

January 29, 2018

USDA/APHIS/Animal Care
 Eastern Region

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

Re: Urgent Request for Investigation of Apparent Animal Welfare Act
 Violations at Waccatee Zoo (License No. 56-C-0230)

I am writing on behalf of PETA to request that the USDA immediately investigate Kathleen M. Futrell, dba "Waccatee Zoo" (license number 56-C-0230) for confining animals to conditions that apparently violate the Animal Welfare Act (AWA), as demonstrated by the ongoing abnormal behavior exhibited by multiple animals, including aggressive behavior between two macaques that resulted in open bleeding wounds.

On January 26, a witness observed and documented that a macaque was self-attacking. (*See* Video 1 and Video 2.) This macaque also had hair loss on the back of the head and neck. The witness observed this same macaque attack the other macaque who was confined to the same cage, resulting in open bleeding wounds on the second macaque's back. The witness was unable to record the incident. The signage above the cage confining these macaques indicates that their names are Tucker and Hope.

Please inspect these animals, and their veterinary records, and ensure that they are receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40. Please also ensure that these animals are not being housed in violation of 9 C.F.R. § 3.81(a)(1), which requires that "[i]f a nonhuman primate exhibits vicious or overly aggressive behavior ... it should be housed separately."

Multiple baboons were also exhibiting abnormal behaviors, including pacing, swaying, and head rolling. (*See* Video 3, Video 4, Video 5, Video 6.) These repetitive movements may indicate psychological distress and are likely caused by a lack of sensory stimulation, suggesting that these animals have poor welfare and are suffering.¹ These types of abnormal behaviors have been observed at this facility repeatedly. PETA alerted the USDA to abnormal behaviors exhibited by multiple animals, including two baboons, a cougar, and a tiger on November 10, 2017 (*See* Complaint No. AC18-087.), and the May 7, 2017 USDA inspection report cited the facility for abnormal repetitive behaviors in multiple animals, including two baboons, a bear, and a cougar.²

¹See G.J. Mason, "Stereotypies and suffering," *Behavioural Processes* 25 (1991): 103–104; R.R. Swaisgood and D.J. Shepherdson, "Scientific approaches to enrichment and stereotypies in zoo animals: What's been done and where should we go next?" *Zoo Biology* 24 (2005): 499–518.

²See USDA Inspection Report, Kathleen M Futrell, license number 56-C-0230, May 9, 2017.

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Exhibitors "must develop, document, and follow an appropriate plan for environment enhancement *adequate* to promote the psychological well-being of nonhuman primates." 9 C.F.R. § 3.81 (emphasis added). As is apparent from the macaque's bizarre and self-injurious behavior, hair loss, and aggressive behavior toward the other macaque, as well as multiple baboons who were exhibiting abnormal behaviors on repeated occasions, Kathleen Futrell does *not* appear to be following a plan of environmental enhancement that is *adequately* addressing the primates' psychological needs. Because these animals "show signs of being in psychological distress through behavior or appearance," [the primates] "must be provided special attention regarding enhancement of their environment, based on the needs of the individual species and in accordance with the instructions of the attending veterinarian." *Id.* § 3.81(c).

Additional animals were seen exhibiting abnormal pacing behavior, including a tiger and two servals. (*See* Video 7, Video 8, and Video 9.) This type of pacing behavior is a sign of psychological distress. Abnormal behaviors exhibited by numerous animals appear to be an ongoing issue at this facility.

The abnormal behaviors exhibited by all of these animals is a sign that Kathleen Futrell is not exhibiting these animals "in a manner that does not cause ... behavioral stress ... or unnecessary discomfort" or "under conditions consistent with their good health and well-being," in apparent violation of 9 C.F.R. § 2.131(b)(1) and (d)(1). Moreover, Kathleen Futrell does not appear to be providing these animals with sufficient space to engage in species-typical behaviors as indicated by their abnormal behaviors, in apparent violation of 9 C.F.R. § 3.128, which requires that "[e]nclosures shall be constructed and maintained so as to provide sufficient space to allow each animal to make normal postural and social adjustments with adequate freedom of movement. Inadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or abnormal behavior patterns."

The witness also observed and documented that a deer had patchy hair loss. (*See* Photo.) Wildlife veterinarian Christine Capaldo opined that the hair loss could be caused by wounds, ectoparasites, a bacterial or fungal infection, or allergies. This hair loss should be evaluated by a veterinarian. Please inspect this deer, and the veterinary records, and ensure that he or she is receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40.

Please ensure that all animals at Waccatee Zoo are being provided with adequate veterinary care, space, shelter, food, and water and are otherwise handled in accordance with the AWA. Please also hold Kathleen Futrell fully accountable for any and all violations that you discover during your inspection.

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

