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Molokai cattle slaughter can go on, judge rules

By Nina Berglund
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Circuit Judge Edwin Honda yesterday said the state may proceed with its controversial program to rid Molokai of bovine tuberculosis by slaughtering all cattle on the island.

Honda's ruling may end a lengthy legal battle between the state and 21 Molokai ranchers who have defied the slaughter program and fought for the past year to save their animals.



Honda

More than 200 Molokai ranchers have complied with the program — some reluctantly, however — and roughly 7,300 head of cattle have been slaughtered or moved off Molokai since last fall. Ranchers slaughtering their animals are receiving federal money to help compensate them for their loss.

Honda's ruling will allow the state to proceed with the slaughter of the remaining 700 cattle on Molokai.

Robert Harris, a Honolulu attorney representing Molokai rancher Maria Hustace and, previously, other ranchers, said the ranchers have one last chance to appeal Honda's decision to the Hawaii Supreme

Court.

"We're certainly disappointed (by Honda's ruling)," Harris said. "We'll have to take a look at whether we'll appeal and I honestly don't know what we'll do at this point."

David Waters, a deputy attorney general representing the state Board of Agriculture, said the state will begin to enforce the slaughter order immediately after a 10-day waiting period that will follow Honda's signing of the order, expected next week.

He said a round-up of cattle remaining on the island will take "a few days" and the animals can be moved off Molokai to a quarantined Oahu slaughterhouse in one large shipment.

It was unclear yesterday whether delays caused by the lengthy legal battle will in turn cause delays in the restocking of cattle herds.

The state had ordered each ranch to remain free of cattle for one year and, ideally, wanted the entire island to be free of cattle for at least six months.

The first ranchers to comply with the program did so last October and thus should be able to restock next month. Max Smith, head of livestock disease control for the state, said his department had not yet determined if it will ask ranchers to delay restocking to allow some time for the island to be entirely free of cattle.