

June 23, 2015

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

**Via e-mail:** [betty.j.goldentyer@usda.gov](mailto:betty.j.goldentyer@usda.gov); [aceast@aphis.usda.gov](mailto:aceast@aphis.usda.gov)

Re: Request for Investigation of Solitary Primates, Animals in Need of  
Veterinary Care, and Unsanitary Conditions at Tri-State Zoological Park

Dear Dr. Goldentyer,

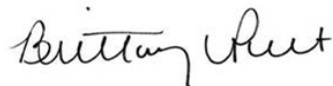
I am writing on behalf of People for the Ethical Treatment of Animals (PETA) to request that the U.S. Department of Agriculture (USDA) promptly investigate Tri-State Zoological Park ("Tri-State"; license no. 51-C-0064). Witnesses who visited Tri-State on June 9, 2015, observed and documented the following apparent violations of the Animal Welfare Act (AWA):

- Social primates housed in isolation
- An obese Asian black bear who may be suffering from a lack of adequate veterinary care, an inadequate diet, and/or inadequate space
- Enclosures and facility grounds soiled with excreta and trash

Please ensure that the animals at Tri-State are provided with adequate veterinary care, shelter, food, and water and are otherwise handled in accordance with the AWA. Please hold the facility fully accountable for any and all violations that you discover during your investigation.

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

Sincerely,



Brittany Peet  
Deputy Director, Captive Animal Law Enforcement, PETA Foundation  
202-540-2191 | [BrittanyP@petaf.org](mailto:BrittanyP@petaf.org)

#### Attachments

- USDA Complaint Number AC15-194
- Photographs 1-4

PEOPLE FOR  
THE ETHICAL  
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PETA FOUNDATION IS AN  
OPERATING NAME OF FOUNDATION  
TO SUPPORT ANIMAL PROTECTION.

#### AFFILIATES:

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

## Appendix

### a. Social Primates Kept in Isolation

The witnesses observed that a capuchin monkey and a squirrel monkey were each confined individually. Primates have complex physical, social, and psychological needs. In the wild, white-faced capuchin monkeys live in large social groups and form coalitions with their kin. Researchers have observed that capuchin monkeys, like humans, demonstrate cultural learning<sup>1</sup> and social traditions.<sup>2</sup> In the wild, squirrel monkeys have very large social groups with complex dominance hierarchies, and much of their lives involve navigating group politics.<sup>3</sup> Without this necessary interaction with others of their kind, primates are afflicted with loneliness, boredom, and depression, which can manifest in stereotypic behavior.

Confining primates in isolation violates 9 C.F.R. § 3.81, which states that exhibitors "must develop, document, and follow an appropriate plan for environment enhancement adequate to promote the psychological well-being of nonhuman primates" and § 3.81(a), which requires that "[t]he environment enhancement plan must include specific provisions to address the social needs of nonhuman primates of species known to exist in social groups in nature."

The witnesses also observed that Dodger, the capuchin monkey, had a hairless patch above his tail (Photograph 1). PETA previously reported this issue to the USDA on February 9, 2015, but the issue remains unaddressed.<sup>4</sup> Nonhuman primates' stereotypies and hair loss—likely from hair pulling—are signs of poor welfare and stress. According to Georgia Mason:

[S]tereotypies should warn us that the animal has probably been in an unchanging and frustrating environment, and that its welfare has probably been unsatisfactory. Much evidence does indeed link the development of stereotypies with specific sub-optimal environments. The development of a stereotypy in an individual is therefore the sign of an animal that has probably been suffering, and whose well-being may be poor still.<sup>5</sup>

In accordance with 9 C.F.R. § 3.81(b), "[t]he physical environment in the primary enclosures must be enriched by providing means of expressing noninjurious species-typical activities." As is apparent from Dodger's hair loss, Tri-State does not appear to be following a plan of environmental enhancement that is *adequately* addressing his psychological needs. Because he "show[s] signs of being in psychological distress through behavior or appearance," he "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." 9 C.F.R. § 3.81(c).

### b. Obese Asian Black Bear

The witnesses observed that the bear on exhibit was obese (Photograph 2). Please examine this bear's veterinary records to determine whether the bear is receiving adequate veterinary care for this condition, pursuant to 9 C.F.R. § 2.40. The bear's condition may also be caused by lack of an adequate diet pursuant to 9 C.F.R. § 3.129(a) (requiring that "food shall be wholesome, palatable, and [of]

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<sup>1</sup>Perry, S. (2011). Social traditions and social learning in capuchin monkeys (*Cebus*). *Phil. Trans. R. Soc. B*, 366, 988–996.

<sup>2</sup>Perry, S., et al. (2003). Social conventions in wild white-faced capuchin monkeys: Evidence for traditions in a neotropical primate. *Current Anthropology*, 44(2), 241–68.

<sup>3</sup>Sapolsky, R. M. (2005). The influence of social hierarchy on primate health. *Science*, 308, 648–652.

<sup>4</sup>USDA complaint number AC15-194, dated February 9, 2015, attached.

<sup>5</sup>Mason, G. J. (1991). Stereotypies and suffering. *Behavioural Processes*, 25, 103–111.

nutritive value to maintain all animals in good health") or failure to provide the bear with adequate space, pursuant to 9 C.F.R. § 3.128 (requiring that "[e]nclosures shall be constructed and maintained so as to provide sufficient space" and that "[i]nadequate space may be indicated by evidence of ... poor condition").

**c. Failure to Clean and Sanitize Enclosures and Premises**

The witnesses observed that the kinkajous are confined to unsanitary enclosures, with floors covered with excreta and old, rotten food (Photograph 3). Palatable food was apparently unavailable, as the food receptacle was also covered with feces. These conditions appear to violate 9 C.F.R. § 3.131(a), requiring that "[e]xcreta 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," and 9 C.F.R. § 3.129(a) and (b), requiring that "food shall be wholesome, palatable, and free from contamination" and "food receptacles, if used, shall be ... placed so as to minimize contamination," respectively.

**d. Failure to Provide Clean Water**

During the time the witnesses visited Tri-State, the weather was sunny and the temperature reached a high of 80 degrees,<sup>6</sup> but it did not appear that clean water was supplied to any of the facility's animals, including free-roaming rabbits, in apparent violation of 9 C.F.R. § 3.130, which requires that "water ... must be provided as often as necessary for the health and comfort of the animal." (*See, e.g.,* Photograph 4.)

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<sup>6</sup>"Weather History for KCBE," <http://www.wunderground.com/history/airport/KCBE/2015/6/9/DailyHistory.html>.