

PETA and KFC

January 16, 2003

David Novak, Chair and CEO
Yum! Brands
1441 Gardiner Ln.
Louisville, KY 40213

Dear Mr. Novak:

On behalf of People for the Ethical Treatment of Animals (PETA) and all humane consumers, I am writing to address Yum! Brands' (Yum) flurry of deceptive statements and lies about its lack of farmed animal welfare concerns and PETA's efforts to improve conditions. It is bad enough that Yum would maintain such little regard for animal suffering as to impose almost no handling standards to protect the more than 700 million chickens raised and killed for KFC alone every year, but to make false statements about its lack of standards, and to disseminate false statements about PETA's efforts, is reprehensible and, we believe, unlawful.

In response to the recent launch by PETA of a campaign to expose the suffering of animals at the hands of Yum's suppliers, Yum has made and disseminated statements regarding its practices that are at best grossly misleading and, in numerous instances, blatantly false. It is no surprise that a company that appears more concerned with its image than with implementing even meager welfare standards would work to remedy problem situations with words rather than actions, but when those words are nothing more than marketing deceptions designed to mislead consumers, we contend that Yum exceeds the bounds not only of responsible business practices but also of marketing laws.

On January 7, 2003, Yum distributed a news release that contained blatantly false statements, some of which pertained directly to PETA. Very quickly and very quietly, however, Yum removed these statements from the news release posted on its Web site without any indication that it had disseminated false or deceptive information to the media and the public and was recanting. The news release claimed, for example, that "KFC has an established and comprehensive Animal Welfare Program ... developed in consultation with KFC's Animal Welfare Advisory Council, which consists of leading scientists and academics in the field of animal welfare." Yet the council knows of no such program, because no such program exists. Additionally, the news release stated, "The



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501 FRONT ST.
NORFOLK, VA 23510
757-622-PETA
757-622-0457 (FAX)

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experts on our council have also reviewed several PETA proposals and determined that the majority of them are impractical and not based on sound science.” In fact, our recommendations to KFC are based on the work of several of the very experts on KFC’s council, and we have confirmed through it that we have not recommended anything that is not based on sound science. It is hard to imagine any circumstance other than that KFC made this statement with the full knowledge that it was false, as there was absolutely no basis for KFC’s ever claiming otherwise, and although the statement is no longer posted, the release that contained it was given to many journalists, thereby impugning PETA’s integrity and credibility.

As of January 14, 2003, KFC.com continues to publish statements that are plainly untrue, and others that are sufficiently deceptive as to mislead consumers. For example, Yum’s claim that KFC (but not, apparently, the rest of Yum) “has had an animal welfare policy for almost a decade” that “imposes specific, strict welfare performance standards on its suppliers” comes as news not only to PETA but also to the very Animal Welfare Advisory Council that Yum has recently formed. PETA has been in discussions with Yum for nearly two years and has never heard nor seen any evidence of animal welfare standards implemented by Yum, despite this having been the entire focus of our discussions. One would think that even if Yum didn’t reveal these standards to PETA, at the very least it would have shared them with its animal welfare advisory council, but the council members have been unaware of such standards as well. Since “KFC audits its suppliers for compliance, and non-compliance could result in termination of the supplier’s contract,” were Yum’s claim true, it should be able to produce audit forms from the last decade, with evidence of any disciplinary action that has been taken (and in light of the mounting evidence of animal neglect by the company, one would expect that Yum would be eager to do this), but not a single one has been produced.

Yum’s claim that its guidelines and audits are designed to “**manage and monitor each step of the process to ensure that all birds are handled humanely and suffer no pain**” is nonsense. While it is true that KFC’s suppliers have done a few things to decrease suffering in slaughterhouses, chickens raised and killed for the company continue to be exposed to neglect and suffering at nearly every step of their lives. Yet despite acknowledged suffering by the birds among chicken experts, including Dr. Duncan, Dr. Grandin, Dr. Mench, and Ms. Douglass (who are members of the very council that Yum claims to have organized to improve animal welfare), neither KFC nor Yum has taken steps to prevent the worst abuses in the slaughter process, and neither has taken any steps to prevent the massive suffering, injuries, and deaths that occur during the raising, handling, and transport of these chickens.

Yum’s claim that it “**prohibits its suppliers from using growth-promoting substances**” is an outright lie. Yum’s suppliers feed their chickens massive amounts of antibiotics in order not just to keep the chickens alive under grossly



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unsanitary and overcrowded conditions but also to stimulate the animals into growing larger and more rapidly than they otherwise would. From a human health perspective, this is a dangerous practice because of the drug residue still remaining in the carcasses when consumed. And from a management perspective, this practice is not implemented for the welfare of the chickens but rather to keep the animals from dropping dead while exposing them to the type of intense and harsh conditions that would normally kill them. Yum's claim that it **"prohibits suppliers from de-beaking any poultry that will be sold in its restaurants"** is nothing more than empty public relations rhetoric, as, because of their short life span, nobody in the industry debeaks broiler chickens anyway. Yum might as well claim that its welfare standards prohibit pulling the feathers off chickens or cutting their feet off, as nobody in the industry does this, either. The breeding parents of broiler chickens, however—who are not actually "sold in KFC restaurants" but who produce the chickens who are sold in the restaurants—are kept alive much longer than the ones raised for slaughter, and so these breeding chickens routinely have their beaks sliced off with hot blades to keep them from pecking each other to death as a result of extended exposure to such stressful conditions. If Yum is concerned about the cruelty associated with debeaking (as it clearly implies in its welfare statement), why then has it not taken any action to stop the practice of cutting off the beaks of broiler breeders—a direct and obvious contradiction of Yum's statement about not allowing suppliers to inflict pain? The reality is that Yum has demonstrated no interest in curbing the painful practice of debeaking chickens but has, instead, addressed the situation by very carefully choosing words to appear as though it has corrected a practice that it knows consumers will find cruel, when, in fact, the company has done nothing.

Yum's claim that birds arriving at the plant must be **"clean and in good health"** and **"free of injury"** is absurd. In fact, such a standard is an impossibility when transporting 700 million chickens a year (an average of more than 1 million chickens each day). As a mechanism for maximizing profits, it is standard industry practice to allow for transport losses resulting from injury and death because of rough handling and overcrowding. Yum could certainly follow the lead of McDonald's, for example, by implementing incentives for gatherers who minimize injuries, but to date, it hasn't taken even this minimal step, choosing instead to address the problem with disingenuous sound bites rather than responsible action to alleviate suffering. It is a morally bankrupt defense of a morally bankrupt practice.

PETA would also point to the "Animal Welfare Progress" section of KFC.com as an example of the company's use of carefully chosen words to mislead the public. The only actual standard described on that site discusses KFC's supplier's "processing facilities," without mentioning the fact that this refers exclusively to slaughterhouses and not to the raising facilities or transport operations in which the animals spend an extensive amount of time. Similarly, the statements attributed to Dr. Grandin and Ms. Douglass apply exclusively to



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slaughter. Both of these experts have confirmed, repeatedly, that there is an array of problems with chicken sheds, transport, and slaughter, none of which has been addressed by KFC. Dr. Mench, not quoted but on your council, agrees with this statement as well.

Regarding the other general principles that Yum claims (through its news releases and various Web sites) to employ, they are simply the standard minimum-care practices employed by the industry to make sure that losses from deaths do not outweigh the profits made from treating animals badly. These are animal-cruelty standards, not animal-welfare standards, having nothing at all to do with treating animals well. This is why KFC is utilizing ambiguous and subjective adjectives such as “adequate” and “enough” in describing the management of the animals.

Finally, the company’s claim that state-of-the-art slaughter equipment must be used to ensure that **“all birds are slaughtered quickly and without pain”** is also absolutely false. These birds are dumped from their transport crates, their legs are snapped into metal shackles (which is itself a very painful experience because of the birds’ weak, sensitive, and often broken legs), and the slaughter process then begins. Many are injured or killed before even making it to the end of the slaughter line. And for those who aren’t sufficiently stunned by the electric water bath, the horrific experience of being consciously boiled in the scalding tank awaits them. Yum’s current slaughter process is neither quick, nor painless, nor even state-of-the-art. If Yum truly were committed to these principles, it would implement the gas-killing process that PETA has recommended and that members of its own advisory council agree would be more humane and painless than the current slaughter methods.

The false and misleading statements detailed above are not comprehensive but merely representative of the pattern of deception employed by Yum in its interaction with the public and the media. I would take this opportunity to point out that PETA recently filed a lawsuit in California to address misrepresentations made to the public by the state’s dairy board. We are certainly prepared in this case to pursue any legal options that are available to us to address false statements made regarding KFC and Yum’s mistreatment of chickens.

The only thing that Yum has done by the release of the false and misleading statements made in its claimed “welfare guidelines” and elsewhere is to demonstrate its recognition that it *should* have a comprehensive farmed animal welfare program, based on the best available science, designed to minimize pain and neglect for chickens from birth to death. The four members of Yum’s Animal Welfare Advisory Council who care about animal welfare are ready to recommend and help implement actions that could be undertaken to accomplish this, were Yum ready to move forward. PETA has recommended actions, based on their work, that could be undertaken to accomplish this (these



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recommendations were spelled out in previous communications with the company and can currently be found on KFCCruelty.com). Yet, to date, Yum's action of choice has been largely deceptive rhetoric, which doesn't help reduce the suffering of animals in the least.

Yum now has an opportunity to act responsibly not only to correct its false statements relating to its practices but also to match by its actions what it has professed to adhere to in its policies. We would, of course, prefer that Yum change its currently abusive practices to conform to its lofty public relations campaign, but if it fails to take appropriate action to quickly address these matters, PETA will explore all legal options available to us to address them ourselves.

Respectfully,

Matthew Penzer
Legal Counsel



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