

September 9, 2015

Elizabeth Goldentyer, D.V.M.
Regional Director
USDA/APHIS/AC Eastern Region

Via e-mail: aceast@aphis.usda.gov

Re: Request for Investigation of Reports of Mishandling of Tiger Cubs and
Public Endangerment at Wildlife in Need (License No. 32-C-0204)

Dear Dr. Goldentyer,

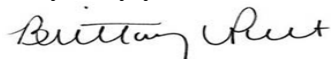
I am writing on behalf of PETA to request that the U.S. Department of Agriculture (USDA) promptly inspect Tim Stark, dba "Wildlife in Need" (license no. 32-C-0204). On July 2 and 25, two separate witnesses reported and, in most cases, documented the following apparent violations of the Animal Welfare Act (AWA), described in more detail in the attached appendix:

- Tiger cubs reportedly made distressed vocalizations throughout the exhibition. Members of the public were instructed to hit the cubs on the nose if they became too rowdy. Handlers were observed carrying whips and striking the animals. One cub was documented with an abrasion on his or her face.
- Members of the public were reportedly bitten and scratched by the animals.
- Members of the public were permitted to engage in direct contact with unvaccinated tigers with immature immune systems, endangering the health of both the public and the tigers.
- Carnivores and prey animals were housed together, potentially causing psychological distress and risking physical injury.

Please ensure that all animals at Wildlife in Need are provided with adequate veterinary care, shelter, and clean water and are otherwise handled in accordance with the AWA and hold Tim Stark fully accountable for any and all violations that you discover during your investigation.

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

Very truly yours,



Brittany Peet
Deputy Director, Captive Animal Law Enforcement

cc: Laurie Gage, D.V.M., D.A.C.V.M., Big Cat and Marine Mammal
Specialist, USDA/APHIS/AC

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PETA FOUNDATION IS AN
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TO SUPPORT ANIMAL PROTECTION.

AFFILIATES:

- PETA U.S.
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (U.K.)

Appendix

On July 2 and 25, attendees of Wildlife in Need's "Tiger Baby Playtime" were allowed to interact freely with four tiger cubs and a dog. Attendees were also encouraged to engage in direct contact with an otter during both "playtimes" as well as a capuchin and a squirrel monkey on July 2 and a squirrel monkey on July 25. A witness on July 2 reported that Stark stated that the cubs were going to be "7 weeks old tomorrow." These were likely the same cubs used in the July 25 visit, as those cubs were reportedly 10 weeks old at that time.

(a) Tiger Cubs Showing Discomfort With Handling

A witness reported that on July 25, the "[i]nstructions given were to smack the cubs on the nose if one were [*sic*] to become too rough [and] staff members all carried what appeared to be plastic shoe horns that they would use to strike the cubs when they became too rough." Photos 1 and 2 show that this device appears to be a small whip. During this same visit, the witness documented one of the cubs with an apparent abrasion on his or her face (*see* Photo 3). Furthermore, during both the July 2 and 25 visits, witnesses reported the cubs crying out at many points during the playtime.

Stark's mishandling of the cubs and his instructions to the public that were described in the witness reports and depicted in the photographs are in apparent violation of:

- 9 C.F.R. § 2.131(a) ("All licensees who maintain wild or exotic animals must demonstrate adequate experience and knowledge of the species they maintain.")
- 9 C.F.R. § 2.131 (b)(1) ("Handling 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.")
- 9 C.F.R. § 2.131(b)(2)(i) ("Physical abuse shall not be used to train, work, or otherwise handle animals.")
- 9 C.F.R. § 2.131(c)(1) ("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.")
- 9 C.F.R. § 2.131(c)(3) ("Young 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) ("Animals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being.")
- 9 C.F.R. § 2.131(d)(2) ("A *responsible*, knowledgeable, and readily identifiable employee or attendant must be present at all times during periods of public contact." [Emphasis added.]
- 9 C.F.R. § 2.131(d)(3) ("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.")

As you investigate the handling of these cubs, please keep in mind that Stark has repeatedly been cited for issues related to rough handling of tiger cubs in the past.¹ In the inspection report, an APHIS Animal Care Inspector stated that "[f]ree roaming public contact and unregulated discipline given by the public provides opportunity for an injury to an animal or the public" and "[a]nimals may be injured or harmed when interaction with the public is free and uncontrolled."

¹USDA Inspection Report, Tim Stark, license no. 32-C-0204, Aug. 20, 2014, citing Stark for a repeat violation of 9 C.F.R. § 2.131(c)(1), attached.

A similar report of Stark's mishandling cubs and endangering the public was submitted to the USDA on August 21, 2014,² and included a request for an investigation of a report of apparent mishandling from an August 2, 2014 visit.

(b) Public Endangerment

The witnesses both described having extensive direct contact with the animals. On July 2, the witness reported that a woman cried "ow" multiple times, presumably from being bitten or scratched, and the trainer approached and smacked the tiger in the face. On July 25, the witness stated that the otter, Ollie, bit a member of the public who picked him up. In the witness' words, "The bite did not break the skin but did leave a raised red mark from the teeth scrapping [*sic*] the skin. The staff member just stated she was sorry and told the man she should have warned him not to pick the animal up."

Stark's practice of permitting direct contact between the public and dangerous animals—who are not under the direct control of Stark or other employees—is an apparently ongoing concern and was addressed in an August 20, 2014, USDA inspection report, in which the inspector stated, "While the tigers are young and at play with members of the public, the current procedure of letting the tigers walk freely among so many people with no direct control by the keepers in the area provides an immediate opportunity for injury to the public by the tigers' sharp claws and teeth." This violation apparently continues to be uncorrected. Please ensure that the public is safeguarded in accordance with 9 C.F.R. § 2.131(c)(1) and (d)(3).

(c) Handling of Tiger Cubs With Underdeveloped Immune Systems

The USDA's publication [*Big Cat Question and Answer*](#) states that infant tigers who are less than approximately 8 weeks old should not be subjected to public handling because their immune systems have not "developed sufficiently to protect them from most communicable diseases."

The witness on July 2 reported that Stark stated that the less-than-7-week-old cubs were not vaccinated, because he had been "told by the federal government not to do them." This is contrary to what the USDA has previously stated. In recognizing the health risks inherent in handling infant cubs, an APHIS Animal Care Inspector cited Bryan Hovatter (license no. 54-C-0119) on June 4 of this year, stating that:

Cubs of this age that have not been adequately vaccinated do not have fully intact immune systems and are therefore susceptible to many infectious diseases. The practices described above do not constitute handling these cubs as carefully as possible and unnecessarily risks harm and discomfort. The licensee must ensure that if the tigers are to be removed from the mother, handling must be done as carefully as possible and that exposure to members of the public does not occur until the cubs are immunocompetent and vaccinated. (*See* USDA Inspection Report, Bryan Hovatter dba "Hovatter's Wildlife Zoo," License No. 54-C-0110, Jun. 4, 2015).

Based on the foregoing, Stark's apparent removal of tigers cubs from their mother(s) and allowing unvaccinated cubs to engage in direct contact with members of the public apparently violates 9 C.F.R. § 2.131(c)(3) and (d)(1), 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" and that "[a]nimals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being."

²USDA Complaint No. E14-356, Aug. 21, 2014, attached.

(d) Incompatible Animals Forced Together During Exhibition

On July 2, Stark exhibited a capuchin monkey and a squirrel monkey, in addition to the other animals. The witness reported that Stark apparently forced the capuchin and one of the tigers to be face to face (*see* Photo 4), potentially causing unnecessary discomfort and psychological distress, in apparent violation of 9 C.F.R. § 2.131(b)(1).

On July 25, the witness reported that a tiger cub was antagonizing an otter. *See* Photo 5. The otter's evident proximity to the tiger cubs was potentially very stressful for him and thus likely violated 9 C.F.R. § 2.131(b)(1).

Furthermore, confining these animals to the same space is an apparent violation of 9 C.F.R. § 3.133, which states that "[a]nimals shall not be housed near animals that interfere with their health or cause them discomfort."