



## *Fact Sheet*

### *SB 354: Humane Euthanasia of Shelter Animals in Michigan*

#### **1. All Michigan shelters except four have made the transition to euthanasia by injection (EBI), and the transition process is not difficult.**

Four Michigan animal shelters currently euthanize animals by carbon monoxide.<sup>1</sup> All of those shelters have an EBI back-up system and/or are trained in EBI procedures. Michigan law permits shelter technicians to directly administer EBI drugs (commercially-available sodium pentobarbital) without supervision by a veterinarian,<sup>2</sup> and a majority of shelters are licensed to receive EBI drugs. The Department of Community Health certifies shelters to obtain EBI drugs, and the forms to apply are readily available online. Access to the EBI drugs is also readily available. Fatal Plus, the brand with by far the largest market share, is made at Vortech Pharmaceuticals, Inc. in Dearborn, Michigan. Funding for removal of gas chambers and EBI training for shelter staff is readily available by contacting Michiganders for Shelter Pets.

#### **2. Euthanasia by Injection (EBI) is the safest way for humans to euthanize shelter animals.**

- EBI is the method preferred by the National Animal Control Association, the American Veterinary Medical Association, the Association of Shelter Veterinarians, American Humane Association, The American Society for the Prevention of Cruelty to Animals, and The Humane Society of the United States.
- Carbon monoxide poses a danger to humans because it is colorless, tasteless, odorless, and highly explosive<sup>3</sup>. A gas chamber must be constantly checked and maintained to ensure that there are no cracks in the structure or failing seals. When carbon monoxide is released in a confined area, it can cause asphyxiation, kidney damage, or induced coma.
- The gas chamber can jeopardize the safety of shelter workers. In 2008, an explosion in the Iredell County, North Carolina Animal Services' gas chamber revealed that, contrary to recommendations, the equipment in the vicinity of the chamber was not explosion proof. A shelter worker was in the room at the time and other personnel were nearby. In 2000, a shelter worker in Tennessee was asphyxiated to death while operating a faulty gas chamber. And in 1997 a shelter veterinarian in Illinois was severely injured while operating a gas chamber. In contrast, there are no documented reports of any shelter worker being killed from an accidental injection of sodium pentobarbital.<sup>4</sup>
- The American Veterinary Medical Association (AVMA) 2013 Guidelines on Euthanasia states that the use of carbon monoxide and carbon dioxide: *"is not recommended for routine euthanasia of cats and dogs. Alternate methods with fewer conditions and disadvantages are recommended for companion animals"*<sup>5</sup>

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<sup>1</sup> **Carbon Monoxide:** Berrien County Animal Control, Branch County Animal Control, Cass County Animal Control, and Van Buren County Animal Control,

<sup>2</sup> Public Act 368 of 1978, MCL 333.7333 (13).

<sup>3</sup> See Christopher Henry, et al., *Myocardial Injury and Long-term Mortality Following Moderate to Severe Carbon Monoxide Poisoning*, (The Journal of the American Medical Association, Vol. 295, No. 4, 2006).

<sup>4</sup> "Sodium pentobarbital is not considered a health hazard to staff unless it is deliberately misused or handled incorrectly." (American Humane Association, *Operational Guide for Animal Care and Control Agencies: Euthanasia by Injection*, p. 19, 2005).

<sup>5</sup> American Veterinary Medical Association Guidelines on Euthanasia, p.45. (2013).

### 3. EBI is the *most humane and painless method of euthanizing shelter animals.*

- IF successful, the gas chamber can take up to 25 minutes to end an animal's life, whereas EBI causes loss of consciousness within 3 to 5 seconds and death within 5 minutes. EBI causes animals to lose consciousness and brain function before their vital organs shut down. In a gas chamber, however, animals lose consciousness and brain function only after their vital organs shut down, causing prolonged suffering and distress.
- The AVMA does not recommend the use of carbon monoxide gas to euthanize old, neonatal, and injured animals, because they are often biologically unable to absorb the gas as readily as larger or healthier animals and are therefore subjected to further trauma and stress.<sup>6</sup>
- Animals don't always die in gas chambers, as documented by the fact that a dog survived the St. Louis, Missouri Animal Regulation Center's gas chamber in 2003, a puppy survived the Davie County, North Carolina Animal Shelter's gas chamber in 2005<sup>7</sup>, and a beagle survived the Florence, Alabama shelter's gas chamber in 2011.<sup>8</sup>
- Referring to the horrors of carbon monoxide, Doug Fakkema, the nation's animal euthanasia expert,<sup>9</sup> has stated: "[t]he animal is in a warm or hot box, usually with other animals. They don't know what is going on. They get dizzy, and then they panic. Fights can break out, and animals' calls can sometimes be heard."<sup>10</sup>

### 4. It is dangerous to put aggressive and/or wild animals in the gas chamber.

It is much safer for shelter workers to sedate and then inject an aggressive or frightened animal instead of dragging the animal frantically into a gas chamber and causing more trauma and pain. Many common restraint methods (including restraint poles, squeeze gates, and syringe poles) do not require shelter workers to handle the animal themselves if the animal is deemed dangerous. Shelter workers who use these methods can then anesthetize the animal with an intramuscular injection of pre-euthanasia drugs, followed by Sodium Pentobarbital once the animal is unconscious. If these restraint methods are not available, shelter workers can give aggressive or frightened animals Sodium Pentobarbital by mouth by mixing its powder form (called Fatal Plus) with canned food or by squirting it into the animal's mouth. Once the animal is unconscious, the euthanasia technician can administer a lethal dose of the drug.<sup>11</sup>

### 5. This bill does not regulate veterinary services.

Of the four Michigan shelters<sup>12</sup> that currently euthanize by gas, none have a veterinarian performing euthanasia on-site at the shelter. This bill simply regulates shelter services in relation to euthanasia and does not impact veterinarians.

### 6. Many states have passed laws prohibiting carbon dioxide and carbon monoxide euthanasia of shelter animals.

Nine states have laws that explicitly ban all forms of gassing for all types of animals in shelters (including ferals and wildlife): Arizona, Delaware, Louisiana, New Jersey, New York, Oregon, Pennsylvania, Rhode

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<sup>6</sup> Grim, Randy, *Miracle Dog: How Quentin Survived the Gas Chamber to Speak for Animals on Death Row*, (Alpine Books, 2005, p. 27).

<sup>7</sup> See Gunning, Mike, *Puppy Survives Euthanasia Attempt, Trip To Dump*, at <http://www.freewebs.com/animalshelternews/index.htm>.

<sup>8</sup> NBCNewYork.com, *Miracle Dog Survives Gas Chamber, Comes to NJ for Adoption*, at <http://www.nbcnewyork.com/news/local/Dog-Survives-Gas-Chamber-New-Jersey-Adoption-Daniel-the-Beagle-132742588.html>

<sup>9</sup> Doug Fakkema is a trainer and consultant for American Humane with over 35 years' experience in animal protection. He conducts euthanasia workshops around the country. See Doug Fakkema, *Comparison of Sodium Pentobarbital and Carbon Monoxide as Euthanasia Agents*. [www.crean.com/kindness/ebi-vs-co.html](http://www.crean.com/kindness/ebi-vs-co.html).

<sup>10</sup> Mott, Maryann. *Animal Gas Chambers Draw Fire in U.S.*, National Geographic News, April 11, 2005.

<sup>11</sup> Mr. Fakkema states: "I can euthanize a dangerous dog in his/her kennel by feeding sodium pentobarbital—no handling necessary." See <http://www.animalpeoplenews.org/06/10/carbongaschambers106.html>.

<sup>12</sup> Berrien County Animal Control (carbon monoxide – trained in EBI); Branch County Animal Control (carbon monoxide – has an EBI backup); Cass County Animal Control (carbon monoxide – has an EBI backup); and Van Buren County Animal Control (carbon monoxide – trained in EBI).

Island, Texas, Washington and West Virginia. These additional states have prohibited carbon dioxide and monoxide for shelter cats and dogs: Alabama, Arkansas, California, Florida, Georgia, Maine, Maryland, Massachusetts, New Mexico, Tennessee, and Virginia.

**7. The Headlee Amendment is not implicated by this bill.**

Article 9, Section 29 of the Headlee Amendment states that “A new activity or service or an increase in the level of any activity or service **beyond that required by existing law** shall not be required by the legislature or any state agency of units of Local Government, unless a state appropriation is made and disbursed to pay the unit of Local Government for any necessary increased costs.” Animal shelters, and their activities, are discretionary services under Michigan law (MCL 287.289a). According to Headlee experts, a new law setting forth permitted euthanasia techniques does not mandate a “new service” requiring funding.

**8. EBI provides shelter workers the dignity they deserve when facing the difficult reality of euthanizing pets.**

Most shelter workers wish to hold and comfort a frightened animal in his or her final moments of life. That act may be the only kindness the animal has ever known. In contrast, the gas chamber is both inhumane and demoralizing to the emotional and physical health of human beings and animals.

**9. A 2009 study by American Humane shows EBI is less costly than gas to communities.**

American Humane commissioned a study in 2009 on the costs associated between EBI and gas. Using data from an animal sheltering organization in North Carolina, the number of dogs and cats euthanized in 2007 was 5,427. The study shows that the cost to use carbon monoxide gas is \$4.98 per animal. The cost to use carbon monoxide poisoning without a tranquilizer is \$4.66 per animal. The cost to use EBI, however, was only \$2.29 per animal.<sup>13</sup> Cost figures from North Carolina are comparable to other states, including Michigan. Thus, EBI is more cost effective than gas. Moreover, it is unnecessary for the state to expend any dollars to help a shelter transition to EBI. Of the five gassing shelters remaining in Michigan, all have EBI systems already in place and can transition to using only EBI through the help of their community, as well as state and national animal welfare organizations. American Humane has a grant dedicated to Michigan shelters to help gassing shelters purchase EBI supplies and receive EBI training so that the transition is not costly to the local community.

**10. Sodium Pentobarbital-euthanized carcasses do not present a significant threat to scavenger animals.**

Sodium pentobarbital-euthanized carcasses are placed in landfills across the nation and the incidents of death among scavenger animals are rare. According to national euthanasia expert Doug Fakkema: “In order to be killed from exposure to sodium pentobarbital, a scavenger would need to absorb a lethal amount of a euthanized carcass. Because sodium pentobarbital is not a poison but an *anesthetic*, a scavenger would need to absorb a significant amount of a large and edible carcass in order to be killed, versus possibly temporarily lethargic, from exposure.” In Michigan, animal carcasses are not to be buried without consent from the local authorities and standards by which animal carcasses can be disposed are high.

Michiganders for Shelter Pets, [www.michigandersforshelterpets.org](http://www.michigandersforshelterpets.org)

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<sup>13</sup> January 2009; Doug Fakkema, Consultant to Animal Care & Control, Commissioned by American Humane Association. *Study available upon request.*