

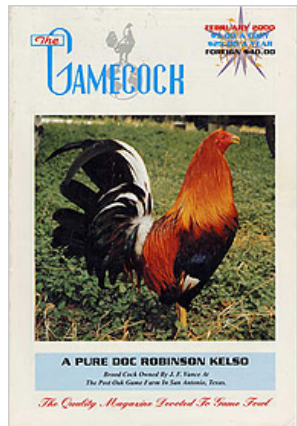
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Humane Society Has Its Sights on Amazon.com

By ANDREW ADAM NEWMAN Published: August 27, 2007

Michael Vick, the Atlanta Falcons quarterback, is expected to plead guilty today to federal dog-fighting charges and face up to five years in prison, but the Humane Society of the United States has a bigger target: Amazon.com.

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The Humane Society filed suit against Amazon over sales of The Gamecock magazine.

The online bookstore sells subscriptions to two cockfighting magazines, The Feathered Warrior and The Gamecock, even though cockfighting has been declared illegal in all states (until Louisiana's ban takes effect next summer, the activity remains legal in parts of the state).

After trying in vain to persuade Amazon to stop selling the publications, the Humane Society filed a civil lawsuit in District of Columbia Superior Court asserting that the Web company violates animal cruelty laws and that the magazines, which run advertisements for blades that attach to birds' legs, are effectively catalogs for illegal goods.

But Amazon says the suit amounts to censorship. "These materials are legal to sell, and we do not believe we should act as a censor because their message is objectionable to some people," said Patty Smith, a spokeswoman for Amazon, adding that her company sells subscriptions to more than 90,000 magazines. "With our incredible selection of titles, we're bound to sell something that someone will find objectionable."

Wayne Pacelle, president of the Humane Society, said his organization would never hinder free speech. "We think that Amazon should have the right to sell magazines with pro-cockfighting editorial, but they cross the line when they advertise the sale of contraband."

But in a February op-ed in The San Francisco Chronicle, Mr. Pacelle wrote that Amazon "was selling 27 books, monographs and magazines about cockfighting," and if "your passion in life is watching tormented birds tear each other to pieces, in a bloody pit," then "Amazon is the place to go."

Mr. Pacelle said in a recent phone interview that he had been making "a rhetorical point, but our narrow claim in the suit is that Amazon should not sell magazines that advertise contraband."

Mark Pollot, a lawyer based in Boise, Idaho who represents Verna A. Dowd, publisher of The Feathered Warrior, said that while federal law prohibited promoting cockfighting or

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shipping birds or gear across state lines, the advertisements themselves were aboveboard. The Humane Society itself laments that because of loopholes, possessing cockfighting paraphernalia is legal in 39 states, while possessing fighting birds is legal in 17.

“The bottom line is as long as its legal someplace, you’re not advertising an illegal activity,” Mr. Pollot said. **ANDREW ADAM NEWMAN**



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