

PEOPLE FOR  
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TREATMENT  
OF ANIMALS  
FOUNDATION

Washington, D.C.  
1536 16th St. N.W.  
Washington, DC 20036  
202-483-PETA

Los Angeles  
2154 W. Sunset Blvd.  
Los Angeles, CA 90026  
323-644-PETA

Norfolk  
501 Front St.  
Norfolk, VA 23510  
757-622-PETA

Oakland  
554 Grand Ave.  
Oakland, CA 94610  
510-763-PETA

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April 18, 2017

Elizabeth Goldentyer, D.V.M.  
Director, Animal Welfare Operations  
USDA/APHIS/AC Eastern Region

Via e-mail: [REDACTED]

Re: Request for Investigation of Apparent Animal Welfare Act Violations at  
Tregembo Animal Park (License No. 55-C-0183)

Dear Dr. Goldentyer,

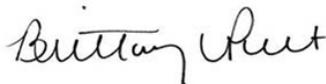
I am writing on behalf of PETA to request that the U.S. Department of Agriculture (USDA) promptly investigate Tregembo Animal Park (license no. 55-C-0183) for the following apparent Animal Welfare Act (AWA) violations, detailed in the attached appendix, which were documented by a concerned citizen on April 8:

- A guenon monkey was observed with a severe limp.
- A fennec fox and a donkey had hair loss.
- A bobcat appeared to have difficulty seeing.
- Multiple animals were observed pacing, including a brown bear, a capuchin monkey, a fennec fox, patas monkeys, and a serval.
- A leopard and a brown bear were confined exclusively on concrete.
- Cotton-top tamarins were confined to an enclosure with unsanitary conditions.
- A capuchin monkey was held in solitary confinement.

Please investigate Tregembo Animal Park and ensure that all animals there are provided with adequate veterinary care, shelter, food, and water and are otherwise handled in accordance with the AWA. Please also hold Tregembo Animal Park fully accountable for any and all violations that you discover during your inspection.

Thank you for your attention to this important matter. Please inform me of the complaint number that your agency assigns to this correspondence.

Very truly yours,



Brittany Peet, Esq.  
Director, Captive Animal Law Enforcement

cc: Gwendalyn Maginnis, D.V.M., Nonhuman Primate Specialist  
[REDACTED]

## Appendix

### a. **Guenon Monkey With Severe Limp**

The witness observed and documented that a guenon monkey had a severe limp that affected the left leg. The monkey appeared to avoid bearing any weight on that leg. (*See* Video 1.)

Please examine this animal, as well as the relevant veterinary records, and ensure that she or he is receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40.

### b. **Fennec Fox and Donkey With Hair Loss**

The witness observed and documented that a fennec fox had hair loss on the left thigh. (*See* Photos 1 and 2.) The witness observed this fox scratching. A donkey<sup>1</sup> was also observed with hair loss on the rump. (*See* Photo 3.) Wildlife veterinarian Dr. Christine Capaldo opined that this loss may be attributable to any number of conditions that warrant veterinary evaluation, including pruritic skin disease caused by parasites, bacteria, allergies, or other diseases or could possibly be excessive or the result of self-inflicted rubbing or scratching because of stress.

Please examine this fox and donkey, as well as the relevant veterinary records, and ensure that they are receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40.

### c. **Bobcat Who Appears to Be Blind**

The witness observed and documented that a bobcat appeared to be visually impaired. (*See* Video.) The witness said that the animal's eyes "appeared transparent or glassy, almost reflective" and that he or she "appeared to be feeling around to get up on the ramp." Dr. Capaldo opined that if this bobcat shows signs of blindness—whether acute or chronic—it's necessary to determine what is causing it.

Please examine this animal, as well as the relevant veterinary records, and ensure that he or she is receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40.

### d. **Leopard and Brown Bear Confined Exclusively on Concrete**

The witness observed and documented that a black leopard and a brown bear appear to be confined exclusively on concrete. (*See* Photos 4 and 5.) In addition, the brown bear was observed to be pacing, an abnormal behavior pattern. (*See* Video 2.) Confinement to concrete without any access to a natural substrate is harmful to big cats and bears and can cause them to suffer from numerous physical maladies, including early-onset osteoarthritis and foot injuries. Also, wearing can predispose them to painful blisters and ulcers. Dr. Capaldo opined that calluses can form and crack open, becoming infected, abscessing, and causing pain. In recognition of the health risks inherent in confining bears on concrete substrate, a recent USDA inspection report of Deer Haven Mini Zoo (license no. 51-C-0111) stated the following:

[T]he substrate is concrete flooring, which can exacerbate mobility issues and does not allow for digging, an important normal postural adjustment for bears. In light of the

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<sup>1</sup>Although horses (*Equus caballus*) not used for research are exempted from the protections of the AWA, donkeys—an entirely different species (*Equus asinus*)—are not. *See* 7 U.S.C. § 2132(g) (which exempts "horses not used for research purposes" from the definition of "animal" [*emphasis added*]); 9 C.F.R. § 1.1 (same); *see also*, e.g., Dr. Stephan R. Purdy, D.V.M., Veterinary and Animal Sciences, UMass Amherst, "[A Donkey Is Not a Horse: the Differences From a Practical Veterinary Standpoint](#)."

bear's behavior, weight issues, and front limb angular deformities, the amount of space, furnishings, and the substrate are not appropriate for this bear.<sup>2</sup>

These enclosures appear to violate 9 C.F.R. § 3.128, which requires that "[e]nclosures shall be constructed and maintained so as to provide sufficient space to allow each animal to make normal postural and social adjustments with adequate freedom of movement. Inadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or abnormal behavior patterns," and *Id.* § 2.131(d)(1), which requires that "[a]nimals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being." Please also examine this leopard and brown bear, as well as the relevant veterinary records, and ensure that they are receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40, including (b)(2), which requires "[t]he use of appropriate methods to *prevent*, control, diagnose, and treat diseases and injuries" [*emphasis added*].

**e. Multiple Animals Were Pacing**

The witness observed and documented that multiple animals exhibited apparent stereotypical pacing behavior, including a brown bear, a capuchin monkey, a fennec fox, patas monkeys, and a serval. (*See* Video 2, Video 3, Video 4, Video 5, and Video 6.) These repetitive movements may indicate psychological distress. Abnormal pacing is likely caused by a lack of sensory stimulation and suggests poor welfare and suffering,<sup>3</sup> in apparent violation of 9 C.F.R. § 2.131 (d)(1) and *Id.* § 3.128. Bears, along with wild felids and canids, are naturally far-ranging animals, and their stereotypic pacing—an "abnormal behavior pattern"—is a sign of stress. Please inspect these animals, as well as the relevant veterinary records, and ensure that they are receiving adequate veterinary care and treatment pursuant to 9 C.F.R. § 2.40.

In addition, these conditions appear to violate 9 C.F.R. § 3.82 (c), requiring that "[c]ertain nonhuman primates must be provided special attention regarding enhancement of their environment, based on the needs of the individual species," specific to "[t]hose that show signs of being in psychological distress through behavior or appearance."

**f. Cotton-Top Tamarins Confined to an Enclosure With Unsanitary Conditions**

The witness observed and documented unsanitary conditions in the enclosure confining the cotton-top tamarins. (*See* Photo 6.) Feces and food waste appear to have built up under and around the mesh floor of the cage, which is also near their food and water.

These conditions appear to violate 9 C.F.R. § 3.131(a), which requires that "[e]xcreta shall be removed from primary enclosures as often as necessary to prevent contamination of the animals contained therein and to minimize disease hazards and to reduce odors," and *Id.* § 3.84(a), which requires that "[e]xcreta and food waste must be removed from inside each indoor primary enclosure daily and from underneath them as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent the nonhuman primates from becoming soiled, and to reduce disease hazards, insects, pests, and odors."

**g. Capuchin Monkey Held in Solitary Confinement**

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<sup>2</sup>See USDA Inspection Report, Deer Haven Mini Zoo, license number 51-C-0111, October 12, 2016.

<sup>3</sup>See G.J. Mason, *Stereotypies and Suffering*, 25 *Behavioural Processes* 103–104 (1991); R.R. Swaisgood and D.J. Shepherdson, *Scientific Approaches to Enrichment and Stereotypies in Zoo Animals: What's Been Done and Where Should We Go Next?* *Zoo Biology* 24, 499–518 (2005).

The witness observed a capuchin monkey who appeared to be confined alone to a barren cage. (*See* Photo 7.) Capuchin monkeys are complex social beings, who, in the wild, live in groups of 10 to 35 conspecifics. Confining any primate in isolation is an apparent violation of 9 C.F.R. 3.81(a), requiring the implementation of "specific provisions to address the social needs of nonhuman primates of species known to exist in social groups in nature" and also *Id.* § 2.131(d)(1).

Pursuant to 9 C.F.R. § 3.81(e)(1), the solitary housing of primates requires an exemption by the attending veterinarian in the environmental enhancement plan, which "must be reviewed at least every 30 days by the attending veterinarian." Please investigate whether the attending veterinarian has made such an exemption for this capuchin and—if the plan is being reviewed every 30 days, as required—whether the exemption provides an adequate welfare justification for the isolation of this highly social animal.