



November 15, 2016

Garry Koschitzki
Bailiwick Animal Park, Inc.
118 Castle Road
Catskill, NY 12414

Dear Mr. Koschitzki:

An inspection of your company located at 118 Castle Rd. Catskill, NY 12414 disclosed the following hazards:

The employees of Bailiwick Animal Park, Inc. are exposed to the hazards of free contact with captive animals such as Syrian Brown and American Black bears. On the following date, August 10, 2016 and at times prior thereto while employees enter bear enclosures to perform cleaning, feeding (at times by hand), and interacting with bears as small performances they are exposed to direct contact with these bears. The cleaning and feeding of the bears is performed once a day. The small performances where there is interaction and direct contact with the bears, takes place only for large group events such as birthday parties.

After reviewing relevant facts pertaining to this case, the Occupational Safety and Health Administration will not issue a citation at this time for failing to protect employees from direct contact with bears which is an issue that would be addressed under the General Duty Clause of the Occupational Safety and Health Act of 1970.

However, in the interest of workplace safety and health, I recommend you voluntarily take reasonable steps in addressing this issue. The following recommendations are actions which could be taken to enhance the safety of your employees.

1- Install isolation dens or lock out cages to create a barrier between bear and employees during feeding and cleaning of enclosures. The Zoological Association of America recommends isolation dens or cages when dealing with Class I animals (bears). In addition, for accreditation purposes, isolation dens or cages are mandatory for Class I animals.

2- Conduct training with all employees to ensure understanding of the purpose and need for the isolation dens. The Zoological Association of America states "Facilities shall develop, implement, and enforce sufficient risk management practices and policies that include all relevant aspects of the facility."


3- Ensure through inspection that all employees use the isolation dens for all feeding and cleaning operations.



To evaluate your progress in addressing these hazards, please send me a letter detailing the actions you have taken or plan to take to address our concerns by December 15, 2016. The Albany, NY Area office will follow up at a later date to evaluate any newly implemented or enhanced policies and/or procedures related to these hazards, as well as new or modified employee training you have conducted to boost the safety and health of employees.

We appreciate your attention to these areas of concern. If you have any questions, please feel free to call me at 518-464-4338.

Respectfully,


Robert I. Garvey
Area Director