

December 10, 2018

Jodi Niccum
 Law Enforcement Program Supervisor
 Arizona Game and Fish Department

Via e-mail: [REDACTED]

Re: Request for Nonrenewal of The Camel Farm's Zoo License

Dear Ms. Niccum,

On behalf of People for the Ethical Treatment of Animals (PETA) and its more than 6.5 million members and supporters world-wide, including approximately 101,500 in Arizona, I am writing to request that the Arizona Game and Fish Department (AZGFD) not renew the zoo license, issued to Terrill Al-Saihati, doing business as "The Camel Farm."

The AZGFD is required to deny a zoo license to a person who fails to "keep live wildlife in a facility according to the captivity standards prescribed under R12-4-428." Ariz. Admin. Code § R12-4-409(I); R12-4-420(F). In addition, AZGFD must deny a zoo license when "[i]t is in the best interest of the wildlife." *Id.* § R12-4-420(F).

As demonstrated in the attached appendix and accompanying exhibits, The Camel Farm is not maintaining the animals at its facility according to the captivity standards in R12-4-428. The United States Department of Agriculture (USDA) has repeatedly found Animal Welfare Act (AWA) violations at The Camel Farm, many of which are also violations of the State's captivity standards. Over the past year, the USDA has cited The Camel Farm for failing to provide adequate veterinary care, failing to provide adequate shelter, failing to maintain enclosures in good repair, failing to maintain sanitary facilities, failing to maintain appropriate records, and failing to provide animals with access to drinking water, all of which are violations of Arizona's captivity standards. Recent photographs provided by visitors to The Camel Farm show that at least several of these issues persist.

In light of these violations of the captivity standards, the AZGFD cannot lawfully renew The Camel Farm's zoo license. In addition, granting The Camel Farm's zoo license would not be in the best interest of the wildlife at that facility. *See* Ariz. Admin. Code § R12-4-420(F). As a result, renewing The Camel Farm's zoo license could subject the AZGFD to potential litigation for failure to comply with a mandatory duty.

Very truly yours,



Michelle Sinnott
 Counsel, Captive Animal Law Enforcement
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- PETA U.S.
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (U.K.)

Appendix:

The AZGFD is required to “deny a zoo license to a person who fails to meet the requirements established under R12-4-409.” Ariz. Admin. Code § R12-4-420(F). One of those requirements is that a license holder “shall keep live wildlife in a facility according to the captivity standards prescribed under R12-4-428.” *Id.* § R12-4-409(I). In addition, AZGFD must deny a zoo license when “[i]t is in the best interest of the wildlife.” *Id.* § R12-4-420(F).

As demonstrated below and in the accompanying exhibits, The Camel Farm is not maintaining the animals at its facility according to the captivity standards in Arizona Administrative Code Section R12-4-428. The USDA has repeatedly found AWA violations at The Camel Farm, many of which are also violations of the State’s captivity standards. In light of the following violations of state captivity standards, AZGFD must deny The Camel Farm’s zoo license renewal request. *Id.* § R12-4-420(F). Renewing The Camel Farm’s license would not be in the best interest of the animals at that facility. *Id.*

I. Failure to Provide Adequate and Prompt Veterinary Care

The captivity standards for zoo license holders require that “all animals in their care receive proper, adequate, and humane veterinary care as the needs of each animal dictate.” *Id.* § R12-4-428(C)(13)(a). In particular, “[e]very animal shall promptly receive licensed veterinary care whenever it appears that the animal is injured, sick, wounded . . . or behaving in a substantially abnormally manner.” *Id.* § R12-4-428(C)(13)(c). Over the past year, several animals at The Camel Farm were documented as needing immediate veterinary care. At almost every USDA inspection over the past year, The Camel Farm was cited for failing to provide adequate—and in some cases *any*—veterinary care to the animals at the facility, including for:

a. Multiple Animals with Severely Overgrown Hooves

During a February 6, 2018, inspection, the USDA cited The Camel Farm for failing to provide adequate veterinary care to six goats and three pigs with overgrown hooves. Ex. A (Feb. 6, 2018 USDA Inspection Report). One female goat also had an abnormal gait. *Id.* Two weeks later, the USDA cited The Camel Farm because a male ibex had hooves so long “they were curling causing the toes to rotate up and out and the heel to drop.” Ex. B (Feb. 20, 2018 USDA Inspection Report). A few days later, on February 25, a witness observed and documented multiple animals that had overgrown hooves, including a pig, a cow, a goat, and a hinny. Ex. C (March 12, 2018 PETA Submission). In April, the USDA again cited The Camel Farm because eleven (11) animals (eight goats, two sheep, and one zebu) had overgrown hooves. Ex. D (April 10, 2018 USDA Inspection Report). The USDA noted that the “[f]ailure to appropriately maintain hooves can cause gait abnormalities which can be painful or cause injuries.” *Id.* Inadequate maintenance of hooves, which require regular corrective trimming, can lead to serious health and welfare issues, including lameness, joint problems, and tripping. Overgrown hooves appear to be a pervasive problem at The Camel Farm, as the USDA has often cited the facility for this issue dating back to at least 2012. Ex. E (USDA Inspection Reports 2012-2017).

b. A Camel with a Large Growth

According to a November 8, 2017, USDA inspection report of The Camel Farm (Ex. E), a large growth on a camel named Zo’s chest was assessed by a veterinarian and recommendations of surgical resection were given at that time. Yet, during a February 6,

2018, USDA inspection, the facility “was still unable to provide documentation of a physical exam, diagnosis, or treatment plan provided by the attending veterinarian.” Ex. A. The growth was still present in April, and had “numerous flies crawling on it.” Ex. D. The USDA noted that while “[t]he licensee claims this camel will be going to a veterinary specialist to be evaluated, to date this has not happened.” *Id.*

c. A Goat Who Was Non-Weight Bearing on His Front Leg for More Than a Year

On February 6, 2018, a USDA inspector cited The Camel Farm for failure to provide veterinary care to an “adult male tricolor goat that had been non-weight bearing on his right front leg during the APHIS inspection on March 9, 2017.” Ex. A. The most recent veterinary exam for this goat occurred in May 2017, at which time the vet noted that “more diagnostic work needs to be done (radiographs, bloodwork, appropriate serology).” *Id.* The vet explained to the facility that if they did not want to do additional diagnostics then the goat needed to be euthanized. The Camel Farm failed to follow the veterinarian’s recommendations until eventually euthanizing the animal in April 2018, after he had languished for more than a year. Ex. D.

d. A Sheep Who Was Thin and Had an Overall Poor Body Condition

On February 6, 2018, a USDA inspector cited The Camel Farm for failure to provide veterinary care to a “brown and black, adult, female sheep [who] was observed to be excessively thin, with protruding hip bones, spine, and ribs.” Ex. A. The USDA inspector noted that “[t]he bones of her spine, hips, and each rib were easily felt by both APHIS inspectors upon palpation” and “[s]he had a rough, unthrifty hair coat with multiple patches of hair loss along her back and right and left sides.” *Id.* The USDA noted that “[p]oor body condition can be an indication of health issues, including parasitism, poor dentition, malnutrition, and systemic disease.” *Id.* She was found languishing in the same condition months later, and was finally euthanized after being seen by a veterinarian. Ex. D.

e. A Fox with Hair Loss

On May 23, 2017, a USDA inspector cited The Camel Farm for failure to provide adequate veterinary care to an adult female fox named Foxy who had hair loss over her knuckles on all four feet. Ex. E. More than a year later, Foxy continued to have the same hair loss on all four feet, and had developed red inflamed skin. Ex. F (May 30, 2018 USDA Inspection Report); *see also* Ex. B (same citation). The Camel Farm told the USDA that “this hair loss was self-induced and Foxy has been scratching and biting at this area.” Ex. F. The USDA cited The Camel Farm for a repeat violation of failing to provide adequate veterinary care, noting that the facility failed to have her seen by a “veterinarian that has knowledge with this species.” *Id.*

f. A Coatimundi Who Was Non-Weight Bearing on His Right Rear Leg

On February 20, 2018, the USDA cited The Camel Farm for failing to provide adequate veterinary care to an adult male coatimundi named Cody who was non-weight bearing on his right rear leg. Ex. B. Despite the Camel Farm admitting that Cody started having “climbing issues 2-3 years ago and was taken off exhibit due to possible arthritic issues,” he was not evaluated or treated by a veterinarian. *Id.* When the USDA inspected almost two months later, Cody still had not been seen by a veterinarian. Ex. D.

g. A Baby Sheep Who Had an Injury Requiring Euthanasia

On April 10, 2018, USDA inspectors discovered a two-month old baby sheep who was “circling, stumbling, and had trouble getting up and standing.” Ex. D. After being advised by the USDA inspectors that the sheep should be seen by a veterinarian immediately, the baby was euthanized due to a possible spinal injury. *Id.* The USDA cited The Camel Farm for failure to provide adequate veterinary care as a result of this incident. *Id.*

h. A Sheep with a Bulging Eye

On April 10, 2018, the USDA cited The Camel Farm for failing to provide adequate veterinary care to an adult male ibex hybrid who had a dark red mass above his eye, and his eye was “red, inflamed and bulging out of the eye socket.” Ex. D.

The Camel Farm has shown time and time again that it is either unwilling or unable to provide adequate, prompt veterinary care for the animals. The Camel Farm’s repeated citations from the USDA for inadequate veterinary care establish that the facility cannot demonstrate compliance with the captivity standard requiring that “all animals. . . receive proper, adequate, and humane veterinary care as the needs of each animal dictate.” Ariz. Admin. Code § R12-4-428(C)(13)(a).

II. Failure to Provide Sufficient Shelter

Zoo license holders are also required to provide “[s]ufficient shelter appropriate to protect animals from normal climatic conditions throughout the year,” which includes “[s]ufficient shade to prevent the overheating or discomfort of any animal.” Ariz. Admin. Code § R12-4-428(E).

The Camel Farm has consistently failed to provide animals in its care with sufficient shelter. Many enclosures at The Camel Farm only have small shade covers, without sides, which do not protect the animals from wind or rain. PETA first submitted photographs to the USDA documenting these inadequate enclosures in November 2017 (Ex. G, November 9, 2017 PETA Submission), and yet to date nothing has changed. Ex. H (October 30, 2018 and November 21, 2018 Photographs). The Camel Farm can receive a significant amount of wind throughout the year, with gusts reaching up to 40 mph, which can stir up sand and debris. Ex. G. Open enclosures without sides provide no protection against this type of wind event, rendering them inadequate.

In addition, the design of these shade covers limit their effectiveness because the amount of shade available depends entirely on the angle of the sun. At certain times during the day, the shade created by these structures is outside the enclosures and inaccessible by the confined animals. Ex. H at Photo 9. The USDA has cited The Camel Farm for and PETA has submitted photographs of occasions where the poor design of the shade covers resulted in animals without sufficient shade. For example:

- Two adult camels, Freya and Alexa, did not have sufficient shade to protect themselves from direct sunlight because the “majority of the shade provided [by the shade structures] was outside of their enclosure and not benefiting the animals.” Ex. A.

- Several goats were huddled under a tiny strip of shade from the structure in the adjoining pen. Ex. I (June 13, 2018 PETA Submission) at Photo 5.
- Two deer were seeking shade provided by fence posts because the shade structure only provided shade outside of their pen. Ex. H at Photo 5.
- A donkey was forced to stand in the sun because the shade structure only provided shade outside of their enclosures. *Id.* at Photo 6.
- Two water buffalo were forced to cram themselves together into a corner to access the limited amount of shade in their enclosure. *Id.* at Photo 10.

The shade structures at The Camel Farm do not provide sufficient shelter from the sun, wind, and rain, which is a reoccurring problem. As photographs taken on October 30, 2018, demonstrate, the same shade covers, without sides, are still being used in many of the enclosures. *Id.* at Photos 5-11. While these photographs were taken on a day when temperatures only reached 87 degrees Fahrenheit (Ex. J, Weather in Yuma, AZ on October 30, 2018), temperatures at The Camel Farm can easily surpass 100 degrees Fahrenheit during the summer months. Ex. I (noting temperatures reached 108 degrees in early June). Without providing animals with “[s]ufficient shelter appropriate to protect animals from normal climatic conditions,” and “[s]ufficient shade to prevent the overheating or discomfort of any animal,” Ariz. Admin. Code § R12-4-428(E), The Camel Farm cannot demonstrate compliance with the required captivity standards.

III. Failure to Adequately Drain Excess Water From Enclosures

The captivity standards require that “[a] sanitary and humane method shall be provided to rapidly eliminate excess water from the facility.” Ariz. Admin. Code R12-4-428(C)(6). On February 25, 2018, a witness observed and documented standing water and mud in the enclosure confining a cow and goat, and in another enclosure confining multiple goats. Ex. C at Photos 1-3 and 12-13. The excess water and mud was around the self-filling water bowl in the enclosure confining the goats, forcing the animals to walk through the water and mud in order to drink. Earlier in February, a USDA inspector cited The Camel Farm for having “pools of standing water around the water receptacle in an enclosure containing one zebu and two sheep” and in an enclosure with two water buffalo. Ex. A. The USDA inspector noted that these animals “were unable to drink from the receptacle without standing in the mud.” *Id.* A visitor to The Camel Farm documented that as of November 21, 2018, there is still standing water in the water buffalo enclosure. Ex. H at Photo 3-4. PETA has also submitted photographs to the USDA documenting standing water in an enclosure with an adult and juvenile camel. Ex. I.

IV. Unsanitary Enclosures

Zoo license holders are required to keep the facilities “sanitary and regularly cleaned as the nature of the animal requires,” including removing dead animals, trash, and excrement “from the primary enclosure facility as often as necessary to prevent contamination, minimize hazard of disease, and reduce unseemly odors.” Ariz. Admin. Code § R12-4-428(C)(5).

On February 6, 2018, the USDA cited The Camel Farm because an enclosure with twelve goats had “a bundle of baling twine on the ground,” which the inspector noted could easily be consumed by the animals. Ex. A. A separate enclosure with five goats also had baling twine in the enclosure. *Id.* In a barn housing nine goats, the USDA inspector cited the facility for having “an accumulation of cobwebs . . . in the corners of the enclosure and on the feeders,” noting that

this “may be an indication of substandard husbandry practices.” *Id.* The USDA also cited The Camel Farm because “[a] gopher carcass was observed to be lying in an enclosure housing seven goats.” *Id.* These examples are evidence that The Camel Farm is not routinely cleaning and keeping the animals’ enclosures sanitary.

V. Failure to Keep Facilities in Good Repair

Zoo license holders are required to maintain the facilities “in good repair to protect animals from injury.” Ariz. Admin. Code § R12-4-428(C)(1)(c). On February 6, 2018, a USDA inspector cited The Camel Farm for having thirteen different enclosures in various states of disrepair, all of which posed a risk of injury to the animals in those enclosures. Ex. A. The USDA noted that The Camel Farm needed “[a] system of facility monitoring and maintenance” to ensure all animal enclosures were “structurally sound and in good repair to protect the animals from injury and/or escape.” *Id.* The USDA has repeatedly cited The Camel Farm for having rundown enclosures that pose a safety risk to the animals. This year, the USDA has cited The Camel Farm for enclosures with damaged metal wires, exposed screw tips, broken wooden boards, gaps where animals could escape or get stuck, and rusted metal walls. These conditions have affected dozens of animals, including:

- Twenty-four goats who were confined in two separate enclosures that had gaps between the bottom of the fence and the ground, causing sharp points from the bottom of the fence to face into the enclosure. Ex. A; Ex. 6 (citing the same issue for an enclosure with eleven goats); Ex. 10 (citing the same issue for an enclosure with seventeen sheep); *see also* Ex. 11 at Photo 8-9.
- Eighteen sheep, two camels, and seven goats who were confined to enclosures with sharp points from the metal fencing. Ex. A; Ex. D. There was also “broken wooden boards with jagged, splintering edges” in the sheep enclosure (Ex. A), and at least one camel was observed “eating the wood board” the animal had access to. Ex. D.
- Two pigs, seven goats, and two coatis who were kept in enclosures with exposed nail heads. Ex. A.
- Seventeen sheep and eleven goats who were confined to enclosures with rusting structures. Ex. A; Ex. D; Ex. F.
- Nine goats who were confined to an enclosure with a hole “several feet long and approximately 2 feet deep” in the floor. Ex. A.

Photographs from a visitor to The Camel Farm in June show that many of these conditions continue to exist, including a gap in chain-link fencing, a sharp metal point protruding from the fencing, and plywood fences that have been chewed on by the animals. Ex. I at Photos 8, 9, and 10; Ex. H at Photo 2-4. The Camel Farm cannot demonstrate compliance with the captivity standards while it continues to have enclosures that expose numerous animals to dangerous conditions that jeopardize their wellbeing.

VI. Lack of Access to Drinking Water

The captivity standards require that “[e]ach animal shall be supplied with sufficient potable water to meet its needs.” Ariz. Admin. Code § R12-4-428(C)(3). In addition, “[w]ater shall be readily available and monitored at least once daily or more often when the needs of the animal dictate,” and “[a]ll water receptacles shall be kept in clean and sanitary condition.” *Id.* On

February 6, 2018, a USDA inspector cited The Camel Farm for failing to provide “[a] lactating, adult female camel, ‘Camela,’ and her nursing baby” with “access to drinking water.” Ex. A. The USDA inspector noted that when the camel was finally provided water “she was drinking and searching for water sources for approximately 8 minutes.” *Id.* Two months later the facility was cited again for depriving animals of access to drinking water: this time it was two pot-belly pigs and one goat. Ex. D. Recent photographs from a visitor to The Camel Farm documented at least one water bowl with dirty green water. Ex. H at Photo 1. The visitor observed similar green water in multiple enclosures. Repeated citations for failing to provide animals with access to clean water demonstrates that The Camel Farm cannot meet even the most basic captivity standards.

VII. Failure to Maintain Necessary Records

A zoo license holder is required to “[m]aintain records of all wildlife possessed under the license for a period of three years following the date of disposition.” Ariz. Admin. Code § R12-4-420(J)(11). The Camel Farm was cited twice this year for failing to have the required records for the “animals on hand,” including acquisition and disposition records. During the February 6th inspection, The Camel Farm was “unable to locate any animal records.” Ex. A. When the USDA returned two weeks later, The Camel Farm found the records, but they did not accurately reflect the number of animals at the facility. Ex. B. Accurate up to date records are necessary to track animals being used in regulated activities to ensure their humane care and treatment. By failing to maintain basic animal records, The Camel Farm has shown that it is unable to meet the captivity standards.

VIII. Insufficient Employees to Care for the Animals

A zoo license holder is required to “ensure that a sufficient number of properly trained personnel are utilized to meet all the humane husbandry practices established under this section.” Ariz. Admin. Code § R12-4-428(C)(12). In June, a visitor to The Camel Farm informed PETA that only two employees were observed at the facility. Ex. I. The USDA found only two employees at The Camel Farm during a March 2016 inspection. Ex. E. In fact, during this 2016 inspection, the licensee told the inspector that “there was no plan or provision in place for an adequate number of employees to maintain the professional husbandry standards described in the regulations and standards,” and that the facility “has no plan for when employees call in sick, do not show up, or have days off.” The licensee also stated “that the facility will never be in compliance [with the AWA], as they do not have the funds or resources to increase their staffing levels.” Ex. E.

The USDA’s October 16 inventory lists 99 AWA-regulated animals, which doesn’t include the several ducks, geese, ostriches, emus, rhea, and tortoises at the facility also in need of care. Ex. K (October 16, 2018 USDA IR). Over the past year alone, the USDA has cited the facility for persistent and ongoing animal health and welfare concerns, likely the result of the lack of employees to adequately care for the animals. The USDA has also cited The Camel Farm for allowing the public to “walk directly up [to] the primary enclosures and feed the animals” with no supervision. Ex. A. During this inspection, the USDA noted that there was only one employee present and “she was inside the office with a member of the public.” *Id.* The Camel Farm has been cited before for only having one attendant present during the inspection, who was unable to supervise public interactions with the animals. Ex. E at November 8, 2017.

Some of the critical issues cited by the USDA were not discovered by The Camel Farm and had to be pointed out by inspectors. For example, when Camela and her nursing baby did not have access to drinking water, “[t]he facility representative was unaware when the water was turned off for these animals.” Ex. A. Also, an ibex developed a “dark red mass above his right eye” that the facility representative claims was not present a week earlier when the animal was seen by the veterinarian. Ex. D. As a result, the USDA cited The Camel Farm for not providing adequate veterinary care, explaining that “[d]aily observation of all animals is critical to ensuring that conditions that can adversely affect health and well-being are recognized in a timely manner.” *Id.*

The USDA has cited The Camel Farm for over a dozen repeat violations of the AWA this year alone. This record makes clear that The Camel Farm continues to lack an adequate number of employees to conduct daily observations of the animals and ensure that they receive adequate care. Without an adequate number of employees, The Camel Farm cannot demonstrate compliance with the captivity standards.

Conclusion

In light of these repeated violations of captivity standards, especially the standards related to providing prompt and adequate veterinary care, renewing The Camel Farm’s license would not be in the best interest of the wildlife at that facility. *See* Ariz. Admin. Code § R12-4-420(F). As a result, AZGFD must deny The Camel Farm’s license. *Id.* § R12-4-420(F); R12-4-409(4). Renewing The Camel Farm’s zoo license despite its failure to meet the captivity standards could subject AZGFD to potential litigation for failure to perform a mandatory duty.