

July 12, 2019

Florida Fish and Wildlife Conservation Commission
620 S. Meridian St., #108
Tallahassee, FL 32399-1600

Via First-Class USPS and facsimile: 850-921-5786

Re: Homeowners Urged to Kill Iguanas and Pythons

Dear Commissioners:

This letter is written on behalf of People for the Ethical Treatment of Animals (PETA). In light of the Commission's call to homeowners to "kill green iguanas on their own property whenever possible."¹ PETA requests that the Florida Fish and Wildlife Commission ("Commission") take immediate steps to more effectively regulate the possession and uses of green iguanas and, if it continues to urge the use of lethal measures, instruct the public in humane methods of killing them. PETA further requests that similar information be posted for members of the public who kill pythons, as it appears that this critical information has been removed from the Commission's website. If the Commission insists on the slaughter of green iguanas and pythons by largely inexperienced and untrained members of the public, it has an ethical duty to inform them of the unique physiology of reptiles that requires immediate destruction of the brain in order to avoid prolonged survival and suffering for as long as one hour and to limit methods of killing to those that ensure a humane death.

Green Iguanas

The Commission admits that "[e]scaped or released pets remain a primary source of introduced species in Florida,"² which calls into question the Commission's refusal to respond to the very modest request to ban the possession of green iguanas as pets, as it did with regard to Burmese pythons years ago. Similarly, the Commission has not instituted bans on the import, sale or trade, exhibition, or breeding of green iguanas, all of which are regulatory actions within its authority. Why the Commission has chosen not to use all the tools at its disposal to address the green iguana population and to do so before resorting to lethal measures is inexplicable.

The Commission's recent push to enlist homeowners in the lethal removal of iguanas from the Florida landscape will result in the use of cruel and illegal

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¹Florida Fish and Wildlife Conservation Commission (FWC), "Invasive Green Iguana," available at <https://myfwc.com/wildlifehabitats/nonnatives/reptiles/iguanas-and-relatives/green-iguana/>.

² Id.

methods of killing the animals³ and runs counter to the recommendations of the University of Florida, which frequently partners with the Commission in its efforts to eradicate green iguanas. The university, in a link provided on the Commission's website, expressly states that "[e]uthanasia is not recommended for use by homeowners or the general public."⁴ This is consistent with the opinions of other experts, who recognize that the typical member of the public is simply not qualified to carry out euthanasia.

This point aside, information on methods of killing iguanas on the Commission's website and in its publications is largely limited to the admonition that it must be done "humanely" and in a way that will avoid running afoul of the state's cruelty-to-animals statute. The general public has no idea what this means in practice, and it is incumbent upon the Commission to ensure that it does.

To that end, the Commission's recommendation that the public "consult the American Veterinary Medical Association website for complete guidance on methods of humane euthanasia" is insufficient.⁵ The "AVMA Guidelines for the Euthanasia of Animals," although the leading authority on euthanasia, is a document "intended to guide *veterinarians*, who must then use professional judgment in applying them to the various settings where animals are to be euthanized" [*emphasis added*].⁶ This is not the scenario set in motion by the Commission's directive, and the general public is not the intended audience for this technical document.

If the Commission insists on urging inexperienced and untrained homeowners to kill iguanas, it must first provide accurate and detailed explanations of the methods of killing them that are acceptable as well as those that are not. These instructions must be developed in consultation with experts in the fields of reptile medicine and welfare. Note that under the circumstances of the Commission's directive to homeowners, acceptable methods would *not* include manually applied blunt force trauma to the head or decapitation.⁷ Drowning is also designated as inhumane by the AVMA,⁸ and the Commission must widely broadcast this point because it is a common method of killing "nuisance" animals who have been live-trapped, a method of capture recommended by the Commission in its publications.

PETA appreciates the Commission's instructions to the public pertaining to prevention, exclusion, deterrents, habitat modification, and live capture to address "nuisance" iguanas. However, with the Commission's directive to homeowners to kill iguanas "whenever possible"

³Fla. Stat. Ann. § 828.12(2) states: "A person who intentionally commits an act to any animal ... which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done, commits ... a felony of the third degree" Moreover, the Florida Supreme Court has held that the cruelty-to-animals statute is a general intent statute and "simply requires that the person 'intentionally commit[] an act to any animal which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done.'" *Reynolds v. State*, 842 So. 2d 46, 50 (Fla. 2002).

⁴University of Florida, "Dealing with Iguanas in the Florida Landscape," available at <https://edis.ifas.ufl.edu/in528>.

⁵FWC, "Iguanas in Florida," available at <https://myfwc.com/media/3090/iguanabrochure.pdf>.

⁶American Veterinary Medical Association, "AVMA Guidelines for the Euthanasia of Animals," available at <https://www.avma.org/KB/Policies/Pages/Euthanasia-Guidelines.aspx>.

⁷*Id.* at 76-8.

⁸*Id.* at 102.

comes a duty to inform the public on the exact methods of doing this to avoid prolonged suffering and violation of the state cruelty-to-animals statute.

Burmese Pythons

The Commission also urges homeowners to kill pythons on their own property whenever possible. This directive raises the same concerns set forth above with regard to green iguanas. Further, at least as recently as the last “Python Challenge,” the Commission’s website included some basic guidelines for euthanasia of pythons, but not only has this critical information been removed, it has been replaced with recommended methods of killing, some of which are likely to result in cruelty-to-animals culpability.

In particular, the Commission permits the use of “machetes, bows, crossbows, slingshots, air guns, pellet guns, and blow guns” on the 22 Commission-managed lands ...”⁹ PETA cannot envision any way in which a machete could be used to kill a python that would not result in prolonged suffering, in violation of Florida law. The Commission’s endorsement of machetes raises particular concerns with regard to killing reptiles since machetes are often the weapon of choice for decapitation, which is an AVMA-approved *adjunctive* method for killing reptiles that “requires training and skill” and can only be performed humanely in captive animals.¹⁰ The Commission’s open endorsement of machetes almost certainly means that the Commission will be complicit in violations of the cruelty-to-animals statute.

With regard to bows, crossbows, slingshots, air guns, pellet guns, and blowguns, proficiency and accuracy are key and the latter may be difficult to achieve in some instances because of mechanical or environmental limitations. These methods should be prohibited by the Commission. Firearms and penetrating captive-bolt guns are suitable replacements, but the Commission must provide a diagram that shows the proper entry point for any projectile to ensure the immediate destruction of the brain. Such a diagram was previously available on the Commission’s website but appears to have been removed.

Recommendations

In order to curb the population of green iguanas more effectively and do so in ways that take into consideration animal welfare, a number of steps must be taken, as outlined below.

First, the Commission must immediately commence rulemaking to ban the personal possession and importation of green iguanas and further restrict other uses of the animals. This is a logical regulatory step that should have been taken years ago.

If the Commission insists on continuing to urge homeowners to kill iguanas, it must require homeowners to use live traps for capture and should provide access to trained professionals who can provide euthanasia services. Experts agree that the general public is not qualified to perform euthanasia.

⁹FWC, “Methods of Removal for Burmese Pythons,” available at <https://myfwc.com/wildlifehabitats/nonnatives/python/pickup/removal-methods/>.

¹⁰AVMA Guidelines at 78, 100 (“Decapitation should only be performed as part of a 3-step euthanasia protocol (injectable anesthetic, decapitation, pithing”).

With regard to Burmese pythons, the Commission should eliminate machetes and other weapons that have the potential to cause prolonged suffering from the list of methods that it has approved for use by hunters and homeowners. Use of such weapons increases the chances that animals will suffer unnecessarily in violation of the cruelty-to-animals statute.

Lastly, the Commission must make detailed instructions developed by experts in reptile medicine and welfare that explain acceptable methods of killing green iguanas and Burmese pythons, as well as those that are unacceptable, readily accessible on its website on each page that discusses or makes reference to hunting or other lethal measures. Without easy access to such information, some members of the public will no doubt engage in methods that are inhumane because of a lack of knowledge of the unique physiology of reptiles.

Thank you for your attention to this matter. I would welcome the opportunity to discuss this with the Commission's staff.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lori Kettler', with a stylized flourish at the end.

Lori Kettler
Vice President and Deputy General Counsel for Regulatory Affairs
PETA Foundation

