

August 30, 2017

Robert Gibbens, D.V.M.
 Director, Animal Welfare Operations
 USDA/APHIS/Animal Care

Via e-mail: [REDACTED]; aceast@aphis.usda.gov

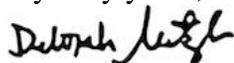
Dear Dr. Gibbens:

I am writing on behalf of PETA to request that the USDA promptly investigate Kay and Clayton Rosaire Mowrey, dba "Big Cat Habitat and Gulf Coast Sanctuary" (BCH; license no. 58-C-1030), and Pamela Zoppe, dba "Rosaire-Zoppe Chimpanzees" (license no. 58-C-0936), for the following apparent Animal Welfare Act (AWA) violations, detailed in the attached appendix, which were documented by a concerned citizen who visited the facility on August 18:

- A capuchin monkey had thinning hair and patchy alopecia on the back and tail, and sections of the tail were almost completely hairless. (*See Video 1.*) This condition has worsened since PETA reported the concern two years ago. (*See complaint no. AC16-039.*)
- A tiger had an unkempt coat with clumps of matted hair, which can be a sign of underlying illness in felids. Another tiger had a possible puncture wound. These animals should be evaluated by a veterinarian. (*See Videos 2–4.*)
- Big cats were confined to concrete-floored cages, which can lead to serious physical maladies. One tiger had large calluses on his elbows. (*See Video 5.*)
- The psychological distress of many animals was documented: The tiger suffering from calluses was also sucking the end of his tail, which is a self-injurious, stereotypic behavior; a lion was frantically digging and pacing, likely out of frustration; and tigers and a bear were pacing. (*See Videos 5–9.*)
- Chance the chimpanzee was used in a circus-style performance in which he was pulled around by a leash wrapped around his neck. (*See Video 10.*)

Please ensure that all animals at BCH are handled in accordance with the AWA and hold all responsible parties fully accountable for any violations that your investigation reveals. 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,



Deborah Metzler, M.S.
 Senior Wildlife Specialist, Captive Animal Law Enforcement

cc: Dr. Nicolette Petervary, Regional Animal Care Specialist
 ([REDACTED])
 Dr. Laurie Gage, Big Cat and Marine Mammal Specialist
 ([REDACTED])
 Dr. Gwendalyn Maginnis, Nonhuman Primate Specialist
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Appendix

a. Capuchin Suffering From Extensive Hair Loss

The witness documented that a capuchin monkey was suffering from extensive hair loss on the tail and along his or her body and back. (*See* Video 1.) This appears to be the same animal PETA reported on in October 2015, following the receipt of video footage captured on August 26, 2015. (*See* Complaint No. AC16-039.) Two years ago, the animal's tail was almost completely hairless, and that condition has apparently not improved. The monkey's hair loss has actually worsened, as the hair on the back of the animal is thinning now as well.

Chronic chewing or pulling at the hair, resulting in hair loss, is an abnormal stereotypical behavior indicative of psychological distress. Primates have complex physical, social, and psychological needs—and in the wild, capuchin monkeys lead active, stimulating lives. Without adequate environmental enrichment, they become afflicted with frustration and depression, which can lead to abnormal and self-injurious behavior.

Pursuant to 9 C.F.R. § 3.81(b), "The physical environment in the primary enclosures must be enriched by providing means of expressing noninjurious species-typical activities." As the extensive hair loss is possibly from hair-picking, BCH does not appear to be following a plan of environmental enhancement that is *adequately* addressing the psychological needs of this animal. Because the monkey "show[s] signs of being in psychological distress through behavior or appearance," the animal "must be provided special attention regarding enhancement of their environment." 9 C.F.R. § 3.81(c).

Hair loss could also indicate an endocrine, inflammatory, or dermatologic issue (such as mites or other infectious agents). This animal should be evaluated by a veterinarian to determine that there is no underlying medical pathology and provided with appropriate enrichment to minimize any stereotypic behavior.

Please inspect the monkey—as well as the animal's veterinary records—and ensure that he or she is being provided with adequate veterinary care pursuant to 9 C.F.R. § 2.40.

b. Tigers in Need of Veterinary Evaluation

The witness documented that a tiger had a matted, unkempt coat. (*See* Video 2 and Video 3.) The tiger appeared to have clumps of matted hair under the left side of the jaw, along the back and tail, and on the abdomen, neck, and hind legs. According to wildlife veterinarian Christine Capaldo, "cats are fastidious groomers and an unkempt hair coat can be a sign of underlying illness such as dental disease, renal disease, or any number of disorders." This animal should be evaluated by a veterinarian and placed on an appropriate treatment regimen following diagnostics.

Another tiger had a possible puncture wound on the front right leg. (*See* Video 4.) The witness was not able to tell whether this wound was superficial or deep, but deep puncture wounds can lead to infection, cellulitis, or abscesses. Please inspect this tiger to determine whether this wound is healing or in need of veterinary treatment and evaluation.

Please inspect both tigers—as well as their veterinary records—and ensure that they're receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40.

c. Big Cats Confined to Concrete Substrate

The witness documented that big cats were confined to enclosures with exclusively concrete substrate. (See Video 5.) A sign indicated that they rotate to outdoor enclosures with grass and dirt substrate, although it was not clear for how long or when they each have access to natural substrate. In these concrete-floored enclosures, there were no materials and insufficient space to allow them to engage in natural behavior, such as digging, running, or swimming. Inadequate substrate can predispose big cats to early-onset osteoarthritis as well as skin and foot injuries. Wearing can predispose them to painful blisters and ulcers, and these animals should be provided with appropriate natural substrate—including adequate bedding—to ensure and maintain proper footpad, skin, and musculoskeletal health. In addition, concrete can radiate heat and interfere with an animal's ability to thermoregulate.¹

One of the tigers was documented with large calluses on his elbows. (See Video 5 at 0:37.) According to Dr. Capaldo, "animals who are housed on concrete, with no soft bedding, can develop calluses on areas of the skin that are pressure points. These calluses can get irritated, cracked and infected because of the unyielding concrete."

The enclosures to which these big cats are confined do not provide them with opportunities for normal types of postural behavior—such as digging, running, and swimming—in apparent violation of 9 C.F.R. §§ 2.131(d)(1) and 3.128, requiring that animals be exhibited "under conditions consistent with their good health and well-being" and provided with "sufficient space to allow each animal to make normal postural and social adjustments with adequate freedom of movement."

Recognizing the need for a complex environment for big cats, a July 19, 2017, inspection report of Wilson's Wild Animal Park stated that "[t]igers often engage in running, climbing, jumping and water play and should be housed in a manner that allows them to demonstrate these natural behaviors. The current enclosure must be modified or husbandry practices adjusted in a manner that will allow the tigers to jump, climb, run and water play to improve their overall well-being." Please investigate for how long the big cats have access to the naturalistic enclosures with these opportunities, keeping in mind that the animals should have access to these opportunities at *all* times, not just for periodic rotations.

Please inspect these animals—as well as their veterinary records—and ensure that they're receiving adequate veterinary care, pursuant to 9 C.F.R. § 2.40.

d. Animals Suffering From Severe Psychological Distress

The witness observed and documented that several animals exhibited abnormal behavior and were suffering from apparent psychological distress. The tiger who had calluses on his elbows was documented sucking on his tail tip, which is a stereotypical and self-injurious behavior. (See Video 5 at 0:30.) A lion was documented panting, pacing, and frantically attempting to dig, out of apparent frustration. (See Video 6.) Two other tigers and a bear were documented pacing. (See Video 7, Video 8, and Video 9.)

Abnormal types of behavior, such as those described above, are likely caused by a lack of sensory stimulation and suggest poor welfare and suffering.² The abnormal tail-sucking by the white tiger, the frantic behavior of the lion, and the repetitive stereotypical pacing of other naturally far-ranging animals indicate psychological distress and are signs that BCH is not exhibiting these animals "in a manner that

¹See K.N. Morgan and C.T. Tromborg, "Sources of Stress in Captivity," *Appl. Animal Beh. Sci.* 102 (2007): 262–302.

²R.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).

does not cause ... behavioral stress ... or unnecessary discomfort" or "under conditions consistent with their good health and well-being," in apparent violation of 9 C.F.R. § 2.131(b)(1) and (d)(1). Moreover, BCH is not providing these animals with sufficient space or the opportunity to engage in species-typical behavior, in apparent violation of 9 C.F.R. § 3.128, which states that "[i]nadequate space may be indicated by evidence of ... stress, or abnormal behavior patterns."

Recognizing the health concerns that pacing can indicate in naturally far-ranging animals, an October 12, 2016, USDA inspection report of Deer Haven Mini Zoo cited the facility for failing to provide three pacing animals with adequate veterinary care. The USDA also cited Waccatee Zoo on May 9, 2017, for failing to provide several animals displaying stereotypical behavior with adequate veterinary care. The inspection reports required that the exhibitors seek veterinary evaluation for these animals, stating that "[a]bnormal behavior patterns can be indicative of physical or psychological issues that may require medical treatment or habitat/husbandry modification, and must be evaluated promptly by the attending veterinarian in order to receive appropriate treatment and management."^{3,4}

In addition to the serious health implications of stereotypical behavior, the USDA has also recognized that abnormal pacing may result from inadequate space. The agency cited the Denver Zoo on March 27, 2017, for failing to provide bears who displayed stereotypical behavior with adequate space. The inspector stated that the abnormal behavior of pacing "can indicate stress, frustration or an underlying medical condition. Inadequate enclosures can also contribute to these abnormal behavior patterns."⁵ The USDA also cited Waccatee Zoo on May 9, 2017, for failing to provide three bears—including one who was observed pacing—with adequate space. The inspection report stated that "American black bears have large ranges in the wild, and require exercise which includes walking" and that "provisions for varied exercise options that include water activities and climbing are especially important in order to preserve muscle tone and joint function [as bears age], as well as to preserve behavioral health."⁶

Please inspect the five animals whose stereotypical behavior was documented—as well as their veterinary records—and ensure that they have been evaluated by a veterinarian pursuant to 9 C.F.R. § 2.40. Please also take into consideration that habitat modification—including providing the animals with more space and a complex, enriching environment, pursuant to 9 C.F.R. § 3.128—may help alleviate distressed, abnormal behavior.

e. Young Chimpanzee Restrained by a Leash During Performance

The witness documented that a chimpanzee named Chance was used in a performance. The animal was restrained by licensee Pamela Zoppe with a leash that was wrapped around his neck. (*See* Video 10.) At several points during the show, he was jerked back toward her as he repeatedly reached the end of the leash. This forceful jerking and pulling on his neck could result in serious injury.

The handling of Chance in this manner appears to violate the following AWA regulations:

- 9 C.F.R. § 2.131(b)(1), requiring that "[h]andling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort."

³See USDA Inspection Report, Deer Haven Mini Zoo, license number 55-C-0111, October 12, 2016.

⁴See USDA Inspection Report, Kathleen Futrell, dba Waccatee Zoo, license number 56-C-0230, May 9, 2017.

⁵See USDA Inspection Report, Denver Zoological Foundation, license number 84-C-0002, March 27, 2017.

⁶See USDA Inspection Report, Kathleen Futrell, dba Waccatee Zoo, license number 56-C-0230, May 9, 2017.

- 9 C.F.R. § 2.131(b)(2)(i), requiring that "[p]hysical abuse shall not be used to train, work, or otherwise handle animals."
- 9 C.F.R. § 2.131(c)(3), requiring that "[y]oung or immature animals shall not be exposed to rough or excessive public handling or exhibited for periods of time which would be detrimental to their health or well-being."
- 9 C.F.R. § 2.131(d)(1), requiring that "[a]nimals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being."

Please inspect Chance—as well as his veterinary records—and ensure that he's receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40. Please also inspect his conditions of confinement and ensure that he's provided with adequate environmental enrichment and enclosure complexity. In addition, please investigate whether he's able to interact with other chimpanzees, in accordance with 9 C.F.R. § 3.81(a), which requires that "[t]he environment enhancement plan must include specific provisions to address the social needs of nonhuman primates of species known to exist in social groups in nature." Chimpanzees naturally live in large fission-fusion societies, and socialization with other chimpanzees is essential for their welfare.