

March 21, 2007

The Honorable Mark Saltmarsh  
Crown Attorney's Office  
Grenville & William Davis Courthouse  
5<sup>th</sup> Fl., Ste. 100  
7755 Hurontario St.  
Brampton, ON L6W 4T6  
Canada

2 pages via mail and fax: 905-456-4780

Dear Mr. Saltmarsh:

On behalf of PETA and our more than 1.6 million members and supporters, as well as the hundreds of millions of North Americans who share their lives with one or more dogs or cats, PETA is calling on you today to launch an investigation into whether or not Menu Foods is in violation of Canadian law.

The Bloomberg news service reports that 13 cats and one dog have died as a result of eating Menu Foods products, although the death toll is likely to rise dramatically ("14 Cat, Dog Deaths Linked to Menu Foods, FDA Says," 21 Mar.). Veterinarians everywhere are reporting cases of renal failure in dogs and cats because of contaminated food.

As we see it, there are two areas where Menu Foods and its agents may have violated Canadian law:

First, Menu Foods reportedly knew about the food contamination issue as early as February 20, yet a product recall was not announced until March 16—almost a full month later—a month in which people's animal companions were sickened and may have died. If current reports from veterinary offices around the country of dogs and cats in renal failure resulting from contaminated food are accurate, the body count is sure to rise. Menu Foods, by delaying its recall, should be held fully accountable for every death, to the extent allowed by Canadian law.

Second, of the 13 animal deaths reported as of March 21, nine animals have now been confirmed to have been deliberately forced to ingest toxic and lethal food in Menu Foods' laboratory, and it appears that these tests occurred after the company heard reports of animals who were sickened or died after eating the company's food.

To deliberately force animals to eat contaminated and potentially lethal food is cruel and unnecessary. Alternatives exist: Histological analyses and necropsies of people's animal companions who died after eating the food should provide ample information in determining the etiology of the contaminant and possible solutions to fixing the problem. Further, there are non-animal test methods that could be employed, such as the functional gastro-intestinal dog model (FIDO) or TIM-1 and TIM-2 (small and large gastro-intestinal models).



**PETA**

PEOPLE FOR THE ETHICAL  
TREATMENT OF ANIMALS

501 FRONT ST.  
NORFOLK, VA 23510  
757-622-PETA  
757-628-0784 (FAX)

PETA.org  
Info@peta.org

It appears to us that there is a statute in the Canadian criminal code that directly pertains to this situation:

- R.S.C., ch. C-34, § 446.(1)(a) “Every one commits an offence who wilfully [causes] ... unnecessary pain, suffering or injury to an animal ...”
- R.S.C., ch. C-34, § 446.(1)(e) “Every one commits an offence who wilfully, without reasonable excuse, administers a poisonous or an injurious drug or substance to a domestic animal ...”

Because there were other means of determining cause of death, and because pain and suffering were caused by the Menu Foods tests, we are asking for a full investigation into Menu Foods and that if Menu Foods is found to have violated Canadian law, the company and everyone involved in this decision be prosecuted to the fullest extent of the law.

I would be happy to discuss this complaint with you further and can be reached at [ShalinG@peta.org](mailto:ShalinG@peta.org) or 757-962-8325.

Sincerely,

A handwritten signature in black ink, appearing to read "Shalin D. Gala", is written over a horizontal line. A vertical red line is positioned to the right of the signature.

Shalin Gala, Researcher