

May 25, 2017

Elizabeth Goldentyer, D.V.M.  
 Director, Animal Welfare Operations  
 USDA/APHIS/AC Eastern Region

Via e-mail: [REDACTED]; [aceast@aphis.usda.gov](mailto:aceast@aphis.usda.gov)

Re: Request for Investigation of Apparent Animal Welfare Act Violations  
 at Wilson's Wild Animal Park (License No. 52-C-0038)

Dear Dr. Goldentyer,

I'm writing on behalf of People for the Ethical Treatment of Animals (PETA) to request that the U.S. Department of Agriculture (USDA) promptly investigate Wilson's Wild Animal Park (license no. 52-C-0038) for the following apparent Animal Welfare Act (AWA) violations, documented by PETA staff—including wildlife veterinarian Dr. Christine Capaldo—on May 17 and detailed in the attached appendix:

- A goat had mucoid nasal discharge and hair loss on his face. (*See Photo 1.*)
- An alpaca had overgrown nails in need of corrective trimming. (*See Photos 2-3.*)
- A pigeon appeared to have a wound or irritation of the left eye. (*See Photo 4.*)
- Himalayan black bears and deer had inadequate means of cooling off in the heat. (*See Video 1 and Video 2.*)
- Himalayan black bears, lynxes, and a lion cub were confined exclusively on concrete. (*See Photos 5-8.*)
- A lynx and a Himalayan black bear exhibited apparent stereotypical pacing behavior. (*See Video 3 and Video 4.*) The bear also repeatedly made jaw-popping vocalizations, indicating fear or agitation. (*See Video 5.*)
- Macaws and a cockatoo had feather loss, a sign of psychological distress or health problems. (*See Photos 9-10.*)
- It was documented that a Himalayan black bear ate water- and urine-soaked food on the ground. (*See Video 6.*)
- The camels' only shelter appeared muddy and full of feces, and there was an accumulation of feces just outside the enclosure confining the bears. (*See Photos 11-12.*)
- The enclosure confining the roosters contained plastic debris, which could be ingested by the birds. (*See Photo 13.*)
- A 5-month-old lion cub was held in solitary confinement. (*See Photo 14.*)
- The Himalayan black bears exhibited incompatible and aggressive behavior. (*See Video 7.*)

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PETA FOUNDATION IS AN  
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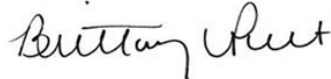
AFFILIATES:

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

Please investigate Wilson's Wild Animal Park and ensure that all the animals confined at the facility are provided with adequate veterinary care, shelter, food, and water and are otherwise handled in accordance with the AWA. Please also hold Wilson's Wild Animal Park 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. I look forward to hearing from you.

Very truly yours,



Brittany Peet, Esq.  
Director, Captive Animal Law Enforcement

██████████ | ██████████

- cc: Nicolette Petervary, V.M.D., Regional Animal Care Specialist, USDA/APHIS/AC  
(████████████████████)
- Andrea D'Ambrosio, Animal Care Inspector, USDA/APHIS/AC  
(████████████████████)
- Laurie Gage, D.V.M., Big Cat and Marine Mammal Specialist  
(████████████████████)

## Appendix

### a. **Goat With Hair Loss and Nasal Discharge**

A goat had hair loss, some loss of pigment on the top of the nose, and possible eroded skin around his nose and nostrils. He also had a crusty, mucoid discharge around his nostrils. (*See* Photo 1.) Wildlife veterinarian Dr. Christine Capaldo opined that the discharge may have been from a respiratory infection or the result of an immune-mediated, UV-induced, or infectious skin disease.

Please examine this animal, as well as the relevant veterinary records, and ensure that the goat is receiving adequate care pursuant to 9 C.F.R. § 2.40.

### b. **Alpaca With Overgrown Nails in Need of Corrective Trimming**

An alpaca had overgrown nails in need of corrective trimming. (*See* Photos 2-3.) Hooves and nails require regular corrective trimming, and inadequate treatment can lead to serious health and welfare concerns, including lameness, joint problems, and tripping.

Please examine this alpaca and all the other animals at Wilson's Wild Animal Park, as well as their veterinary records, and ensure that they're receiving adequate care pursuant to 9 C.F.R. § 2.40.

### c. **A Pigeon With an Eye Irritation or Wound**

A pigeon<sup>1</sup> appeared to have a wound or irritation of the left eye. (*See* Photo 4.) This enclosure also appeared to be severely crowded. Dr. Capaldo opined that the wound may be related to trauma from other birds.

Please examine this animal, as well as the relevant veterinary records, and ensure that he or she is receiving adequate care pursuant to 9 C.F.R. § 2.40.

### d. **Himalayan Black Bears and Deer Were Panting Without Access to Cooling Measures**

The Himalayan black bears were housed on concrete with no access to a pool in which to bathe or cool off. Both were observed panting. (*See* Video 1.) One of them climbed into the nearly empty water trough in an apparent attempt to cool off but continued to pant. The trough may have been leaking, as water could be seen below it and the food on the concrete appeared to be wet. Multiple deer were also panting while resting in the shade. (*See* Video 2.) These animals appeared to have no other means of cooling off, while temperatures reached 89 degrees. (*See* Exhibit 1.)

These conditions appear to violate 9 C.F.R. § 2.131(e), requiring that "[w]hen climatic conditions present a threat to an animal's health or well-being, appropriate measures must be taken to alleviate the impact of those conditions."

### e. **Himalayan Black Bears, Lynxes, and a Lion Cub Confined Exclusively on Concrete**

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<sup>1</sup>Although the USDA has not yet developed specific standards for birds, these warm-blooded animals are covered by the plain language of the AWA (*see* 7 U.S.C. § 2132(g); *see also* 9 C.F.R. § 1.1) and AWA regulations, including the general AWA standards set forth in subpart F, 9 C.F.R. §§ 3.125–142.

Two Himalayan black bears were confined to a barren concrete enclosure. One bear had pink areas on at least one footpad that may be the result of chronic repetitive trauma from living on concrete and wet conditions. (See Photos 5-6.) Three lynxes and a lion cub were also housed exclusively on concrete. (See Photos 7-8.)

Confinement to concrete without any access to a natural substrate is harmful to bears and felids and can cause them to suffer from numerous physical maladies, including early-onset osteoarthritis and foot injuries. Wearing their paws on concrete also can predispose them to painful blisters and ulcers. Dr. Capaldo opined that calluses can form and crack open, causing infections, abscesses, and pain. Dr. Capaldo also noted that concrete may be damaging to the lion cub's developing musculoskeletal system.

Recognizing the health risks inherent in confining bears entirely on concrete substrate, a July 20, 2015, USDA inspection report of Pymatuning Deer Park stated the following:

Black bears normally engage in postural behaviors of swimming, climbing, and digging. These bears have no ability to express these behaviors in this enclosure. The female is showing signs of debility consistent with being housed exclusively on concrete (evident by her painful movement and suspected early arthritic changes). There was no fresh hay or soft areas in her den area for resting. This enclosure needs to be addressed and maintained to provide the opportunity for the bears to engage in species appropriate behavior.<sup>2</sup>

The USDA also cited licensee Deer Haven Mini Zoo on October 12, 2016, for failing to provide a black bear confined to a concrete enclosure with adequate space. The inspection report stated that "the substrate is concrete flooring, which can exacerbate mobility issues and does not allow for digging, an important normal postural adjustment for bears."<sup>3</sup>

These enclosures appear to violate 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," and 9 C.F.R. § 2.131(d)(1), which requires that "[a]nimals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being."

Please also inspect these animals, as well as the relevant veterinary records, and ensure that they're receiving adequate care pursuant to 9 C.F.R. § 2.40, including provision (b)(2), which requires "[t]he use of appropriate methods to *prevent*, control, diagnose, and treat diseases and injuries [*emphasis added*]."

**f. A Lynx and a Bear Exhibited Apparent Stereotypical Pacing Behavior**

A lynx and a Himalayan black bear exhibited apparent stereotypical pacing behavior. (See Video 3 and Video 4.) These repetitive movements may indicate psychological distress. Abnormal pacing likely is caused by a lack of sensory stimulation and suggests poor welfare

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<sup>2</sup>See USDA Inspection Report, Pymatuning Deer Park, license number 23-C-0019, July 20, 2015.

<sup>3</sup>See USDA Inspection Report, Deer Haven Mini Zoo, license number 55-C-0111, October 12, 2016.

and suffering.<sup>4</sup> The bear also repeatedly made jaw-popping vocalizations while pacing. (*See* Video 5.) Dr. Capaldo opined that this behavior may indicate fear or agitation or be an expression of defending one's territory.

These conditions appear to violate 9 C.F.R. § 2.131 (d)(1) and 9 C.F.R. § 3.128. Bears, along with wild felids, are naturally far-ranging animals, and their stereotypic pacing—an "abnormal behavior pattern"—is a sign of stress. Please inspect these animals, as well as the relevant veterinary records, and ensure that they're receiving adequate care and treatment pursuant to 9 C.F.R. § 2.40.

**g. Birds Had Feather Loss, a Sign of Psychological Distress or Health Problems**

Macaws were observed with feather loss on their heads and tails, and a cockatoo had feather loss on the chest and stomach region. (*See* Photos 9-10.) Dr. Capaldo opined that feather loss could be from stress, boredom, nutritional deficiencies, parasites, or disease and that these animals should be evaluated by a veterinarian.

Please inspect these warm-blooded animals, as well as the relevant veterinary records, and ensure that they're receiving adequate care and treatment pursuant to 9 C.F.R. § 2.40. Feather plucking is an abnormal behavior pattern and may indicate psychological distress, likely caused by a lack of sensory stimulation, and suggests suffering and poor welfare,<sup>5</sup> in apparent violation of 9 C.F.R. § 2.131 (d)(1) and 9 C.F.R. § 3.128.

**h. Himalayan Black Bear Eating Water- and Urine-Soaked Food**

A Himalayan black bear was lying on and later eating what appeared to be water-soaked food on the ground of the concrete cage. (*See* Video 6.) This bear stood up and urinated, and the urine drained in the direction of the food. The bear continued to eat the urine-soaked food.

Please ensure that these bears are receiving an adequate diet pursuant to 9 C.F.R. § 3.129(a), which states that "[t]he food shall be wholesome, palatable, and free from contamination and of sufficient quantity and nutritive value to maintain all animals in good health," and 9 C.F.R. § 3.129(b), which requires that "[f]ood, and food receptacles, if used, shall be sufficient in quantity and located so as to be accessible to all animals in the enclosure and shall be placed so as to minimize contamination." Please also ensure that they're receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40.

**i. Unsanitary Conditions in Camel Shelter and Enclosure Confining the Bears**

The shelter in the enclosure confining the camels appeared muddy and full of feces. (*See* Photo 11.) This shelter appeared to be the camels' only means for protection from the elements. Standing in mud or fecal material can cause foot and skin infections, lameness, and pain. The enclosure confining the Himalayan black bears had feces accumulated just outside the enclosure. (*See* Photo 12.) It appears that their feces and urine are hosed just outside the enclosure and then left there.

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<sup>4</sup>*See* G.J. Mason, *Stereotypies and Suffering*, 25 *Behavioural Processes* 103–104 (1991); 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, 499–518 (2005).

<sup>5</sup>*Id.*

These conditions appear to violate 9 C.F.R. § 3.131(a), which requires 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."

**j. Enclosure Confining the Roosters Contained Debris Which Could Be Ingested**

The enclosure confining the roosters had shredded, grass-like plastic debris in it, which could be ingested by the birds. (*See* Photo 13.) Dr. Capaldo opined that the debris presents a health hazard, as it could cause choking or gastrointestinal obstruction.

These conditions appear to violate 9 C.F.R. § 3.125(d), which requires that "[p]rovision shall be made for the removal and disposal of animal and food wastes, bedding, dead animals, trash, and debris." Please also inspect these animals and ensure that they haven't already ingested this plastic material and that they're receiving adequate care and treatment pursuant to 9 C.F.R. § 2.40.

**k. Lion Cub Held in Solitary Confinement**

A 5-month-old lion cub was confined to a concrete enclosure by himself. (*See* Photo 14.) Lions are social felids and usually suckle until they're 7 months old or even longer. Lion cubs learn crucial social skills from members of their pride, which can have up to 40 members. There were two adult lions held at the facility, one male and one female, but they were confined to a different enclosure. Confining any social animal in isolation is an apparent violation of 9 C.F.R. § 2.131(d)(1).

**l. Himalayan Black Bears Exhibited Incompatible and Aggressive Behavior**

One of the Himalayan black bears exhibited an aggressive warning by growling at the other bear when he or she walked by to get water. (*See* Video 7.) The jaw-popping vocalizations exhibited later by the second bear could also be an indication of incompatibility between the bears, as it may indicate fear, agitation, or an expression of defending one's territory. (*See* Video 5.) Dr. Capaldo opined that these bears do not have adequate space to perform normal species-specific behavior and are competing for critical resources.

These types of behavior indicate an apparent violation of 9 C.F.R. § 3.133, which requires that "[a]nimals housed in the same primary enclosure must be compatible. Animals shall not be housed near animals [who] interfere with their health or cause them discomfort," and 9 C.F.R. § 3.128.