



Inspection Report

CARSON & BARNES CIRCUS

Customer ID: 3954

Certificate: 73-C-0001

Site: TRA

CARSON & BARNES CIRCUS

P. O. BOX J

Type: ROUTINE INSPECTION

HUGO, OK 74743

Date: Jun-29-2011

2.131 (c) (1)

HANDLING OF ANIMALS.

Section 2.131 (c) (1) states - "During public exhibition, any animal must be handled so there is minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the animal and the general viewing public so as to assure the safety of animals and the public."

1. On 6/27/11 the Cole Brothers Circus was set up on property that was bordered on all sides by busy city streets. The parking area was not surrounded by any fence and members of the public were able to enter and walk through the parking lot while 2 of the elephants were in the parking lot being bathed. There was no type of physical barrier in place to prevent members of the general public from approaching the elephants, there was only one handler for the two elephants, and the APHIS inspectors saw several people stop and stand within close proximity of the elephants to watch the bathing. At one point there were 5 or 6 people standing near the bathing area.

Per this Regulation, any animal must be handled during public exhibition so that there is minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the animal and the general viewing public so as to assure the safety of the animal and the public. In this case, there was an insufficient distance between the elephants and the general viewing public during the bathing and there was not an appropriate physical barrier in place between the elephants and the viewing public to minimize the risk of harm to both the animal and the public.

The Licensee needs to ensure that any future public exhibitions of the elephants include the use of sufficient distance and/or barriers between the animals and members of the viewing public for the safety of both the elephants and the public.

Correct from this date forward.

2. The APHIS inspector observed the elephant rides during the Cole Brothers Circus on 6/27/11 in Meriden, CT. At the conclusion of the rides before the 7:30 PM show, the elephants were standing at the fence inside the ride area facing the public side and the head elephant handler was standing beside the 2 elephants with his back to the public area. It was at this time that an adult man walked up to the ride area and one of the elephants extended her trunk over the fence towards the man. The APHIS inspector saw

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the man reach out and grab hold of the distal end of the elephant's trunk for several seconds before he released the trunk. It was then that the handler turned around and the man then started to talk with him for several minutes. During the conversation, both elephants put their trunks over the fence to eat grass on the public side and one of the elephants used its trunk to explore the grassy area around the man's feet.

Per this Regulation, any animal must be handled during public exhibition so that there is minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the animal and the general viewing public so as to assure the safety of the animal and the public. There was an insufficient distance and/or barrier between the elephants and a member of the public that allowed the man to grab hold of the elephant's trunk and that also allowed one of the elephants to place its trunk close to the feet and legs of the man. The safety of the elephant and the man were at risk in both of these situations.

The Licensee needs to ensure that any future public exhibitions of the elephants include the use of sufficient distance and/or barriers between the animals and members of the viewing public for the safety of both the elephants and the public.

Correct from this date forward.

2.131 (d) (3) DIRECT NCI HANDLING OF ANIMALS.

Section 2.131 (d) (3) states - During public exhibition, dangerous animals such as lions, tigers, wolves, bears, or elephants must be under the direct control and supervision of a knowledgeable and experienced animal handler. *

1. APHIS inspectors observed the elephant rides during the Cole Brothers Circus on 6/27/11 in Meriden, CT during the rides given one hour before the 4:30 PM and 7:30 PM performances. There were many instances when the APHIS inspectors observed that the 2 elephants being used for rides were not under the direct control and supervision of an elephant handler. After the elephants entered the ride area for the 3:30 PM rides, one handler walked away from the elephants and adjusted the barrier fence in the right back corner of the ride area while the other handler left the ride area and went to get hay which left a single inattentive handler for both elephants.

There were many times when the elephant handlers were distracted away from their ride elephant both when the elephants were giving rides to passengers and when not giving rides but they were stationary in the ride area. The handlers were frequently observed to be standing several feet away from or behind the elephants or the handlers had their back towards the elephants and were facing away from them. During all of these instances, the elephants were no longer under the direct control and supervision of a handler during public exhibition. In another instance, one elephant had 1 adult and 6 young children in the saddle during a ride when her handler answered his phone. The handler continued talking on the phone as he walked away from the elephant leaving the animal unattended, and the elephant continued the ride without being under the direct control of a handler. At another time, the handler was distracted and left the elephant when a member of the circus came up to the ride fence to talk with the handler.

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The failure to exhibit dangerous animals such as lions, tigers, wolves, bears, or elephants to the public while under the direct control and supervision of a knowledgeable and experienced animal handler allows for potential direct contact of the elephants with the public and/or the risk of serious injury to members of the public as the elephants have freedom of movement.

The Licensee must have the elephants under the direct control and supervision of an experienced animal handler at all times during public exhibition.

Correct immediately.

2. A female employee, who also performs in the show, has been helping the head elephant handler on the rides and walking primarily the elephant named "Viola" just since February 2011 and she has no previous elephant handling experience. While observing the elephant rides before the 7:30 PM show on 6/27/11, the APHIS inspector noticed on several occasions that the female employee was using excessive force while tugging at the elephant with the ankus, further demonstrating her lack of control of the elephant and lack of experience or proper training to handle elephants. It should also be noted that "Viola" has a history of having escaped from an experienced elephant handler in 2010.

The Regulations require that during public exhibition, dangerous animals such as lions, tigers, wolves, bears, or elephants must be under the direct control and supervision of a knowledgeable and experienced animal handler. An individual needs to have sufficient experience and training to be considered to be appropriately qualified to function as a handler of a dangerous animal like an elephant during periods of direct contact with members of the public.

In order to demonstrate compliance with the requirement that dangerous animals must be under the direct control and supervision of a knowledgeable and experienced animal handler, the Licensee needs to submit the documentation of the female employee's handler qualifications as soon as possible to Dr. Robert Gibbens, Regional Director, Western Regional Office of USDA/APHIS/Animal Care, 2150 Center Avenue Bldg. B, Mail Stop #3W11, Fort Collins, CO 80526-8117.

NOTE - This inspection of the Licensee took place at the Cole Brothers Circus in Meriden, CT and focused on items and areas related to the care and exhibition of Elephants. The following Elephants were present: Nina (Asian) 49 years, Kelly (Asian) 41 years, and Viola (Asian) 41 years.

NOTE - Exit interview held 6/30/11 on-site in Willimantic, CT at the next stop of the Cole Brothers Circus with the head elephant handler. END OF REPORT.

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