



Inspection Report

ZACHARY GARDEN

Customer ID: **323608**

Certificate: **58-C-1009**

Site: PC1

INDOOR SHOW TRAVELING

650 CENTRAL AVE SUITE #1

Type: ROUTINE INSPECTION

Date: 25 April 2013

SARASOTA, FL 34236

2.40 (b)(2) DIRECT NCI

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

Each exhibitor shall establish and maintain programs of adequate veterinary care that include the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

The ewe named Bonnie with a nursing lamb is healing from a fractured left rear leg. The treatment record from the veterinarian examining the sheep states that there was a mid-metatarsal bony swelling on the left hind foot with mild instability, but seems to have already formed a semi-stable bony callus. No treatment was provided for the fracture. The veterinarian wrote no medication since nursing and the fracture is old at this time. The final statement was "Emphasized that she (Bonnie) should have been seen sooner". The date on the treatment record by the veterinarian is listed as April 7, 2013, but the assistant manager of the circus stated that the actual date was April 9, 2013.

A fractured leg is a painful condition. The licensee failed to seek prompt treatment for Bonnie leaving her to suffer. The ewe and lamb are currently being transported with a male sheep, 12 goats, 1 miniature zebu and 1 emu in a very small compartment in the trailer. (See Section 3.137(c)). The over crowding leaves the ewe at risk for redamaging her healing leg. Injured animals must receive prompt veterinary treatment to alleviate pain and suffering. The ewe and lamb must be transported in their own area to prevent other animals from reinjuring her left rear leg while it is healing.

Correct by April 28, 2013.

2.75 (b)(1) REPEAT

RECORDS: DEALERS AND EXHIBITORS.

Every exhibitor shall make, keep, and maintain records or forms which fully and correctly disclose the following information concerning animals other than dogs and cats, purchased or otherwise acquired, owned, held, leased, or otherwise in his or her possession or under his or her control, or which is transported, sold, euthanized, or otherwise disposed of by that dealer or exhibitor. The records shall include any offspring born of any animal while in his or her possession or under his or her control.

Prepared By:

ROBERT MARKMANN, A C I

ROBERT MARKMANN, A C I USDA, APHIS, Animal Care

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- (i) The name and address of the person from whom the animals were purchased or otherwise acquired;
- (ii) The USDA license or registration number of the person if he or she is licensed or registered under the Act;
- (iii) The vehicle license number and State, and the driver's license number (or photographic identification card for nondrivers issued by a State) and State of the person, if he or she is not licensed or registered under the Act;
- (iv) The name and address of the person to whom an animal was sold or given;
- (v) The date of purchase, acquisition, sale, or disposal of the animal(s);
- (vi) The species of the animal(s); and
- (vii) The number of animals in the shipment.

The records are incomplete except for one newly purchased capuchin. For the rest of the animals the following information was missing from the person from whom the animals were acquired: name and addresses, dates, and USDA license number or driver's license number and vehicle plate number.

Records of dispositions and acquisitions must be accurately maintained to ensure compliance with the regulations of the Animals Welfare Act and to allow tracking of animals for health and ownership purposes. The records must be updated to reflect the current animal inventory, including dates of purchases, sales, and disposal to facilitate the enforcement of the regulations in the Animal Welfare Act.

NOTE: The assistant manager was provided with APHIS Form 7019 and 7020 at time of inspection to help maintain records.

3.81

ENVIRONMENT ENHANCEMENT TO PROMOTE PSYCHOLOGICAL WELL-BEING.

Exhibitors must develop, document, and follow an appropriate plan for environment enhancement adequate to promote the psychological well-being of nonhuman primates. The plan must be in accordance with the currently accepted professional standards as cited in appropriate professional journals or reference guides, and as directed by the attending veterinarian. This plan must be made available to APHIS upon request.

The enrichment plan provided to APHIS officials during the inspection is not being followed. The plan states that all diet amounts, types, and all new enrichment toys, devices, tricks must be recorded in a separate primate log. The assistant manager and the animal manager stated that there was no primate log and the information was not being recorded daily. Licensee must follow the primate enrichment plan approved by the attending veterinarian.

Correct by May 3, 2013

3.125 (a)

FACILITIES, GENERAL.

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.

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The petting zoo enclosure has 4 inch spaces between the metal bars. During the inspection the youngest goat kid was observed several times escaping the enclosure by walking through the 4 inch spaces between the bars. Outside the petting zoo enclosure the goat kid could get injured on the spectator bleachers and by the various equipment used by the circus. The petting zoo enclosure must be able to contain all the animals to keep them safe.

Correct by May 5, 2013

3.125 (c) DIRECT NCI

FACILITIES, GENERAL.

Storage. Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against deterioration, molding, or contamination by vermin. Refrigeration shall be provided for supplies of perishable food.

There was a red cooler at the back of the animal transport trailer at 2:30 pm. When the cooler lid was removed there was a foul odor and the interior of the cooler was dirty. Inside the cooler there was a warm, soft beef brisket with no ice or freezer packs. The outdoor temperature was approximately 62 degrees Fahrenheit in the afternoon. The animal manager informed the APHIS officials that the brisket would be fed to the tiger today. The assistant manager said the tiger is fed about 9:30 pm after the second show. The meat was not going to be fed to the tiger for another seven hours which could allow bacteria to grow and cause the tiger to become ill after eating. Raw meat is a perishable food and must be at least refrigerated prior to feeding to prevent spoilage, decomposition, and animal health problems. Containers storing food must be kept clean to prevent contamination.

Correct by April 27, 2013

3.137 (a)(2)

PRIMARY ENCLOSURES USED TO TRANSPORT LIVE ANIMALS.

Primary enclosures, such as compartments, transport cages, cartons, or crates, used to transport live animals shall be constructed in such a manner that (2) the interior of the enclosure shall be free from any protrusions that could be injurious to the live animals contained therein.

There is a woven wire metal door at the side of the animal transport trailer (FL license plate 053 4CJ) that has sharp wire ends on right side edge where the wire is protruding away from the door frame. To the right of this door is a damaged wood panel which is cracked and splintered leaving rough edges. This section of the transport trailer houses 3 llamas, 1 alpaca, 2 young camels, 1 zebra, 6 ponies and 2 donkeys. The animals transported in this section of the truck may be injured on the protruding wires and splintered wood. The trailer must be repaired to prevent injury to the animals.

Correct by May 3, 2013.

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3.137 (c)

PRIMARY ENCLOSURES USED TO TRANSPORT LIVE ANIMALS.

Primary enclosures used to transport live animals shall be large enough to ensure that each animal contained therein has sufficient space to turn about freely and to make normal postural adjustments.

Too many animals are transported in two sections of the animal transport trailer (FL license number 053 4CJ). The front section is about 3.75 ft by 9.75 ft and provides 36.56 sq ft. for 10 goats, 2 goat kids, 2 sheep, 1 lamb, 1 miniature zebu and 1 emu. There is a water bucket about 2 ft in diameter that takes up about 3 square feet of floor space. The second section is about 8 ft. by 18 ft.. There is a large, oval water trough that is 56 inches long by 40 inches wide and takes up about 15 square feet of floor space. This leaves about 129 square feet of floor space for 3 llamas, 1 alpaca, 2 young camels, 1 zebra, 6 ponies and 2 donkeys. These animals also remain in this space until the enclosures are set up at the site location. The animals would have difficulty lying down and moving to the water receptacles. The space provided is not sufficient to allow the animals to turn about freely and make normal postural adjustments. More space must be provided for these animals for their comfort and well-being.

Correct by June 1, 2013.

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.

Storage areas in the animal transport trailer (FL license number 053-4CJ) pose a hazard for the animals housed in the mid section: 3 llamas, 1 alpaca, 2 young camels, 1 zebra, 6 ponies and 2 donkeys. There are two shelves opposite the side door. The lower shelf contains paint, chemicals, tools, rope, halters, blankets and miscellaneous items that animals may reach and be hurt if ingested or pulled down into the animal area. The upper shelf contained a battery charger and tool box. There are also two large storage areas above the animal area storing bags of shavings, feed bags and hay. There is only a 1.5 inch lip to prevent items from falling into the animal area and injuring the animals. This is not sufficient to prevent the items from falling on the animals during transportation. Storage areas must safely contain the items stored to prevent injury to the animals. Animals must not be transported with any material, substance or device which may be injurious to their health. Correct by May 12, 2013.

The inspection and exit briefing were conducted at the York Expo Center in York, PA on April 25, 2013 and the licensee was informed that the inspection report would be emailed on April 26, 2013 because the circus was traveling to a new location.

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