Carson & Barnes Circus

Box J, Hugo, OK 74743

Carson & Barnes Circus has failed to meet minimum federal standards for the care of animals used in exhibition as established in the Animal Welfare Act (AWA). The U.S. Department of Agriculture (USDA) has cited Carson & Barnes Circus numerous times for failure to provide veterinary care and minimum space, for failure to provide shelter from the elements, for failure to maintain transport trailers, for inadequate ventilation, for unsound fencing that failed to protect spectators and animals, for rusty animal cages, for giving animals unclean water, and for failure to keep animal care records. Carson & Barnes paid a penalty of $3,714 in a settlement agreement with the USDA for AWA violations in 2012. The Carson & Barnes Circus animal care director was videotaped viciously attacking elephants with a bullhook, shocking elephants with an electric prod, and instructing trainers to embed sharp, metal hooks into the elephants' flesh until the elephants screamed in pain. Contact PETA for documentation.

April 27, 2015: The USDA filed an AWA complaint against Carson & Barnes for mishandling elephants, resulting in injuries to the elephants. While performing with Royal Hanneford Circus in March 2014, three elephants were being escorted to an enclosure when the handlers lost control of one of them. Employees of Royal Hanneford Circus had encouraged audience members to make loud noises, stressing one elephant and causing her to escape from the handlers, resulting in abrasions and lacerations to her right side. A second elephant also sustained lacerations, to her left and right sides. In addition, during a performance in April 2014, Carson & Barnes was cited for mishandling elephants. The circus didn't have a barrier behind three elephants as they were led toward the housing area. A small boy and a man were able to approach the animals and take photos.

March 2015: After several years of declining health, the elephant Nina was euthanized. In a necropsy, vets found that she had what appeared to be tuberculosis lesions in her lungs and that she suffered from chronic renal disease.

January 5, 2015: The USDA cited Carson & Barnes for failure to identify, convey, or document treatment of veterinary problems with some of the animals. A female Asian elephant named Nina had been losing weight and her body condition had been considered "thin" since early 2013. To date, Nina has lost 8.7 percent of her total body weight over a period of seven or eight months, which the inspector noted was significant. The circus's veterinarian hadn't provided any documented guidance regarding what percentage of body weight loss would be of concern and whether Nina would require additional veterinary oversight. Two other female Asian elephants, Rosie and Opal, were being treated for "stiffness/arthritis" with acupuncture by a person who wasn't trained by a veterinarian or accredited to perform acupuncture for veterinary purposes.

A female pygmy hippo named Katie was noted to be losing weight in May 2014. She was observed by a veterinarian that same month and given medication, but there were no records to show that the treatment was given. Katie was found dead on November 14, 2014. No weights were ever obtained for her, and no one documented whether her body condition was deteriorating prior to her death. A male llama named Bandit was noted to have excessively overgrown hooves, causing his toes to curve to the sides, a problem that no one had noticed or addressed.

June 27, 2014: The elephant Isla tested positive for tuberculosis, even though she had completed a lengthy treatment for the infectious disease just months earlier.

April 14, 2014: The USDA cited Carson & Barnes, performing as the Zembo Shrine Circus, for failure to have a handler or an attendant present behind three elephants as they were led toward the housing area. A small boy and a man were able to approach the animals near the back and take photos.

December 17, 2013: The USDA cited Carson & Barnes with a direct violation of the AWA for failure to provide a 9-year-old llama named Nicoli with proper veterinary treatment for a worsening eye condition, a thin body, and a poor hair coat.

August 7, 2013: The USDA cited Carson & Barnes for failure to provide documentation of a consulting veterinarian's visit after observing that Asian elephant Nina had a thin body with visible hip bones and shoulder blades.

January 9, 2013: The USDA cited Carson & Barnes for failure to provide a zedonk and a donkey with safe shelter. The shelter that they were kept in had a large hole in the concrete, and aluminum siding was pulled away on the camels' shelter, creating a hole. Both of these issues posed a risk to the animals.

August 2, 2012: The USDA cited Carson & Barnes for failure to provide animals with a safe transport enclosure. The floor of the primary enclosure was made from wooden planks that had drainage holes cut into them. But three of the holes had become enlarged, and the wood was worn so much that it threatened the structural integrity of the floor.

July 26, 2012: Carson & Barnes paid a penalty in a settlement agreement with the USDA for 10 violations of the AWA, including failure to maintain control of three elephants (one elephant managed to escape and fall down a steep slope onto her side), failure to have adequate distance or barriers between the elephants and the public (a member of the public was able to grab the elephant's trunk while the handler had his back turned), and failure to have elephants under the direct control and supervision of knowledgeable and experienced animal handlers. The elephant handler walked away from the elephant to talk on his phone, leaving the unattended elephant to continue the ride with one adult and six children saddled on her.

April 27, 2012: The USDA cited Carson & Barnes for failure to maintain the structural integrity of a barn so as to protect animals from injury. The inspector noted that the shift area for Colonel, an adult male elephant, had broken metal near the entry exposing Colonel to sharp protruding edges. It was also noted that several places in the perimeter fence had large gaps.

April 10, 2012: The City Council of Bellevue, Nebraska, voted to reject a permit for Carson & Barnes to have a circus on the grounds of Bellevue University. Council members stated that the circus had many past violations, and they were concerned about the risk to the community.

December 20, 2011: The USDA cited Carson & Barnes for failure to maintain the structural integrity of a barn so as to protect animals from injury. The inspector noted that insulation in the barn separating six Asian elephants from another elephant and her 10-month-old calf was damaged, posing a risk of disease transmission.

October 7, 2011: The USDA cited Carson & Barnes, performing as the Kelly Miller Circus, with a direct violation of the AWA for failure to have an experienced animal handler in direct control of a dangerous animal during public exhibition. During elephant rides, the inspector saw a handler exchanging money with another employee while the elephant walked away with passengers in the saddle. The inspector also cited the circus for having only one handler for two elephants during elephant rides. The inspector wrote, "One elephant would walk approximately 25 feet away with passengers on board, while the one handler would assist in loading passengers on the second elephant. The elephant with the passengers would stop and stand at the curtain exit with no physical barrier, other than the curtain, to stop it from leaving." The inspector noted that such actions allowed "for the risk of serious injury to members of the public."

August 22, 2011: The USDA cited Carson & Barnes for failure to provide adequate shelter from direct sunlight to two bull elephants. The circus was also cited for failing to maintain the structural integrity of its facility's perimeter fence when inspectors found large gaps between the gate and the ground, open and unsecured gates, and broken sections of fencing with loose barbed wire.

June 29, 2011: The USDA cited Carson & Barnes, performing as the Cole Bros. circus, with a direct noncompliance of the AWA after a handler was seen by an inspector talking on his phone and walking away from an elephant while one adult and six children sat on the animal's back during a ride. A handler was also seen distracted and talking to a member of the circus, leaving the elephant unattended. At another point, one handler was left to supervise two elephants. Carson & Barnes was also cited for another direct noncompliance after a female handler was observed using excessive force with a bullhook against an elephant named Viola on several occasions. In addition, after only one handler was present when two elephants were within close proximity to members of the public, Carson & Barnes was cited for two counts of failing to handle animals so that there is minimal risk of harm to both the animals and the public. The inspector also cited the circus because the handler had his back turned when a member of the public came into physical contact with the elephant and also while two elephants were able to extend their trunks over protective fencing to eat grass on the public side.

June 17, 2011: A man and his son decided to stop near a parking lot where Cole Bros. circus was set up in Lanesboro, Massachusetts, and videotape the elephants just for fun. They witnessed a handler yelling at the elephants before striking one of them with "something that resembled a club," producing a clearly audible "whack" sound. The same handler then took a step back and swung the device as if it were a baseball bat, striking the elephant two more times. "This was not just an 'attention getter,'" the father explained. "[This worker] reared back and swung the club with all his might, twice. You could hear the 'whack' as the club struck the elephant. My son and I were shocked." (Video footage is available online and can also be requested from PETA.)

September 25, 2010: The USDA cited Carson & Barnes for failure to provide adequate veterinary care to a pygmy hippo with "raw" skin abrasions, an injury that the caretaker had not reported to a manager or veterinarian and that the inspector noted could "easily become infected." Carson & Barnes was also cited for failure to provide shade to 10 goats, two llamas, an alpaca, and a donkey, even though the temperature was more than 85 degrees. As the USDA also requires that feed "shall be placed so as to minimize contamination," the inspector further cited Carson & Barnes for placing hay for goats, llamas, alpacas, a zebra, and a zebu on the ground, where the animals walked through it and excreta was seen. Additionally, Carson & Barnes was cited for a repeated act of noncompliance for failure to maintain a trailer (which was being used to transport a hippopotamus, a zebra, two camels, an alpaca, two llamas, a zebu, and nine goats) in a manner that did not pose a risk to these animals (see June 19, 2010).

June 19, 2010: The USDA cited Carson & Barnes for failure to maintain a trailer that was being used to transport a hippopotamus, a zebra, two camels, an alpaca, two llamas, a zebu, and nine goats. A rubber mat was covering a hole that was at least 8 inches in diameter and was just inside the door through which the animals would enter and exit the trailer. The inspector wrote, "This may lead to injury of the animals' feet or legs if they stepped through the hole."

May 12, 2010: The USDA cited Carson & Barnes for failure to provide shelter to three elephants, Lisa, Becky and Traci. The inspector wrote, "The weather was 50 degrees and drizzling rain for most of the day. The elephants were out in the cold rain with no protection from the inclement weather." Carson & Barnes was also cited for failure to provide sufficient fencing to safely contain the elephants as well as for insufficient security measures to prevent public access to the elephants.

April 27, 2010: An elephant named Viola, who had been leased from Carson & Barnes to perform with Cole Bros., escaped in Lynchburg, Virginia. She bolted from handlers and ran directly past a line of people waiting to buy tickets, sending some running toward the parking lot. Viola injured her shoulder and broke a toenail when she slid in the mud and fell into a steep ravine. She was on the loose for approximately 30 minutes before being recaptured. The circus claimed that the elephant had been spooked by a rabbit.

April 2010: According to a USDA memo dated May 26, 2010, an elephant named Isa stepped on a trainer/handler. The trainer sustained injuries that required a foot splint and crutches and kept him off work for a few days.

February 2, 2009: The USDA cited Carson & Barnes for failure to keep the housing facility in compliance**.**

August 30, 2007: The USDA cited Carson & Barnes for failure to correct a previously identified violation of failing to have valid tuberculosis test results for elephants. The inspector wrote, "On both 'Bunny' and 'Minnie,' two of the three trunk wash samples … were found to be contaminated. Because of the contamination, proper testing could not be performed." Carson & Barnes was also cited for failure to handle animals in a manner that ensures minimal risk of harm to the animals and the public. The elephants were left unattended, and there was a gap in the safety barrier. The inspector wrote, "[I]t would have been very possible for a member of the public to enter the area and endanger both him- or herself and/or the animals."

July 12, 2007: Three elephants, Minnie, Susie, and Bunny, who were being leased from Carson & Barnes Circus and were performing with the Garden Bros. Circus, escaped from an enclosure in Newmarket, Canada. According to news reports, Susie and Bunny roamed through downtown Newmarket, and Bunny was eventually found in a residential neighborhood.

June 6, 2007: The USDA cited Carson & Barnes for failure to provide adequate veterinary care to three elephants. Becky had two cracked nails on each hind foot and a cracked nail on a front foot. Traci's nails were unevenly trimmed, causing her to bear her weight unevenly. Lisa had a cracked nail on two feet. All the elephants had rough cuticles, and a 1½-inch piece of fence wire was found in the hind foot of one of the elephants. The elephants had not had foot care since February 2007.

June 5, 2007: The USDA cited Carson & Barnes for failure to have valid tuberculosis test results for three elephants. The inspector wrote, "Two of the three culture samples required for Isla and Opal were contaminated and one of the three cultures for each elephant was negative. All three required culture samples for Isa were contaminated. These are not adequate to diagnose potential disease in these animals."

October 2, 2006: The USDA cited Carson & Barnes for failure to properly construct and maintain enclosures to safely contain animals. A portable enclosure for three small dogs had large spaces between the bars and was of insufficient height to adequately contain the dogs. One dog escaped during the inspection.

June 16, 2006: The USDA cited Carson & Barnes for failure to provide adequate veterinary care to elephants named Beckie and Tracie, who had multiple cracked nails on their hind feet. Neither elephant had had foot care since March 2006. According to *The Elephant's Foot*, foot-related conditions and arthritis are the leading causes of euthanasia in captive elephants in the U.S. Cracked nails can lead to foot disorders that may result in serious disability or death.

July 18, 2005: The USDA cited Carson & Barnes for failure to have its program of veterinary care available for inspection and failure to provide proof of employee tuberculosis testing. The USDA requires that handlers who have direct contact with elephants be tested for tuberculosis at least annually to prevent the spread of the disease among captive elephants.

June 21, 2005: A U.S. District Court judge who viewed videotape of Carson & Barnes' animal care director Tim Frisco beating elephants with bullhooks and shocking them with electric prods described it as "troubling" and noted that it depicts conduct that violates the federal Animal Welfare Act.

May 26, 2005: The USDA cited Carson & Barnes for failure to provide adequate shelter for elephants.

August 2004: The USDA issued Carson & Barnes a $550 stipulation for an accident that occurred while transporting elephants.

May 28, 2004: The USDA cited Carson & Barnes for failing to provide an adequate safety barrier between the public and elephants.

April 12, 2004: While in the care of Carson & Barnes, a 5-year-old endangered Asian elephant named Jennie died after contracting an elephant herpes virus carried by African elephants. Despite the American Zoo and Aquarium Association's recommendations that Asian and African elephants should not be caged together because of disease risks from this deadly virus, Carson & Barnes commingles the two species.

June 27, 2003: Two Asian elephants with Carson & Barnes were injured when a truck overturned near Minot, North Dakota. The Max Fire Department extricated the elephants from the trailer. A patrol investigator described the truck as a total loss.

March 11, 2003: The USDA cited Carson & Barnes for failure to maintain the structural strength of its transport trailers.

February 5, 2003: The USDA noted that elephants Becky and Susie had cracked toenails. According to *The Elephant's Foot*, foot-related conditions and arthritis are the leading causes of euthanasia in captive elephants in the U.S. Cracked nails can lead to foot disorders that may result in serious disability or death.

January 24, 2003: The USDA cited Carson & Barnes for failure to comply with veterinary care requirements.

September 30, 2002: The USDA issued Carson & Barnes a $400 stipulation for improper handling of animals.

August 9, 2002: A Carson & Barnes truck carrying two African elephants, Paula and Kristi, crashed in Rhinebeck, New York. The driver veered onto the right shoulder, which had a 4-foot drop-off, and the truck tipped onto its side. The road was closed for five hours while emergency workers used power tools to cut into the trailer, free the trapped elephants, and remove the wreckage. The elephants suffered minor injuries. The driver was charged with having an uninspected trailer and an insufficient logbook as well as failure to keep right.

June 5, 2002: The USDA again cited Carson & Barnes for failure to provide adequate veterinary care to an African elephant named Paula with skin problems.

May 14, 2002: The USDA cited Carson & Barnes for failure to provide adequate veterinary care to an African elephant named Paula with skin problems.

May 2, 2002: According to the *Tulsa World*, the USDA had an open investigation against Carson & Barnes as a result of a PETA undercover videotape that showed elephants being abused during training sessions (see January 9, 2002). Tim Frisco, the trainer depicted in the video, still works for the circus.

January 10, 2002: The USDA cited Carson & Barnes for failure to have adequate perimeter fencing. The inspector also noted that Paula, an African elephant, still had very rough skin that was not improving.

January 9, 2002: PETA supplied federal authorities with video footage of Carson & Barnes' animal care director, Tim Frisco, in which Frisco can be seen to viciously attack, yell at, curse, and shock endangered Asian elephants. The elephants emit agonizing screams while recoiling from the assaults. Frisco instructs other elephant trainers to hurt the elephants until they scream and run away, to forcefully strike the elephants with sharp metal bullhooks, and to sink bullhooks into the elephants' flesh and twist them until the animals scream in pain. The footage also shows a handler using a blowtorch on an elephant's skin in

order to remove hair, and it shows chained elephants and caged bears who exhibit extreme degrees of stereotypic behavior caused by mental distress.

May 22, 2001: The USDA cited Carson & Barnes for failure to provide veterinary care to a zebu with overgrown hooves; failure to have 15 elephants under the direct control and supervision of a knowledgeable handler while children, parents, and teachers were present; overworking a camel used for rides; allowing a dog to run loose in the parking lot; failure to provide shelter to a pygmy hippopotamus, a zebu, a water buffalo, llamas, goats, and camels during gusty and rainy weather conditions; failure to provide minimum space to elephants stored in transport trailers and other elephants chained by two legs; failure to provide minimum space to big cats stored in travel cages; and improper food storage.

March 14, 2001: According to a Carson & Barnes animal inventory, a baby elephant named Jennie was on the road performing with the circus without her mother, Isa. The May/June 2000 edition of *The White Tops* reported that Jennie was first put on the road at 16 months of age. Elephant expert and veterinarian S.J.R. Adams, MRCVS, states that baby elephants should be kept with their mothers for at least eight to 10 years. Prematurely removing young calves from their mothers can cause depression, weaken the immune system, and lead to life-threatening infectious diseases.

January 30, 2001: The USDA cited Carson & Barnes for failure to maintain the structural strength of its transport trailers.

September 27, 2000: According to its Web site, the Butler County Health Department in Missouri cited Carson & Barnes for two health code violations.

September 2000: According to the September/October 2000 edition of *The White Tops*, Carson & Barnes leased a single elephant to Roberts Bros. Circus and a single elephant to Circus Vargas. Both elephants were kept in solitary confinement. The American Zoo and Aquarium Association's *Guide to Accreditation of Zoological Parks and Aquariums* states, "It is inappropriate to keep highly social female elephants singly."

August 24, 2000: The USDA cited Carson & Barnes for failure to have elephant attendants, handlers, and grooms tested for tuberculosis.

July 22, 2000: According to *The Capital*, Carson & Barnes was forced to cancel two shows after Anne Arundel County, Maryland, fire officials deemed its tent unsafe. The circus tent failed the inspectors' flame-spread test for fire safety and lacked a permit. Inspectors also found problems with exit lightings and signs.

June 6, 2000: The USDA cited Carson & Barnes for mishandling an elephant who was shackled with a leg chain without a protective covering.

October 13, 1999: The USDA cited Carson & Barnes for failure to store food and bedding in a manner that prevents contamination and for failure to provide bear cages that meet minimum space requirements.

June 16, 1998: The USDA cited Carson & Barnes for failure to maintain transport enclosures for tigers.

February 5, 1998: The USDA cited Carson & Barnes for failure to maintain structurally sound fencing around exotic hoofed animals, failure to provide adequate drainage in a muddy water buffalo enclosure, failure to maintain the elephant transport trailers, and failure to provide adequate outdoor housing for the dogs used in circus acts.

October 28, 1997: The USDA cited Carson & Barnes for failure to correct a previously identified violation of failure to provide adequate ventilation in the elephant transport trailer. Carson & Barnes was also cited for failure to maintain transport trailers for tigers, a pygmy hippopotamus, llamas, goats, sheep, and other animals; failure to maintain records of acquisition for the elephants; and improper food storage.

July 1997: After an inspection of the circus in Colorado, Marin Humane Society humane investigator Cindy Machado stated, "This is the worst case of neglect I have seen in my 12 years as an investigator. I watched animals become injured with blood dripping down their legs without being treated. There were ponies and horses with open, draining saddle sores that were still being ridden." Officer Machado also described snakes in extremely crowded cages, elephants with boils the size of soccer balls, and a hippopotamus without access to water.

May 28, 1997: The USDA cited Carson & Barnes for failure to provide adequate ventilation in the elephant transport trailers.

March 31, 1997: The USDA cited Carson & Barnes for failure to make necessary repairs to a tiger transport trailer. The inspector wrote, "One board on exit ramp for tiger trailer is becoming splintered and needs to be replaced to prevent injury to animals' feet." The circus was also cited for failure to provide minimum space and an exercise plan for two dogs used in the show.

January 4, 1997: According to an internal USDA

document, an elephant named Libby, who is owned by Carson & Barnes Circus, was exposed to Hawthorn Corporation elephants who died of tuberculosis and others who tested positive for tuberculosis.

October 15, 1996: The USDA cited Carson & Barnes for failure to provide veterinary treatment to more than half the elephants who needed foot care.

April 17, 1996: Carson & Barnes received a letter from the USDA warning it to correct alleged violations of the federal AWA that had appeared on two consecutive inspection reports. The circus had failed to provide an adequate barrier for the elephants.

April 11, 1996: The USDA cited Carson & Barnes for failure to maintain the elephant transport trailer.

March 4, 1996: The USDA cited Carson & Barnes for failure to correct a previously identified violation of failure to repair a barrier fence in the area where elephants are chained and fed. The USDA also cited Carson & Barnes for failure to maintain rusty cages used for lions and camels, failure to maintain fencing, and failure to maintain the elephant transport trailer.

December 7, 1995: The USDA cited Carson & Barnes for failure to maintain rusty cages used for tigers and lions, failure to maintain the zebra-donkey building, and failure to maintain a barrier fence around the area where elephants are fed.

September 28, 1995: The USDA cited Carson & Barnes for failure to correct a previously identified violation of not making necessary repairs to a tiger cage.

August 16, 1995: The USDA cited Carson & Barnes for failure to provide veterinary care to an elephant with an excessive buildup of dead skin as well as two pot-bellied pigs with overgrown hooves, failure to dispose of expired medication, failure to provide shelter from the elements, failure to maintain a tiger cage, failure to clean water receptacles with an excessive buildup of algae for the giraffe and zebra, poor housekeeping, and failure to maintain records of acquisition.

May 8, 1995: The USDA cited Carson & Barnes for failure to update veterinary care records, failure to provide minimum space and adequate exercise to an African elephant, failure to clean the stall for the pygmy hippopotamus, failure to have adequate ventilation in the elephant transport trailers, failure to provide big cats with sanitary drinking receptacles, and improper food storage.

May 3, 1995: According to an affidavit given to a USDA investigator, a woman attending the circus with her daughter and a friend observed an employee of Carson & Barnes Circus kick an elephant in the face and stab two elephants with a knife as the elephants tried to reach for hay, causing one elephant to scream and squeal.

February 23, 1995: The USDA cited Carson & Barnes for failure to maintain cages and transport trailers.

February 1, 1995: A tiger in the care of Carson & Barnes escaped and was missing for 10 days, evoking panic in Hugo, Oklahoma.

October 26, 1994: The USDA cited Carson & Barnes for failure to provide adequate security to protect an elephant and ensure public safety.

October 21, 1994: According to news reports, an elephant named Kay “keeled over” and died while the circus was performing in Taylorville, Illinois. Kay had refused to eat or drink for several days. The 58-year-old elephant had not been retired even though she had a history of health problems and kidney infections.

August 17, 1994: The USDA cited Carson & Barnes for an inadequate program of veterinary care.

June 24, 1994: The USDA cited Carson & Barnes for failure to have an adequate veterinary care program; failure to have a safety barrier between the public and large animals including elephants, giraffes, and camels; failure to maintain a rusty elephant transport trailer with sharp, jagged edges; and improper food storage.

June 23, 1994: According to the *Kearney Hub*, two reporters observed that Carson & Barnes animal handlers kicked and cursed at a pygmy hippopotamus and struck an elephant across the left eye with a bullhook, a giraffe repeatedly jumped from one end of a cage to the other, and a zebra continually bobbed his head and paced from side to side.

March 9, 1993: The USDA cited Carson & Barnes for failure to maintain the elephant barn, for inadequate drainage in the giraffe pen, and for a filthy zebra pen.

October 7, 1992: The USDA cited Carson & Barnes for failure to provide shelter from the elements; failure to provide minimum space to a pygmy hippopotamus, liger, and tiger who were housed together in enclosures that were so narrow that the animals were unable to turn around freely; inadequate pest control for the pygmy hippopotamus, who was plagued by

swarms of flies; and failure to record veterinary treatment for a wounded rhinoceros.

April 26, 1991: According to USDA telephone conversation records, one giraffe in the care of Carson & Barnes died of hypothermia and shock in 1989, and a second giraffe died in 1990 of a possible neck injury during transport when the vehicle swerved to avoid an accident.

May 1982: Five elephants tried to escape from the circus in Sallisaw, Oklahoma. One elephant was killed during this incident.