

March 26, 2018

**Freedom of Information Act Administrative Appeal**

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**Via certified mail (return receipt requested) and e-mail**  
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**Re: Freedom of Information Act Appeal of USDA's Decision to Withhold  
Information Concerning FOIA Request 2016-APHIS-03057-F.**

Dear Mr. Shea and Ms. Woods,

On behalf of the People for the Ethical Treatment of Animals ("PETA"), I hereby appeal the United States Department of Agriculture ("USDA")'s decision to withhold information contained in agency records that are subject of PETA's Freedom of Information Act ("FOIA") request number 2016-APHIS-03057-F.

On March 30, 2016, Teresa Marshall requested:

All records related to the February 1, 2016 inspection of The Garold Wayne Interactive Zoo aka GW Exotic owned by Joseph Maldonado, Registration #73-C-0139.

On December 26, 2017, the Animal Care ("AC") program of the Animal and Plant Health Inspection Service ("APHIS") of the USDA acknowledged that it was able

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to locate forty-nine (49) pages of responsive records.<sup>1</sup> However, the USDA withheld thirty-eight (38) of those pages in their entirety pursuant to FOIA Exemptions 6 and 7(C). The USDA did not identify which types of records were responsive to the request but were being completely withheld in their entirety.<sup>2</sup>

Attached as Exhibit 2 to this letter are the eleven (11) pages produced by the USDA, which were redacted almost in their entirety. For these heavily redacted eleven (11) pages the USDA did provide, as well as the thirty-eight (38) pages withheld in their entirety, the USDA noted that it was withholding in their entirety “inspection report numbers, the month and day of any inspections, the type of inspections, the findings (to include photos and/or videos if applicable), and any private addresses and/or names of persons who are not government employees, but whom had direct contact with the government” pursuant to Exemptions 6 and 7(C) of the FOIA, though it went on to essentially withhold all substantive information in its entirety—including the number and species of animals at the facility inspected, and whether or not there were any apparent AWA violations.

The USDA stated that it “determined that there is a substantial privacy interest in the withheld information” (for Exemption 6) and “the production of [the responsive records] could reasonably be expected to constitute an unwarranted invasion of personal privacy” (for Exemption 7(C))—and in balancing the public’s interest in receiving the responsive information against the proposed privacy interests, the USDA merely stated that “the protection against embarrassment or harassment of the licensee far outweighs any public interest in disclosing” the requested information, but provided no basis for this conclusion.<sup>3</sup>

The USDA, however, has already previously disclosed information that it is now claiming exempt under the FOIA, and the agency has not provided any explanation as to why this information *would now* be exempt; nor has the agency properly articulated their change in long-standing agency policy in providing these records.

Additionally, substantively, in asserting the FOIA exemptions, the USDA has not met its burden in withholding this information under the FOIA, as “the burden which the FOIA specifically places on the Government to show the information withheld is exempt from disclosure cannot be satisfied by the sweeping and conclusory citation of an exemption.”<sup>4</sup> Furthermore, since these records would be required to be released under the FOIA, withholding may also not occur pursuant to the Privacy Act.<sup>5</sup>

Finally, even if some of the information may be withheld, it does not appear that the USDA provided all “reasonably segregable” portions of the requested records, instead withholding all substantive

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<sup>1</sup> Email from the USDA to Teresa Marshall, Final Disposition, FOIA Request 2016-APHIS-03057-F, Dec. 26, 2017, attached as Exhibit 1.

<sup>2</sup> See, e.g., *Mead Data Central, Inc. v. U.S. Dep’t of Air Force*, 566 F.2d 242, 251 (D.C. Cir. 1977) (holding that the objective of the *Vaughn* requirements in order to permit the requesting party to present its case effectively, is equally applicable to proceedings within the agency); *An Overview of the Freedom of Information Act – Procedural Requirements*, Department of Justice, at 34 (<https://www.justice.gov/sites/default/files/oip/legacy/2014/07/23/foia-procedures.pdf>).

<sup>3</sup> Ex. 1.

<sup>4</sup> *Mead Data Cent., Inc.*, 566 F.2d at 251.

<sup>5</sup> 5 U.S.C. § 552a(b)(2).

information in full and redacting extensive portions of the eleven (11) pages that were released and withholding the majority of the responsive records in their entireties.<sup>6</sup>

Consequently, the records requested from the USDA should be provided in full—or, alternatively, if it is determined that any information may properly be withheld, all reasonably segregable portions of the requested records must be provided.

### **I. The USDA Has Already Previously Provided Information It Is Now Claiming is Exempt Under the FOIA**

Even if it is determined that the records can be withheld pursuant to a FOIA exemption, the agency is required to release the information that is already in the public domain.<sup>7</sup> Materials “normally immunized from disclosure under the FOIA lose their protective cloak once disclosed and preserved in a permanent record.”<sup>8</sup> “The logic of the FOIA mandates that where information requested is truly public, then enforcement of an exemption cannot fulfill its purposes.”<sup>9</sup>

In this case, the USDA previously released information it is now claiming is exempt pertaining to the February 1, 2016, inspection of GW Exotic, attached as Exhibit 3. Specifically, the USDA previously released this inspection report on its website with only minimal redactions for signatures, but is now redacting all substantive information from this inspection report.<sup>10</sup> Since this information was made “publically available,” by the USDA on its website, the agency may not now redact this information as exempt under the FOIA.<sup>11</sup> Accordingly, as stated above, even if it were to be determined that responsive information *could* be withheld under the FOIA, the USDA may not now withhold as exempt information that it has already put into the public domain.

### **II. The USDA Has Not Met Its Burden of Demonstrating That the Withheld Information Is Exempt from Disclosure Under Exemption 6 or Exemption 7(C).**

The FOIA exemptions “are to be narrowly construed,”<sup>12</sup> “in such a way as to provide the maximum access consonant with the overall purpose of the Act,”<sup>13</sup> and the “burden is placed upon the government agency to establish that a given document is exempt from disclosure.”<sup>14</sup> The “FOIA compels disclosure in every case where the government does not carry its burden of [showing] that one of the statutory

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<sup>6</sup> See *Mead Data Cent., Inc.*, 556 F.2d at 260.

<sup>7</sup> See *Cottone v. Reno*, 193 F.3d 550, 554 (D.C. Cir. 1999); *U.S. Student Ass’n v. C.I.A.*, 620 F. Supp. 565, 571 (D.D.C. 1985) (quoting *Afshar v. Dep’t of State*, 702 F.2d 1125, 1133 (D.C. Cir. 1983)) (“It is well established that specific information cannot be withheld if it has been the subject of prior ‘official and documented disclosure.’”); *Davis v. U.S. Dep’t of Justice*, 968 F.2d 1276, 1279 (D.C. Cir. 1992) (“We have held . . . that the government cannot rely on an otherwise valid exemption claim to justify withholding information that has been ‘officially acknowledged’ or is in the ‘public domain.’”).

<sup>8</sup> *Id.*

<sup>9</sup> *Niagara Mohawk Power Corp. v. U.S. Dep’t of Energy*, 169 F.3d 16, 19 (D.C. Cir. 1999).

<sup>10</sup> Compare Ex. 3, with pages 1-3 of Ex. 2.

<sup>11</sup> *Chesapeake Bay Found., Inc. v. U.S. Army Corps of Engineers*, 722 F.Supp.2d 66, 72 (D.D.C. 2010).

<sup>12</sup> *Church of Scientology of California v. U.S. Dep’t of Army*, 611 F.2d 738, 742 (9th Cir. 1979).

<sup>13</sup> *Vaughn v. Rosen*, 484 F.2d 820, 823 (D.C. Cir. 1973).

<sup>14</sup> *Id.*

exemptions apply.”<sup>15</sup> It is well settled that conclusions, unsupported by the agency’s *reasons* for the application of an exemption, are insufficient to support a decision to withhold information from the public.<sup>16</sup> Rather, the agency “must provide a relatively detailed justification, *specifically* identifying the reason why a particular exemption is relevant and correlating those claims with the particular part of a withheld document to which they apply.”<sup>17</sup>

#### A. The USDA Must Either Provide the Responsive Information or Adequately Explain Why the Information Is Withheld

The FOIA requires agencies to provide requested information unless the agency *demonstrates* that a statutory exemption applies.<sup>18</sup> Indeed, the “presumption favoring disclosure . . . is at its zenith under Exemption 6.”<sup>19</sup> If the agency withholds responsive information, it must notify the requester within twenty (20) working days of that determination and articulate a specific justification for the withholding.<sup>20</sup> Further, after making redactions, the agency must provide any reasonably segregable portion of a responsive record.<sup>21</sup> As stated above, the USDA merely cursorily provided the statutory language of Exemptions 6 and 7(C) and did not substantively justify their application to the responsive records—either in the unidentified records which were withheld, or in the provided records redacted almost in their entirety.

Failing either to provide the requested information or to adequately explain why it is withheld violates the FOIA. Further, PETA is at a stark disadvantage in preparing this appeal as it lacks any substantive explanation for the massive redactions and, consequently, the information necessary to craft its arguments.

#### B. Disclosure of the Requested Information Would Not Constitute an Unwarranted Invasion of Personal Privacy

Exemption 6 protects from disclosure “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.”<sup>22</sup> Exemption 7(C) of the FOIA protects from disclosure “records or information compiled for law enforcement purposes . . . [which] could be expected to constitute an unwarranted invasions of personal privacy.”<sup>23</sup> The responsive records in this case cannot be properly classified as a “personnel, medical, or similar file,” or files

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<sup>15</sup> *Goldberg v. U.S. Dep’t of State*, 818 F.2d 71, 76 (D.C. Cir. 1987).

<sup>16</sup> *See Mead Data Cent., Inc.*, 566 F.2d at 251.

<sup>17</sup> *Id.* (Emphasis added).

<sup>18</sup> 5 U.S.C. § 552(a)(3)(A); *see also Wash. Post Co. v. U.S. Dep’t of Health & Human Servs.*, 690 F.2d 252, 261 (D.C. Cir. 1982) (under Exemption 6, the presumption in favor of disclosure is as strong as can be found anywhere in the FOIA); *Cameranesi v. United States Dep’t of Def.*, 856 F.3d 626, 637 (9th Cir. 2017) (“In order to withhold information from disclosure under Exemption 6, the agency must specifically invoke the exemption and must carry the burden of proving that disclosure would constitute a clearly unwarranted invasion of personal privacy.”).

<sup>19</sup> *National Ass’n of Home Builders v. Norton*, 309 F.3d 26, 37 (D.C. Cir. 2002).

<sup>20</sup> 5 U.S.C. § 552(a)(6)(A)(i); 7 C.F.R. § 1.7.

<sup>21</sup> 5 U.S.C. § 552(b); 7 C.F.R. 1.15(b).

<sup>22</sup> 5 U.S.C. § 552(b)(6).

<sup>23</sup> *Id.* § 552(b)(7)(C).

collected for law enforcement purposes,” nor would the records’ disclosure constitute an “unwarranted invasion of personal privacy.”

1. *The records requested do not constitute “personnel,” “medical,” or “similar files” or records “compiled for law enforcement purposes.”*

The information within the records requested, as far as PETA is aware, would not constitute “personnel,” “medical,” or “similar files” and therefore would not meet the threshold requirement of applying Exemption 6.<sup>24</sup> The records PETA requested pertain to APHIS inspection reports, which are agency reports of inspections that are statutorily required for entities engaged in commercial enterprises that are regulated under the Animal Welfare Act (“AWA”), including exhibitors like GW Exotic.<sup>25</sup> The information within these records does not concern any aspect of the personal lives of anyone working within the facilities. Undoubtedly, these records could not be construed as constituting “personnel” or “medical” files.

Further, the information within the responsive records would not constitute a “similar file” for the purposes of Exemption 6. Courts have held that records would be construed as “similar files” when they “implicate similar privacy values” as disclosure of personnel and medical files.<sup>26</sup> In this case, disclosure of information is sought regarding APHIS’s inspection of an entity regulated under the AWA, and the records do not provide any detailed personal information to meet the threshold requirement of protection under Exemption 6 of the FOIA.<sup>27</sup> Finally, Exemption 6 is not to be applied to prevent from disclosure the mere identity of individuals within the records, even in cases in which release of this information may cause “embarrassment due to the nature of . . . work they have undertaken.”<sup>28</sup>

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<sup>24</sup> See 5 U.S.C. § 552(b)(6).

<sup>25</sup> See 7 U.S.C. § 2146(a) (“The Secretary shall make such investigations or inspections as he deems necessary to determine whether any dealer, exhibitor, intermediate handler, carrier, research facility, or operator of an auction sale subject to section 2142 of this title, has violated or is violating any provision of this chapter or any regulation or standard issued thereunder, and for such purposes, the Secretary shall, at all reasonable times, have access to the places of business and the facilities, animals, and those records required to be kept pursuant to section 2140 of this title of any such dealer, exhibitor, intermediate handler, carrier, research facility, or operator of an auction sale.”); 9 C.F.R. § 2.3(a) (requiring exhibitors to make their “animals, premises, facilities, vehicles, equipment, other premises, and records available for inspection during business hours and at other times mutually agreeable to the applicant and APHIS, to ascertain the applicant’s compliance with the standards and regulations”).

<sup>26</sup> *U.S. Dep’t of Air Force v. Rose*, 425 U.S. 352, 376-77 (1976).

<sup>27</sup> See, e.g., *Viacom Int’l, Inc. v. EPA*, No. 95-2243, 1995 U.S. Dist. LEXIS 17469 (E.D. Pa. Nov. 17, 1995) (records of EPA soil testing, including names and addresses of persons residing where samples were collected, were not “similar files” because they were not detailed records about individuals).

<sup>28</sup> *Sims v. Cent. Intelligence Agency*, 642 F.2d 562, 575 (D.C. Cir. 1980) (“Exemption 6 cannot “be invoked . . . to protect the concerns of a contractor would be embarrassed by disclosure of his responsibility for shoddy work . . . [or] the names of those embarrassed by the nature of contract work they have undertaken.”); see also *Fuller v. C.I.A.*, No. CIV.A.04 253 RWR, 2007 WL 666586, at \*4 (D.D.C. Feb. 28, 2007) (requiring disclosure of documents containing names because the names are in “connection with a professional or business relationship” and therefore “cannot fairly be characterized as personal information that exemption (b)(6) was meant to protect”)

Licensed exhibitors are businesses operating under APHIS regulation and inspection for the operations they have decided to undertake, i.e. animal exhibition to the public. Accordingly, as the USDA itself has recognized, their business information is not entitled to the reasonable expectation of privacy that the FOIA's privacy exemptions affords to individuals outside of their business capacity.<sup>29</sup> "Information relating to business judgments and relationships does not qualify for exemption. This is so even if disclosure might tarnish someone's professional reputation."<sup>30</sup> The U.S. District Court of the District of Columbia has held that disclosure of addresses, where individuals' business and home addresses were the same "must be measured in light of the effect on [the individuals] as businesspeople."<sup>31</sup> The only information within the responsive records, in this case, that would yield any information of any individuals would be of their capacity as *businesspeople* at their business address.<sup>32</sup> Even in instances of requested information of a federal AWA licensee yielding the licensee's home address, this would not, by itself, constitute an "unwarranted invasion of personal privacy" when the information relates to the licensee's business capacities.<sup>33</sup>

Similarly, the information is not exempt from disclosure as records "compiled for law enforcement purposes." Each piece of information for which APHIS invokes Exemption 7(C) must be "compiled for law enforcement purposes."<sup>34</sup> Mere possession of the records by an enforcement agency does not create an "enforcement purpose."<sup>35</sup> The D.C. Circuit focuses on whether the files relate to an actual "enforcement proceeding," as opposed to, for example, the agency engaging in its administrative inspection duties.<sup>36</sup> The records at issue relate to an inspection that the USDA unequivocally identified as "ROUTINE."<sup>37</sup> The information within the responsive records is clearly not the information that the FOIA's Exemptions 6 or 7(C) were designed to protect from disclosure, and thus should not be exempt from disclosure under these exemptions.

2. *Disclosure of the records would not constitute an unwarranted invasion of personal privacy.*

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<sup>29</sup> See Brief of Appellee, *Carolyn Jurewicz, Et Al., Appellants, v. U.S. Department Of Agriculture, Appellee, and Humane Society of United States, Intervenor Appellee.*, 2013 WL 3804849 at 11 (D.C. Cir. 2013) (APHIS noting that "disclosure of the Licensees'; business information here [as contained in AWA license renewal applications] weighs less heavily on the privacy side of the balance").

<sup>30</sup> *Washington Post Co. v. U.S. Dep't of Justice*, 863 F.2d 96, 100 (D.C. Cir. 1988) (citing *Cohen v. EPA*, 575 F.Supp. 425, 429 (D.D.C. 1983)); see also *Iowa Citizens for Cmty. Improvement v. U.S. Dep't of Agric.*, 256 F. Supp. 2d 946, 957 (S.D. Iowa 2002).

<sup>31</sup> *Washington Post Co. v. U.S. Dep't of Agric.*, 943 F. Supp. 31, 36 (D.D.C. 1996).

<sup>32</sup> See *id.*

<sup>33</sup> See *id.*

<sup>34</sup> 5 U.S.C. § 552(b)(7)(C); *Fed. Bureau of Investigation v. Abramson*, 456 U.S. 615, 622 (1982).

<sup>35</sup> See *Simon v. U.S. Dep't of Justice*, 752 Fed. Supp. 14, 17 (D.D.C. 1990) ("a document does not automatically meet FOIA's compiled-for-law-enforcement-purposes threshold merely by being in the FBI's possession.").

<sup>36</sup> *Jefferson v. U.S. Dep't of Justice, Office of Professional Responsibility*, 284 F.3d 172, 176-77 (D.C. Cir. 2002).

<sup>37</sup> See Exhibit 3.

Exemption 6's "clearly unwarranted" standard places a heavy burden on the government, and as a result the presumption in favor of disclosure is strong.<sup>38</sup> Furthermore, even though the burden under Exemption 7(C) is not as high, it has been observed by the District Court of the District of Columbia that "[t]he privacy inquiries under Exemptions 6 and 7(C) are 'essentially the same.'"<sup>39</sup> Under both Exemptions 6 and 7(C), the third party must have more than a *de minimis* privacy interest that would be compromised by the release of the requested material.<sup>40</sup> As discussed above, in this matter the USDA has withheld a large number of unidentified responsive records in full, and simply redacted all substantive information to be found within the responsive inspection records provided—including information that is clearly not personal in nature such as the number and species of animals at the facility inspected, and whether or not there were any apparent AWA violations.

Moreover, even if the USDA identifies segments of information within the responsive records as having a cognizable privacy interest to protect, it must still balance the privacy interest against the public's interest in disclosure.<sup>41</sup> Exemptions 6 and 7(C) require the court to "balance the right of privacy of affected individuals against the right of the public to be informed . . . ."<sup>42</sup> In order to do this, courts undertake a four-step analysis in order to determine whether information is protected from disclosure under Exemption 6.<sup>43</sup> First, as noted above, the agency or court must determine whether each document is a personnel, medical or "similar" file.<sup>44</sup> Second, the agency or court must determine if the individuals identified in the documents have a significant, as opposed to *de minimis*, privacy interest in the requested information.<sup>45</sup> Third, the agency or court must evaluate the strength of the public's interest in disclosure.<sup>46</sup> Finally, the agency and court must balance the individual's privacy interest with the public's interest in disclosure and determine whether disclosure would constitute a clearly unwarranted invasion of personal privacy.<sup>47</sup>

Even assuming, *arguendo*, that a balancing analysis would be required in this case—in redacting the records in the instant matter, the USDA is seeking to redact information that was already previously disclosed by the agency. There can be no privacy interest in information that has already been disclosed to the public. Any damage that may have, hypothetically, resulted from disclosure would have already occurred.

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<sup>38</sup> *Morley v. C.I.A.*, 508 F.3d 1108, 1127-28 (D.C. Cir. 2007).

<sup>39</sup> *Judicial Watch, Inc. v. U.S. Dep't of Homeland Sec.*, 598 F.Supp.2d 93, 96 n.1 (D.D.C. 2009).

<sup>40</sup> *Citizens for Responsibility & Ethics in Wash. v. U.S. Dep't of Justice*, No. 11-754(GK), 2012 WL 45499 at \*4 (D.D.C. Jan. 10, 2012); *Am. Civil Liberties Union v. U.S. Dep't of Justice*, 655 F.3d 1, 12 (D.C. Cir. 2011); *AquAlliance v. U.S. Bureau of Reclamation*, 139 F. Supp. 3d 203, 208-09 (D.D.C. 2015).

<sup>41</sup> See, e.g., *Schiffer v. FBI*, 78 F.3d 1405, 1410 (9th Cir. 1996) (explaining that in Exemption 7(C) context, once agency shows that privacy interest exists, court must balance it against public's interest in disclosure).

<sup>42</sup> *Getman v. N.L.R.B.*, 450 F.2d 670, 674 (D.C. Cir. 1970); see also *Albuquerque Publ'g Co. v. United States Dep't of Justice*, 726 F. Supp. 851, 855 (D.D.C. 1989).

<sup>43</sup> See, e.g., *Aqualliance v. U.S. Army Corps of Eng'rs*, 243 F. Supp. 3d 193, 197 (D.D.C. 2017).

<sup>44</sup> *Id.* at 197.

<sup>45</sup> *Id.*; *Judicial Watch, Inc. v. U.S. Dep't of State*, 875 F. Supp. 2d 37, 46 (D.D.C. 2012).

<sup>46</sup> *Aqualliance*, 243 F. Supp. 3d at 197.

<sup>47</sup> *Id.*

Furthermore, in its attempted application of the exemptions, the USDA only summarily stated that there existed a substantial privacy interest in the withheld information, and the *only* pertinent public interest is whether the release of the information would shed light on the agency's activities and the agency's performance of its statutory duties. The USDA failed to provide any substantive balancing analysis for its withholdings.

The responsive records do not yield privacy interests to be protected under the FOIA. First, it is not at all clear that the withheld information is in any way personally identifying. Moreover, even if it were, disclosure of personally-identifying information is not always "clearly unwarranted"; whether such disclosure "is a significant or *de minimis* threat depends on the characteristic(s) revealed . . . and the consequences likely to ensue."<sup>48</sup> As discussed in subsection one (1) above, the only information of individuals that would possibly be provided in the responsive records would exclusively be in their capacity as businesspeople working at their place of business. It is insufficient under the FOIA for the agency to simply assert, in a vague and conclusory fashion, that the redacted information will lead to harassment.<sup>49</sup> It is unlikely that there would be any actual reasonably foreseeable likelihood of embarrassment or harassment of the licensee in the release of the responsive records—but even if there were, a threat to someone's professional reputation is not a valid privacy interest.<sup>50</sup> Consequently, the information within the responsive records is not the sort of information FOIA Exemptions 6 or 7(C) were designed to protect, nor is it information in which there would be reasonable expectation of privacy, and thus there is little to no privacy interest in any of the information in the responsive records.

The public's interest in the responsive records, however, is very strong. The U.S. Court of Appeals for the D.C. Circuit recognized nearly two (2) decades ago that "the AWA anticipated the continued monitoring of concerned animal lovers to ensure the purposes of the Act were honored."<sup>51</sup> "[T]he Congressmen responsible for including animal exhibitions within the AWA encouraged the continued monitoring of humane societies and their members. They spoke, for instance, of how America had long depended on humane societies to bring the mistreatment of animals to light."<sup>52</sup> When the AWA was passed in the mid-sixties, Congress received more mail about animal welfare than civil rights and the Vietnam War combined.<sup>53</sup>

To further the public's substantial interest in ensuring AWA compliance, the public's ability to receive APHIS' inspections of licensees pursuant to the AWA is of critical importance.<sup>54</sup> This is especially true in cases involving a persistently non-AWA-compliant facility such as GW Exotic—which has routinely been cited by the USDA for its failure to comply with the minimum requirements of the AWA, including

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<sup>48</sup> *U.S. Dep't of State v. Ray*, 502 U.S. 164, 176, n.12 (1991) (internal quotation marks and citation omitted).

<sup>49</sup> See *Hall v. U.S. Dep't of Justice*, 552 F. Supp. 2d 23 (D.D.C. 2008).

<sup>50</sup> See *In Defense of Animals v. National Institutes of Health*, 543 F. Supp. 2d 83 (D.D.C. 2008); see also *Washington Post Co. v. DOJ*, 863 F.2d at 100 (a threat to someone's professional reputation is not a valid privacy interest.)

<sup>51</sup> *Animal Legal Def. Fund, Inc. v. Glickman*, 154 F.3d 426, 445 (D.C. Cir. 1998).

<sup>52</sup> *Id.* (citing 116 Cong. Rec. 40,305 (1970) (statement of Rep. Whitehurst)).

<sup>53</sup> Animal Welfare Act 1966-1996: Historical Perspectives and Future Directions, U.S. DEP'T OF AGRIC. vii (1996), [https://archive.org/stream/CAT10860535/CAT10860535\\_djvu.txt](https://archive.org/stream/CAT10860535/CAT10860535_djvu.txt).

<sup>54</sup> *Jurewicz v. U.S. Dep't. of Agric.*, 891 F. Supp. 2d 147, 159 (D.D.C. 2012) (holding that assessing the accuracy of USDA inspections was of legitimate public interest).



for failing to provide basic necessities such as adequate veterinary care and drinking water, and for filthy, wet, unsafe, and dilapidated animal enclosures, as well as for dangerous animal handling practices.<sup>55</sup> GW Exotic was most recently cited by the USDA after a female tiger escaped from an enclosure and was discovered loose on the premises by an employee during evening feeding.<sup>56</sup> The tiger was shot and killed.<sup>57</sup> In 2006, the USDA ordered GW Exotic to pay a \$25,000 fine and suspended its license to settle numerous past violations of the AWA.<sup>58</sup> In 2010 the USDA opened an investigation into the deaths of twenty-three (23) tiger cubs at the facility,<sup>59</sup> in 2013, the USDA began investigating the deaths of two (2) tiger cubs born at the facility,<sup>60</sup> a severely injured black bear that was eventually euthanized,<sup>61</sup> and a separate investigation of which the details are unclear.<sup>62</sup> To the best of PETA's knowledge, these four (4) investigations are still open. Please note, however, that these open investigations *do not* turn "ROUTINE INSPECTION" forms, as are the records in the instant FOIA request, into records compiled for law enforcement purposes.<sup>63</sup>

Further, the public's need to receive this information is made even more crucial given the USDA's own Office of the Inspector General ("OIG") issuing several audits over the past couple of decades condemning the agency's enforcement of the AWA.<sup>64</sup> Moreover, the USDA has repeatedly renewed GW Exotic's AWA license despite chronic violations, another issue of great public interest that the OIG has previously flagged.

Additionally, there exists an additional significant public interest in public safety in obtaining the inspection report records of GW Exotic due to its holding of big cats in enclosures from which they could potentially escape from, and without adequate barriers from the public. GW Exotic has repeatedly been cited by the Occupational Safety and Health Administration ("OSHA") including following an October 2013 incident in which an employee's arm was severely mauled by a tiger and the woman had to be airlifted to a hospital, where her arm was reattached.<sup>65</sup> Most recently, on November 9, 2016, OSHA issued GW Exotic a repeat citation and a proposed penalty of \$10,974 for authorizing ongoing impermissible direct contact between employees and big cats, including tigers, lions, and ligers.<sup>66</sup>

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<sup>55</sup> Exhibit 4. PETA's Greater Wynnewood Exotic Animal Park ("GW Exotic") Fact Sheet and GW Exotic Inspection Reports with AWA violations.

<sup>56</sup> USDA Inspection Report, [Garold Wayne Interactive Zoological Park] (May 30, 2017).

<sup>57</sup> *Id.*

<sup>58</sup> Exhibit 5. USDA Consent Decision and Order, AWA Docket No. 05-0014.

<sup>59</sup> USDA, APHIS, IES # OK10024-AC.

<sup>60</sup> USDA, APHIS, IES # CO130024-AC.

<sup>61</sup> USDA, APHIS, IES # OK140011-AC.

<sup>62</sup> USDA, APHIS, IES # OK120017-AC.

<sup>63</sup> See Exhibit 3 (noting that the record reads "ROUTINE INSPECTION"); see also *Jefferson*, 284 F.3d at 176-77.

<sup>64</sup> USDA, OIG, APHIS Oversight of Research Facilities, Audit No. 33601-0001- 41, page 2 of pdf (Dec. 2014), <https://www.usda.gov/oig/webdocs/33601-0001-41.pdf> (summarizing series of audits).

<sup>65</sup> See Exhibit 6. OSHA Citation, Inspection No. 952924, The Garold Wayne Interactive Zoological Foundation (Mar. 31, 2014); Exhibit 7 James A. Foley, *Tiger Mauls Worker at Troubled Oklahoma Zoo*, NATURE WORLD NEWS (Oct. 7, 2013), <http://www.natureworldnews.com/articles/4352/20131007/tiger-mauls-worker-troubled-oklahoma-zoo.htm>

<sup>66</sup> Exhibit 8. OSHA Citation, Inspection No. 1147878, Greater Wynnewood Exotic Animal Park (Nov. 9, 2016).

The public's interest in ensuring the facility's compliance with the AWA, as well as for public safety, is substantial and clearly outweighs any minimal privacy interests that may be identified for the licensee.<sup>67</sup> Accordingly, records related to the inspection report are not exempt from disclosure pursuant to Exemptions 6 or 7(C), and thus should be provided in full.

### III. The USDA Failed to Meet Its Burden of Demonstrating That It Disclosed All "Reasonably Segregable" Portions of the Requested Records.

The FOIA requires agencies to take "reasonable steps necessary" to segregate and release non-exempt information.<sup>68</sup> Since FOIA's focus is "information, not documents," an agency "cannot justify withholding an entire document simply by showing that it contains some exempt material."<sup>69</sup> "In addition to establishing that information is properly withheld under the claimed FOIA exemption, an agency seeking to withhold information bears the burden of establishing that all reasonably segregable non-exempt portions of records are disclosed."<sup>70</sup> Claims of non-segregability must be made with the same degree of detail as required for claims of exemption.<sup>71</sup>

As the Department of Justice has long recognized, "The clear purpose of this statutory requirement . . . is to 'prevent the withholding of entire [documents] merely because portions of them are exempt, and to require the release of nonexempt portions.'"<sup>72</sup> And yet withholding entire documents is *precisely* what the USDA did in this case, in total contravention of the law. As the Department of Justice's Office of Information policy has emphasized, "In administering the [FOIA] . . . agencies must not overlook their obligation to focus on individual record portions that require disclosure. This focus is essential in order to meet the Act's primary objective of 'maximum responsible disclosure of government information.'"<sup>73</sup>

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<sup>67</sup> See, e.g., *Washington Post Co. v. USDA*, 943 F. Supp. at 36 (finding disclosure of information regarding recipients of federal subsidies under cotton subsidy program would further significant public interest in shedding light on the workings of USDA in administration of its massive subsidy program).

<sup>68</sup> 5 U.S.C. § 552(a)(8)(A)(ii)(I); see also 5 U.S.C. § 552(b) ("Any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt . . ."); 7 C.F.R. § 1.15(b) ("In the event a requested record contains some portions that are exempt from mandatory disclosure and others that are not, the official responding to the request shall ensure that all reasonably segregable nonexempt portions are disclosed . . .").

<sup>69</sup> *Clemente*, 64 F. Supp. 3d at 116 (quoting *Krikorian v. U.S. Dep't of State*, 984 F.2d 461, 467 (D.C. Cir. 1993)).

<sup>70</sup> *In Def. of Animals v. USDA*, 656 F. Supp. 2d 68, 73, 82 (D.D.C. 2009) (holding that the Department of Agriculture failed to meet its burden of demonstrating that all reasonably segregable nonexempt information from 1,017 withheld pages had been disclosed.)

<sup>71</sup> See, e.g., *Mead Data Central*, 566 F.2d at 261-62; *Sciacca v. F.B.I.*, 23 F. Supp. 3d 17, 26 (D.D.C. 2014) (agency "must provide a detailed justification and not just conclusory statements to demonstrate that all reasonably segregable information has been released" (internal quotation marks and citations omitted)).

<sup>72</sup> Department of Justice, Office of Information Policy, FOIA Update Vol. XIV, No. 3, OIP Guidance: The 'Reasonable Segregation' Obligation (Jan. 1, 1993) (quoting Attorney General's Memorandum on the 1974 Amendments to the Freedom of Information Act 14 (Feb. 1975)) (alteration in original).

<sup>73</sup> *Id.* (citation omitted).

Courts have specifically held that in applying both Exemptions 6 and 7(C), agencies are required to release all remaining information after limiting any redactions to only those that must be made to protect individual privacy interests.<sup>74</sup> In this case, thirty-eight (38) of the forty-nine (49) pages of responsive records were withheld in their entirety, and the remaining eleven (11) pages were redacted so heavily that they are effectively redacted in their entirety. With the USDA providing no substantive basis for its application of the FOIA exemptions beyond general and conclusory language, it is impossible to conclude that the records have been properly or improperly redacted. However, as discussed above, since much of the redacted information poses no risk of yielding an unwarranted invasion of privacy, these sweeping redactions are at least partially—and perhaps completely—misapplied. Assuming that portions of the requested documents may be withheld, the reasonably segregable portions of these records must still be provided and any remaining redactions fully justified.

#### **IV. The USDA Has Not Adequately Explained Its Change in Policy**

As discussed in the sections above, the USDA has not met its burden of demonstrating that the requested records should be withheld either under Exemption 6 or 7(C) of the FOIA. Moreover, the inspection report records requested in this matter's original FOIA request have routinely been provided by the USDA as a long-established policy. In this case the USDA has asserted the application of Exemptions 6 and 7(C) to inspection report information to which it has never previously been applied—and accordingly the USDA has not provided a “detailed justification” for its decision to change its long-established policy in, now, deciding to assert these exemptions in this manner.<sup>75</sup>

When an agency changes a policy or legal interpretation, it must provide a “reasoned explanation,” “display awareness that it *is* changing position” and explain why it believes the new interpretation is better than its previous interpretation.<sup>76</sup> Otherwise, the agency has acted arbitrarily and capriciously.<sup>77</sup> Further, an agency's interpretation of a relevant provision that conflicts with its earlier interpretation is “entitled to considerably less deference” than a consistently held agency view.<sup>78</sup>

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<sup>74</sup> See, e.g., *Canning v. DOJ*, No. 01-2215, slip op. at 19 (D.D.C. Mar. 9, 2004) (finding application of Exemption 7(C) to entire documents rather than to personally identifying information within documents to be overly broad); *Church of Scientology Int'l v. DOJ*, 30 F.3d 224, 230-31 (1st Cir. 1994) (deciding that Vaughn Index must explain why documents entirely withheld under Exemption 7(C) could not have been released with identifying information redacted); *Lawyer's Comm. for Civil Rights v. U.S. Dep't of the Treasury*, No. 07-2590, 2008 WL 4482855, at \*21 (N.D. Cal. Sept. 30, 2008) (requiring parties to meet and confer regarding scope of Exemption 6 and 7(C) redactions to ensure only private information is withheld and alleviate need for Vaughn Index).

<sup>75</sup> See, e.g., *Greenpeace v. Nat'l Marine Fisheries Serv.*, 198 F.R.D. 540, 543 (W.D. Wash. 2000) (citation omitted).

<sup>76</sup> *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009).

<sup>77</sup> *Organized Vill. of Kake v. U.S. Dep't of Agric.*, 746 F.3d 970, 974-75 (9<sup>th</sup> Cir. 2014) (citing *Fox*, 556 U.S. at 515-16).

<sup>78</sup> *Thomas Jefferson Univ. v. Shalala*, 512 U.S. 504, 515 (1994) (quoting *INS v. Cardoza-Fonseca*, 480 U.S. 421, 447 (1987)).

For the reasons discussed above, the USDA must either release the requested information in full, or reasonably segregate the exempt from the nonexempt information. I look forward to your response within 20 business days of receipt of this timely filed administrative appeal.<sup>79</sup>

Very truly yours,

A handwritten signature in black ink, appearing to read "Storm Estep", with a horizontal line extending to the right across the end of the signature.

Storm Estep, Esq.  
Counsel  
1536 16th St. NW  
Washington, DC 20036  
202-540-2198 | Office  
202-540-2208 | Facsimile  
[StormE@petaf.org](mailto:StormE@petaf.org)

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<sup>79</sup> See 5 U.S.C. § 552(6)(A)(ii); 7 C.F.R. § 1.14(c).

# EXHIBIT 1



Marketing and  
Regulatory  
Programs

Animal and Plant  
Health Inspection  
Service

Legislative and  
Public Affairs

Freedom of  
Information

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

December 26, 2017

Teresa Marshall  
PETA Foundation  
501 Front Street  
Norfolk, VA 23510

**RE: Your Freedom of Information Act (FOIA) request, 2016-APHIS-03057-F**

**SENT VIA E-MAIL TO TERESAM@PETA.COM**

Dear Ms. Marshall:

This letter responds to your Freedom of Information Act (FOIA) request, tracking number **2016-APHIS-03057-F**, dated **March 30, 2016**, which was received at APHIS on **March 30, 2016**. You requested "**all records related to the February 1, 2016, inspection of The Garold Wayne Interactive Zoo aka GW Exotic owned by Joseph Maldonado, Registration #73-C-0139.**"

Your request was referred to the Animal Care (AC) program for a search using the information you provided. As you may know, the cut-off date for responsive records to a FOIA request is based on the date the agency conducts its search. AC performed a thorough search of their records to include all locations likely to contain documents. The search commenced on **August 19, 2016**. As a result of that search, a total of forty-nine (49) pages of records responsive to your request were identified.

The documents you requested are contained in a Privacy Act (PA) system of records. See, APHIS-8: Veterinary Services - Animal Welfare. Generally, under the Privacy Act, an agency shall not disclose information contained in a system of records, except pursuant to the written request by or consent of the individual to whom the record pertains, unless an exception applies. There are twelve exceptions under the Privacy Act to this general prohibition to disclosure. See 5 U.S.C. § 552a (b). One exception authorizes disclosure when the FOIA requires the release of information contained in a system of records. *Id.* at § 552a (b) (2).

As such, APHIS must release all requested records which are not exempt under the FOIA. Therefore, the records at issue have been reviewed under the FOIA. After a review of the records, it has been determined that certain information is exempt from release pursuant to FOIA Exemptions (b)(6) and (b)(7). Of the above, eleven (**11**) pages have been released to you in part pursuant to exemptions (b)(6) and (b)(7)(c) of the FOIA. The remaining thirty-eight (**38**) pages are being withheld in full pursuant to exemptions (b)(6) and (b)(7)(c). Therefore, these pages have not been included in this release.

The above-referenced records are hereby released to you via **e-mail**.

Personal Privacy Interests – Exemption 5 U.S.C. §552(b)(6)

FOIA Exemption 6 permits the government to withhold from “personnel and medical files and similar files” information about individuals when the disclosure of such information “would constitute a clearly unwarranted invasion of personal privacy.” As a threshold matter, an inspection report and its attachments (to include photos and/or videos) and all other records at issue contain information about an individual licensee and is therefore considered a “similar file.”

In order to determine whether information may be withheld under FOIA Exemption 6, an agency must undertake a three-step analysis. First, the agency must determine whether a significant privacy interest would be compromised by the disclosure of the information. If no privacy interest is identified, the information may not be withheld pursuant to Exemption 6. Second, the agency must determine whether the release of the information would further the public interest by shedding light on the operations and activities of the Government. Third, the agency must balance the identified privacy interests against the public interest in disclosure.

From the records, APHIS is withholding information such as inspection report numbers, the month and day of any inspections, the type of inspections, the findings (to include photos and/or videos if applicable), and any private addresses and/or names of persons who are not government employees, but whom have had direct contact with the government.

It has been determined that there is a substantial privacy interest in the withheld information. The risk of revealing the inspection findings could cause embarrassment, harassment or other stigma to the licensee. The withholding of the inspection summary and other identifying information is appropriate, because the public would be able to compare the publicly available inspection report found in the APHIS Animal Care Public Search database against the requested redacted inspection report which, in this case, would reveal the identity of the licensee. As such, the full release of the requested inspection report would be considered an unwarranted invasion of personal privacy.

Under Exemption 6, the only pertinent public interest is whether release of the information would shed light on the agency's activities and the agency's performance of its statutory duties. We do find that there is public interest in the request for this information; however, the protection against embarrassment or harassment of the licensee, far outweighs any public interest in disclosing of this personal information. Therefore, because the harm to personal privacy is greater than any minimal public interest that may be served by disclosure, release of this personal information would constitute a clearly unwarranted invasion of the privacy of the individual and is therefore exempt from disclosure.

Records or Information Compiled for Law Enforcement Purposes –  
Exemption 5 U.S.C. §552(b)(7)

Exemption (b)(7)(C) protects from disclosure “records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records could reasonably be expected to constitute an unwarranted invasion of personal privacy, 5 U.S.C. §552(b)(7)(2006), amended by the OPEN Government Act of 2007, Pub. No. 110-175, 121 Stat. 2524.

Under Exemption 7, law enforcement purposes cover administrative enforcement actions. APHIS is authorized under the Animal Welfare Act (AWA), (see 7 U.S.C. 2131-2159) (1) to insure that animals intended for use in research facilities or for exhibition purposes or for use as pets are provided humane care and treatment; (2) to assure the humane treatment of animals during transportation in commerce; and (3) to protect the owners of animals from the theft of their animals by preventing the sale or use of animals which have been stolen. The pertinent regulations enforcing the AWA are found at 9 CFR, Chapter 1, Subchapter A, Part 1 – 4). The AWA ensures that all regulated commercial animal breeders, dealers, brokers, transportation companies, exhibitors, and research facilities are licensed or registered, and that his or her premises and any animals, facilities, vehicles, equipment, or other premises used or intended for use are in compliance with the AWA. In addition, the AWA authorizes APHIS to review and investigate and set civil penalties for alleged violations.

FOIA Exemption (b)(7)(C) of the FOIA permits the government to withhold “records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records could reasonably be expected to constitute an unwarranted invasion of personal privacy, 5 U.S.C. §552(b)(7)(2006), amended by the OPEN Government Act of 2007, Pub. No. 110-175, 121 Stat. 2524. The responsive records at issue were compiled as part of the AWA regulatory compliance process. Therefore, Exemption (b)(7)(C) is also applied along with Exemption (b)(6).

You may contact the analyst who processed your request and/or the FOIA Requester Service Center, as well as our FOIA Public Liaison (James Ivy) for any further assistance and to discuss any aspect of your request at: **USDA/APHIS/LPA/FOIA&PA, 4700 River Road, Unit 50, Riverdale, MD 20734**; e-mail at [Foia.officer@aphis.usda.gov](mailto:Foia.officer@aphis.usda.gov); telephone at **(301)-851-4102**; or facsimile at **(301) 734-5941**.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: **Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001**; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at **202-741-5770**; toll free at **1-877-684-6448**; or facsimile at **202-741-5769**.

If you are not satisfied with the response to this request, you may administratively appeal by writing to **Administrator, Animal and Plant Health Inspection Service, Ag Box 3401**,




Marshall, T.  
2016-APHIS-03057-F

Page 4 of 4

**Washington, DC 20250-3401.** Your appeal must be postmarked or electronically transmitted within **90 days** of the date of the response to your request. If you choose to Appeal, please refer to tracking number **2016-APHIS-03057-F** in your appeal letter and add the phase "**FOIA APPEAL**" to the front of the envelope. To assist the Administrator in reviewing your appeal, provide specific reasons why you believe modification of the determination is warranted.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Woods', is written over a faint, dotted grid background.

Tonya G. Woods  
Director  
Freedom of Information & Privacy Act  
Legislative and Public Affairs

## EXHIBIT 2



### Inspection Report

Joseph Maldonado

(b)(6),(b)(7)(C)

Customer ID: 9658

Certificate: 73-C-0139

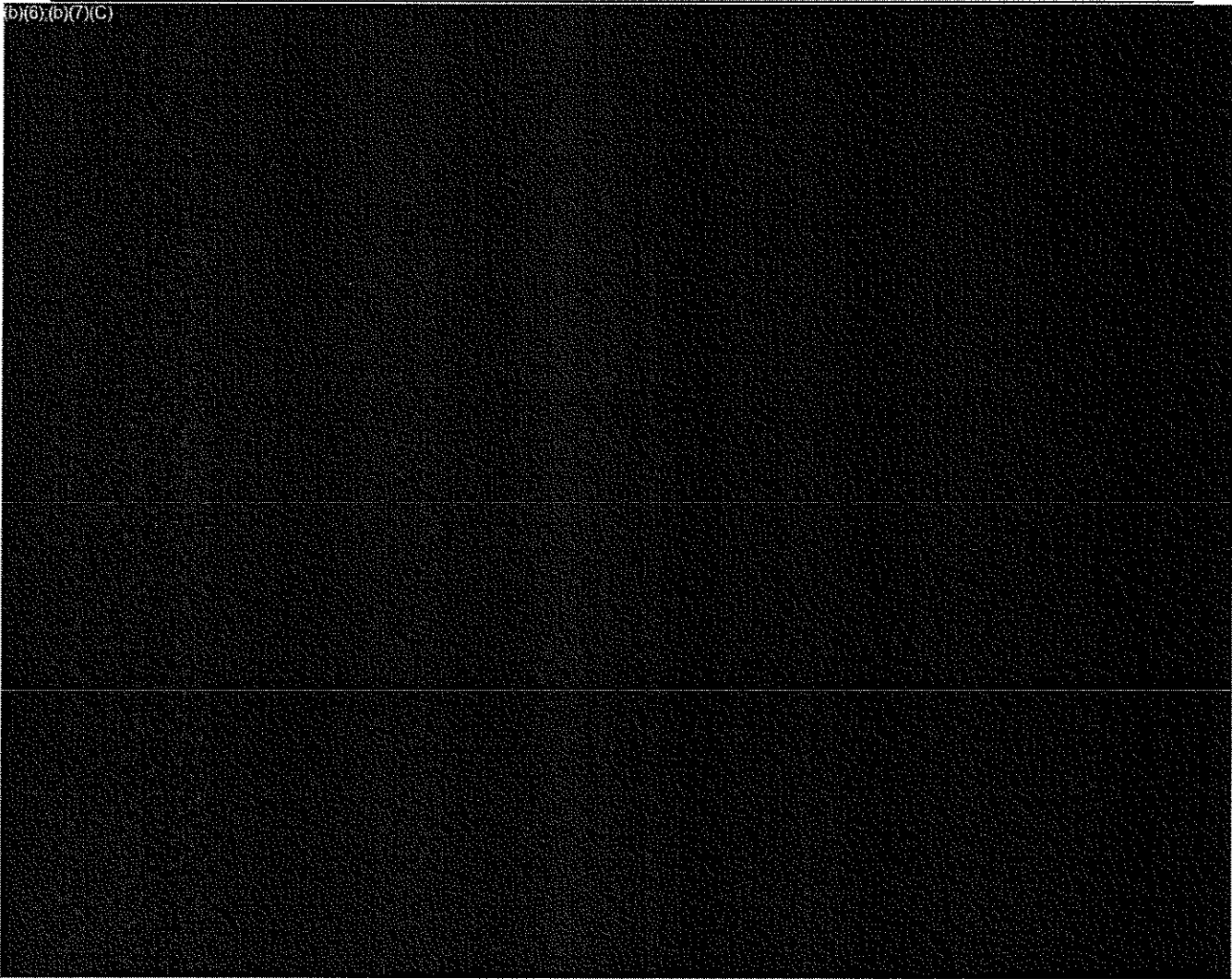
Site: 001

JOE SCHREIBVOGEL

Type: (b)(6),(b)(7)(C)

Date: (b)(6),(b)(7)(C) 2016

(b)(6),(b)(7)(C)



Prepared By:

DEBBIE CUNNINGHAM USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER 6072

Date:

(b)(6),(b)(7)(C) 2016

Received By:

JOE SCHREIBVOGEL

Title: SENT VIA EMAIL

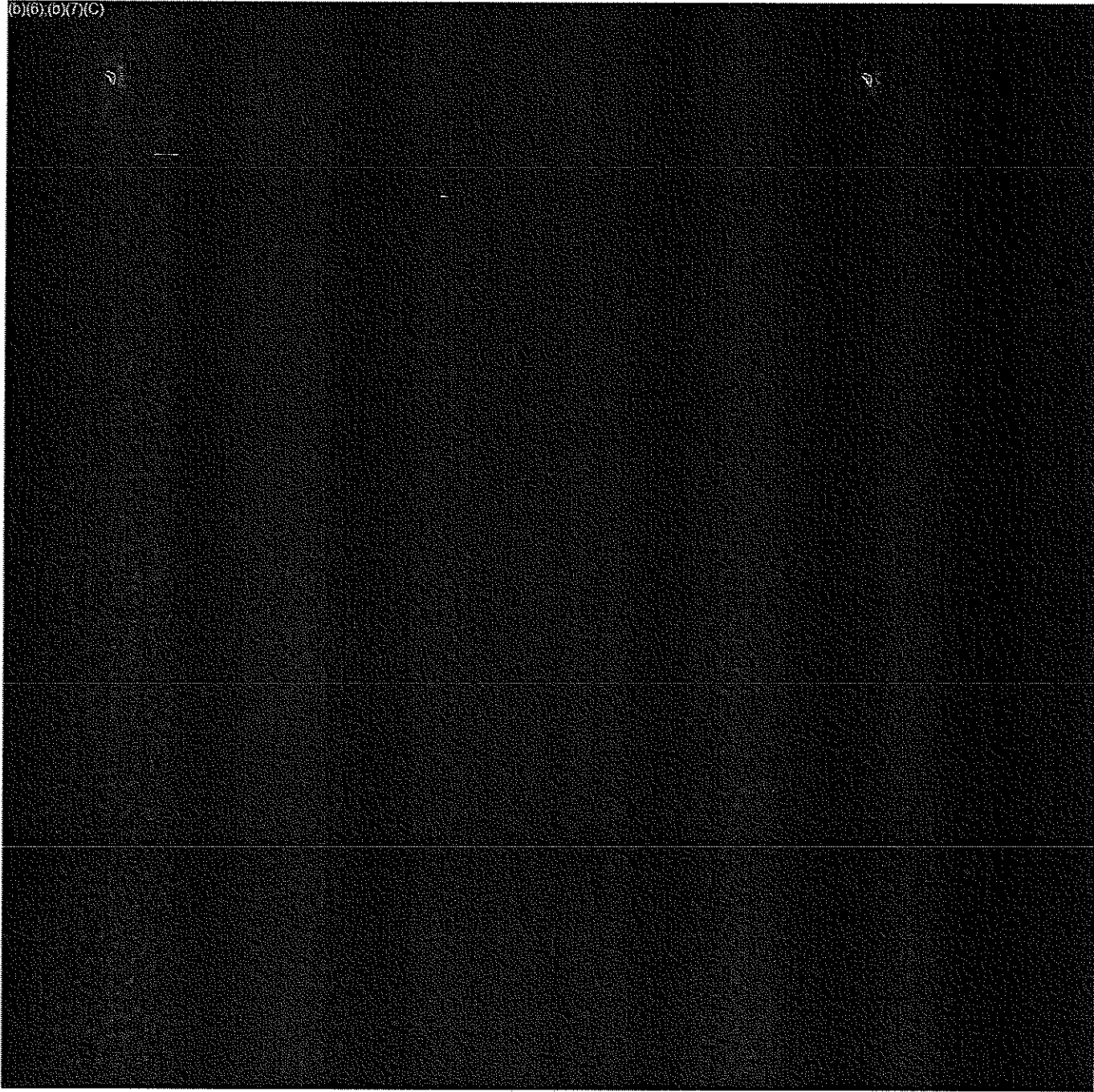
Date:

(b)(6),(b)(7)(C) 2016



### Inspection Report

(b)(6),(b)(7)(C)



Prepared By:

DEBBIE CUNNINGHAM USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER 6072

Date:  
(b)(6),(b)(7)(C) 2016

Received By:

JOE SCHREIBVOGEL

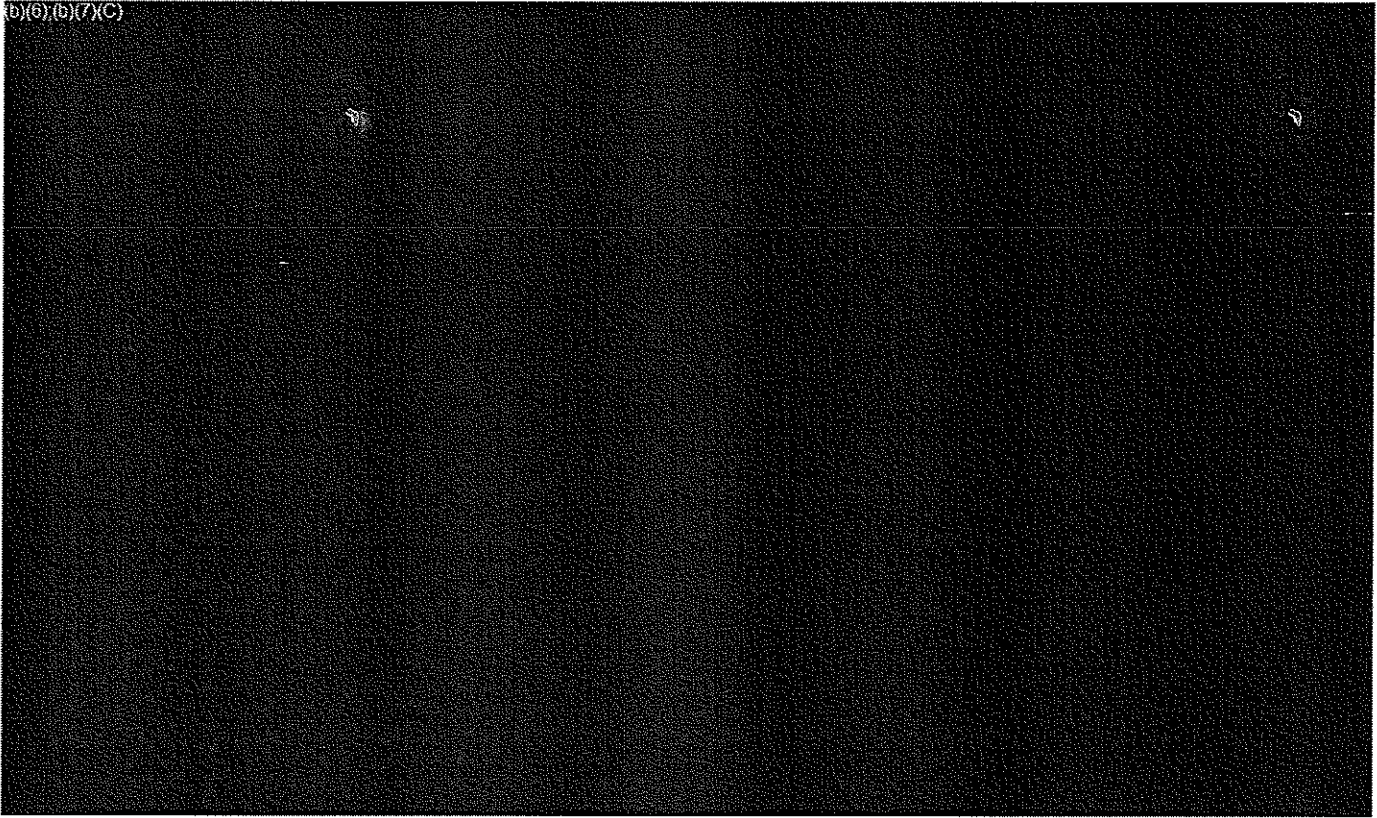
Title: SENT VIA EMAIL

Date:  
(b)(6),(b)(7)(C) 2016



### Inspection Report

(b)(6),(b)(7)(C)



Inspection and exit interview conducted with Drs. Debbie Cunningham, VMO, Mike Tygart, VMO, David Sabala, SACS, (b)(6),(b)(7)(C) and facility representative.

**Additional Inspectors**

DAVID SABALA, SUPERVISORY ANIMAL CARE SPECIALIST

MICHAEL TYGART, VETERINARY MEDICAL OFFICER

**Prepared By:**

DEBBIE CUNNINGHAM USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER 6072

Date:  
(b)(6),(b)(7)(C) 2016

**Received By:**

JOE SCHREIBVOGEL

Title: SENT VIA EMAIL

Date:  
(b)(6),(b)(7)(C) 2016



United States Department of Agriculture

Animal and Plant  
Health Inspection  
Service

4700 River Road  
Riverdale, MD 20737

(b)(6),(b)(7)(C) 2016

(b)(6),(b)(7)(C)

CID: 9658  
Certificate: 73-C-0139

Dear (b)(6),(b)(7)(C)

Your appeal of the citations on the inspection report dated (b)(6),(b)(7)(C) 2016 was reviewed by an Animal Care appeal team consisting of the Assistant Regional Director in Raleigh, NC, our Big Cat and Marine Mammal Specialist, and me. The appeal is addressed as follows:

(b)(6),(b)(7)(C)

All decisions made by the appeal team are final and represent Animal Care's final determination for this appeal. We have enclosed a factsheet explaining our appeals process for your reference. The factsheet can also be found at the following link: [http://www.aphis.usda.gov/publications/animal\\_welfare/2014/appeals\\_process.pdf](http://www.aphis.usda.gov/publications/animal_welfare/2014/appeals_process.pdf).

At USDA, Animal Care, ensuring the welfare of the animals we regulate is at the heart of everything we do.

Sincerely,

Robert M. Gibbens, DVM  
Director, Western Region  
USDA, APHIS, Animal Care

An Equal Opportunity Provider and Employer

To: USDA APHIS

Fr (b)(6),(b)(7)(C)

Re; Appeal inspection (b)(6),(b)(7)(C) 2016

Appeal Board

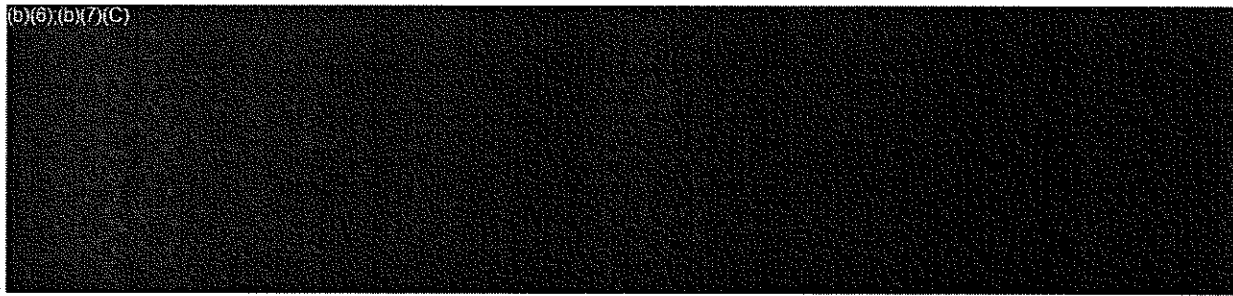
I wish to appeal my inspection dated (b)(6),(b)(7)(C) 2016

(b)(6),(b)(7)(C)



Appeal

(b)(6),(b)(7)(C)



FEB 10 2016

(b)(6),(b)(7)(C)

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Appeal

(b)(6),(b)(7)(C)

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Appeal

(b)(6),(b)(7)(C)

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Appeal



(b)(6),(b)(7)(C)



Appeal

(b)(6),(b)(7)(C)



Page 4

(b)(6), (b)(7)(C)



Closing

(b)(6), (b)(7)(C)



I hope you carefully consider overturning some of these issues.

(b)(6), (b)(7)(C)



FEB 18 2019



### Inspection Report

(b)(6);(b)(7)(C)

Customer ID: 9658

Certificate: 73-C-0139

Site: 001

JOE SCHREIBVOGEL

Type: (b)(6);(b)(7)(C) INSPECTION

Date: (b)(6);(b)(7)(C) 2016

(b)(6);(b)(7)(C)

Prepared By:

DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER Inspector 6072

Date:

(b)(6);(b)(7)(C) 2016

Received By:

JOE SCHREIBVOGEL

Title: SENT VIA EMAIL

Date:

(b)(6);(b)(7)(C) 2016

(b)(6);(b)(7)(C) 2016



### Inspection Report

(b)(6),(b)(7)(C)



Prepared By:

DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER Inspector 6072

Date:

(b)(6),(b)(7)(C) 2016

Received By:

JOE SCHREIBVOGEL

Title: SENT VIA EMAIL

Date:

(b)(6),(b)(7)(C) 016

(b)(6),(b)(7)(C) 2016



## Inspection Report

(b)(6),(b)(7)(C)



Inspection and exit interview conducted with Drs. Debbie Cunningham, VMO, Mike Tygart, VMO, David Sabala, SACS (b)(6),(b)(7)(C) and facility representative.

Prepared By:

(b)(6),(b)(7)(C)

DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care

Title:

VETERINARY MEDICAL OFFICER Inspector 6072

Date:

(b)(6),(b)(7)(C) 2016

Received By:

(b)(6),(b)(7)(C)

Title:

SENT VIA EMAIL

(b)(6),(b)(7)(C)

Date:

(b)(6),(b)(7)(C) 2016

## EXHIBIT 3



### Inspection Report

Joseph Maidonado  
25803 No. C R 3250  
Wynnewood, OK 73098

Customer ID: 9658  
Certificate: 73-C-0139  
Site: 001  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: Feb-01-2016

**2.131 (c) (1)**

**HANDLING OF ANIMALS.**

- The existing public barrier on the last row of large cat cages in the front section of the park is approximately 3 feet high, and approximately 3 feet from the enclosed animals. The low height of this barrier would allow members of the public to lean over the barrier and make contact with the enclosed large cats (lions/tigers). The licensee must make this barrier a more effective structure to help ensure that the public cannot physically touch the enclosed animals. During the inspection, the licensee began the process of welding additional pipes onto the existing barrier.  
Correct by 7 February 2016

**3.75 (c) (1) (i)**

**HOUSING FACILITIES, GENERAL.**

In the indoor portion of the medical building, the north east enclosure housing the baboons has a metal siding surface. Close to the ground this metal surface has an area of rust which had worn through the surface and created a hole with sharp edges. This creates a risk of injury from sharp edges for the enclosed animals. The facility must repair or replace this section, and must maintain metal surfaces throughout the facility to protect the welfare of the animals.  
Correct by: 7 February 2016

**3.80 (a) (1) REPEAT**

**PRIMARY ENCLOSURES.**

- In the indoor portion of the medical building housing non-human primates there are three large, elevated, wooden resting platforms in poor condition. The wood on these platforms is chipped, splintered, chewed and in need of repair. Wood platforms in this condition are a potential source of injury to the enclosed animals and cannot be properly cleaned and sanitized. The facility must repair or replace these surfaces to help ensure the health of the animals.

Prepared By: **DEBBIE CUNNINGHAM, V M O**

DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER Inspector 6072

Date:  
Mar-07-2016

Received By: **(b)(6), (b)(7)(c)**

Title:

Date:  
Mar-07-2016



## Inspection Report

3.125 (a)

REPEAT

### FACILITIES, GENERAL.

- An enclosure in the front part of the park containing tigers has a roofed den with four wooden posts holding up the roof. One wooden post had been scratched and chewed by the tigers to a point where it has decreased to half of its original diameter. There was another wooden upright pole of this same structure that had been scratched and had decreased in diameter by approximately 25%. This is a threat of injury to any animals in the enclosure. The licensee must repair or replace these compromised poles.

- In the front section of the park two of the metal fence poles for the arena enclosure had broken welds and significant rust present, to a degree that may affect the structural strength of the pole. Licensee welded the broken, rusted weld on the arena enclosure during the inspection. The other broken weld on the arena needs more extensive repair. This pole must be straightened and welded to ensure the animals are safely contained and protected from injury, and to ensure the animals are securely contained.

- In the front section of the park a tiger enclosure had a large natural tree log connecting the tops of two log houses for the enclosed animals. This large, cut tree could act as a bridge for the enclosed animals. This cut tree had deteriorated and appeared weak in areas. The structural integrity of the cut tree exposed the enclosed animals to risk of injury if it were to break suddenly. This log bridge was cut in the center and secured during the inspection.

- In the rear of the park, a house contained 3 free roaming tiger cubs with no one present to monitor the animals. One cub was 7 weeks of age and the other two were 12 weeks of age. These unsupervised cubs had free access to household furniture, appliances, and fixtures which exposed them to a variety of potential injuries. The cubs could pull or knock items off of the counter tops and other surfaces. These items could fall onto the cubs and possibly injure the cubs. All animals need a dedicated enclosure which is secure and safe. Licensee needs to maintain the animals in a safe enclosure to ensure the animals are safely contained and protected from potential injury.

-The fence of the primary enclosures of some of the large cats in the back section of the park is a verticle fence approximately 10.5 feet high without a kick-in or a top. This fence height is inadequate to sufficiently contain the enclosed animals at all times. The licensee must modify these enclosures or move the large cats to enclosures that are constructed of such material that is appropriate for the animals, of such strength that is structurally sound, and are maintained in good repair to protect the animals from injury and securely contain the animals.

The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

Prepared By:

DEBBIE CUNNINGHAM, V M O

Title:

DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care

VETERINARY MEDICAL OFFICER Inspector 6072

Date:

Mar-07-2016

Received By:

(b)(6), (b)(7)(C)

Title:

Date:

Mar-07-2016





## Inspection Report

3.127 (d)

### FACILITIES, OUTDOOR.

- Two portions of the perimeter fence do not meet requirements. In the back section of the park, an enclosure housing a cougar is directly against the rear corner of the perimeter fence. All enclosures must be a minimum of three feet from the actual perimeter fence.

- In the area of the park next to the commissary, a portion of the perimeter fence is approximately 5 feet in height. The perimeter fence for a facility housing dangerous animals must be a minimum of 8 feet in height.

The licensee must ensure the perimeter fence meets all requirements.

Correct by: 21 February 2016

Inspection and exit interview conducted with Drs. Debbie Cunningham, VMO, Mike Tygart, VMO, David Sabala, SACS, law enforcement and facility representative.

Prepared By:	DEBBIE CUNNINGHAM, V M O	Date:
Title:	DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care	Mar-07-2016
Received By:	(b)(6), (b)(7)(C)	Date:
Title:		Mar-07-2016

**EXHIBIT 4**

## The Greater Wynnewood Exotic Animal Park (Joe Maldonado née Schreibvogel, aka 'Joe Exotic')

3882 RR 2, Box 67, Wynnewood, OK 73098

The Greater Wynnewood Exotic Animal Park (aka "G.W. Exotic" and the "G.W. Zoo"), formerly known as The Garold Wayne Interactive Zoological Park, was opened by Joseph Schreibvogel in the late 1990s. Early on, it began breeding tigers in order to have a constant supply of tiger cubs available to bring in money through photo opportunities in which people pay to hold and be photographed with the cubs. Since tiger cubs quickly grow to their adult size, which can be as much as 700 pounds, cubs can be used for photo ops only during their first few months of life, and they must be taken from their mother soon after birth in order to habituate them to humans by bottle-feeding. As the cubs grow larger, they are no longer able to earn the amount of money they did as newborns, so new homes must be found for them. This cycle repeats itself throughout the year, exacerbating the U.S. tiger crisis: far too many tigers and not enough responsible facilities to take them. The U.S. Department of Agriculture (USDA) has repeatedly cited Schreibvogel for failing to comply with the minimum requirements of the Animal Welfare Act (AWA), including for failing to provide basic necessities such as drinking water and incurring many violations for filthy, wet, unsafe, and dilapidated animal enclosures as well as dangerous animal handling practices. In 2006, the USDA ordered G.W. Exotic to pay a \$25,000 fine and suspended its license to settle numerous past violations. In 2010, the USDA opened an investigation into the deaths of 23 tiger cubs at the facility, and in 2013, the USDA began investigating the deaths of two tiger cubs born at the facility. These investigations are currently ongoing. Contact PETA for documentation.

**May 30, 2017:** The USDA cited G.W. Exotic for a tiger escape that occurred on May 15, 2017. A female tiger escaped from an exercise enclosure and was discovered loose on the premises during the evening. She was shot and killed to prevent her from escaping the facility.

**March 27, 2017:** The USDA cited G.W. Exotic for failing to repair a shelter for tigers that had a collapsing roof and broken boards.

**November 9, 2016:** The Occupational Safety and Health Administration issued a repeat citation and a "proposed penalty" of \$10,974 to G.W. Exotic for failing to protect employees from the hazards associated with physical contact with felids such as tigers, lions, and ligers during caretaking and exhibition activities.

**October 19, 2016:** The USDA cited G.W. Exotic for failing to have adequately trained employees to maintain an acceptable level of husbandry practices. Employees were throwing meat over the fence into an enclosure instead of following the feeding protocol, posing a risk of injury to one of the tigers. The facility was also issued a repeat citation for failing to remove raw meat from the top of a shade structure in an enclosure housing tigers.

**May 19, 2016:** The USDA cited G.W. Exotic for failing to dispose of expired medication, failing to have an effective "pest"-control program (a live mouse was seen in an enclosure holding ring-tailed lemurs, and a partially eaten mouse was in an enclosure holding a capuchin), failing to maintain an effective perimeter fence, and failing to provide safe enclosures. The enclosure holding white-tailed deer had large cinder blocks and broken bricks that could injure the deer's limbs, and broken fence welds between cages holding tigers could potentially allow the animals to move between enclosures. The facility was also issued repeat citations for failing to maintain resting platforms—they were in poor condition in an enclosure holding primates.

**February 1, 2016:** The USDA cited G.W. Exotic for failing to have an effective barrier around a row of cages containing lions and tigers and failing to maintain the enclosure housing baboons—the metal siding had a hole with sharp edges. G.W. Exotic was issued repeat citations for failing to maintain resting platforms (they were in poor condition in an enclosure holding primates), failing to maintain the den roof in an enclosure holding tigers, failing to repair fence posts for the arena enclosure, failing to maintain a log bridge that connected the tops of two log houses in an enclosure housing tigers, failing to have primary enclosure fencing of sufficient height to contain large cats at all times, and failing to house three tiger cubs properly. One cub was 7 weeks old, and the other two were 12 weeks old. They were roaming unsupervised in a house at the rear of the park, risking injury to themselves. The facility was also issued a repeat citation for failing to have an effective perimeter fence. One section was directly against an enclosure holding a cougar, and another portion was approximately 5

## The Greater Wynnewood Exotic Animal Park

feet high—the minimum height requirement for facilities holding dangerous animals is 8 feet.

**November 16, 2015:** The USDA cited G.W. Exotic for failing to provide tiger cubs with a safe nursery area. Electrical outlets didn't have covers, exposing bare, live electrical wires, and two single-pane windows were low enough that the cubs could potentially break them and escape. The facility was also cited for failing to store cardboard boxes of meat properly. They were sitting on the floor of the walk-in refrigerator and were thawing.

**August 5, 2015:** The USDA cited G.W. Exotic for failing to provide a 19-day-old tiger cub with a secondary heating or cooling method for climate control while being exhibited at the Mississippi Valley Fair in Iowa. The inspector stated, "Animals this young in the absence of their parents are not able to adequately thermoregulate and exposure to temperatures which may be comfortable for adults may still be detrimental to the health of young cubs. Exposure to an excessive number of people and other animals at this young age poses a disease risk to the cub."

**July 23, 2015:** The USDA cited G.W. Exotic for failing to clean food receptacles in three pens holding wolfdogs (they contained a foamy, soupy substance with numerous floating insects and remnants of vegetation, and there was a buildup of debris on the sides), failing to provide primates with adequate sheltered housing (there wasn't an adequate way to cool the sheltered building used to hold chimpanzees and lemurs), failing to control pests (numerous flies were seen in the buildings used to contain primates), and failing to maintain the fencing around the enclosure holding pigs and deer (it was leaning sharply in the back).

**March 25, 2015:** The USDA cited G.W. Exotic for failing to maintain indoor enclosures in the medical building that held primates (three large elevated resting platforms were in poor condition), failing to have an effective rodent-control program (rodent droppings were seen in the building holding primates and on resting surfaces for chimpanzees and the hamadryas baboon and among and adjacent to their feed and water), failing to store hay off the floor, storing feed in scratched and dirty buckets that weren't fit to store food, failing to dispose of an extremely decomposed rat who was in a bin that contained rats intended for use as reptile food, failing to supply a shade structure for a singly housed tiger named Batista, and failing to feed tigers, who were kept in two enclosures, in a proper manner. Raw meat was sitting on top of the shade structures, "evidently from employees attempting to feed the animals by

throwing meat over the fencing" rather than through the metal feed chutes.

**August 20, 2014:** The USDA cited G.W. Exotic for failing to have proper drainage for food and waste in a drainage ditch along one exterior side of the primate medical building. It was also cited for failing to provide a spider monkey named Ricky, two primates (Ruthie and Lucy), and tigers with safe housing. Ricky's outdoor housing had a metal roof surface with an area of rust that created a hole with sharp edges. There was a large wasp nest inside roof supports directly over a perch area in Ruthie and Lucy's housing. The lower hinge side of the gate on the tigers' holding pen had rusted through. G.W. Exotic was also cited for failing to provide three grizzly bears with drinking water. They were all panting and didn't have water receptacles in their enclosure. Finally, the facility was cited for failing to keep the premises sanitary. The floor of one tiger enclosure contained rancid meat, and at least one piece was covered with maggots. Old meat was trapped in the feed chute of a tiger enclosure, and a large piece of meat was draped over the fence in another tiger enclosure. Numerous ants and rancid meat were found on the pipe supports and in the feed chute in the larger tiger arena enclosure.

**April 16, 2014:** The USDA cited G.W. Exotic for failing to provide a black bear named Crybaby with adequate veterinary care. A 4- to 8-inch-long laceration was discovered on his lower back on April 2. The attending veterinarian sutured the wound, but it split open on April 5. Someone at G.W. Exotic re-sutured it. The veterinarian didn't re-evaluate the wound during this time. When the sutures split open a second time, on April 14, the veterinarian was called in for a second time, and Crybaby was euthanized on April 15.

**March 10, 2014:** The USDA cited G.W. Exotic for insufficient veterinary care. At least four juvenile black bears had repeated episodes of scratching and significant hair loss and hadn't received any treatment for two months. G.W. Exotic was also cited for failing to maintain enclosures. A solitary snow monkey's enclosure had an area of rust that had created a hole with sharp edges, and an enclosure containing two tigers had an exposed screw point and a missing tiger plank on a walkway, both of which could injure the animals.

**October 5, 2013:** A zoo employee's arm was severely mauled by a tiger after she put her hand in the enclosure. She was airlifted to a hospital, where her arm was able to be reattached.

**June 11, 2013:** The USDA noted on an inspection report that it was reviewing an incident that involved the transportation of two tiger cubs and their

## The Greater Wynnewood Exotic Animal Park

subsequent death on or around May 10, 2013.

**March 20, 2013:** The USDA cited G.W. Exotic for inadequate facilities. A gate and a fence for an enclosure containing four wolves were beginning to lean and sag, leaving a small gap between the two. A large chunk of stone had broken off the roof of the shelter in a female tiger's pen. And two connected lion enclosures didn't have adequate shade.

**March 3, 2013:** Schreiber Vogel was ordered to pay nearly \$1 million in damages and costs to settle a trademark-infringement lawsuit brought against him by Big Cat Rescue, a sanctuary in Florida. Schreiber Vogel admitted that he modeled his "Big Cat Rescue Entertainment" logo after the sanctuary's design but didn't realize that would be an infringement on the organization's intellectual property. The judge ordered Schreiber Vogel to pay Big Cat Rescue nearly \$1 million in damages and costs. Nearly six weeks later, Schreiber Vogel filed for bankruptcy, claiming an inability to pay.

**May 23, 2012:** In a news release from the Humane Society of the United States (HSUS) regarding the passage of the Dangerous Wild Animal Act in Ohio, it was noted that Schreiber Vogel had heavily lobbied against the bill and "made absurd claims that Terry Thompson was murdered by animal advocates in order to advance legislation restricting exotic pets." (Terry Thompson was the Zanesville, Ohio, exotic-animal owner who, in October 2011, released dozens of animals, including tigers, lions, bears, and wolves before killing himself. Forty-nine animals were gunned down as a result.)

**May 21, 2012:** The USDA cited G.W. Exotic for improper handling of animals. The report stated that the inspection focused on the handling of tiger cubs at the facilities and that the handling techniques were currently under review.

**May 18, 2012:** The *Daily Mail* published details about the HSUS investigation of G.W. Exotic. The investigator witnessed or heard reports of numerous dangerous encounters between tigers and members of the public (some with a nearly full-grown tiger), including at least six cases in which visitors were bitten or scratched. When Schreiber Vogel was asked to comment about the HSUS statement that G.W. Exotic was a ticking time bomb, he responded, "It is a ticking time bomb – if somebody thinks they're going to walk in here and take my animals away, it's going to be a small Waco." *The Oklahoman* stated that the HSUS reported that at least five tigers died the previous summer under questionable circumstances, that a hawk was placed in a trash bin while still alive, and that children were allowed in enclosures with unrestrained wolves.

**December 18, 2011:** The Associated Press reported that a Grand Rapids, Michigan, mall closed Schreiber Vogel's tiger cub exhibit after receiving complaints and learning of a planned protest.

**December 1, 2011:** The USDA cited G.W. Exotic for improperly handling an animal, after a 3-month-old tiger cub on a leash was able to jump on a small child, knocking the child down and causing a scratch during an exhibition.

**November 28, 2011:** *Inside Edition* released its findings after visiting a tiger exhibit run by Schreiber Vogel at Northgate Mall in Cincinnati, Ohio. It noted that it cost \$55 for shoppers to play with tiger cubs in a pen and have a picture taken with a cub. The 8-week-old cub that the reporter petted and posed with barely moved and was obviously sick. When the employee at the exhibit was asked about the sick cub, she replied, "I don't know. Maybe he's just tired or stressed." Another cub appeared distressed while posing for pictures and was missing a patch of fur.

**November 13, 2011:** The USDA cited G.W. Exotic for failing to transport two tigers safely. They were being transported in the same trailer with two 4-wheelers without proper precautions to ensure that the gas from the vehicles wouldn't harm them.

**September 13, 2011:** The USDA cited G.W. Exotic for failing to give adequate veterinary care to a baboon who had lost significant weight and appeared to be in a constant estrus cycle and a New Guinea singing dog who appeared grossly underweight and had a poor hair coat. Neither animal had been properly evaluated by a veterinarian to determine the cause of the problems and institute appropriate treatment.

**June 15, 2010:** The USDA opened an investigation into the deaths of 23 tiger cubs. (See June 2, 2010.)

**June 2, 2010:** An AllVoices.com article reported that 23 tiger cubs died over a seven-month period at G.W. Exotic. According to the article, Schreiber Vogel claimed that they died as a result of being fed a tainted kitten formula. The Food and Drug Administration tested samples that the park provided it and determined that no salmonella or *Cronobacter sakazakii* was detected in them.

**January 1, 2008:** G.W. Exotic ran an ad in the Animal Finders' Guide, a trade publication for exotic-animal breeders and dealers, offering to give away free 10- to 12-week-old tiger cubs, yearlings, and adults, noting that they had all been bottle-raised from day one.

## The Greater Wynnewood Exotic Animal Park

**June 1, 2008:** G.W. Exotic ran an ad in the Animal Finders' Guide offering to sell two 9-week-old black bear cubs for \$500 each. The ad also mentioned that baby tiger cubs would be ready to go in the middle or at the end of June at 11 weeks of age.

**June 1, 2007:** G.W. Exotic ran an ad in the Animal Finders' Guide giving away free 12-week-old tigers and 7-month-old lions.

**April 20, 2007:** The Glenwood Springs Mall in Glenwood Springs, Colorado, canceled a planned Schreibvogel exotic-animal show because "there were far too many red flags regarding animal abuse and public safety."

**April 11, 2007:** The USDA cited G.W. Exotic for failing to keep separate records for animals being boarded at the zoo by other individuals.

**February 7, 2007:** The Lake Jackson, Texas, City Council voted against allowing Schreibvogel to bring his "Mystical Magic of the Endangered" animal show to the Brazos Mall on the grounds that it was "a risk to the city and the citizens."

**January 21, 2007:** A 10-month-old lion cub was quarantined after scratching a mall patron at the Sunset Mall in San Angelo, Texas. The cub was being used in a Schreibvogel presentation called "Mystical Magic of the Endangered" during which spectators were allowed to interact with and pet the animals.

**February 15, 2006:** The USDA cited G.W. Exotic for failing to have a required 8-foot fence around the new cat compound that housed 37 large cats and failing to enclose deer completely with a 6-foot fence.

**January 26, 2006:** The USDA assessed a \$25,000 civil penalty and suspended G.W. Exotic's AWA license for two weeks for numerous AWA violations, including failing to construct indoor and outdoor housing facilities that are structurally sound and in good repair to protect animals from injury and to contain them, failing to remove excreta from primary enclosures, failing to utilize a sufficient number of adequately trained employees, failing to keep premises clean, failing to ensure that water receptacles were clean and sanitary, and failing to maintain a written program of disease control and prevention, euthanasia, and adequate veterinary care.

**December 14, 2004:** The USDA cited G.W. Exotic for having an insufficient barrier—the barrier for three baby cats was leaning in toward the enclosure and failed to prevent the public from reaching the enclosure. It was also cited for failing to have a completed enrichment plan for primates, failing to

provide bobcats and mountain lions with sufficient housing, and failing to have adequate shelter for a wolf whose uninsulated metal shelter was open in the back, making it impossible for the animal to maintain his body heat.

**October 2, 2004:** The USDA cited G.W. Exotic for not using adequate waste trays between double-decker enclosures in a transport trailer that could prevent urine and fecal matter from dropping onto the cats in the bottom enclosures.

**July 8, 2004:** The USDA cited G.W. Exotic for failing to have an up-to-date program of veterinary care on hand.

**May 4, 2004:** The USDA cited G.W. Exotic for failing to have any identifiable park employees available while three deer were loose in the park; not having sealed surfaces in the lemur house, which would result in improper cleaning and sanitizing; and failing to clean enclosures properly, as there was a buildup of fecal material, dirt, and straw in bear, fox, tiger, and lion enclosures. G.W. Exotic received repeat citations for having ineffective rodent control; having a perimeter fence that didn't reach the ground; using the commissary for storage, creating hiding places for mice and roaches; storing the cats' meat in a freezer in a barn that housed a number of loose pigeons, risking the transmission of disease; having an insufficient written veterinary diet plan; lacking a suitable diet plan for bears; and not having a clear written training-requirement plan for employees.

**December 18, 2003:** The USDA cited G.W. Exotic again for not feeding the large cats a veterinary-approved diet—roadkill was being given to them as part of their diet. The inspector noted that roadkill is not acceptable if it had been out more than 24 hours—and even less time in the summer. It also received repeat citations for failing to have sufficient barriers for the foxes, allowing primates access to insulation in the roof, having standing water in primate housing, having a perimeter fence that didn't reach the ground, having a trash dumpster in the deer enclosure, having unsteady tin horns in tiger enclosures, failing to repair shade structures, feeding excessive meat to tigers, failing to have sufficiently trained staff, and having inadequate rodent control.

**November 3, 2003:** The USDA cited G.W. Exotic for failing to give veterinary care to a camel with an injured leg. The animal was "being hoisted in a sling twice a day for two hours, however most ruminants are not slung by belly wraps, because it interferes with their digestion." There were no records to indicate whether the camel had been seen by a veterinarian. One female cougar was limping and appeared very slim, yet there were no records

## The Greater Wynnwood Exotic Animal Park

identifying her, that she needed care, or that a vet had looked at her. One kitten named Kenny was limping, but there was no indication that a vet had seen him. The animals' diet had not been approved by a vet. G.W. Exotic was also cited for having an incomplete inventory record, having staff who were poorly prepared to conduct an inspection, failing to have adequate housing in outdoor rabbit enclosures (rabbits were provided with two cardboard boxes and one wooden box for protection against the weather), and keeping a rabbit in an 8-inch-tall enclosure—the required height is 14 inches. The USDA also cited it for improperly handling animals. A tiger cub had a chain around his neck with a tailing chain that could get caught on anything in his enclosure. A barrier for a raccoon was of insufficient distance from the public, the barrier around foxes was insufficient to prevent children from crawling under or reaching through, and the sugar glider enclosure didn't have a barrier to prevent access by the public. It was also cited for inappropriate housing facilities. The house for two baboons and four macaques allowed the primates to reach through to the roof insulation; the flooring in the lemur enclosure consisted of concrete blocks, making it impossible to clean and disinfect; the indoor portion of the primate house had standing water; the facility's perimeter fence didn't reach the ground; several panels of a shed used for two potbellied pigs and a donkey were bent out and loose; several sheet-metal pieces had come loose from the frame of the camel shed; nails stuck out of wooden spools in the leopard pen; the raised pen for a raccoon was tilting; nails were coming out from the bottom of a house for a female lion, making the structure weaker; blood and accumulated dirt was all over the floor of a walk-in cooler; flies literally covered the food set out for the animals to eat inside the commissary; a dumpster used for animal waste was inside a deer enclosure and attracted flies; tin horns appeared unsteady in an enclosure housing eight tigers; shade structures were collapsing; and there was standing water with black or blue algae and mosquito larvae swimming in it. G.W. Exotic was also cited for inadequate rodent control, dirty water troughs throughout the park that contained algae and mosquito larvae, dirty bedding in all the houses, and an accumulation of feces, old food, and mud-packed straw in all the enclosures and primary houses for the large felids and bears.

**April 4, 2003:** The USDA cited G.W. Exotic for failing to allow the inspector access to the facilities. The licensee was exhibiting in a different state and had failed to file an itinerary with this information.

**July 23, 2002:** The USDA cited G.W. Exotic for not having barriers between enclosures and the public in the "Critter House" and not having an attendant on duty at the display. It was also cited for feeding primates dog food along with monkey biscuits and

fruit. The inspector noted that "dog food is not a generally accepted method of meeting the nutritional requirements for nonhuman primates." The USDA also cited it for having food left over from the night before, which indicated that primates may be overfed. And spoiled food could attract flies. It was also cited for not being able to prevent flies from contaminating the food. The food-prep area was located in an open stall in the barn next to the walk-in refrigerator. In an attempt to reduce the fly problem, cats were being fed frozen meat, which is not a recommended procedure. It was also cited for improperly housing a leopard whose house had been made of stacked concrete blocks and a plywood roof. More blocks had been stacked on top of the plywood to hold it down. This created the risk of the structure collapsing onto the animal. It was also cited for having insufficient housing. A pen confined three mountain lions, but there were only two houses in it, posing a possibility for fights to break out. In addition, a black bear was added to an enclosure with a trio of Siberian bears, creating a need for additional housing; eight young tigers were being kept in same enclosure, and the house wasn't large enough for all of them; and six young African lions were confined together with only one house for shelter. It was also cited for failing to provide two wolves with an enclosure that would alleviate undue stress—the wolves were disturbed by strangers and needed greater distance from the public or barriers for them to hide behind. It was also cited for not providing separate drinking water sources, as the barrels used to water the cats, bears, and pig were also being used as a place for the animals to cool off.

**August 2, 2001:** The USDA cited G.W. Exotic for not having an inventory sheet on all regulated animals on the premises. It was also cited for not having documentation outlining the experience of staff members with species they are working with and documentation describing a contingency plan in the event of an escape or a catastrophic event. It was also cited for not sanitizing the primate houses on a more frequent basis (feces and food were evident in corners of house); having inadequate facilities, as the lock-out cages for cougars had an 8-inch-wide opening that could allow a cougar to stick a paw out; having insufficient perimeter fencing around an exhibit area holding dangerous animals; improperly storing food (open bags of food were being stored in uncovered containers); and failing to clean and sanitize the freezers and iceboxes (blood and frozen dirt caked the bottom of the units).

**October 30, 2000:** The USDA cited G.W. Exotic for inadequate drainage in eight pens housing bears, tigers, and a wolf. Animals had to walk through a large amount of standing water to get to their houses, and a large amount of standing water was also noted

## The Greater Wynnewood Exotic Animal Park

in a large pen housing llama, goats, deer, and a duck. It was also cited for improper cleaning and sanitizing in the food-preparation area. A table where meat was chopped had old pieces of food on it.

**May 11, 2000:** The USDA cited G.W. Exotic for not having shift cages in two cages containing a tiger and a mountain lion. Employees could put the animals in shift cages while they cleaned the other cages and fed and watered the cats. It was also cited for failing to provide a tiger with appropriate shelter and failing to provide a llama in need of hoof trimming with adequate veterinary care. One hoof was "starting to grow back around into the foot."

**February 5, 1999:** According to *The Dallas Morning News*, Schreibvogel, along with other volunteers, decided to try to round up the surviving emus from a former owner in Red Oak, Texas, who couldn't afford to feed them. Schreibvogel took legal possession of the flock of more than 100 emus and planned to hold them at another facility until he was able to move them to Oklahoma, where his family was establishing a park. The first day of the roundup involved chasing and roping the animals. A few emus were injured, and others were so stressed that they just lay in the trailers while other upset birds slashed them with their talons. Nine birds died that day, while about 60 arrived at their destination almost bare of feathers. The following day, after arguments between Schreibvogel's group and the SPCA, a decision was made to load the remainder of the emus gently, and any injured birds would be humanely euthanized on site rather than staying on the trailers. About 50 birds had been loaded and sent on their way, but several more were injured. At this point, Schreibvogel decided to shoot the remaining birds. The police and SPCA tried to dissuade him but to no avail. Schreibvogel and another member slowly approached the birds and shot them one by one. Some dropped instantly, while others flopped around, requiring several shots. A lead investigator for the SPCA finally halted the shootings after one of the men shot an emu who was running, leaving the animal wounded. Six birds were killed.





**Inspection Report**

WYNNEWOOD, OK

Customer ID: [REDACTED]

Certificate: [REDACTED]

Site: 001

Type: FOCUSED INSPECTION

Date: 30-MAY-2017

3.125(a) CRITICAL REPEAT

**FACILITIES, GENERAL.**

On 15 May 2017 a female tiger escaped from an exercise enclosure in the rear area of the facility. The tiger was discovered loose on the premises by an employee during evening feeding. The employee immediately retreated and called an emergency code on the radio. No park visitors were present due to the late hour. The facility owner and other employees responded immediately and located the tiger in a corner of the facility near the perimeter fence. With her proximity to the perimeter fence, and the high danger if she was to escape the facility under cover of darkness, the licensee made the decision to shoot and kill the animal. This was accomplished with a single round from a rifle by the licensee.

The facility did not know how the tiger escaped from the pen. The enclosure is a common exercise yard in the middle of multiple pens, recently built by the facility, and used by numerous animals in rotation. The fencing of the enclosure meets current requirements for height on three sides. On the fourth side there was a narrow sheet metal ledge along the inside of the fence. This ledge is actually the border of the metal roof of an adjacent set of pens which extends through the exercise yard fence. The ledge is approximately a foot wide, and ten feet in height. The facility has since removed this ledge, and there are no other obvious structural problems with the enclosure.

This was a focused inspection to address this specific incident. The exercise enclosure clearly failed to contain this tiger. After her escape, the facility did react appropriately according to their emergency protocols. The facility also immediately contacted their USDA inspector to self-report the incident. As mentioned, the facility removed the sheet metal ledge following the focused inspection.

The facility must take all necessary steps to ensure the exercise enclosure and all other park enclosures are sufficient to contain the animals.

Correct from this point forward.

This inspection and exit interview were conducted with facility representative.

Prepared By:

TYGART MICHAEL, D V M

TYGART MICHAEL, D V M USDA, APHIS, Animal Care

Date:

14-JUL-2017

Title: VETERINARY MEDICAL OFFICER 6009

Received By:

Title:

Date:

14-JUL-2017



**Inspection Report**

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**Additional Inspectors**

Cunningham Debbie, Veterinary Medical Officer

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**Prepared By:**

TYGART MICHAEL, D V M

TYGART MICHAEL, D V M    USDA, APHIS, Animal Care

**Title:** VETERINARY MEDICAL OFFICER 6009

**Date:**  
14-JUL-2017

**Received By:**

**Title:**

**Date:**  
14-JUL-2017



### Inspection Report

Joseph Maldonado  
25803 No. C R 3250  
Wynnewood, OK 73098

Customer ID: 9658  
Certificate: 73-C-0139  
Site: 001  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: 27-MAR-2017

#### 3.125(a)

##### FACILITIES, GENERAL.

- In the arena enclosure in the rear of the park containing tigers there is a log shelter with the roof collapsing into the shelter. It has broken boards on the roof collapsing into the shelter. This broken board area is approximately 3 feet in length allowing animals contact with the collapsed roof. Facilities need to be maintained in good repair. Licensee must repair/replaced the broken section of shelter roof to ensure the animals are safely contained and protected from potential injury. This was repaired during the inspection.

This inspection and exit interview were conducted with facility representatives.

##### Additional Inspectors

Tygart Michael, Veterinary Medical Officer

Prepared By:

CUNNINGHAM DEBBIE, D V M

CUNNINGHAM DEBBIE, D V M USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER 6072

Date:

31-MAR-2017

Received By:

(b)(6), (b)(7)(c)

Title:

Date:

31-MAR-2017



**Inspection Report**

Joseph Maldonado  
25803 No. C R 3250  
Wynnewood, OK 73098

Customer ID: 9658  
Certificate: 73-C-0139  
Site: 001  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: 19-OCT-2016

**3.125(d) REPEAT**

**FACILITIES, GENERAL.**

- In the front section of the park a tiger enclosures had pieces of raw meat sitting on top of the shade structure and fence, evidently from employees attempting to feed the animals by throwing meat over the fencing. Park policy is to feed through the metal feed chutes located in the fence walls. Meat left on top of the fencing or shade structures will quickly turn rancid and become an attractant for insects, pests, and wild animals. Food not consumed must 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.

**3.132**

**EMPLOYEES.**

- In the arena area containing 15 tigers there was a tiger with a small red lesion on the right carpal area. The licensee was asked about the red area on the tiger and he stated that the park employees did not follow the feeding protocol for this enclosure. He stated the employees were throwing meat over the fence instead of following the current policy. The employees are supposed to lock all tigers out of the arena, then enter and place the meat in 16 separate piles at least 15 feet apart. The licensee believes the injury was likely a scratch or bite which occurred during feeding. The animals had been fed that day just prior to the inspectors arrival. The licensee must have adequately trained employees to maintain an acceptable level of husbandry practices. Employees must follow park policies to help ensure the safety of the regulated animals.

Correct from this point forward.

**Additional Inspectors**

Michael Tygart, Veterinary Medical Officer

Prepared By:

DEBBIE CUNNINGHAM, D V M

DEBBIE CUNNINGHAM USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER 6072

Date:  
24-OCT-2016

Received By:

(b)(6), (b)(7)(c)

Title: OWNER

Date:  
24-OCT-2016



Cust No	Cert No	Site	Site Name	Inspection
9658	73-C-0139	001	JOSEPH MALDONADO	19-OCT-16

Count	Species
000003	Brown capuchin
000001	Pig-tailed macaque *Male
000003	Olive Baboon
000001	Mandrill *Male
000003	Hamadryas baboon
000006	Striped skunk
000002	African brush-tailed porcupine
000013	Raccoon
000002	Lion
000001	Javan gibbon
000001	Serval
000001	Leopard
000001	Leopard
000002	Puma/mountain lion/cougar
000001	North American black bear
000001	Liger/Tigon
000072	Tiger
000001	Bobcat
000011	Grey/gray wolf
000001	Little Celebes cuscus
000001	Domestic Ferret
000007	Ring-tailed lemur
<b>000135</b>	<b>Total</b>



### Inspection Report

Joseph Maldonado  
25803 No. C R 3250  
Wynnewood, OK 73099

Customer ID: 9658  
Certificate: 73-C-0139  
Site: 001  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: May-19-2016

2.40 (b) (2)

#### ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

- The following medication was past the labeled expiration date: panacur Feb. 2014. This medication was intermingled with other products that are currently being used at the facility and are therefore ready for use. Expired drugs may not work as anticipated, could become contaminated, and could harm the animals. Medications must be labeled with appropriate and accurate information in order to ensure that the contents of the container can be known with certainty, that the drugs are used at safe doses, and that medications are not used past their expiration dates. The licensee must ensure that all medications used in the facility are not expired, labeled properly in accordance with standard veterinary practices, and are stored in accordance with manufacturer's recommendations. Corrected during the inspection.

3.80 (a) (1) REPEAT

#### PRIMARY ENCLOSURES.

-- In the indoor portion of the medical building housing non-human primates there are two large, elevated, wooden resting platforms in poor condition. The wood on these platforms is chipped, splintered, chewed and in need of repair. Wood platforms in this condition are a potential source of injury to the enclosed animals and cannot be properly cleaned and sanitized. The facility must repair or replace these surfaces to help ensure the health of the animals.

3.84 (d) REPEAT

#### CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.

-- A live mouse was observed on the floor in the outdoor portion of the enclosures of the ring-tailed lemurs in the non-human primate building. A partially eaten mouse was observed in the outdoor portion of a capuchin's enclosure in the medical building housing non-human primates. There is no pest contract present for the facility at the time of the inspection according to the facility representative. The facility representative states that he puts bait out weekly. Mice carry diseases and may cause illness to the enclosed animals. They can also contaminate food, water and living areas. The licensee must have a more effective program to control pests in the buildings and outdoor portions of enclosures and must ensure proper pest control throughout the facility.

Prepared By: **DEBBIE CUNNINGHAM, V M O**

Title: **DEBBIE CUNNINGHAM, V M O** USDA, APHIS, Animal Care  
**VETERINARY MEDICAL OFFICER Inspector 6072**

Date:  
May-24-2016

Received By: **(b)(6), (b)(7)(c)**

Title:  
Date:  
May-24-2016



### Inspection Report

**3.125 (a) REPEAT**

**FACILITIES, GENERAL.**

- - In the rear of the park, an enclosure containing 7 white tail deer has large cinder blocks and broken brick present along the fence and by the water receptacle. These cinder blocks have large open holes that create a possible limb injury threat to the enclosed animals. Licensee needs to remove the bricks or replace dirt on top of the bricks to ensure the animals are safely contained and protected from potential injury.
- In a pen (cage 87) in the rear of the park containing tigers there is an area in the fence between cages that has broken welds. This broken weld area is approximately 3 feet in length allowing animals to potentially move between enclosures. Facilities need to be maintained in good repair. Licensee must repair or replace this broken section of fence to ensure the animals are safely contained and protected from potential injury. This was repaired during the inspection.

**3.127 (d) REPEAT**

**FACILITIES, OUTDOOR.**

- Portions of the perimeter fence do not meet requirements. In the back section of the park numerous trees are growing in, thru and over the perimeter fence which can affect the structural integrity of the fence. The perimeter fence for a facility housing dangerous animals must be structurally sound and in good repair. The licensee must ensure the perimeter fence meets all requirements.

Inspection and exit interview conducted with facility representative, USDA APHIS VMO Debbie Cunningham, and USDA APHIS ACI Cathy Niebruegge.

<b>Prepared By:</b>	DEBBIE CUNNINGHAM, V M O	
<b>Title:</b>	DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care VETERINARY MEDICAL OFFICER Inspector 6072	<b>Date:</b> May-24-2016
<b>Received By:</b>	(b)(6), (b)(7)(C)	
<b>Title:</b>	(b)(6), (b)(7)(C)	<b>Date:</b> May-24-2016



## Inspection Report

Joseph Maldonado  
25903 No. C R 3250  
Wynnewood, OK 73098

Customer ID: 9658  
Certificate: 73-C-0139  
Site: 001  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: Feb-01-2016

### 2.131 (c) (1)

#### HANDLING OF ANIMALS.

- The existing public barrier on the last row of large cat cages in the front section of the park is approximately 3 feet high, and approximately 3 feet from the enclosed animals. The low height of this barrier would allow members of the public to lean over the barrier and make contact with the enclosed large cats (lions/tigers). The licensee must make this barrier a more effective structure to help ensure that the public cannot physically touch the enclosed animals. During the inspection, the licensee began the process of welding additional pipes onto the existing barrier.  
Correct by 7 February 2016

### 3.75 (c) (1) (i)

#### HOUSING FACILITIES, GENERAL.

In the indoor portion of the medical building, the north east enclosure housing the baboons has a metal siding surface. Close to the ground this metal surface has an area of rust which had worn through the surface and created a hole with sharp edges. This creates a risk of injury from sharp edges for the enclosed animals. The facility must repair or replace this section, and must maintain metal surfaces throughout the facility to protect the welfare of the animals.  
Correct by: 7 February 2016

### 3.80 (a) (1)

#### REPEAT

#### PRIMARY ENCLOSURES.

- In the indoor portion of the medical building housing non-human primates there are three large, elevated, wooden resting platforms in poor condition. The wood on these platforms is chipped, splintered, chewed and in need of repair. Wood platforms in this condition are a potential source of injury to the enclosed animals and cannot be properly cleaned and sanitized. The facility must repair or replace these surfaces to help ensure the health of the animals.

Prepared By:

DEBBIE CUNNINGHAM, V M O

Title:

DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care  
VETERINARY MEDICAL OFFICER Inspector 6072

Date:

Mar-07-2016

Received By:

(b)(6), (b)(7)(c)

Title:

Date:

Mar-07-2016





## Inspection Report

3.125 (a)

REPEAT

### FACILITIES, GENERAL

- An enclosure in the front part of the park containing tigers has a roofed den with four wooden posts holding up the roof. One wooden post had been scratched and chewed by the tigers to a point where it has decreased to half of its original diameter. There was another wooden upright pole of this same structure that had been scratched and had decreased in diameter by approximately 25%. This is a threat of injury to any animals in the enclosure. The licensee must repair or replace these compromised poles.

- In the front section of the park two of the metal fence poles for the arena enclosure had broken welds and significant rust present, to a degree that may affect the structural strength of the pole. Licensee welded the broken, rusted weld on the arena enclosure during the inspection. The other broken weld on the arena needs more extensive repair. This pole must be straightened and welded to ensure the animals are safely contained and protected from injury, and to ensure the animals are securely contained.

- In the front section of the park a tiger enclosure had a large natural tree log connecting the tops of two log houses for the enclosed animals. This large, cut tree could act as a bridge for the enclosed animals. This cut tree had deteriorated and appeared weak in areas. The structural integrity of the cut tree exposed the enclosed animals to risk of injury if it were to break suddenly. This log bridge was cut in the center and secured during the inspection.

- In the rear of the park, a house contained 3 free roaming tiger cubs with no one present to monitor the animals. One cub was 7 weeks of age and the other two were 12 weeks of age. These unsupervised cubs had free access to household furniture, appliances, and fixtures which exposed them to a variety of potential injuries. The cubs could pull or knock items off of the counter tops and other surfaces. These items could fall onto the cubs and possibly injure the cubs. All animals need a dedicated enclosure which is secure and safe. Licensee needs to maintain the animals in a safe enclosure to ensure the animals are safely contained and protected from potential injury.

-The fence of the primary enclosures of some of the large cats in the back section of the park is a verticle fence approximately 10.5 feet high without a kick-in or a top. This fence height is inadequate to sufficiently contain the enclosed animals at all times. The licensee must modify these enclosures or move the large cats to enclosures that are constructed of such material that is appropriate for the animals, of such strength that is structurally sound, and are maintained in good repair to protect the animals from injury and securely contain the animals.

The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

Prepared By:

DEBBIE CUNNINGHAM, V M O

Title:

DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care  
VETERINARY MEDICAL OFFICER Inspector 6072

Date:

Mar-07-2016

Received By:

(b) (6), (b) (7) (c)

Date:

Mar-07-2016



## Inspection Report

3.127 (d)

### FACILITIES, OUTDOOR.

- Two portions of the perimeter fence do not meet requirements. In the back section of the park, an enclosure housing a cougar is directly against the rear corner of the perimeter fence. All enclosures must be a minimum of three feet from the actual perimeter fence.

- In the area of the park next to the commissary, a portion of the perimeter fence is approximately 5 feet in height. The perimeter fence for a facility housing dangerous animals must be a minimum of 8 feet in height.

The licensee must ensure the perimeter fence meets all requirements.

Correct by: 21 February 2016

Inspection and exit interview conducted with Drs. Debbie Cunningham, VMO, Mike Tygart, VMO, David Sabala, SACS, law enforcement and facility representative.

Prepared By:	DEBBIE CUNNINGHAM, V M O	Date:
Title:	DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care VETERINARY MEDICAL OFFICER Inspector 6072	Mar-07-2016
Received By:	(b)(6), (b)(7)(c)	Date:
Title:		Mar-07-2016



### Inspection Report

Joseph Maldonado  
25803 No. C R 3250  
Wynnewood, OK 73098

Customer ID: 9658  
Certificate: 73-C-0139  
Site: 001  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: Nov-16-2015

**3.125 (a) REPEAT**  
**FACILITIES, GENERAL.**

-The nursery area for the tiger cubs has electrical outlets that do not have covers exposing bare, live, electrical wires. Also, the nursery has two single pane windows that are low enough that the cubs could potentially break and escape through these windows. This nursery enclosure is not secure, nor is it safe for the enclosed animals. The licensee must secure the nursery and cover the electrical wires to keep the enclosed animals safe and prevent animals from escaping their enclosure. The licensee covered the outlets and put a metal grate over the windows the day of the inspection.  
Corrected at time of inspection.

**3.129 (a)**  
**FEEDING.**

- Cardboard boxes full of meat in the walk in refrigerator were sitting on the floor and packed to the sides of the refrigerator. These boxes of meat were thawing and contained condensate on the tops and sides making the cardboard weak. Also, there was an open box of meat with the plastic liner also open exposing this meat to contaminants like the condensate. This was on top of a stack of boxes which had crushed two boxes at the base, forcing open the sides and exposing the contents to potential contamination. Open containers of meat/food must be stored in a sealed container to keep it palatable and wholesome for the park animals. Food boxes must be stored off the floor and protected from contaminants to maintain safe, healthy, palatable food for the park animals. The licensee must store and maintain food in accordance with the AWA. This was corrected during the inspection.  
Corrected at the time of inspection

Inspection and exit interview conducted with facility representative and two USDA APHIS VMOs.

Prepared By:	DEBBIE CUNNINGHAM, V M O	Date:
Title:	DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care VETERINARY MEDICAL OFFICER Inspector 6072	Nov-23-2015
Received By:	(b)(6), (b)(7)(c)	Date:
Title:		Nov-23-2015



### Inspection Report

Joe Schreibvogel  
25803 No. C R 3250  
Wynnewood, OK 73098

Customer ID: 9658  
Certificate: 73-C-0139  
Site: TRA  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: Aug-05-2015

**2.131 (b) (1)**

**HANDLING OF ANIMALS.**

One male tabby tiger cub born 7/17/2015 (19 days old) is located in a public viewing area next to older cubs that are used for public contact. The tiger cub is housed in a play pen type enclosure with no secondary heating or cooling method for climate control. The enclosure is located off to the side behind the public barriers, but it is still located in front of the enclosures holding the tigers used for public contact. The public does not walk directly by the tiger cub in the playpen, however there is a walkway approximately ten feet away from the tiger cub that the public uses to gain access to the area of public contact for the older cubs. The licensee has contact with the general viewing public and states he is the primary caretaker for all of the cubs. The licensee stated that there is no public contact with the young cub. The license also stated the cub is typically located on the RV and not normally out in the public viewing area.

Animals this young in the absence of their parents are not able to adequately thermoregulate and exposure to temperatures which may be comfortable for adults may still be detrimental to the health of young cubs. Exposure to an excessive number of people and other animals at this young age poses a disease risk to the cub. Even indirect exposure via the licensee who has contact with the members of the public and other animals can pose a similar risk to the cub of this age. The practices described above do not constitute handling the cub as carefully as possible and unnecessarily risks harm and discomfort. Young animals may appear to cope with temperature extremes, however when they are this young they are not able to thermoregulate and exposure to certain temperatures can be detrimental to the health of the animal. The licensee must ensure that tiger cubs of this age are handled as carefully as possible in a temperature controlled environment that minimizes exposure to potential pathogens.

The licensee moved the animal to a climate controlled RV prior to the exit briefing.

To be corrected from this day forward.

Prepared By:	CORBIN RANSLEM, A.C.I.		Date:
Title:	CORBIN L RANSLEM, A.C.I.	USDA, APHIS, Animal Care Inspector 6079	Oct-06-2015
Received By:	(b)(6),(b)(7)(c)		Date:
Title:			Oct-06-2015



## Inspection Report

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This inspection and exit briefing was conducted at the Mississippi Valley Fair in Davenport, IA with the licensee and Heather Cole, VMO.

Prepared By:

CORBIN RANSLEM, A.C.I.

Title:

CORBIN L RANSLEM, A.C.I.      USDA, APHIS, Animal Care  
ANIMAL CARE INSPECTOR      Inspector 6079

Date:

Oct-06-2015

Received By:

(b)(6),(b)(7)(c)

Date:

Oct-06-2015



### Inspection Report

Joe Schreiber Vogel  
25803 No. C R 3250  
Wynnewood, OK 73099

Customer ID: 9658  
Certificate: 73-C-0139  
Site: 001  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: Jul-23-2015

**3.9 (b)**  
**FEEDING.**

- The food receptacles in three of the four wolf dog pens contained a foamy, soupy substance with numerous floating insects, vegetation remnants and had a build up of debris on the sides. Food receptacles must be cleaned and sanitized at least every two weeks to prevent accumulation of dirt, debris, food waste, excreta, and other disease hazards. The licensee must clean and sanitize food and water receptacles once every two weeks in accordance with the AWA.

To be corrected by: 7/29/2015

**3.77 (a)**  
**SHELTERED HOUSING FACILITIES.**

- The sheltered nonhuman primate (NHP) house in the back of the park and the sheltered chimpanzee/lemur house in the front of the park had ambient temperatures above 85 deg. F when the inspectors arrived the morning of the inspection. The sheltered chimpanzee/lemur building did not have an adequate method to cool the building. The sheltered NHP house in the back of the park had a window air conditioning unit present that was running at the time of inspection, however, it was 87 deg F in the air stream blowing from the unit at a distance of 2 feet. The licensee was given the duration of the inspection to decrease the ambient temperatures in the buildings. The licensee purchased fans and had them in the building at the end of the inspection. However, the temperature in the building was even higher several hours after the initial temperature was taken. Excessive heat can lead to severe health problems for enclosed animals. The sheltered housing facilities must be sufficiently heated and cooled when necessary to protect the nonhuman primates from temperature extremes, and to provide for their health and well-being. The ambient temperature in the sheltered part of the facility must not be above 85 deg F for more than 4 consecutive hours when non human primates are present.

To be corrected by 9/27/2015.

**3.84 (d)**  
**CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.**

- Numerous flies were observed the on floor, on food receptacles, and flying in the indoor portion of the enclosures in the non-human primate buildings. The flies are also present in the chimpanzee and lemur

Prepared By:	DEBBIE CUNNINGHAM, V M O	Date:
Title:	DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care	Jul-29-2015
Received By:	(b)(6), (b)(7)(C)	Date:
Title:		Jul-29-2015



### Inspection Report

indoor facility. There was no observable mechanism for fly control noted by inspectors at the time of the inspection and the facility representative stated no mechanism was in place. Flies carry diseases and may cause illness to the enclosed animals. They can also contaminate food, water and living areas. The licensee must have an adequate program to control pests in the buildings and must ensure proper pest control throughout the facility.

To be corrected by: 7/30/2015

3.125 (a)

#### FACILITIES, GENERAL

-The fence for the pigs and deer enclosure is leaning sharply in the back by the wolf and tiger enclosures. Fencing in this condition is not secure, nor is it safe for the enclosed animals. The licensee must maintain the fence to keep the enclosed animals safe and prevent unwanted animals from entering the enclosure.

To be corrected by: 7/30/2015.

Inspection and exit interview conducted with Debbie Cunningham, VMO, Mike Tygart, VMO and facility representatives.

Prepared By:	DEBBIE CUNNINGHAM, V M O	Date:	
Title:	DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care VETERINARY MEDICAL OFFICER Inspector 6072	Date:	Jul-29-2015
Received By:	(b)(6), (b)(7)(c)	Date:	
Title:		Date:	Jul-29-2015



## Inspection Report

Joe Schreibvogel  
25803 No. C R 3250  
Wynnewood, OK 73098

Customer ID: 9658  
Certificate: 73-C-0139  
Site: 001  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: Mar-25-2015

### 3.80 (a) (1)

#### PRIMARY ENCLOSURES.

- In the indoor enclosures of the medical building housing non-human primates there are three large elevated wooden resting platforms in poor condition. The wood on these platforms is chipped, splintered, chewed and in need of repair. Wood platforms in this condition are a potential source of injury to the enclosed animals and cannot be properly cleaned and sanitized. The facility must repair or replace these surfaces to help ensure the health of the animals.

Correct by: 14 April 2015

### 3.84 (d)

#### CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.

- A trail of rodent droppings was observed on the middle horizontal rail in the indoor portion of the enclosures in the non-human primate building. This rail is clearly being used as a travel area for rodents to move from cage to cage. These droppings are also on the resting surfaces for the chimpanzees and the Hamadryas Baboon, and were noted among and adjacent to feed and water. Rodents carry diseases and may cause illness to the enclosed animals. They can also contaminate food, water and living areas. Two rodent traps were located in the corners of the room, but it is unclear if they had been properly prepared and monitored. The licensee must have an adequate program to control pests in this building and must ensure proper pest control throughout the facility.

Correct by: Immediately

### 3.125 (c)

#### FACILITIES, GENERAL.

- In the feed barn, there are numerous square bales of hay being stored directly on the floor and against the adjacent walls. Hay and other feed should be stored on pallets with space between the feed and the walls to minimize contamination from pests and the environment.

- In the commissary there are numerous plastic buckets in poor condition being used to store feed. The buckets are dirty, scratched, and not fit to safely store food. These buckets should be repaired or replaced, and the facility must take steps to ensure that all food storage bins are kept clean and in good condition.

Prepared By:	DEBBIE CUNNINGHAM, V M O	Date:	
Title:	DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care	Date:	Mar-27-2015
Received By:	(b)(6), (b)(7)(C)	Date:	
Title:		Date:	Mar-27-2015





## Inspection Report

Correct by: 28 March 2015

**3.125** (d)

### FACILITIES, GENERAL.

- In the front section of the park two separate tiger enclosures had pieces of raw meat sitting on top of the shade structures, evidently from employees attempting to feed the animals by throwing meat over the fencing. Park policy is to feed through the metal feed chutes located in the fence walls. Meat left on top of the fencing or shade structures will quickly turn rancid and become an attractant for insects, pests, and wild animals. Food not consumed must 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.

- In the commissary there were bins containing mice and rats intended for use as reptile food. In one bin there were two dead rats, one of which was extremely decomposed. The facility representative stated a park employee had notified him that morning that a rat had died but the park employee left the corpse inside the bin. Carcasses are an attractant for numerous pests and are a potential source of contamination to the surrounding area. Provision shall be made for the removal and disposal of animal and food wastes to minimize vermin infestation, odors, and disease hazards.

**3.127** (a)

### FACILITIES, OUTDOOR.

- At the rear of the park, a tiger named Batista was singly housed in an enclosure which did not have a shade structure. Lack of adequate shade exposes the animal to unnecessary environmental stress which can negatively impact its health and well being. The licensee must provide appropriate shade to help protect the health and welfare of the enclosed animals.

Corrected during the inspection by shifting the animal to another enclosure.

Inspection and exit interview conducted with facility representative, ODAFF law enforcement and 2 USDA APHIS AC VMOs.

Prepared By:	DEBBIE CUNNINGHAM, V M O	Date:	
Title:	DEBBIE CUNNINGHAM, V M O USDA, APHIS, Animal Care VETERINARY MEDICAL OFFICER Inspector 6072	Date:	Mar-27-2015
Received By:	(b)(6), (b)(7)(c)	Date:	
Title:		Date:	Mar-27-2015



### Inspection Report

Joe Schreibvogel  
25803 No. C R 3250  
Wynnewood, OK 73099

Customer ID: 9658  
Certificate: 73-C-0139  
Site: 001  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: Aug-20-2014

**3.75 (f)**

**HOUSING FACILITIES, GENERAL.**

- There was standing water and a large amount of waste and old food in a drainage ditch along one entire exterior side of the primate medical building. The standing water is a result of the waste removed from the inside portion of their enclosures. There are drain pipes from the indoor portion of the enclosures that drain into an approximately 2 foot wide area directly behind the medical building. The primate shift area is directly above this drainage area, and the outside portion of this primate enclosure is adjacent to this standing water. This is essentially an open sewer, and is present due to facility employees not maintaining this drainage ditch in a proper manner. Improper drainage systems and standing water where the animals are contained may result in noxious odors, spreading of diseases, insect infestation and other health hazards. All pens housing animals must have an adequate drainage system that is able to eliminate standing water and waste more rapidly for the overall health of the animals.  
Corrected during inspection.

**3.80 (a) (1)**

**REPEAT**

**PRIMARY ENCLOSURES.**

In the outdoor enclosure housing a single spider monkey "Ricky" the metal roof surface had an area of rust which had worn through the surface and created a hole with sharp edges. This area had been patched with two pieces of sheet metal which were loosely attached creating gaps and exposed sharp edges. This creates a risk of entrapment for the enclosed animal, as well as a risk of injury from the sharp edges. The facility must repair or replace this section, and must maintain metal surfaces throughout the facility to protect the welfare of the animals.

<b>Prepared By:</b>	<b>DEBBIE CUNNINGHAM, VMO</b>	
<b>Title:</b>	DEBBIE CUNNINGHAM, VMO    USDA, APHIS, Animal Care	<b>Date:</b> Aug-22-2014
<b>Received By:</b>	(b)(6), (b)(7)(C)	
<b>Title:</b>		<b>Date:</b> Aug-22-2014



## Inspection Report

3.84 (d)

### CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.

- Numerous wasps were observed on a large nest located on the inside roof supports in a Non Human primate enclosure housing "Ruthie" and "Lucy". The nest was directly over a perch area, and insects were also flying in and around the enclosure. Wasps can sting and cause injury to the enclosed animals. They can also contaminate food, water and living areas. Facility must remove this nest, and must ensure proper pest control throughout the facility.  
Correct by: 22 August 2014

3.125 (a)

REPEAT

### FACILITIES, GENERAL.

- In the rear of the park, an enclosure containing 4 wolves has a grate floor that is exposed along three of the sides. This exposed grate flooring has large 4 inch holes that create a possible injury threat to the enclosed animals. Licensee needs to remove the grating or replace dirt on top of the grate to ensure the animals are safely contained and protected from potential injury.

- In a pen in the rear of the park containing tigers there is an area in the lower hinge side of the holding pen gate that has rusted through. Facilities need to be maintained in good repair. Licensee must repair or replace this gate.

- In the rear of the park in the fence panel between cages 120 and 125 there is a pole that has significant rust present, to a degree that may affect the structural strength of the pole. Licensee needs to repair or replace this pole to ensure the animals are safely contained and protected from potential injury.

3.130

### WATERING.

- The grizzly bear enclosure contained no water. There were no drinking water receptacles present in the enclosure and the play water receptacles were empty. The licensee stated that the clips on the drinking water receptacles were being replaced and that the containers had been removed from the enclosure around 9 am. It was around noon and the temperature was around 82 degrees. All three grizzly bears were panting. The licensee turned on the water hose and two of the bear drank aggressively from the water hose. The licensee brought in two small water receptacles. Licensee was instructed that due to the size and type of animals present those were too small and would not hold enough water for grizzly bears on high temperature days. Water must be supplied to the enclosed animals as often necessary for the health and comfort of the species of enclosed animals.

Prepared By:

DEBBIE CUNNINGHAM, VMO

DEBBIE CUNNINGHAM, VMO USDA, APHIS, Animal Care

Title:

VETERINARY MEDICAL OFFICER Inspector 6072

Date:

Aug-22-2014

Received By:

(b)(6), (b)(7)(c)

Title:

Date:

Aug-22-2014



## Inspection Report

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3.131 (d)

### SANITATION.

- A tiger enclosure in the back portion of the park contained rancid meat on the floor of enclosure. At least one piece of the meat was covered with numerous maggots. Food not consumed must 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.

- There was a large piece of meat draped over the enclosure fence in a tiger enclosure in the front part of the park and a piece of old meat trapped in the feed chute in a tiger enclosure that was next to the camel enclosure. Food not consumed must 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.

- Numerous ants were observed on the pipe supports and in the feed chute in the large tiger arena enclosure. There was a piece of rancid meat stuck in the feed chute that was infested with ants. Ants can sting and cause injury to the enclosed animal. They can also contaminate food, water and living areas.

Inspection and exit interview conducted with facility personnel.

<b>Prepared By:</b>	DEBBIE CUNNINGHAM, VMO	
<b>Title:</b>	DEBBIE CUNNINGHAM, VMO USDA, APHIS, Animal Care VETERINARY MEDICAL OFFICER Inspector 6072	<b>Date:</b> Aug-22-2014
<b>Received By:</b>	(b)(6), (b)(7)(c)	
<b>Title:</b>		<b>Date:</b> Aug-22-2014



### Inspection Report

Joe Schreibvogel  
25903 No. C R 9250  
Wynnewood, OK 73098

Customer ID: 9658  
Certificate: 73-C-0139  
Site: 001  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: Apr-16-2014

**2.40 (b) (2) REPEAT**

**ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).**

On the afternoon of 2 April 2014, a male black bear named "Crybaby" was found injured with a single 4-8 inch long laceration located on his lower back. The attending veterinarian arrived that afternoon for initial treatment, which included suturing the wound. On 5 April, the facility discovered the wound had dehiscd. On 14 April the wound was open and bleeding heavily per facility personnel. The facility contacted the veterinarian and it was decided that euthanasia was the appropriate choice. The attending veterinarian arrived at the facility in the late afternoon of 15 April and the bear was euthanized.

The attending veterinarian physically observed this animal twice throughout the length of the treatment period, once on the date of the original injury (2 April) and again on the date of euthanasia (15 April). When the sutures dehiscd, the licensee re-sutured the wound closed. The attending veterinarian did not re-evaluate the injury during this time. When the sutures dehiscd a second time the veterinarian was called to euthanize the animal. When an animal does not adequately recover from an injury or respond to treatment, there must be timely and appropriate follow up examination by the attending veterinarian so as to evaluate the health and welfare of the animal. Documentation of the veterinarian's follow-up evaluation or treatment shall be documented.

This was a focused inspection following an official complaint on an injured black bear. Inspection and exit interview conducted with facility personnel.

Prepared By:	<b>MICHAEL TYGART, D.V.M</b>	
Title:	<b>MICHAEL TYGART, D.V.M     USDA, APHIS, Animal Care</b>	Date: Apr-28-2014
Received By:	<b>(b)(6), (b)(7)(c)</b>	
Title:	<b>(b)(6), (b)(7)(c)</b>	Date: Apr-28-2014



### Inspection Report

Joe Schreibvogel  
25803 No. C R 3250  
Wynnewood, OK 73098

Customer ID: 9658  
Certificate: J3-C-0139  
Site: 001  
JOE SCHREIBVOGEL

Type: ROUTINE INSPECTION  
Date: Mar-10-2014

**2.40 (b) (2)**

**ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).**

At least four juvenile black bears showed significant hair loss and demonstrated repeated episodes of scratching while observed during the inspection. There were no skin lesions beyond the hair loss, and all of the bears appeared otherwise healthy. Facility records indicate that there was a phone consultation with the attending veterinarian on 10 January 2014 regarding the black bear cubs hair loss. At that time, records indicate the animals were dewormed with ivermectin. However, since that initial treatment there is no indication of any further treatment or diagnostic testing. Medical problems that persist despite initial treatment must be followed up with appropriate care, including any necessary diagnostic testing. These affected black bears must be examined by the attending veterinarian in a timely manner, and treated as necessary. Records of all examinations, testing, and treatments must be maintained by the facility.

Correct by: 12 March 2014

**3.80 (a) (1)**

**PRIMARY ENCLOSURES.**

In the indoor portion of a sheltered enclosure housing a single snow macaque, an elevated metal resting surface had an area of rust which had worn through the surface and created a hole with sharp edges. This creates a risk of entrapment for the enclosed animal, as well as a risk of injury from the sharp edges. The facility must repair or replace this resting platform, and must maintain metal surfaces throughout the facility to protect the welfare of the animals.

Correct by: 15 March 2014

**3.125 (a)**

**FACILITIES, GENERAL.**

An enclosure containing two tigers (Ladoux and Safari) contains a small pond with a central island connected to the rest of the enclosure by a pair of wooden walkways. One of the walkways is missing a plank, and there is a screw point exposed at the top of the brace where the plank should connect. The missing plank is a potential source of injury to the enclosed animals, as is the exposed sharp point. The facility needs to repair and properly maintain this walkway.

Prepared By:	<b>DEBBIE CUNNINGHAM</b>	Date:
Title:	DEBBIE CUNNINGHAM USDA, APHIS, Animal Care VETERINARY MEDICAL OFFICER Inspector 6072	Mar-11-2014
Received By:	(b)(6), (b)(7)(c)	Date:
Title:		Mar-11-2014



## Inspection Report

Correct by: 15 March 2014

Inspection and exit interview conducted with facility representatives.

Prepared By:

DEBBIE CUNNINGHAM

Title:

DEBBIE CUNNINGHAM USDA, APHIS, Animal Care  
VETERINARY MEDICAL OFFICER Inspector 6072

Date:

Mar-11-2014

Received By:

(b) (6), (b) (7) (c)

Title:

Date:

Mar-11-2014



### Inspection Report

JOE SCHREIBVOGEL

Customer ID: 9658

Certificate: 73-C-0139

Site: 001

JOE SCHREIBVOGEL

25803 No. C R 3250

Type: ROUTINE INSPECTION

WYNNEWOOD, OK 73098

Date: Mar-20-2013

**3.125 (a)**

**FACILITIES, GENERAL.**

(a) Structural strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

- In the rear of the park, an enclosure containing 4 wolves has a gate that is beginning to lean, leaving a small gap between the gate and the fence. The rest of the fence is also beginning to lean and sag. Licensee needs to repair or replace this structure to ensure the animals are safely contained and protected from potential injury.  
Correct by: 15 April 2013

- In the pen containing the tigress "Monique" there is a stone shelter with a large chunk broken off the edge of the roof. Facilities need to be maintained in good repair. Licensee must repair or replace this shelter.  
Correct by: 15 April 2013

**3.127 (a)**

**FACILITIES, OUTDOOR.**

(a) Shelter from sunlight. When sunlight is likely to cause overheating or discomfort of the animals, sufficient shade by natural or artificial means shall be provided to allow all animals kept outdoors to protect themselves from direct sunlight.

- At the rear of the park, two connected lion enclosures do not have adequate shade for the contained animals. Licensee must provide appropriate shade to help protect the health and welfare of the enclosed animals.  
Correct by: 30 March 2013

Prepared By:	<b>MICHAEL TYGART, D.V.M</b>	
	<b>MICHAEL TYGART, D.V.M</b> <b>USDA, APHIS, Animal Care</b>	Date:
	<b>VETERINARY MEDICAL OFFICER Inspector 6009</b>	Mar-22-2013
Received By:	<b>(b)(6), (b)(7)(c)</b>	
		Date:
Title:		Mar-22-2013





## Inspection Report

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Inspection and exit interview conducted by Michael Tygart (VMO), Thomasina Barney (ACI), and facility representative.

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Prepared By:

MICHAEL TYGART, D.V.M

Title:

MICHAEL TYGART, D.V.M      USDA, APHIS, Animal Care  
VETERINARY MEDICAL OFFICER Inspector 6009

Date:

Mar-22-2013

Received By:

(b)(6), (b)(7)(c)

Title:

Date:

Mar-22-2013



### Inspection Report

JOE SCHREIBVOGEL

Customer ID: 9658

Certificate: 73-C-0139

Site: 001

JOE SCHREIBVOGEL

G W EXOTIC ANIMAL FOUNDATION

25803 No. C R 3250

Type: ROUTINE INSPECTION

Date: May-21-2012

WYNNEWOOD, OK 73098

2.131 (b) (1)

#### HANDLING OF ANIMALS.

(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.

- This inspection focused on the handling of the cubs at this facility. The handling techniques are currently under review.

An exit conference was conducted with the facility manager.

**Prepared By:**

NANCY ELLIFRIT, D.V.M. USDA, APHIS, Animal Care

Date:

Title: VETERINARY MEDICAL OFFICER Inspector 4006

May-22-2012

**Received By:**

(b)(6), (b)(7)(c)

Date:

Title:

May-22-2012



### Inspection Report

JOE SCHREIBVOGEL

Customer ID: 9658

Certificate: 73-C-0139

Site: 001

JOE SCHREIBVOGEL

G W EXOTIC ANIMAL FOUNDATION

25803 No. C R 3250

Type: ROUTINE INSPECTION

Date: Dec-01-2011

WYNNEWOOD, OK 73098

**2.131 (c) (1)**

**HANDLING OF ANIMALS.**

(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.

- During a recent exhibition involving several different types of animals, the licensee indicated that a 3 month old tiger cub, on a leash, jumped up on a small child and knocked him down, causing what was explained to be a minor scratch. The attendant was distracted and not paying close attention, because he was talking to the group and didn't see the child who wandered up behind him. The animals need to be handled by experienced personnel that are attentive to the animals and the public at all times, to assure the safety of the animals and the public at all times. Correct by: the next exhibition period (Corrective actions were taken by the facility)

This was a focused inspection to address a complaint.

An exit conference was conducted with the facility manager.

Prepared By:

NANCY ELLIFRIT, D.V.M. USDA, APHIS, Animal Care

Date:

Title: VETERINARY MEDICAL OFFICER Inspector 4006

Dec-01-2011

Received By:



(b)(6), (b)(7)(c)

Date:

Title:

Dec-01-2011



### Inspection Report

JOE SCHREIBVOGEL

Customer ID: 9658

Certificate: 73-C-0139

Site: TRA

JOE SCHREIBVOGEL

G W EXOTIC ANIMAL FOUNDATION

25803 No. C R 3250

Type: ROUTINE INSPECTION

Date: Nov-13-2011

WYNNEWOOD, OK 73098

**3.138 (f)**

**PRIMARY CONVEYANCES (MOTOR VEHICLE, RAIL, AIR, AND MARINE).**

Live animals shall not be transported with any material, substance (e.g., dry ice) or device which may reasonably be expected to be injurious to the health and well-being of the animals unless proper precaution is taken to prevent such injury.

Two tigers were being transported in the front half a 7 by 20 foot enclosed trailer with a skylight roof vent. The back half of the trailer contained two four wheelers. Proper precaution must be taken to assure that the gas from the vehicles does not harm the animals. Correct By 30 November 2011.

An exit briefing was conducted with the owner. The Travel unit was at Shippensburg University in Shippensburg, PA. The PVC, Diet and Health/import records were viewed at the time of inspection. This is an amended report, based upon appeal, for report 317111626340895 dated 13 November 2011.

Prepared By:

DAVID A OELBERG, D V M      USDA, APHIS, Animal Care

Date:

Title: VETERINARY MEDICAL OFFICER Inspector 1043

Feb-09-2012

Received By:

[Redacted Signature Block]  
(b)(6), (b)(7)(c)

Date:

Title:

Feb-10-2012



### Inspection Report

JOE SCHREIBVOGEL

Customer ID: 9658

Certificate: 73-C-0139

Site: 001

JOE SCHREIBVOGEL

G W EXOTIC ANIMAL FOUNDATION  
25803 No. C R 3250

Type: ROUTINE INSPECTION

Date: Sep-13-2011

WYNNEWOOD, OK 73098

2.40 (b) (2)

DIRECT NCI

#### ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

(b) Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: 2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries.

- One baboon has lost a lot of weight and appears to be in a constant estrus cycle. The animal should be evaluated by a veterinarian to determine the cause of the weight loss and institute appropriate treatment to correct the condition. Correct by: 9/23/11

- one New Guinea Singing dog appears grossly under weight with a poor hair coat. The animal should be evaluated by a veterinarian to determine the cause of the weight loss and institute appropriate treatment to correct the condition. Correct by: 9/23/11

Inspection exit conference conducted with facility manager.

Prepared By:

NANCY ELLIFRIT, D.V.M. USDA, APHIS, Animal Care

Date:

Title: VETERINARY MEDICAL OFFICER Inspector 4006

Sep-14-2011

Received By:



(b)(6), (b)(7)(c)

Date:

Title:

Sep-14-2011



United States Department of Agriculture  
Animal and Plant Health Inspection Service

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20672 site\_id

**INSPECTION REPORT**

**JOE SCHREIBVOGEL**  
**G W EXOTIC ANIMAL FOUNDATION**

**Customer ID: 9658**  
**Certificate: 73-C-0139**

**R R 2 BOX 67**  
**WYNNEWOOD, OK 73098**

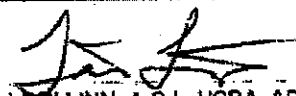
**Site: TRA**  
**JOE SCHREIBVOGEL**

**Inspection**  
**Type: ROUTINE INSPECTION**  
**Date: DEC-01-2007**

There were no non-compliant items observed this inspection.

Inspection and exit interview were conducted with owner and Lori Linn, ACI.

This is an amended inspection report. The original report, dated 01-DEC-2007, is filed under Customer ID # 9658, Inspection ID # 339059 and Site ID # 20672.

**Prepared By:**   
LORI LINN, A C I , USDA, APHIS, Animal Care  
**Title:** ANIMAL CARE INSPECTOR , Inspector ID: 1080

**Received By:** \_\_\_\_\_  
sent by certified mail  
**Title:** \_\_\_\_\_

**Date:**  
DEC-01-2007

**Date:**  
DEC-07-2007



**INSPECTION REPORT**

**G W EXOTIC ANIMAL FOUNDATION**

Customer ID: 9658  
Certificate: 73-C-0139

Site: TRA

R R 2 BOX 67  
WYNNEWOOD, OK 73098

Inspection  
Type: ROUTINE INSPECTION  
Date: DEC-01-2007

All conditions on this page are pursuant to (b)(7)(C) & (b)(7)(D)

2.131 ( d ) ( 1 )

DIRECT

**HANDLING OF ANIMALS.**

Sec. 2.131 Handling of animals.

(d)(1) Animals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being.

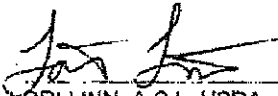
Three tiger cubs born 10/14/07 and one lion cub born 10/17/07 were being used for public hands on exhibition. None of these cubs have had any vaccines. The program of Veterinary Care indicates vaccines are given at 6, 8 and 12 weeks of age.

Exhibiting cubs to the public before being vaccinated puts them at risk of exposure to disease. The exposure of an unvaccinated cub is not consistent with their good health and well-being.

Cubs should receive at least two vaccinations before being exhibited to the public.

Correct by: January 1, 2008.

Inspection of animals and records review conducted at Logansport Mall, Indiana. Inspection and exit interview conducted with [redacted] and Lori Linn, ACI.

Prepared By:   
LORI LINN, A.C.I. USDA, APHIS, Animal Care  
Title: [redacted], Inspector ID: 1080  
Received By: [redacted]  
Title: [redacted]

DEC 18 2007

Date:  
DEC-01-2007  
Date:  
DEC-01-2007



United States Department of Agriculture  
Animal and Plant Health Inspection Service

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**INSPECTION REPORT**

(b)(6), (b)(7)

G W EXOTIC ANIMAL FOUNDATION

Customer ID: 9658

Certificate: 73-C-0139

R R 2 BOX 67  
WYNNEWOOD, OK 73098

Site: 001

(b)(6), (b)(7)

Inspection  
Type: ROUTINE INSPECTION  
Date: APR-11-2007

**2.75 (b)(1)**

**RECORDS: DEALERS AND EXHIBITORS.**

Section 2.75(b)(1) - Records. Every dealer shall make, keep and maintain records which fully and correctly disclose information concerning animals other than dogs and cats.

- The records were available, however there are several individuals who board animals at the park. Those animals should be on a separate inventory sheet, so that they can be accurately traced. Correct by: 5/11/07

Prepared By: *Nancy Ellifrit*  
NANCY ELLIFRIT, V.M.O., USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4006

Date: APR 20 2007  
APR-11-2007

Received By: (b)(6), (b)(7)  
Title: (b)(6), (b)(7)

Date: APR-11-2007





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**INSPECTION REPORT**

(b)(6), (b)(7)c

**G W EXOTIC ANIMAL FOUNDATION**

R R 2 BOX 67  
WYNNEWOOD, OK 73098

Customer ID: 9658

Certificate: 73-C-0139

Site: 001

G W EXOTIC ANIMAL FOUNDATION

Inspection

Type: ROUTINE INSPECTION

Date: FEB-15-2006

**3.127 ( d )**

**FACILITIES, OUTDOOR.**

Section 3 127(d) - Perimeter fence. All outdoor housing facilities must be enclosed by a perimeter fence that is of sufficient height to keep unwanted animals out. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility

- 37 large felids were moved behind the living quarters of the manager of the park to a new cat compound. The animals are visible by the visitors of the park. An 8' fence should be placed around the enclosures. Correction date: 2/21/06
- there are several deer in an enclosure between the back fence of the park and the new cat compound, that fence is not 6' tall all the way around that enclosure. Correction date: 2/21/06

Voice mail: 703-812-6547

Prepared By:

NANCY ELLIERIT, V.M.O., USDA, APHIS, Animal Care

Title: (b)(6), (b)(7)c

06

Date:

FEB-15-2006

Received By:

Title:

Date:

FEB-15-2006

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**INSPECTION REPORT**

(b)(6), (b)(7)c

G W EXOTIC ANIMAL FOUNDATION

Customer ID: 9658

Certificate: 73-C-0139

R.R. 2, BOX 67  
WYNNEWOOD, OK 73098

Site: 001

G W EXOTIC ANIMAL FOUNDATION

Inspection

Type: ROUTINE INSPECTION

Date: DEC-14-2004

**2.131 ( b X 1 )**

**HANDLING OF ANIMALS.**

Section 2.131(b)(1) - Public exhibition. During public exhibition, animals 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.

- The barrier for the 3 baby cats is leaning in towards the enclosure. The barrier should be re-enforced and built far enough away from the enclosure to prevent the public from reaching the enclosure. Correct by: 1/14/04

**3.81 ( b )**

**ENVIRONMENT ENHANCEMENT TO PROMOTE PSYCHOLOGICAL WELL-BEING.**

Section 3.81(b) - Environmental enrichment for non-human primates. The physical environment in the primary enclosure must be enriched by providing means of expressing non-injurious species typical activities

- An enrichment plan needs to be filled out and left at the facility for review by an APHIS official. The enrichment plan should include species specific enrichments that are provided for the primates along with when, how much and how often. Correct by: 1/14/05

**3.127 ( b )**

**FACILITIES, OUTDOOR.**

Section 3.127(b) - Shelter from inclement weather. Natural or artificial shelter must be provided for animals covered under Subpart F.

- Additional housing is needed for the bobcats on the south side of the park. They have a house but need additional housing for the others or a large house that can house both of them. Correct by: 12/20/04

- Housing is needed for one wolf along the walkway. He currently has a house made of metal with the back of the house open under the roof. The house will not enable to wolf to maintain his body heat. The house can be insulated or another suitable house used in its place. Correct by: 12/20/04

- Additional housing is needed for one of the mountain lions. The animals need enough room to move around and make

Prepared By:

NANCY ELLERIT, V.M.O., USDA, APHIS, Animal Care

Title:

(b)(6), (b)(7)c : 4006

Date:

DEC-14-2004

Received By:

Title:

Date:

DEC-14-2004



United States Department of Agriculture  
Animal and Plant Health Inspection Service

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**INSPECTION REPORT**

postural adjustments without stepping on the other animal. Correct by: 12/20/04

VOICE MAIL: 703-812-6547

Prepared By:

(b)(6), (b)(7)c

Title:

Received By:

Title:

Date:

DEC-14-2004

Date:

DEC-14-2004



**INSPECTION REPORT**

(b)(6), (b)(7)c  
G W EXOTIC ANIMAL FOUNDATION

Customer ID: 9658  
Certificate: 73-C-0139

R.R. 2, BOX 67  
WYNNEWOOD, OK 73098

Site: TRA  
G W EXOTIC ANIMAL FOUNDATION

Inspection  
Type: ROUTINE INSPECTION  
Date: OCT-02-2004

**3.131  
SANITATION.**

Inspection took place at the Flintheills Mall in Emporia, Ks., between (b)(6), (b)(7)c  
(b)(6), (b)(7)c & Robert Bacon (Inspector).

(a) Cleaning of enclosures. Excreta 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. When enclosures are cleaned by hosing or flushing, adequate measures shall be taken to protect the animals confined in such enclosures from being directly sprayed with the stream of water or wetted involuntarily.

\* Transport trailer enclosure being used to transports all ecotic cats are expanded metal double decker enclosures. There was no adequate waste trays between the double decker enclosures to prevent urine or fecal waste from dropping on the cats being housed in the bottom enclosures during transport affecting 15 cats. Correct by 11-1-04.

Exotic Cats

Tigers: 11  
Lions: 5

Total Numbers: 16

Prepared By:

Title: (b)(6), (b)(7)c

Received By:

Title:

Date:  
OCT-02-2004

Date:  
OCT-02-2004

OCT 6 2004



**COPY**

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9658 cust\_id  
196493 insp\_id  
20672 site\_id

(b)(6), (b)(7)c

**G W EXOTIC ANIMAL FOUNDATION**

**Customer ID: 9658**

**Certificate: 73-C-0139**

**R.R. 2, BOX 67  
WYNNEWOOD, OK 73098**

**Site: TRA**

**G W EXOTIC ANIMAL FOUNDATION**

**Inspection**

**Type: ROUTINE INSPECTION**

**Date: JUL-08-2004**

**2.40 ( a ) ( 1 )**

**ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).**

Section 2.40(a) - Adequate veterinary care. Each dealer or exhibitor shall have an attending veterinarian to provide adequate veterinary care to their animals

- Licensee did not have an up-to-date APHIS Form 7002, Program of Veterinary Care, on hand. This form must be completed and signed by the attending veterinarian annually. The veterinarian must make a site visit, review the program of veterinary care, and sign and date the form. The licensee must keep a copy of this form with the animals when they away from the animal park.

This affects 10 animals.

To be corrected by: August 8, 2004

- Animals present:
- Black bear cubs (2) - Nadia, Niko
  - Tiger cubs (2) - Jake, Freedom (both app. six weeks old)
  - Lion cubs (3) - Jule, a male (both nine weeks old), Angel (seven weeks old)
  - Cougar cubs (2) - six weeks old
  - Tiger (1) - Rambo (six months old)

This inspection was conducted by (b)(6), (b)(7)c and Jeff Baker, VMO, at the Frisco Station Mall in Rogers, AR

Prepared By: \_\_\_\_\_

JEFFREY BAKER, V.M.O., USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4052

Received By: \_\_\_\_\_

Title: SENT VIA CERTIFIED RETURN RECEIPT MAIL

Date:

JUL-09-2004

Date:

JUL-10-2004

JUL 15 2004



**INSPECTION REPORT**

(b)(6), (b)(7)c

G W EXOTIC ANIMAL FOUNDATION

Customer ID: 9658

Certificate: 73-C-0139

R.R. 2, BOX 67  
WYNNEWOOD, OK 73098

Site: 001

G W EXOTIC ANIMAL FOUNDATION

Inspection

Type: ROUTINE INSPECTION

Date: MAY-04-2004

**2.131 (c)(2)**

**HANDLING OF ANIMALS.**

Section 2.131(c)(2) - Employee. A responsible, knowledgeable, and readily identifiable employee or attendant must be present at all times during periods of public contact.

- 3 deer were loose in the park, during our visit, while the public was there. There were not any identifiable park employees present during the time of public contact. The animals and the public should be protected from potential harm by having an attendant present or the animals should be placed in enclosures and behind barriers. Correct by: 5/7/04

**3.75 (c)(2)**

**HOUSING FACILITIES, GENERAL.**

Section 3.75(c)(2) - Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces must be able to be cleaned and sanitized according to Section 3.84 or be able to be removed and replaced.

- The wood shelves in the lemur house need to be sealed so that they can be properly sanitized. The wood is porous and allows organisms which could be detrimental to the animal, to get into those pores unless the wood is sealed. The shelves should be sealed or replaced with a substrate that is not porous. Correct by: 6/4/04

**3.84 (d)**

**REPEAT NCI**

**CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.**

Section 3.84(d) - Pest control. An effective program for control of insects, external parasites must be established and maintained so as to promote the health and well being of the animals and reduce contamination by pests in animal areas.

- Mouse droppings were on the shelves of the lemur enclosure, indicating that further measures should be taken to reduce the rodent population in the park. Keeping in mind the safety of the animals in the park, perhaps a professional could be contacted for advise. Correct by: 6/4/04

**3.127 (d)**

**REPEAT NCI**

**FACILITIES, OUTDOOR.**

Prepared By:

NANCY ELIFRIT, V. M. D., USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4006

Date:

MAY-04-2004

Received By:

(b)(6), (b)(7)c

Date:

MAY-04-2004

Title:



INSPECTION REPORT

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Section 3.127(d) - Perimeter fence. All outdoor housing facilities must be enclosed by a perimeter fence that is of sufficient height to keep unwanted animals out.

The perimeter fence does not go all the way to the ground, all the way around the park. This would allow small vermin and unwanted pest easy access to the park and could cause potential harm to the animals by spreading disease and harm to some of the smaller animals. The fence should go all the way to the ground all the way around the park.

3.129 ( a ) REPEAT NCI FEEDING.

Section 3.129(a) - Feeding. The food shall be wholesome, palatable, and free from contamination and of sufficient quantity and nutritive value to maintain all animals in good health.

The commissary is used for food preparation and for storage. The storage items should be moved to another location because the boxes serve as places of refuge for mice, rats and roaches. The food prep area needs to be kept clean at all times and the table should be cleaned between different food items. Correct by: 6/5/04

The freezer for the meat for the cats is in a barn that currently has a number of loose pigeons making it their home. The birds are free to transport all sorts of harmful diseases back into the park and the employees have to walk through the bird droppings to get to the freezer. The freezer should be moved to a more controlled environment or the birds removed from the barn. Correct by: 6/4/04

The diets for the large cats are not professionally prepared diets, their nutritional needs need to be met by supplying the animals with any of the nutrients that are not satisfied by the meat product being fed. The current diet written by the veterinarian does not address the nutrient requirements that will need to be supplied in the way of supplements or different food groups. A guide line should also be offered to assist the facility in determining how much food should be offered and how often. A nutritionist with familiarity with this species may need to be contacted to help develop an appropriate diet if the veterinarian of record.

Since cavities in the teeth of bears is on the increase and these bears have access to foods with a lot of sugar in it, a suitable diet will also need to be developed for the bears to ensure that their needs are met and that the level of sugar is not excessively high so that it would compound the possibility of cavities occurring. The veterinarian will need to sign off on the diet, however it will need to address not only quantity and wholesomeness but will need to address nutritive value. Correct by: 6/5/04

3.131 ( a ) SANITATION.

Section 3.131(a) - Sanitation. Excreta shall be removed from primary enclosures as often as necessary to prevent contamination of the animals contained therein and to minimize disease hazards and reduce odors.

There is a build up of fecal material, dirt and straw in several of the enclosures. 2 bears, 2 foxes, 6 tigers and 2 lions need to have their enclosures cleaned of the build up in order to reduce the disease hazards and to help with odor control. Correct by: 6/4/04

Prepared By: [Signature] NANCY ELIFRIT, V. M. O., USDA, APHIS, Animal Care Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4006

Date: MAY-04-2004

Received By: [Redacted] Title: [Redacted]

Date: MAY-04-2004

MAY 18 2004



**INSPECTION REPORT**

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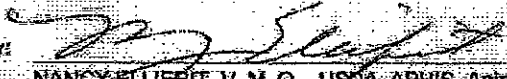
**3.132 REPEAT NCI  
EMPLOYEES.**

Section 3.132 - Employees. A sufficient number of adequately trained employees shall be utilized to maintain the professionally acceptable level of husbandry practices set forth in this subpart.

- The training requirements for the employees is vague. A document addressing what type of training is being offered, by whom and the level of developed skills should be kept on each of the employees. Correct by: 6/4/04

VOICE MAIL: 703-812-6547

Prepared By:

  
NANCY ELLIFRIT, V. M. O., USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4006

Date:

MAY-04-2004

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(b)(6), (b)(7)c

Title:

Date:

MAY-04-2004





**INSPECTION REPORT**

(b)(6), (b)(7)c

**G W EXOTIC ANIMAL FOUNDATION**

**R.R. 2, BOX 67  
WYNNEWOOD, OK 73098**

**Customer ID: 9658**

**Certificate: 73-C-0139**

**Site: 001**

**G W EXOTIC ANIMAL FOUNDATION**

**Inspection**

**Type: ROUTINE INSPECTION**

**Date: DEC-19-2003**

**2.40 ( a ) REPEAT NCI  
ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).**

THIS IS AN AMENDED INSPECTION REPORT OF AN INSPECTION DATED 12/18/2003

Section 2.40(a) - Adequate veterinary care. Each dealer or exhibitor shall have an attending veterinarian to provide adequate veterinary care to their animals.

- The current diet for the large exotic cats is not considered within the currently held acceptable husbandry practices. The veterinarian should review the diet and sign off on the diet, if it meets the nutritional needs of the animals. Animals that are killed on the highway can be used; however, the Dept. of Transportation should furnish the licensee with a statement as to when the animal was killed and what the current temperature is. A road kill is not acceptable if the animal has been out there more than 24 hours, (less in the summer time). Cited on prior inspection, dated 11/3/03

**2.131 ( b ) ( 1 ) REPEAT NCI  
HANDLING OF ANIMALS.**

Section 2.131(b) (1) - Public exhibition. During public exhibition, animals 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.

- The barrier around the foxes is made of two wooden rails and is not sufficient to prevent children from crawling under or reaching through. The animals are not protected from the public and the public is not protected from the animal. The barrier should be solid or fence panel. Cited on prior inspection, dated 11/3/03

**3.27 ( b )  
FACILITIES, OUTDOOR.**

Section 3.27(b) - Outdoor facilities. Guinea pigs shall not be housed in outdoor facilities unless such facilities are located in appropriate climate and prior approval for such outdoor housing is obtained from the Deputy Administrator.

Prepared By: \_\_\_\_\_

*Nancy Ellifrit*  
NANCY ELLIFRIT, V. M. O. , USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER , Inspector ID: 4006

Date:

FEB-25-2004

Received By: \_\_\_\_\_

Title:

Date:

FEB-25-2004



**INSPECTION REPORT**

- Several Guinea Pigs are running around the interior of the park. They travel through the cage enclosures and eat the food put there for the animal assigned to that enclosure. The Guinea pigs could spread disease and are a regulated animal that should be cared for according to the standards of the "Animal Welfare Act". To maintain them outdoors would require a variance from the Administrator. The Guinea Pigs need to be removed from the park or put in appropriate housing according to the standards. To be corrected by 12/31/03

**3.75 ( a ) REPEAT NCI**

**3.75 ( f ) REPEAT NCI**

**HOUSING FACILITIES, GENERAL.**

Section 3.75(a) - Structure. Housing facilities for nonhuman primates must be designed and constructed so that they are structurally sound , in good repair, protect the animal, contain the animal and keep other animals from entering the enclosure.

- The house for the baboons and macaques allow the primates to reach through and grab the insulation in the roof. The insulation could be harmful to the primates and a method of preventing their access to the insulation should be instituted. One area was corrected, however the other areas need to be corrected. Cited on prior inspection, dated 11/3/03

Section 3.75(f) - Drainage. All drains must be properly constructed, installed, and maintained. Standing puddles of water in animal areas must be mopped up or drained so that the animals remain dry.

- The indoor portion of the primate house had standing water. The water needs to be removed so that the animals remain dry. The pens can be squeegee or mopped or a blower used to dry them. Cited on prior inspection, dated 11/3/03

**3.77 ( f ) REPEAT NCI**

**SHELTERED HOUSING FACILITIES.**

Section 3.77(f) - Perimeter fence. The outdoor area of a sheltered housing facility must be enclosed by a fence that is of sufficient height to keep unwanted species out

-The perimeter fence does not come all the way to the ground, small animals can still walk or crawl under the fence and can go into the pens. Several guinea pigs are loose in the park, they travel though the pens and eat the food of the animals in the enclosure. They could spread disease through out the park and guinea pigs are a regulated animal that must be kept indoors unless a variance has been written for them. There is no variance on file with the regional office. The guinea pigs must be captured and removed from the park or place in adequate housing in accordance with the standards for guinea pigs. Cited on prior inspection report, dated 11/3/03, with a correction date of 11/10/03

**3.125 ( f ) REPEAT NCI**

**FACILITIES, GENERAL.**

Section 3.125(d) - Waste disposal. Provision shall be made for removal/disposal of animal and food wastes, bedding, dead

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Title:

Date:

FEB-25-2004

Date:

FEB-25-2004



**INSPECTION REPORT**

animals, trash, and debris for animals covered under Subpart F

- The trash dumpster used to place animal waste, debris and normal trash is inside the deer run, there are a number of emu feeding in the container and dragging items out of the container. The dumpster should be placed in an area away from the animals and should have a tight fitting lid, to help with the fly problem during the summer months, to reduce the available food for the rodent population and reduce the potential for disease. Cited on previous inspection report dated 11/03/03

**3.127 ( b ) REPEAT NCI**

**3.127 ( c ) REPEAT NCI**

**3.127 ( d )**

**FACILITIES, OUTDOOR.**

Section 3.127(b) - Shelter from inclement weather Natural or artificial shelter must be provided for animals covered under Subpart F.

- The dirt roof over the 4 tinhorns in the tiger enclosure with 8 tigers looks unsteady. Dirt was piled up on the top of the culverts with plywood sheets stretched between the culverts to make additional housing. The front portion of the plywood between the tinhorns is sagging. The plywood needs adequate support to keep it from sagging, so that none of the animals get trapped under the enclosures should the rain and/or snow make the roof heavy enough to finally cave in. Cited on previous inspection, dated 11/3/03

- The shade structures are collapsing and loosing sections of the roof, this need to be repaired or replaced There is not enough room for all the animals to have access to the shade at the same time. Additional shade needs to be provided so that all the animals in the enclosure can get under shade, if they want or need to get under them for their comfort. Their housing is not to be considered as part of their shade. Cited on a previous inspection, dated 11/03/03.

Section 3.127(c) - Drainage. A suitable method shall be provided to eliminate excess water for animals covered under Subpart F.

- Most of the long-term standing water has been corrected, however there are still some places where water gathers. The standing water can be removed by dipping it out, filling in the holes or creating suitable drainage for the water. Cited on the last inspection dated 11/3/03

Section 3 127(d) - Perimeter fence. All outdoor housing facilities must be enclosed by a perimeter fence that is of sufficient height to keep unwanted animals out. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility.

- The fence around the facility does not restrict unwanted animals from crawling under the fence. The fence should be repaired so that the fence will go to the ground, since the fence is a mesh fence a small strip of mesh could be added to the bottom. To be corrected by: 3/15/04

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*Nancy Ellifrit*

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Received By:

Title:

Date:

FEB-25-2004

Date:

FEB-25-2004



**INSPECTION REPORT**

(b)(6), (b)(7)c

**3.129 ( a ) REPEAT NCI  
FEEDING.**

Section 3.129(a) - Feeding. The food shall be wholesome, palatable, and free from contamination and of sufficient quantity and nutritive value to maintain all animals in good health

- The large exotic cats are fed portions of meat, which would be considered excessive by husbandry standards. The veterinarian needs to review the diets for the animals and sign a statement agreeing with the current methods of feeding, so that the facility will have it on file. Cited on previous inspection, dated 11/3/03

**3.131 ( d ) REPEAT NCI  
SANITATION.**

Section 3.131(d) - Pest Control. A safe and effective program for the control of insects, ectoparasites, and avian and mammalian pests shall be established and maintained.

- Mice and probably rats are a problem in the facility, there are several holes dug in the ground. The new gravel that was placed in several of the enclosures to raise them up above water level show mice holes in them. Cited on previous report, dated 11/3/03

**3.132 REPEAT NCI  
EMPLOYEES.**

Section 3.132 - Employees. A sufficient number of adequately trained employees shall be utilized to maintain the professionally acceptable level of husbandry practices set forth in this subpart. Such practices shall be under a supervisor who has a background in animal care

- Upon arrival at the facility we met a young man, working, that stated he was the only one at the park and that he wasn't in charge of the large animals, he only cared for the small animals. When asked when the person in charge of the large animals would return, he stated he wasn't sure but thought that it would be later that afternoon. I then called [redacted] who returned to the park to conduct the inspection. He indicated that the people in charge of the large animals were accompanying him to Kansas to set up for a show that weekend and they would return to take care of the animals. A round trip to Emporia Kansas would be approximately 8 hours without set up time, that means that the park would be without any caretakers for the large dangerous animals for at least a day. It is unknown whether arrangements had been made to provide the necessary daily husbandry for the large animals for that day (feed, water, cage cleaning, etc.) Also, it was evident that no qualified person would be around in the event of an escape, injury or illness. The number of adequately trained personnel available, stated to me at the inspection time, would have been two, and they were both going to be gone to the show. [redacted] stated that he had to fire his previous employees and had a whole new staff. The staff that I met on this inspection was not at the park on the last inspection in November, 2003, so there has not been time for adequate training of this new staff. [redacted] stated that the shows require a staff of seven members to go with them, and these shows take him away from the park for 5 to 6 days at a time. Therefore, he must have enough additional well trained staff so that the staff left at the park is large enough to carry out the necessary daily husbandry duties for some 80 large dangerous

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Title: \_\_\_\_\_

Date:  
FEB-25-2004  
Date:  
FEB-25-2004



**INSPECTION REPORT**

cats, including the safe and knowledgeable handling of any emergencies. Documentation of the training and experience level of each staff member should be available for inspection, and the Park should not be operated without a sufficient number of adequately trained and experienced hands present to ensure proper care of the animals and safe and knowledgeable handling of any emergencies.

Previously cited on the last inspection report, dated 11/3/03

**NOTE:**

Dr. Sabala and I discussed with (b)(6), (b)(7)(c) his attitude at the beginning of the inspection. We made it clear that confrontational behavior and offensive language will not be tolerated and the inspector will treat such behavior as a non-compliance and failure to allow inspection of the premises and records and will leave.

We discussed his barriers around the animal enclosures because they were about 12" off the ground the there was concern that a child could scoot under them quickly and put themselves in harms way.

Voice mail: 703-812-6547

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NANCY ELLIFRIT, V. M. O., USDA, APHIS, Animal Care

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Date:

FEB-25-2004

Received By:

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Date:

FEB-25-2004



INSPECTION REPORT

9858 cust\_id  
156311 insp\_id  
10123 site\_id

7

JOE SCHREIBVOGEL  
G W EXOTIC ANIMAL FOUNDATION

Customer ID: 9858  
Certificate: 73-C-0139

R.R. 2, BOX 67  
WYNNEWOOD, OK 73098

Site: 001  
G W EXOTIC ANIMAL FOUNDATION

Inspection  
Type: ROUTINE INSPECTION  
Date: NOV-03-2003

2.40 ( a )

ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

Section 2.40(a) - Adequate veterinary care. Each dealer or exhibitor shall have an attending veterinarian to provide adequate veterinary care to their animals.

- There are no records to indicate whether the veterinarian is treating the camel with the injured leg. There are also no records to indicate that the camel is receiving any treatment or if being treated by what and how much. The camel is currently being hoisted in a sling twice a day for two hours, however most ruminants are not slung by belly wraps, because it interferes with their digestion. To be corrected by: 11/10/03
- one female cougar, with a collar and in an enclosure with 16 other cougars was limping and seems to be very thin, there are no records to indicate that the cougar had been identified and needing care or that the veterinarian had looked at her. To be corrected by: 11/10/03
- One kitten named Kenny is limping, there is no indication that the vet has seen this animal or what kind of treatment was prescribed. To be corrected by: 11/10/03
- since the diet provided for the animals is not a packaged food source designed to meet the nutritional requirements of the animals, the vet needs to approve the diet currently being provided, in terms of type and amount of food as well as wholesomeness. There should not be any drug residue in the carcass and the death should have occurred within the previous 12 to 24 hours. To be corrected by: 11/10/03


2.75 ( b ) ( 1 )

RECORDS: DEALERS AND EXHIBITORS.

Section 2.75(b)(1) - Records. Every exhibitor shall make, keep and maintain records which fully and correctly disclose information concerning animals other than dogs and cats.

- The current inventory record does not furnish the required information. The record of animals on hand (APHIS form 7019) lists all the necessary information needed. The licensee may fill out that form or use their own; however, the required information should still be provided. The form only supplies numbers of animals and apparently, they were not all put on the form. The inventory shows 15 cougars, there were 17 in the enclosure, it doesn't show any rabbits and there were 7, it

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VETERINARY MEDICAL OFFICER , Inspector ID: 4006

Received By:

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NOV-03-2003

Date:

NOV-03-2003



**INSPECTION REPORT**

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doesn't show any sugar gliders and their last inventory indicated there were 8. The 6/1/03 inventory showed 36 tigers, the recent inventory shows 10, the 7/019's do not reflect the animals leaving the park. There were several inconsistencies in the records; the records need to be complete and up to date. To be corrected by: 11/30/03

**2.126 ( a )**

**ACCESS AND INSPECTION OF RECORDS AND PROPERTY.**

Section 2.126(a) - Access. Each dealer shall during business hours, allow APHIS officials access to records and premises.

- The staff at the facility were poorly prepared to conduct an inspection of the records and the facility. It is the responsibility of the licensee to provide experience personnel to conduct unannounced inspections. To be corrected by: the next inspection

**2.131 ( a ) 1 )**

**2.131 ( b ) 1 )**

**HANDLING OF ANIMALS.**

Section 2.131(a) (1) - Handling. Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma or unnecessary discomfort.

- One young tiger cub has a chain around his neck, with a trailer, that trailing chain could be caught on any thing in his enclosure. If the chain is for training purposes, it should be removed each time after training. If not, it should not be on the cub. To be corrected by: 11/10/03

Section 2.131(b) (1) - Public exhibition. During public exhibition, animals 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.

- The barrier between the public and the raccoon is not of sufficient distance to prevent the people from touching the enclosure, so that the animal could injure the public or the public could injure the animal. The barrier should be moved further away from the enclosure. To be corrected by: 11/30/03

- The barrier around the foxes is made of two wooden rails and is not sufficient to prevent children from crawling under or reaching through. The animals are not protected from the public and the public is not protected from the animal. The barrier should be solid or fence panel. To be corrected by: 11/30/03

- The sugar glider enclosure inside the small animal building is not behind a barrier, the enclosure should be put behind a barrier of sufficient distance to prevent access by the public. The civet enclosure does not have a barrier around it; a barrier should be put into place to prevent access by the public. To be corrected by: 11/30/03

**3.52 ( c )**

**FACILITIES, OUTDOOR.**

Prepared By: Nancy Elbert  
NANCY ELBERT, V. M. O. , USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER , Inspector ID: 4006

Received By: \_\_\_\_\_

Title:

Date:  
NOV-03-2003

Date:  
NOV-03-2003



INSPECTION REPORT

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10123 site\_id

Section 3.52(c) - Shelter from cold weather. Shelter shall be provided for all rabbits kept outdoor when the atmospheric temperature falls below 40 degrees F.

- 6 rabbits were housed in three pens with inadequate housing for outdoor enclosures for rabbits, two were cardboard boxes and one was a wooden box as their protection against the weather. The housing should be more substantial in order to protect the rabbits from the cold and rainy weather and should be able to be cleaned and disinfected. To be corrected by: 11/10/03

3.53 (c)(2)

PRIMARY ENCLOSURES.

Section 3.53(c)(2) - Space. Each rabbit shall be provided a minimum amount of floor space.

- The rabbit maintained in the small animal house is kept in an enclosure that is approximately 8" tall, the required height for the rabbit enclosure is 14". A new enclosure that meets the minimum requirements should be provided for the rabbit. To be corrected by: 11/10/03

3.75 (a)

3.75 (c)(1)

3.75 (f)

HOUSING FACILITIES, GENERAL.

Section 3.75(a) - Structures. Housing facilities for nonhuman primates must be designed and constructed so that they are structurally sound, in good repair, protect the animal, contain the animal and keep other animals from entering the enclosure.

- The house for the 2 baboons and 4 macaques allows the primates to reach through and grab the insulation in the roof. The insulation could be harmful to the primates and a method of preventing their access to the insulation should be instituted. To be corrected by: 11/30/03

Section 3.75(c)(1) - Surfaces. Must be made of materials that allow them to be readily cleaned and sanitized or removed when soiled.

- The enclosure for the lemur has an indoor portion that consists of concrete blocks and wire panel. The concrete blocks are open and allow dirt, food and other products to fall down into them making them impossible to clean and disinfect. The concrete blocks should be finished off with a top surface that prevents dirt and debris from falling into the holes. The blocks should be sealed in order to make the surface impervious to moisture, in order to facilitate cleaning and disinfection the enclosure. To be corrected by: 11/30/03

Section 3.75(f) - Drainage. All drains must be properly constructed, installed, and maintained. Standing puddles of water in

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Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4006

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Date: NOV-03-2003

Date: NOV-03-2003





**INSPECTION REPORT**

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animal areas must be mopped up, blown dry or drained away so that the animals remain dry.

- The indoor portion of the primate house for the 2 boons and 4 macaques had standing water. The water needs to be removed so that the animals remain dry. The pens can be squeegeed or mopped or a blower used to dry them. To be corrected by: 11/10/03

**3.77 ( f )**

**SHELTERED HOUSING FACILITIES.**

Section 3.77(f) - Perimeter fence. The outdoor area of a sheltered housing facility must be enclosed by a fence that is of sufficient height to keep unwanted species out.

- the perimeter fence does not come all the way to the ground, small animals could still walk under the fence and go in the pens. Several guinea pigs are loose in the park and reproducing. The licensee indicated that the animals were dropped off outside the park; the fence should have kept them out. The fence should go down to the ground and the guinea pigs should be removed from the park or put in enclosures, suitable to protect them. To be corrected by: 1/30/04

**3.125 ( a )**

**3.125 ( c )**

**3.125 ( d )**

**FACILITIES, GENERAL.**

Section 3.125(a) - Structural strength. Facilities must be constructed and maintained in such a manner as to protect the animals from injury and to contain the animals covered under Subpart F.

- A shed used to protect the 2 Pot Bellied pigs and donkey has several panels bent out and have come loose from the support. The panels should be repaired or replaced to protect the animals in the enclosure and provide them with adequate shelter. To be corrected by: 11/30/03

- The camel shed has several sheet metal pieces, which have come loose from the frame; they could injure the animal and should be reattached to the framework. To be corrected by: 11/30/03

- The camel is injured and is in a sling, he cannot have access to his house. Protection from the weather must be provided for the animal while it is recuperating. To be corrected by: 11/30/03

- The wooden spools in the leopard pen have nails sticking out which could be harmful to the animals in the enclosure. The nails should be removed or pounded back down into the wood. To be corrected by: 11/30/03

- The raised pen for the raccoon is tilting; the pen could fall and injure the animal inside. The pen should be straightened and stabilized. To be corrected by: 11/30/03

- One house for a lioness is made of wood; the nails have come out on the bottom, making the structure of the house weaker. The house should have the sides repaired or replaced to protect the animal and provide it adequate shelter. To be corrected by: 11/30/03

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NANCY ELLIFRIT, V.M.O., USDA, APHIS, Animal Care

Title:

VETERINARY MEDICAL OFFICER, Inspector ID: 4006

Received By:

Date:

NOV-03-2003

Title:

Date:

NOV-03-2003

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**INSPECTION REPORT**

9658 cust\_id  
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corrected by: 11/30/03

- There is broken horse or cattle panel wire that is standing out in the pen with sharp points on the broken pieces. The points could injure the pot-bellied pigs. There are also broken panels in two of the large cat pens, which need to be repaired. To be corrected by: 11/30/03

Section 3.125(c) - Storage. Food and bedding for animals covered under Subpart F shall be stored in such a manner as to protect against deterioration, molding, or contamination by vermin.

- The walk in cooler has blood all over the floor and has accumulated dirt. The blood is a good place for nutrients for organisms, many of which could be harmful to the animals when they ate the meat. The cooler should be kept clean and the animal parts labeled to ensure the animals are fed appropriately. To be corrected by: 11/6/03
- Flies are a huge problem; they are inside the commissary and literally cover the food being set out for the animals to eat. Measures have to be taken to reduce the fly problems. Moving the trash could help, limiting the number of pigeons which will reduce the fecal build up from the birds, cleaning the cages more frequently, removing food that was not eaten, in a timely manner. To be corrected by: 11/30/03

Section 3.125(d) - Waste disposal. Provision shall be made for removal/disposal of animal and food wastes, bedding, dead animals, trash, and debris for animals covered under Subpart F.

- The dumpster used for animal wastes is inside the deer enclosure. It attracts numerous flies and smells. The emus in the enclosure have removed the viscera from two ruminants and they are lying out on the ground. The waste storage method needs to be changed in order to reduce the fly population and reduce the potential for disease spread. To be corrected by: 11/30/03

3.127 ( b )

3.127 ( c )

**FACILITIES, OUTDOOR.**

Section 3.127(b) - Shelter from inclement weather. Natural or artificial shelter must be provided for animals covered under Subpart F.

- The tinhorns in the tiger enclosure with 8 tigers looks unsteady. Dirt was piled up on the culverts and the plywood sheets between each of the tinhorns are sagging under the weight. The tinhorns would be cold in the winter and would heat up in the summer, where the sun hits them. Suitable housing needs to be provided for the eight tigers in the enclosure. To be corrected by: 12/14/03
- The shade structures are collapsing and losing sections of the roof, there is not enough room for all the animals to have access to the shade at the same time. Additional shade needs to be provided so that all the animals in the enclosure can get under the shade. To be corrected by: 12/14/03

Prepared By:

Nancy Elfrid  
NANCY ELFRID, V. M. O., USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4006

Received By:

Title:

Date:

NOV-03-2003

Date:

NOV-03-2003



INSPECTION REPORT

9858 cust\_id  
155311 insp\_id  
10123 site\_id

Section 3.127(c) - Drainage. A suitable method shall be provided to eliminate excess water for animals covered under Subpart F.

-there is standing water, that has been standing long enough to have a black or blue green algae growing in it and has mosquito larvae swimming in it. Blue green algae can cause a liver toxicity and subsequent death. Two areas around the camel and wolf pens, and most of the pens for the large cats have long term standing water in them. The drainage for the park needs to be addressed to prevent the standing water and the potential for disease being spread from the algae and the mosquitoes. To be corrected by: 11/30/03

3.129 ( a )  
FEEDING.

Section 3.129(a) - Feeding. The food shall be wholesome, palatable, and free from contamination and of sufficient quantity and nutritive value to maintain all animals in good health.

- the large cats are fed large portions of meat from dead animals that are donated, such as cows legs, horses legs, rib cages, etc. The large portions of meat could be as much as 70 to 80 pounds per day, six days a week per animal, as indicated by Mr. Schreitvogel by phone. Recommended professionally accepted practices suggest 8 to 10 lbs per day for each animal five days a week. Meat portions should be divided into portions that are closer to the recommended husbandry practice. To be corrected by: 11/14/03

3.130  
WATERING.

Section 3.130 - All water receptacles for animals covered under Subpart F shall be kept clean and sanitary.

- water troughs throughout the park are dirty, full of algae, with mosquito larvae swimming in them, the water containers need to be cleaned as often as necessary to provide potable water for the animals to drink. The containers should be cleaned and sanitized frequently enough to prevent contamination of the water. Many of the troughs are large enough for the animals to crawl into them, which is alright, however another water source is necessary for drinking. To be corrected by: 11/14/03

3.131 ( a )  
3.131 ( c )  
3.131 ( d )  
SANITATION.

Section 3.131(a) - Excreta shall be removed from primary enclosures of animals covered under Subpart F as often as necessary to prevent contamination of the animals contained therein, to minimize disease hazards, and to reduce odors.

- All of the large felids, and bears had an accumulation of feces, mud packed straw, and old food in the enclosures and the

Prepared By: Nancy Ellifrit  
NANCY ELLIFRIT, V. M. D., USDA, APHIS, Animal Care  
Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4006  
Received By: \_\_\_\_\_  
Title: \_\_\_\_\_

Date:  
NOV-03-2003

Date:  
NOV-03-2003



**INSPECTION REPORT**

primary houses. The straw has been there long enough to be broken into small pieces and compressed. None of the houses had clean bedding. The enclosures and the houses should be cleaned thoroughly and disinfected. A routine cleaning program needs to be reflected in the records. To be corrected by: 11/14/03

Section 3.131(c) - Housekeeping. Premises for animals covered under Subpart F shall be kept clean and in good repair.

- The houses for the bears and felids were mud caked, filled with old straw that was compressed with feces and mud. The houses should be cleaned more frequently and the old straw and debris removed more frequently. A record of the cleaning routine needs to be kept for review. To be corrected by: 12/14/03

Section 3.131(d) - Pest control. A safe and effective program for the control of insects, avian and mammalian pest shall be established and maintained.

- Flies are a huge problem due to the potential contamination of food and possible food borne illnesses, a program to reduce or at least control the flies is needed. Things that could help would include, removing the trash, waste debris, old bedding, etc. from the facility in a more timely manner. Use safe fly control methods to reduce the numbers. Remove waste, food residues and straw from the enclosures more frequently. Reduce the number of birds, which leave droppings everywhere. Records need to reflect the pest control methods and frequencies. To be corrected by: 11/30/03

- Mice are also a problem, due in large part to the accumulation of waste and old food remnants. Items that attract mice are food, left standing and filthy housings. A pest control program should be instituted to help control the mammalian pests. Records need to reflect the pest control methods and frequencies. To be corrected by: 11/30/03

**3.132**

**EMPLOYEES.**

Section 3.132 - Employees. A sufficient number of adequately trained employees shall be utilized to maintain the professionally acceptable level of husbandry practices set forth in this subpart. Such practices shall be under a supervisor who has a background in animal care.

- The condition of the animal enclosures and the lack of knowledge that the employee taking us around and the employee handling the records, indicates that this facility is severely understaffed. The person showing us around could not give any information as to how many people worked at the facility, what their names were, how often the animals were fed, etc. The person showing us the records had to continually call the licensee to determine where the records were kept. The facility needs to ensure that their employees are knowledgeable with a supervisor who is knowledgeable. Records need to be available indicating the training of each employee. To be corrected by: 12/14/03

VOICE MAIL: 703-812-8547

Inspection conducted by: Dr. David Sabala, Dr. Nancy Ellifrit of Animal Care and personnel of the licensee.

An Itinerary needs to be filed prior to leaving the facility as much in advance as possible, an inspection needs to be conducted while on the road, to evaluate the handling and experience level of the people handling the dangerous animals. I left my fax number in order to expedite the notification. However the regional office may also be faxed with the itinerary.

Prepared By:

NANCY ELLIFRIT, V. M. D., USDA, APHIS, Animal Care

Title:

VETERINARY MEDICAL OFFICER, Inspector ID: 4006

Date:

NOV-03-2003

Received By:

\_\_\_\_\_

Date:

NOV-03-2003

Title:



**INSPECTION REPORT**

**JOE SCHREIBVOGEL**  
**G W EXOTIC ANIMAL FOUNDATION**

**RR 2 BOX 67**  
**WYNNEWOOD, OK 73098**

**Customer ID: 9658**  
**Certificate: 73-C-0139**

**Site: 002**  
**G W EXOTIC ANIMAL FOUNDATION**

**Inspection**  
**Type: ATTEMPTED INSPECTION**  
**Date: APR-04-2003**

**2.126 ( a ) ( 4 )**

**ACCESS AND INSPECTION OF RECORDS AND PROPERTY.**

(a) Each dealer, exhibitor, intermediate handler, or carrier, shall, during business hours, allow APHIS officials:

(4) To inspect and photograph the facilities, property and animals, as the APHIS officials consider necessary to enforce the provisions of the Act, the regulations and the standards in this subchapter.... On this date and time I arrived at this location in Scottsdale, AZ to learn that this licensee had already left the premises. I called the Western Regional office to obtain a copy of their itinerary to learn that there was no itinerary on file. I left the home inspector a message that the licensee was in Arizona for information. Licensees are required to allow APHIS officials to inspect facilities, records, and animals. As there was no itinerary on file with the Regional office the licensee was not notifying APHIS of the whereabouts of the animals therefore not allowing access to those animals used for regulated purposes while traveling. The licensee notified by this report to file itineraries with the Regional office when traveling with regulated animals for regulated purposes. The itinerary must be made in advance of travel and updated as needed.

A reasonable deadline to correct this administrative procedure shall be before the next travel engagement or no later than 15-APR-2003 and to continue with this procedure for each travel date where regulated animals are involved from that day forward.

Note: Animal Care's Policy #2, Traveling Exhibitors Itinerary, is enclosed for the licensee's information.  
Animal Care's Policy #3, Veterinary Care, is enclosed for the licensee's information.  
Animal Care's Policy #8, Traveling Exhibitor: Space, is enclosed for the licensee's information.

**END OF REPORT**

**Prepared By:** Warren Striplin  
**WARREN STRIPLIN, USDA, APHIS, Animal Care**  
**Title:** ANIMAL CARE INSPECTOR, Inspector ID: 5015  
**Received By:** \_\_\_\_\_  
**CERTIFIED MAIL # 7002 2030 0004 4991 1402**  
**Title:** \_\_\_\_\_

**Date:**  
**APR-04-2003**  
**Date:**  
**APR-09-2003**



**INSPECTION REPORT**

**JOE SCHREIBVOGEL  
G W EXOTIC ANIMAL FOUNDATION**

**Customer ID: 9658  
Certificate: 73-C-0139  
Site: 001**

**RR 2 BOX 67  
WYNNEWOOD, OK 73098**

**Inspection  
Type: ROUTINE INSPECTION  
Date: JUL-23-2002**

**2.131 ( b X 1 )  
HANDLING OF ANIMALS.**

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 barrier between the animal and the viewing public.

- In the "Critter House" there are several animals on display to the public. There are no barriers between the enclosures and the public and an attendant is not on duty all the time. The building will have to either be closed off to the public, have an attendant on duty or remodeled so that a barrier can be installed between the animals and the public. (1 sloth, 3 hamsters, 1 skunk, 2 sugar gliders, 3 ferrets) To be corrected: 7/26/02

**3.75 ( c X 1 )  
HOUSING FACILITIES, GENERAL.**


General requirements. The surfaces that the non-human primates come into contact with must be readily cleaned and sanitized.

- The small primate house in the back by the Critter House needs to have a sealant applied to the walls and floor of the indoor portion of the enclosure in order to facilitate the enclosures being readily cleaned and sanitized. (3 primates) To be corrected by: 8/22/02

**3.82 ( a )  
FEEDING.**

Feeding. The diet for nonhuman primates must be appropriate for the species, size, age, and condition of the animal and must address nutritional standards. The food must be clean, wholesome, and palatable to the animals and be fed according to generally accepted professional and husbandry standards.

- The primates are being fed dog food along with monkey biscuits and an assortment of fruit. The dog food is not a generally accepted method of meeting the nutritional requirements for nonhuman primates.  
- There is food left over from the night before that indicates that the primates may be overfed and that excess may attract flies

Prepared By:   
NANCY ELLIFRIT, VMO, USDA, APHIS, Animal Care  
Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4006  
Received By: \_\_\_\_\_  
JOE SCHREIBVOGEL  
Title: OWNER

Date:  
JUL-23-2002  
Date:  
JUL-23-2002



**INSPECTION REPORT**

and become contaminated and then shouldn't be eaten. Left over food should be removed from the enclosures when there is danger of spoilage or contamination. (2 primates) To be corrected by: 8/2/02

**3.125 ( c )  
FACILITIES, GENERAL.**


Storage. Food and bedding for animals covered under Subpart F shall be stored in such a manner as to protect against deterioration, molding, or contamination by vermin.

- The food prep area is an open stall in the barn and is adjacent to the walk in refrigerator. There is no way to prevent flies from contaminating the food and there is no way to have a clean preparation area to prepare the food for the animals. A clean food preparation area needs to be supplied. To be corrected by 10/22/02 (A temporary solution will need to be enacted until the commissary is built)
- The cats are being fed frozen meat to help with the fly problem however that is not a recommended procedure so I provided the licensee a booklet named "Handling Frozen/Thawed Meat and Prey Items Fed to Captive Exotic Animals" and ear marked pages 5-8 on handling frozen and/or fresh meat. To be corrected: immediately

**3.127 ( b )  
3.127 ( d )  
FACILITIES, OUTDOOR.**

Shelter from inclement weather. Natural or artificial shelter must be provided for animals covered under Subpart F.

- The house for 1 leopard is made of stacked concrete blocks with a plywood roof which is anchored by laying more blocks on top. The house is not stable and could fall in on the animal, a suitable sturdy house will need to be provided for the animal.
- There are several pens with 3 mountain lions in them, they have 2 houses but will need additional housing if the third animal is kept in the enclosure, because there is not enough room for all the animals to get inside the enclosures without walking on each other, potentially causing a fight. (4 cougars) To be corrected by: 9/22/02
- a black bear has been added to the trio of Siberian bears and will need additional housing should the bear stay in the enclosure. (The bear was off by itself and I cautioned the licensee to monitor the situation closely to ensure that the bears are compatible. There was no evidence of any fighting at this time). To be corrected by: 9/22/02
- 8 young tigers are currently being housed in a pen together, the house is not adequate to hold all of them without them walking on each other and causing a potential conflict to occur. To be corrected by: 8/22/02 (pen is currently under construction.
- 6 young African lions are housed together with one house for shelter, they will need additional housing if the group remains together. To be corrected by: 8/22/02

Prepared By:   
 NANCY ELIFRIT, VMO , USDA ,APHIS, Animal Care  
 Title: VETERINARY MEDICAL OFFICER , Inspector ID: 4006  
 Received By: \_\_\_\_\_  
 JOE SCHREIBVOGEL  
 Title: OWNER

Date:  
JUL-23-2002  
  
Date:  
JUL-23-2002



**INSPECTION REPORT**

Perimeter fence. All outdoor housing facilities must be enclosed by a perimeter fence that is at least 6 feet high for potentially dangerous animals.

- The perimeter fence will need to be continued on to the "Welcome Building" since the newly built stage area now has 2 dangerous animal enclosures. (4 tigers) To be corrected by: 8/22/02

**3.128**

**SPACE REQUIREMENTS.**

Space requirements. Enclosures shall be constructed and maintained to as to provide sufficient space to allow each animal to make normal postural and social adjustments.


- Two wolves are visibly disturbed, as evidenced by their constant pacing and vocalizations. The licensee indicates it only occurs while strangers are in the park, so a barrier of some type for the wolves to hide behind might help quiet their fears, or a larger enclosure, keeping the people further away. If that doesn't help then the animals should be taken off display to an area where they are more comfortable. To be corrected by: 8/02/02

**3.130**

**WATERING.**

All water receptacles for animals covered under Subpart F shall be kept clean and sanitary.

- The barrels used to water the cats, bears and pig are also being used by the animals as a place to cool off. A separate potable water source must be available for drinking. (18 lions, 23 tigers, 15 bears, 20 cougar, 3 leopard, 1 pig) To be corrected by: 9/22/02

Prepared By: 

NANCY ELLIFRIT, VMO, USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4006

Date:

JUL-23-2002

Received By: \_\_\_\_\_

JOE SCHREIBVOGEL

Title: OWNER

Date:

JUL-23-2002





**INSPECTION REPORT**

**JOE SCHREIBVOGEL**  
**G W EXOTIC ANIMAL FOUNDATION**

**Customer ID: 9658**  
**Certificate: 73-C-0139**

**RR 2 BOX 67**  
**WYNNEWOOD, OK 73088**

**Site: 001**

**Inspection**  
**Type: ROUTINE INSPECTION**  
**Date: AUG-02-2001**

**2.75 ( a ) ( 1 )**  
**RECORDS: DEALERS AND EXHIBITORS.**

An inventory sheet must be kept on all the regulated animals on the premises. To be corrected by: 9/2/01

**2.131 ( a ) ( 1 )**  
**HANDLING OF ANIMALS.**

The handlers should be involved in an on going training program that will enhance the education and experience of the individuals responsible for taking care of the animals.

No one should be allowed to handle or care for any of the animals without documentation outlining their experience with that species of animal.

Documentation outlining the experience of staff members should be kept at the facility.

Documentation describing contingency plans in the event of an escape or catastrophic event should be kept on file at the facility. To be corrected by: 10/2/01

**3.84 ( a )**

**3.84 ( b ) ( 2 )**

**CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.**

The primate house needs to be cleaned more frequently, feces, dirt and food have been allowed to accumulate inside the house. To be corrected: 2/14/01

The primate houses need to be sanitized every 2 weeks. The houses are not being sanitized often enough, dirt, hair, remnants of feces and food are evident in the edges and corners of the house. To be corrected: 8/14/01

**3.125 ( a )**

**FACILITIES, GENERAL**

Lock out cages for the cougar pens have a 6' wide opening the length of the lock out cage. The access to the lockout door is too close and allows the cat to stick a paw out and grab the individual coming up to close them in the lockout cage. To be

Prepared By:

*Nancy Ellifrit*  
NANCY ELLIFRIT, VMO, USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4006

Date:  
AUG-02-2001

Received By:

JOE SCHREIBVOGEL

Title: OWNER

Date:  
AUG-02-2001



**INSPECTION REPORT**

corrected by 10/2/01

**3.127 ( d )  
FACILITIES, OUTDOOR.**

The exhibit area holding the dangerous animals needs to have a perimeter fence that is 8' high, or a variance approving the current fencing. To be corrected by 2/2/01

**3.129 ( b )  
FEEDING.**

Feed sacks should be stored off the floor and away from the wall. Open feed bags need to be stored in covered containers, none of the containers that are present have lids. To be corrected by 8/14/01

**3.131 ( c )  
SANITATION.**

The freezers and ice boxes are very dirty, they have blood and frozen dirt caked in the bottom of the units. To be corrected by 8/12/01

Voice mail 703-812-6547

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
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Package	344	Postmark Here
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Total Postage & Fees	\$ 3.74	

Name (Please Print Clearly) (To be completed by mailer)  
JOE SCHREIBVOGEL  
Street, Apt. No., or PO Box No.  
RR 2 Box 67  
City, State, Zip+4  
WINTERWOOD, OR 97143

2099 3220 0002 3404 6450

Prepared By: *Nancy Elifrit*  
 NANCY ELIFRIT, VMO, USDA, APHIS, Animal Care  
 Title: VETERINARY MEDICAL OFFICER, Inspector ID: 4006

Received By: JOE SCHREIBVOGEL  
 Title: OWNER

Date:  
AUG-02-2001

Date:  
AUG-02-2001



United States Department of Agriculture  
Animal and Plant Health Inspection Service  
Animal Care



NOV 9

# INSPECTION REPORT

Joe Schreibvogel  
GW Exotic Animal Foundation  
Rt. 2 Box 67  
Wynnewood, Ok. 73098

Site 1  
Joe Schreibvogel  
Rt. 2 Box 67  
Wynnewood, Ok. 73098

73-C-0139  
10-30-00  
11:30  
Routine

## NARRATIVE

Total Inventory: 8 Tigers, 13 Mountain Lions, 3 Bears, 1 Leopard, 2 Bobcat, 3 Wolves, 2 Lions, 1 llama, 12 deer, 4 potbelly pigs, 50 rabbits, 17 goats, 1 Kinkajou, 1 skunk, and 2 donkey, 1 ~~dog~~, 1 Degue, 1 raccoon, 2 monagunea monkeys, 1 gray fox, 1 Coatimundi, 1 camel,

This inspection and exit interview conducted by Cathy Niebruegge, ACI and Joe Schreibvogel, owner.

**CATEGORY I: Non-compliant item(s) previously identified that have been corrected:**

Section 3.125(a) - Structural strength. Facilities must be constructed and maintained in such a manner as to protect the animals from injury and to contain the animals covered under Subpart F.

In two cages housing one tiger and 1 mt. Lion there are no shift cages to put the dangerous animals into while an employee enters the pen to clean, feed, or water. For the safety of the animals and the employees cages are needed. To be corrected by: 06-01-00

Shift cages have been made as of 10-30-00.

Section 3.127(b) - Shelter from inclement weather. Natural or artificial shelter must be provided for animals covered under Subpart F.

In one pen housing 1 Tiger no natural or artificial shelter is being provided. To be corrected by: 06-01-00

Prepared By:

*Cathy Niebruegge, ACI*

Date: 10-30-00

Title: Cathy Niebruegge, Animal Care Inspector, USDA, APHIS, Animal Care  
4031

LARIS ID NO. 4031

Copy Received By:

Date:

Title:



United States Department of Agriculture  
Animal and Plant Health Inspection Service  
Animal Care

### INSPECTION REPORT

Shelter is being provided as of 10-30-00

Section 2.40(b) - Attending veterinarian and adequate veterinary care. Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care.

The 1 llama needs the right front hoof trimmed. The hoof is starting to grow back around into the foot. To be corrected by: 05-12-00.

Right hoof of llama has been trimmed as of 10-30-00.

CATEGORY III: Non-compliant item(s) identified this inspection:

Section 3.127(c) - Drainage. A suitable method shall be provided to eliminate excess water for animals covered under Subpart F.

Eight pens housing tigers, bears, and wolf have a large amount of water standing inside each pen. The animals have to walk in water to get to their houses and. Mud all in the pens. Better means of drainage needed. Approximately 21 animals housed in the enclosures. To be corrected by: 11-10-00

In large pen housing llama, goats, deer, and duck has a large amount of water standing next to the fence and all through the pen. A better means of drainage needed. Approximately 20 animals in this enclosure. To be corrected by: 11-10-00

Section 3.131(a) - Housekeeping. Premises for animals covered under Subpart F shall be kept clean and in good repair.

In the food preparation area the table where the meat is chopped was dirty. The table had old pieces of food on the table. Needs to be cleaned and sanitized. To be corrected by: 10-30-00.

Notation - Joe Schreiber is aware of the non-compliant items found on 10-30-00. My printer stopped working and the inspection report could not be completed until a new

Prepared By:

*Cathy Niebrugge, ACE*

Date: 10-30-00

Title: Cathy Niebrugge, Animal Care Inspector, USDA, APHIS, Animal Care  
4031

LARIS ID NO. 4031

Copy Received By:

Date:

Title:

printer was purchased. Joe is aware of the problem with the printer and I stated I would mail the report by certified mail on 10-31-00.

Is your RETURN ADDRESS completed on the reverse side?	<b>SENDER:</b> <input type="checkbox"/> Complete items 1 and/or 2 for additional services. <input type="checkbox"/> Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.	I also wish to receive the following services (for an extra fee):  1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery
	3. Article Addressed to:  Joe Schreiber Vogel Rt. 2 Box 67 Wynnewood, OK 73098	4a. Article Number 7000 0520 002 7245 1930
	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
	5. Received By (Print Name) [Signature]	7. Date of Delivery 11-8-00
	6. Signature (Addressee or Agent) [Signature]	8. Addressee's Address (Only if requested and fee is paid)
	PSI Form 3811, December 1994	102595-94 8-0223 Domestic Return Receipt

Thank you for using Return Receipt Service.

Prepared By: Cathy Niebruegge, ACE  
 Date: 10-30-00  
 Title: Cathy Niebruegge, Animal Care Inspector, USDA, APHIS, Animal Care 4031

LARIS ID NO. 4031

Copy Received By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_

ANIMAL TYPE	# INSPECTED	OLD LABIS CODE
No Animals Inspected		4
Adult Dog		5
Puppy		5
Adult Cat		8
Kitten		6
Guinea Pig		7
Hamster		8
Rabbit	50	9
Group 1 Nonhuman Primate(Marmoset, Tamarin)		10
Group 2 Nonhuman Primate(Capuchin, Squirrel Monkey)		10
Group 3 Nonhuman Primate(Macaque, African Species)	2	10
Group 4 Nonhuman Primate(Male Macaque, Large African Species)		10
Group 5 Nonhuman Primate(Baboon)		10
Group 6 Nonhuman Primate(Great Ape)		10
Group 1 Cetacean(Beluga Whale, Killer Whale, Bottlenose Dolphin)		11
Group 2 Cetacean(Corinorin Dolphin, White Sided Dolphin)		11
Group 1 Pinniped(Fur Seal, Walrus, Harbor Seal, Sea Lion)		11
Group 2 Pinniped(Bearded Seal, Ringed Seal, Hooded Seal)		11
Polar Bear		11
Sea Otter		11
Sirenian		11
Bear(Other Than Polar Bear)	5	10
Elephant		18
Large Wild/Exotic Felid(Lion, Tiger, Leopard, Cheetah, Mountain Lion)	24	16
Small Wild/Exotic Felid(Bobcat, Lynx, Ocelot, Caracul)	2	16
Large Wild/Exotic Canid(Wolf)	3	18
Small Wild/Exotic Canid(Fox, Jackal, Dingo, Coyote, Hyena)	1	15
Pocket Pet(Hedgehog, Sugar Glider)		18
Wild/Exotic Hoofed Animal(Tapir, Rhino, Hippo, Giraffe, Antelope)	13	20
Wild/Exotic Other Animal(Kangaroo, Opossum, Bat, Porcupine, Weasel)	5	99(includes 17, 18)
Farm Animal	24	14

### DATA FOR GPRA and RBIS

NCI #	Section #	# of Animals Affected	RBIS NCI Rating Cat III - 1, 2, or 3 Cat IV - 2, 4 or 6	Critical? ("X" if yes)	List Species Affected - From Inventory Chart
1	3.127	14	3		tigers, bears, and wolves
2	3.127	20	3		llama, goats, deer
3	3.131	127	2		all exotics listed above in inventory numbers.
4					
5					
6					
7					
8					
9					
10					
11					
12					



United States Department of Agriculture  
Animal and Plant Health Inspection Service  
Animal Care



MAY 18

INSPECTION REPORT

Joe Schraibvogel  
GW Exotic Animal Foundation  
Rt. 2 Box 67  
Wynnewood, Ok. 73098

Site 1  
Joe Schraibvogel  
Rt. 2 Box 67  
Wynnewood, Ok. 73098

73-C-0139  
05-11-00  
10:00  
Routine

NARRATIVE

Total Inventory: 8 Tigers, 12 Mountain Lions, 3 Bears, 1 Leopard, 1 Bobcat, 2 Wolves, 2 Lions, 3 Opossums, 1 llama, 2 deer, 4 potbelly pigs, 50 rabbits, 14 goats, 1 Kinkajou, 1 skunk, and 1 donkey.

This inspection and exit interview conducted by Cathy Niebruegge, ACI and Joe Schraibvogel, owner.

CATEGORY III: Non-compliant item(s) identified this inspection:

Section 3.125(a) - Structural strength. Facilities must be constructed and maintained in such a manner as to protect the animals from injury and to contain the animals covered under Subpart F.

In two cages housing one tiger and 1 mt. Lion there are no shift cages to put the dangerous animals into while an employee enters the pen to clean, feed, or water. For the safety of the animals and the employees cages are needed. To be corrected by: 06-01-00

Section 3.127(b) - Shelter from inclement weather. Natural or artificial shelter must be provided for animals covered under Subpart F.

In one pen housing 1 Tiger no natural or artificial shelter is being provided. To be corrected by: 06-01-00

Section 2.40(b) - Attending veterinarian and adequate veterinary care. Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care.

The 1 llama needs the right front hoof trimmed. The hoof is starting to grow back around into the foot. To be corrected by: 05-12-00.

Prepared By: Cathy Niebruegge, ACI Date: 05-11-00  
Title: Cathy Niebruegge, Animal Care Inspector, USDA, APHIS, Animal Care LARIS ID NO. 4031

Copy Received By: Schraibvogel Date: 5-11-00  
Title: Park Director

## ANIMAL INVENTORY

FACILITY Joe Schreibvogel LIC/REG # 73-C-0139 DATE 5-11-00

ANIMAL TYPE	#	OLD LARIS CODE
No (none) Animals Inspected		4
Adult Dog		
Puppy		5
Adult Cat		
Kitten		6
Golden Pig		
Hamster		8
Rabbit		9
Group 1 Nonhuman Primate (Marmoset, Tamarin)		10
Group 2 Nonhuman Primate (Capuchin, Squirrel Monkey)		10
Group 3 Nonhuman Primate (Macaque, African Species)		10
Group 4 Nonhuman Primate (Male Macaque, African Species)		10
Group 5 Nonhuman Primate (Baboon)		10
Group 6 Nonhuman Primate (Great Ape)		10
Group 1 Cetacean (Beluga Whale, Killer Whale, Bottlenose Dolphin)		11
Group 2 Cetacean (Common Dolphin, White-Sided Dolphin)		11
Group 1 Pinniped (Fur Seal, Walrus, Harbor Seal, Sea Lion)		11
Group 2 Pinniped (Bearded Seal, Ringed Seal, Hooded Seal)		11
Polar Bear		11
Sea Otter		11
Sirenian		11
Bear (Other Than Polar Bear)	2	12
Elephant		18
Large Wild/Exotic Felid (Lion, Tiger, Leopard, Cheetah, Mountain Lion)	25	16
Small Wild/Exotic Felid (Bobcat, Lynx, Ocelot, Caracul)	1	16
Large Wild/Exotic Canid (Wolf)	2	15
Small Wild/Exotic Canid (Fox, Jackal, Dingo, Coyote)		15
Pocket Pet (Hedgehog, Sugar Glider)		18
Wild/Exotic Hoofed Animal (Tapir, Rhino, Hippo, Giraffe, Antelope)	2	20
Wild/Exotic Other Animal (Kangaroo, Opossum, Bat, Porcupine, Weasel, Hyena)	5	99 (includes 17,18)
Farm Animal	69	14

### DATA for GPR and RBIS

NCI #	Section Number	# of Animals Affected	RBIS NCI Rating Cat III - 1, 2 or 3 Cat IV - 2, 4 or 6	Critical or Direct	List Species Affected - From Inventory Chart
1	3.125a	2	2		Tiger & Lion
2					
3	3.127b	1	1		Tiger
4					
5	2.40b	1	1		Man
6					
7					
8					
9					



# EXHIBIT 5

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: ) AWA Docket No. 05-0014  
 )  
 ) JOE SCHREIBVOGEL, an individual; and )  
 ) G.W. EXOTIC ANIMAL MEMORIAL )  
 ) FOUNDATION (formerly known as G.W. )  
 ) EXOTIC ANIMAL FOUNDATION), an )  
 ) Oklahoma nonprofit corporation, doing )  
 ) business as G.W. EXOTIC ANIMAL )  
 ) MEMORIAL PARK, )  
 )  
 Respondents. ) CONSENT DECISION AND )  
 ) ORDER )

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondents willfully violated the Act and the regulations and standards issued pursuant to the Act (9 C.F.R. § 1.1 et seq.). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The respondents admit the jurisdictional allegations in the complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure, and consent and agree, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Joe Schreibvogel is an individual whose mailing address is RR 2 Box 67, Wynnewood, Oklahoma 73098, and at all times mentioned herein was operating as an exhibitor, as that term is defined in the Act and the Regulations, and held Animal Welfare Act license number 73-C-0139 issued to "JOE SCHREIBVOGEL DBA: GW EXOTIC ANIMAL FOUNDATION."

Respondent Schreibvogel is also the president and executive director of respondent G.W. Exotic Animal Memorial Foundation, and directed, managed and controlled its business

activities. The acts, omissions, and failures to act by respondent Schreiber Vogel alleged herein were within the scope of said respondent's office, and are deemed the acts, omissions and failures of respondent G.W. Exotic Animal Memorial Foundation, as well as respondent Schreiber Vogel, for the purpose of construing or enforcing the provisions of the Act and Regulations.

2. G.W. Exotic Animal Memorial Foundation is an Oklahoma domestic nonprofit corporation whose agent for service of process is Joe Schreiber Vogel Route 2 Box 64, Wynnewood, Oklahoma 73098. At all times mentioned herein, said respondent was operating as an exhibitor, as that term is defined in the Act and the Regulations, and held between 116 and 193 animals regulated pursuant to the Act.

3. APHIS personnel conducted inspections of respondents' facilities, records and animals for the purpose of determining respondents' compliance with the Act, Regulations, and Standards on May 11, 2000 (105 animals inspected), October 30, 2000 (127 animals inspected), August 2, 2001 (128 animals inspected), July 23, 2002 (215 animals inspected), April 4, 2003, November 3, 2003 (123 animals inspected), December 18, 2003 (157 animals inspected), May 4, 2004 (177 animals inspected), October 2, 2004 (traveling exhibit only, 16 animals inspected), and December 14, 2004 (174 animals inspected).

#### Conclusion of Law

The respondents having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

#### Order

1. Respondents, their agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the regulations and standards issued thereunder, and in particular, shall cease and desist from:

- (a) Failing to maintain a written program of disease control and prevention, euthanasia, and adequate veterinary care under the supervision of a doctor of veterinary medicine;
- (b) Failing to establish and maintain programs of adequate veterinary care that include the availability of appropriate methods to prevent control, diagnose, and treat disease and injuries, and the availability of emergency, weekend, and holiday care;
- (c) Failing to construct indoor and outdoor housing facilities so that they are structurally sound and maintaining them in good repair to protect the animals from injury and to contain them;
- (d) Failing to adequately store food supplies to protect them from deterioration, molding or contamination by vermin;
- (e) Failing to construct a perimeter fence around dangerous animals maintained on the premises;
- (f) Failing to provide adequate natural or artificial shelter for animals kept outdoors;
- (g) Failing to provide a suitable method for the rapid elimination of excess water;
- (h) Failing to ensure that water receptacles are clean and sanitary;
- (i) Failing to remove excreta from primary enclosures to prevent contamination of animals, minimize disease hazards, and reduce odor;
- (j) Failing to establish and maintain an adequate program of pest control;
- (k) Failing to keep premises clean and in good repair;
- (l) Failing to utilize a sufficient number of adequately trained employees to maintain the professionally acceptable level of husbandry practices;
- (m) Failing to handle animals as expeditiously and carefully as possible in a manner that does not cause physical harm, behavioral stress, and unnecessary discomfort;  
and

(n) Failing, during public exhibition, to handle <sup>206</sup> animals so that there is minimal risk of harm to the animals, with sufficient barriers and/or distance between the animals and the general viewing public to assure the safety of the animals and the public.

2. Respondents Joe Schreibvogel and G.W. Exotic Animal Memorial Foundation are jointly and severally assessed a civil penalty in the amount of \$25,000 which shall be paid by certified check(s) or money order(s) made payable to the Treasurer of United States and sent to:

Bernadette R. Juarez  
United States Department of Agriculture  
Office of the General Counsel  
Marketing Division  
1400 Independence Avenue, SW  
Room 2343-South Building  
Washington, DC 20250-1417

Payment of the civil penalty shall be sent to, and received by, Bernadette R. Juarez on or before January 30, 2006. Respondents shall state on the certified check(s) or money order(s) that the payment is in reference to AWA Docket No. 05-0014.


3. Respondents Joe Schreibvogel and G.W. Exotic Animal Memorial Foundation's Animal Welfare Act license (number 73-C-0139), is suspended for two weeks, from the effective date of this order, and continuing thereafter until respondents have demonstrated to APHIS that they are in compliance with the Act, the regulations and standards issued thereunder. When respondents have demonstrated such compliance, APHIS shall seek a supplemental order lifting such suspension.

4. Respondents Joe Schreibvogel and G.W. Exotic Animal Memorial Foundation agree that, if and when the license suspension described in paragraph 3 of this order is lifted, there shall be an eighteen-month period of time thereafter which shall be referred to as the "probation period." Respondents further agree that if, during the probation period, APHIS documents evidence of respondents' failure to comply with the provisions of the Animal Welfare Act (7 U.S.C. § 2131 et seq.) and regulations and standards issued thereunder (9 C.F.R. § 1.1 et seq.), which, after notice and opportunity for a hearing results in the finding of a violation,

respondents' Animal Welfare Act license will be revoked. Such license revocation shall be in addition to any penalty found to be warranted for such future violations.


The provisions of this order shall become effective on the first day after service of this decision on the respondents.

Copies of this decision shall be served upon the parties.


  
Joe Schreibvogel  
Respondent

G.W. Exotic Animal Memorial Foundation  
Respondent

  
by its 

  
Bernadette R. Juarez  
Attorney for Complainant

Done at Washington, D.C.  
this 26 day of JAN, 2006

  
for Administrative Law Judge  
**PETER M. DAVENPORT**

# EXHIBIT 6

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
55 North Robinson  
Suite 315  
Oklahoma City, OK 73102  
Phone: 405-278-9560 Fax: 405-278-9572



## Citation and Notification of Penalty

**To:**  
The Garold Wayne Interactive Zoological Foundation  
and its successors  
25803 North County Road 3250  
Wynnewood, OK 73098

**Inspection Number:** 952924  
**Inspection Date(s):** 12/20/2013 - 03/31/2014  
**Issuance Date:** 03/31/2014

**Inspection Site:**  
25803 North County Road 3250  
Wynnewood, OK 73098

*The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the date(s) the inspection was made unless otherwise indicated within the description given below.*

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty you either call to schedule an informal conference (see paragraph below) or you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

**Posting** - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

**Informal Conference** - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment



to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

**Right to Contest** – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.

**Penalty Payment** – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance. You can also make your payment electronically on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on OSHA Penalty Payment Form. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

**Notification of Corrective Action** – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

**Employer Discrimination Unlawful** – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

**Employer Rights and Responsibilities** – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

**Notice to Employees** – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

U.S. Department of Labor  
Occupational Safety and Health Administration



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/31/2014. The conference will be held by telephone or at the OSHA office located at 55 North Robinson, Suite 315, Oklahoma City, OK 73102 on \_\_\_\_\_ at

\_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 952924**

Company Name: The Garold Wayne Interactive Zoological Foundation  
Inspection Site: 25803 North County Road 3250, Wynnewood, OK 73098  
Issuance Date: 03/31/2014

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 55 North Robinson, Suite 315, Oklahoma City, OK 73102**

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

**NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.**

**POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review**

U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 952924  
Inspection Date(s): 12/20/2013 - 03/31/2014  
Issuance Date: 03/31/2014



**Citation and Notification of Penalty**

**Company Name:** The Garold Wayne Interactive Zoological Foundation  
**Inspection Site:** 25803 North County Road 3250, Wynnewood, OK 73098

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**Citation 1 Item 1** Type of Violation: **Serious**

OSH ACT of 1970 Section (5)(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to the hazard of contact-with wild animals:

On or about October 5, 2013, and times prior thereto, the employer did not adequately protect employees from the hazard of being struck by, mauled, or bitten by wild animals such as, but not limited to, tigers, lions, ligers (lion/tiger crossbreed) and bears.

- a) Protective barriers have not been provided for the area around the fast feed chute or to keep felids from reaching up through the chute while employees feed the animals.
- b) Protective barriers for the area around the gates used to access felid and bear enclosures have not been provided for all of the enclosures.
- c) Protective barriers for the area around the opening to the catch pens used for felids and bears have not been provided.

NOTE: One feasible and acceptable method of abatement, used in conjunction with routine monitoring and enforcement of procedures, to correct this hazard is to follow Global Federation of Animal Sanctuaries Standards for Felid Sanctuaries, July, 2013, Section S.6.g, and Global Federation of Animal Sanctuaries Standards for Bear Sanctuaries, June, 2013, Section S.6.g.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 04/10/2014  
Proposed Penalty: \$2800.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 952924  
Inspection Date(s): 12/20/2013 - 03/31/2014  
Issuance Date: 03/31/2014



**Citation and Notification of Penalty**

**Company Name:** The Garold Wayne Interactive Zoological Foundation  
**Inspection Site:** 25803 North County Road 3250, Wynnewood, OK 73098

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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

**Citation 1 Item 2 a** Type of Violation: **Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

On or about December 20, 2013, the employer did not provide a written Hazard Communication program exposing employees to the hazard of chemical exposure.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2014  
\$2000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 952924  
Inspection Date(s): 12/20/2013 - 03/31/2014  
Issuance Date: 03/31/2014



**Citation and Notification of Penalty**

**Company Name:** The Garold Wayne Interactive Zoological Foundation  
**Inspection Site:** 25803 North County Road 3250, Wynnewood, OK 73098

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**Citation 1 Item 2-b Type of Violation: **Serious****

29 CFR 1910.1200(g)(1): The employer did not have a material safety data sheet for each hazardous chemical in use:

On or about December 20, 2013, the employer did not provide Material Safety Data Sheets for chemicals such as, but not limited to, Pine-Sol, Great Value Bleach, Farnam Just One Bite Bait Bar and Farnman Tri-Tec Fly Repellant. Employees were exposed to the hazard of chemical exposure.

Date By Which Violation Must be Abated:

04/10/2014

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 952924  
Inspection Date(s): 12/20/2013 - 03/31/2014  
Issuance Date: 03/31/2014



**Citation and Notification of Penalty**

**Company Name:** The Garold Wayne Interactive Zoological Foundation  
**Inspection Site:** 25803 North County Road 3250, Wynnewood, OK 73098

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**Citation 1 Item 2 c Type of Violation: **Serious****

29 CFR 1910.1200(h)(1): The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees had not previously been trained about was introduced into their work area:

On or about December 20, 2013, the employer did not provide effective Hazard Communication training to employees using chemicals such as, but not limited to, Pine-Sol, Great Value Bleach, Farnam Just One Bite Bait Bar and Farnman Tri-Tec Fly Repellant exposing employees to the hazard of chemical exposure.

Date By Which Violation Must be Abated:

04/10/2014

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 952924  
Inspection Date(s): 12/20/2013 - 03/31/2014  
Issuance Date: 03/31/2014



**Citation and Notification of Penalty**

**Company Name:** The Garold Wayne Interactive Zoological Foundation  
**Inspection Site:** 25803 North County Road 3250, Wynnewood, OK 73098

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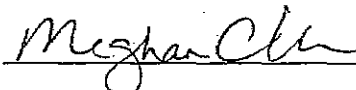
**Citation 2 Item 1** Type of Violation: **Other-than-Serious**

29 CFR 1904.1(a)(2): The company has more than ten (10) employees at any time during the last calendar year and did not keep OSHA injury and illness records.

On or about December 20, 2013, and times prior to, the employer did not keep the required log of injuries and illnesses on the OSHA 300 form or equivalent.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/10/2014  
\$400.00

  
*David A. Bates*  
David A. Bates  
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

# EXHIBIT 7



TRENDING TOPICS



## Tiger Mauls Worker at Troubled Oklahoma Zoo

By James A. Foley Oct 07, 2013 01:44 PM EDT

A female zoo worker is recovering in an Oklahoma hospital after being mauled by a caged tiger at a troubled zoo. The worker apparently "violated safety protocol" at The Garold Wayne Interactive Zoological Park, about 40 miles south of Oklahoma City.

A 500-pound male tiger got hold of the woman's left hand as she reached inside the tiger's cage to feed it. The big cat pulled the woman's entire arm through a 4-inch hole in the fence.

The woman, whose name has not yet been released, was airlifted to an area hospital, where doctors performed emergency surgery and were able to save her arm.

In a statement [posted on Facebook](#), the zoo's owner, Joe Schreiber Vogel, said that the incident happened on the morning of Oct. 5. [CNN reported](#) that Schreiber Vogel said the woman claimed the incident was her fault.

"A female worker violated safety protocol and placed her hand inside a adult male tiger cage. She was wearing a large goose down jacket which got bunched up inside the cage wire not allowing her to get her hand back outside the cage wire fast enough and the tiger grabbed her hand pulling her left arm through a 4 inch square hole," the statement read.

The worker was taken to Oklahoma University Medical Center, where she remains in stable condition and, following surgery to reattach her arm "was up and took a walk today," the zoo said Monday on Facebook. She "still has a long road of repairs to go on her arm, but she is in good spirits..."

The woman's name and age are being withheld at her request because she wanted to contact her family about the incident on her own. It remains unclear whether that contact has been made, though officials from the zoo plan to announce it later Monday.

The [Garold Wayne Interactive Zoological Park](#) has seen trouble before. CNN reported that earlier this year the zoo, which describes itself as a "non-profit organization dedicated to the preservation of endangered animals" declared bankruptcy last year, as well as posted a water bill online and asked for public donations to pay it.

In 2006 the park's license was suspended and it was fined \$25,000 for "several violations," CNN reported, adding that the park is currently under investigation for the deaths of 23 tiger cubs.

An undercover investigation by the Humane Society revealed footage of what the organization claims is a 20-month-old tiger attacking a child at the zoo, CNN reported. Earlier this year, the animal rights group PETA called for the zoo's license not to be renewed.

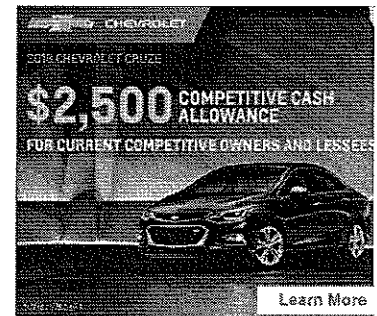
Schreiber Vogel, a tattooed man with long, bleach blonde hair, appears to be the president of an organization called the United States Zoological Association (USZA). In a combative rebuttal posted on the [USZA website](#), Schreiber Vogel suggested there is a conspiracy at work to shut down his zoo.

The leading accreditor of North American zoos is the [Association of Zoos and Aquariums](#).

Schreiber Vogel said that the cat that bit the worker is under quarantine, but that it would not be put down.

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### EDITOR'S CHOICES



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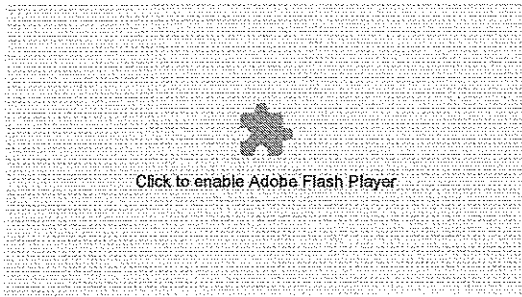
**BIOLOGY**  
Localized Inflammation In The Brain Linked To Overeating, Obesity



**SPACE**  
First Alien Moon Outside The Solar System Located Circling A Jupiter-Sized Exoplanet



**HEALTH & MEDICINE**  
Loneliness: More Premature Deaths & Greater Health Risk Than Obesity, Study Shows



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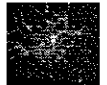
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**EXHIBIT 8**

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
5101 N Francis Avenue  
Oklahoma City, OK 73118  
Phone: 405-608-4160 Fax: 405-608-4196



## Citation and Notification of Penalty

**To:**  
Greater Wynnewood Exotic Animal Park, LLC  
and its successors  
25803 N. County Road 3250  
Wynnewood, OK 73098

**Inspection Number:** 1147878  
**Inspection Date(s):** 05/16/2016 - 11/09/2016  
**Issuance Date:** 11/09/2016

**Inspection Site:**  
25803 N. County Road 3250  
Wynnewood, OK 73098

*The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the date(s) the inspection was made, unless otherwise indicated within the description given below.*

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty you either call to schedule an informal conference (see paragraph below) or you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

**Posting** - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

**Informal Conference** - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

**Right to Contest** – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.

**Penalty Payment** – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance. You can also make your payment electronically on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on OSHA Penalty Payment Form. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

**Notification of Corrective Action** – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

**Employer Discrimination Unlawful** – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

**Employer Rights and Responsibilities** – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

**Notice to Employees** – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.



U.S. Department of Labor  
Occupational Safety and Health Administration



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 11/09/2016. The conference will be held by telephone or at the OSHA office located at 5101 N Francis Avenue, Oklahoma City, OK 73118 on \_\_\_\_\_ at \_\_\_\_\_.

Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1147878**

Company Name: Greater Wynnewood Exotic Animal Park, LLC  
Inspection Site: 25803 N. County Road 3250, Wynnewood, OK 73098  
Issuance Date: 11/09/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: U.S. Department of Labor - Occupational Safety and Health Administration, 5101 N Francis Avenue, Oklahoma City, OK 73118

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

**NOTE: 29 USC 666(g)** whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

**POSTING:** A copy of completed Corrective Action Worksheet should be posted for employee review

U.S. Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 1147878  
Inspection Date(s): 05/16/2016 - 11/09/2016  
Issuance Date: 11/09/2016



**Citation and Notification of Penalty**

Company Name: Greater Wynnewood Exotic Animal Park, LLC  
Inspection Site: 25803 N. County Road 3250, Wynnewood, OK 73098

**Citation 1 Item 1** Type of Violation: **Repeat**

OSHA ACT of 1970 Section (S)(a)(1): The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees exposed to the hazard of direct physical contact with animals:

On or about May 16, 2016, and times prior thereto, the employer did not protect employees from the hazards associated with physical contact with felids including, but not limited to, tigers, lions and ligers (lion/tiger crossbreed) during caretaking and exhibition activities.

The Garold Wayne Interactive Zoological Foundation was previously cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 952924, citation number 1, item number 1 and was affirmed as a final order on April 11, 2014, with respect to a workplace located at 25803 North County Road 3250, Wynnewood, OK 73098.

NOTE: One feasible and acceptable method of abatement, used in conjunction with routine monitoring and enforcement of procedures, to correct this hazard is to follow Global Federation of Animal Sanctuaries Standards for Felid Sanctuaries, July, 2013, Section S.6.g. This standard provides for clearly delineated lines over which staff does not cross, or a protective barrier, such as Lexan, Plexiglas or fine mesh fencing.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/22/2016  
\$10974.00

  
David A. Bates  
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.