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February 1, 2018

Robert Gibbens, D.V.M.
Director, Animal Welfare Operations
USDA/APHIS/Animal Care

Via e-mail: [REDACTED]; acwest@aphis.usda.gov

Dear Dr. Gibbens:

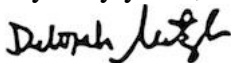
I am writing on behalf of PETA to request that the U.S. Department of Agriculture (USDA) promptly investigate Bob Steele III, dba "The Great Bear Show" (license no. 74-C-0837), for the following apparent Animal Welfare Act (AWA) violations, detailed in the attached appendix, that were documented at the Tri-Cities Sportsmen Show in Pasco, Washington, on January 20, 2018:

- Steele used physical force when handling a bear named Cindi during a public photo-op session. He hit her paw with a stick and repeatedly yanked on the chain around her neck. She was exhibiting abnormal vocalizations throughout the session, which is a sign of distress. (*See* Video 1, Video 2, Video 3, and Video 4.)
- Although Cindi was chained to a chair that was secured to her cage during the photo-op session, there was no barrier to prevent members of the public, including young children, from approaching her. (*See* Videos 2–4.)
- When she was not performing or being used for photo-ops, Cindi was confined to a barren cage that had no pool, furnishings, or enrichment. The concrete floor was covered with only a light layer of sawdust, which did not appear to provide her with adequate substrate for engaging in natural behavior. She was also documented pacing, which is a stereotypical behavior indicative of psychological distress. (*See* Video 5.)

Please ensure that Cindi and all the bears traveling with The Great Bear Show have adequate opportunities for exercise and are handled in accordance with the AWA. Please also hold Steele 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.

Very truly yours,



Deborah Metzler, M.S.
Senior Wildlife Specialist, Captive Animal Law Enforcement

cc: Dr. Nicolette Petervary, Regional Animal Care Specialist

[REDACTED]
Andrea D'Ambrosio, Animal Care Inspector

Appendix

a. Physical Force Used to Handle a Bear During Public Photo-Ops

On January 20, witnesses observed and documented that Steele used physical force to handle a female black bear named Cindi. She was the only bear present at the exhibition. Steele yanked on the chain around her neck several times. (*See* Video 1 at 0:57, Video 2 at 0:04, and Video 3 at 0:06.) He also hit her on the paw to force her to sit up in the chair. (*See* Video 4 at 0:04.) In response, she cried out and lifted her paw, but Steele did not stop hitting her with the stick until she sat upright. Her reaction indicates that this was stressful to her and that she was likely trained with even more forceful punishment. She made abnormal vocalizations at several points during the photo-ops, which is audible in Videos 2 to 4. This is a clear indicator of distress. In addition, in Video 2 at 0:24, she appears to attempt to leave the chair but is restrained by the chain around her neck. These conditions appear to violate the following AWA regulations:

- 9 C.F.R. § 2.131(b)(1), requiring that "[h]andling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort"
- 9 C.F.R. § 2.131(b)(2)(i), requiring that "[p]hysical abuse shall not be used to train, work, or otherwise handle animals"
- 9 C.F.R. § 2.131(d)(1), requiring that "[a]nimals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being"

Please inspect Cindi, as well as her veterinary records, and ensure that she is receiving adequate veterinary care and treatment pursuant to 9 C.F.R. § 2.40.

b. Inadequate Public Barrier During Photo-Ops

Steele has been repeatedly cited by the USDA for failing to have adequate public barriers during photo-ops.^{1,2,3} As shown in Videos 1 to 4, he continues to separate bears from members of the public, including young children, with a flimsy Plexiglass divider. Even if bears are secured to an immovable object, this cannot adequately protect the public or the animals, given their close proximity to each other and the lack of barriers to prevent visitors from approaching. Videos 2 to 4 show that children are allowed to get close to the animals. Notably, Steele himself had an apparently injured hand and was walking with a limp. On August 17, 2017, at the Southwest Washington Fair, he admitted that he wasn't able to control a young bear named Barney while his arm was injured. It's unclear whether he would be able to control Cindi—a bear who weighs several hundred pounds—should a child get too close, particularly if he's injured and the bear is close to the public.

These circumstances are very dangerous for both the public and the animal. Please ensure that Steele complies with 9 C.F.R. § 2.131(c)(1), which requires that "[d]uring public exhibition, any animal must be handled so there is minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the animal and the general viewing public so as to assure the safety of animals and the public."

¹See USDA Inspection Report, Bob Steele III, license number 58-C-0375, August 8, 2008.

²See USDA Inspection Report, Bob Steele III, license number 74-C-0837, March 12, 2012.

³See USDA Inspection Report, Bob Steele III, license number 74-C-0837, February 25, 2017.

c. Bear Confined to a Barren, Concrete-Floored Cage and Suffering From Psychological Distress

The witnesses documented that when Cindi was not being forced to perform or pose for photos with the public, she was confined to a barren cage with concrete flooring. The floor was covered with a light layer of sawdust, but the hard concrete was exposed where the animal had engaged in abnormal pacing. (See Video 5.)

Abnormal pacing or swaying is likely caused by a lack of sensory stimulation and suggests poor welfare and suffering.⁴ Cindi's repetitive pacing indicates psychological distress and is a sign that Steele is likely not providing her with sufficient space, in apparent violation of 9 C.F.R. § 3.128, which states that "[i]nadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or abnormal behavior patterns." Bears are naturally far-ranging animals, and their stereotypic pacing is an "abnormal behavior pattern" indicating stress. Exhibiting Cindi in a manner that causes "behavioral stress" is an apparent violation of 9 C.F.R. § 2.131(b)(1).

The stereotypic pacing and the barren cage that is used to confine animals during exhibition are chronic and ongoing issues that PETA reported to the USDA in correspondence on January 25, 2017, as well as in complaint numbers AC16-550 and AC17-790. Steele was cited by the USDA on February 25, 2017, for failing to provide bears with adequate space in conditions similar to those documented on January 20. The inspection report stated the following:

While in travel status for several months of the year, the primary enclosure for the three bears is a rectangular cattle panel enclosure set up in a building on a concrete floor with shavings. There are no visual barriers in the enclosure that allows the animals to avoid each other or get out of view of the guests. There are no furniture items, water tubs, straw or bedding that allows the animals to express normal postural or social adjustments. Black bears normally engage in postural behaviors of swimming, climbing, digging and denning and socially need to be able to have the choice to get away from each other.

Cindy the female bear was observed pacing along the back panel for an extended period of time before and after the show. ... Pacing in black bears is an abnormal behavior pattern and can indicate stress, frustration or an underlying medical condition.⁵

In an inspection on March 31, 2017, the USDA cited Steele for continuing issues regarding Cindi's pacing and the barren enclosure:

Cindy, an 8 [sic] year old black bear, was observed pacing for some time in the trailer and in the temporary primary enclosure provided while traveling. The veterinarian wrote a note stating that she had visited Cindy at the home site and pacing was not observed. The veterinarian further stated that Cindy should be provided barriers or enclosure furnishings and/or alone time. This has not been provided. Pacing can be indicative of physical or psychological issues that may require medical treatment or habitat/husbandry modification.

⁴See 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 (2005): 499–518.

⁵See USDA Inspection Report, Bob Steele III, license number 74-C-0837, February 25, 2017.

While in travel status for several months of the year, the primary enclosure for the three bears is a rectangular cattle panel enclosure set up in a building with pine shavings on the floor. There are no visual barriers in the enclosure that allow the animals to avoid each other or get out of view of the guests. There are no furniture items, water tubs, straw or bedding that allow the animals to express normal postural or social adjustments. Black bears normally engage in postural behaviors of swimming, climbing, digging and denning and socially need to be able to have the choice to get away from each other.

Cindy, the female bear, was observed pacing in the travel trailer for at least 10 minutes and was observed pacing inside the exhibit along the front panel for a period of time. ... Pacing in black bears is an abnormal behavior pattern and can indicate stress, frustration, or an underlying medical condition.⁶

These conditions appear to remain uncorrected. The enclosure contained no enrichment items, furnishings, pool, straw, or bedding that would give Cindi the opportunity to engage in natural behavior. Although there was a visual barrier on one side of the enclosure, she was not able to evade public view from the other three sides.

Recognizing the health concerns that abnormal pacing can indicate in naturally far-ranging animals, the USDA has stated that it may be a result of inadequate space. It cited the Denver Zoo on March 27, 2017, for failing to provide bears—who were confined on concrete and displaying stereotypical behavior—with adequate space. The inspector stated that:

This enclosure limits the bears' ability to perform species specific behaviors because it lacks adequate functional and structural elements, including adequate space, adequate opportunities to exhibit climbing behavior, and appropriate quantity of natural substrates. Pacing [is an] abnormal behavior pattern and can indicate stress, frustration or an underlying medical condition. Inadequate enclosures can also contribute to these abnormal behavior patterns.⁷

The USDA also cited Wilson's Wild Animal Park on September 18, 2017, for confining bears to a barren, concrete-floored enclosure, stating that:

[B]ears ... typically enjoy climbing, foraging, and being active in water. The enclosure needs to be of an adequate size to allow the bears to make all normal postural adjustments and [contain] adequate water features for the bear to engage in species typical exercise and thermoregulation. Additional space and elevated structures for climbing and resting; substrates to encourage digging; and an appropriate water feature should be added to the enclosure to allow the animals to demonstrate species typical behavior and to improve their psychological well-being.⁸

⁶See USDA Inspection Report, Bob Steele III, license number 74-C-0837, March 31, 2017.

⁷See USDA Inspection Report, Denver Zoological Foundation, license number 84-C-0002, March 27, 2017.

⁸See USDA Inspection Report, Wilson's Wild Animal Park, license number 52-C-0038, September 18, 2017.

Please inspect Cindi, as well as her veterinary records, and ensure that she has been evaluated by a veterinarian pursuant to 9 C.F.R. § 2.40. Please also consider that habitat modification—including providing animals with more space and a complex and enriching environment, pursuant to 9 C.F.R. § 3.128—may help to alleviate the distressed abnormal pacing behavior.