
2. A format change in the junior livestock show. These changes included a decreased emphasis on individual purses and increased scholarship awards, and initiating a junior show carcass contest and premier junior exhibitor award.

Sylvester also reported on the course of action taken by the American Livestock Show & Rodeo Managers Association (ALSRMA), a 36-member alliance, at a meeting in June 1995. Those actions included adoption of a National Show Ring Code of Ethics and a resolution to research and develop a Rule Infraction Database (RID). The RID system resolution includes the following suggestions:

1. Each ALSRMA member will give prompt notification of any exhibitor/owners sanctioned (for illegal activity, rule infraction or unethical practice) by its show to

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all member show managers, included in this notification would be reasons for sanctioning, including facts and type of sanction imposed;

- 2 Each member pledges to cooperate with member shows and share such information on process, types of drugs and substances currently used as well as current tampering activities known to be in use by exhibitors/owners at such show;
3. ALSRMA members support the policy of removing exhibitors/owners from eligibility to compete and win premiums in a member show due to disqualification in another member show for reasons of tampering, sabotage, misrepresentation, fraud or deception, so long as such policy does not intrude on individual member show policy;
- 4 The policy set forth in paragraph three shall remain in effect pending legal review and submission of another policy to the membership at its annual convention in 1996.

How will the database be secured? Sylvester explains that RID is stored on a high-level computer security system. Information contained in RID is released only to member shows. When information is transferred, it is by the Social Security number of the violator, and such information is delivered by certified mail. Eventually, all RID entries will be made by Social Security number. Current RID violations can then be readily crosschecked with entry listings for member shows.

"When an exhibitor is put on the RID list, this does not imply automatic disqualification," Sylvester says. "Each case must be evaluated on an individual basis to determine whether or not the exhibitor is in compliance with the rules and regulations of a show and the state in which that show is held."

The ultimate goals of RID are to eliminate rule violations and unethical activity, animal abuse and, most importantly, guarantee food and public safety, Sylvester says. "The Rule Infraction Database is what we make it and nothing more."

## A Charge To ACTION

— Glenn Slack, LCI Executive Director

Recent times have given rise to the public revelation of unethical, and in some cases, illegal, activity associated with youth livestock programs across the United States. From the lamb beating incident at an Arkansas show, to the infamous Woodville, Texas, pig drenching, to the documented and prosecuted incidences of anabolic steroid use in market animals at major shows across the country — disturbing incidents of such unethical activity have tainted the very essence of what agricultural youth programs are all about.

Here are just a few of the headlines:

**"Incidents mar livestock shows; Competitive pressures may impair wholesome youth events"**

— *The Dallas Morning News* (5-22-94)

**"A blue-ribbon year for cheating; Fraud and felonies replace showmanship and hard work at Ohio's livestock shows"**

— *Columbus Dispatch*, four-part series (Oct. 30 to Nov. 2, 1994)

**"livestock tests send FDA on drug search"**

— *Kansas City Star* (4-2-95)

**"Cheating, abuse rear their heads at livestock fairs"**

— *USA Today* (9-1-95)

**What the media** sometimes fails to point out, however, is that the vast majority of our youth are doing the right thing. Their instructors and adult leaders are teaching the right things.

Still, we cannot be seen as

allowing unethical, deceptive or illegal practices to occur in our industry, especially our youth programs. Industry and youth leaders must demand that this area be cleaned up and these activities be brought to an abrupt stop. Parents and leaders, representing the vast majority who are trying to do things right, must not tolerate the bad element.

While the vast majority of exhibitors at youth and open livestock exhibitions are responsible stewards of livestock, the actions of these few unethical individuals could endanger the existence of such livestock youth programs. Furthermore, these unfortunate circumstances have implications for the industry as a whole in the areas of food safety, proper handling and care of livestock, and animal husbandry.

The Livestock Conservation Institute (LCI) wants to assure that the industry responds appropriately to this critical issue. Organizations such as the American Farm Bureau Federation, the American Veterinary Medical Association, the Animal Industry Foundation, the National FFA Organization and the USDA Cooperative Extension Service (4-H) have joined LCI to support aggressive efforts in ethics education and rule enforcement directed to all individuals involved in the exhibition of livestock at youth and open shows.

We will not tolerate unethical or illegal practices. You know the vast majority are doing the right thing. The time has come to deal with those who don't.

### ENFORCEMENT GROUP ACTION

#### Position Statement:

*The National Youth Livestock Ethics Symposium supports the efforts of individuals and associations in developing uniform rules and procedures for competitive livestock events to benefit the development of youth and to maintain a strong future for animal agriculture in America.*

#### Action Items:

- Develop a committee through the Livestock Conservation Institute to recommend uniform policy,
- Utilize model state legislation (Ohio and/or Colorado) regarding rule infractions, drug use, animal welfare and food safety in cooperation with FDA and other agencies for livestock show reform.
- Approach the International Association of Fairs & Expositions to serve as a database source for violators; other sources could be the Pedigreed Livestock Council or private industry,
- Develop a code of conduct and ethics.
- Recommend a standard set of rules and regulations for all shows,
- Encourage and support the American Livestock Show & Rodeo Managers Association in implementation of Rules Infraction Database.
- All animal agriculture events/activities conform to or be conducted in accordance with a recognized code of conduct.