

# Birds & Animals Unlimited (Gary Gero)

1125 Buella Vista Rd., Acton, CA 93510

**Birds & Animals Unlimited has demonstrated a chronic failure to meet minimum federal standards for the care of animals used in exhibition as established in the Animal Welfare Act (AWA). The U.S. Department of Agriculture (USDA) has issued four official warnings to the facility for repeatedly failing to comply with veterinary-care requirements, failing to provide animals with shelter from heat and sunlight, improper food storage, and failing to maintain enclosures to prevent escape. The USDA has also cited Birds & Animals for failing to provide veterinary care, failing to provide environmental enhancement to promote the psychological well-being of primates, failing to provide shelter from the elements, failing to protect an orangutan from unauthorized access, failing to provide minimum space, failing to clean filthy and foul-smelling cages, and failing to maintain cages properly. A child actor filed a lawsuit against Birds & Animals for injuries sustained when he was bitten in the face by a chimpanzee. Contact PETA for documentation.**

**May 10, 2016:** The USDA cited Birds & Animals for failing to provide adequate veterinary care. Although the program of veterinary care called for the squirrels to receive annual leptospirosis and rabies vaccinations, they hadn't, and two porcupines weren't addressed in the program. The facility was also cited for failing to provide housing facilities that were structurally sound. Several pieces of plastic debris were observed in the pool used for the otter show, posing a risk of ingestion.

**June 9, 2015:** The USDA cited Birds & Animals for failing to have an updated program of veterinary care that included all animals held at the facility, failing to have disposition records available for review, failing to maintain the hutch holding rabbits, and failing to have a perimeter fence around the new enclosure holding a kangaroo.

**May 20, 2015:** The USDA cited Birds & Animals for failing to have a suitable means for a serval who had a history of arthritis to access the elevated resting

platform without causing unnecessary discomfort; failing to maintain the dry-feed room, which contained accumulations of rodent feces; and failing to maintain a metal chain-link support pole of one enclosure. It had rust on it and had "completely deteriorated from its attachment in the lower front corner."

**June 12, 2014:** The USDA cited Birds & Animals for failing to handle animals safely. They were allowed to run across a wooden log over the surface of the pool and behind a waterfall located at the rear of the show stage, but the log had become waterlogged and very soft, splintering on one side, which did not ensure their well-being during exhibition.

**May 9, 2014:** The USDA cited Birds & Animals for failing to provide rabbits with safe primary enclosures. The floor of the hutch was made of thin wire mesh that could injure their legs. Some solid spaces were available, but they weren't sufficient for all the animals in the enclosure.

**April 9, 2014:** The USDA cited Birds & Animals for failing to submit itineraries.

**June 26, 2013:** The USDA cited Birds & Animals for failing to provide adequate veterinary care. Although the program of veterinary care called for all the dogs to be vaccinated against leptospirosis and bordetella annually and to be tested for heartworm disease annually, they hadn't been. The program also indicated that the pigs were to receive annual rabies vaccinations, but they hadn't.

**December 10, 2012:** The USDA cited Birds & Animals for failing to have a written plan for environmental enhancement that was adequate enough to promote the capuchins' psychological well-being.

**December 7, 2010:** The USDA cited Birds & Animals for failing to maintain the fur on two collies, which was moderately matted, and not trimming the overgrown nails on two basset hounds. It was also cited for failing to supply adequate housing to two domestic cats who were housed separately. Their enclosures had ventilation panels that allowed cold air to enter.

**August 21, 2008:** The USDA cited Birds & Animals for failing to give veterinary care to a dog whose fur was heavily matted, failing to ensure adequate protection from heat for rabbits who were housed outdoors, failing to maintain the enclosures for the dogs and cats (they contained items that couldn't be sanitized or that could injure the animals), failing to provide a cat with an enclosure that could be properly sanitized, failing to provide squirrels with a proper diet, and failing to maintain acquisition records.

**July 15, 2008:** The USDA cited Birds & Animals for failing to provide a written program of veterinary care, failing to provide a documented plan of environmental enhancement for the primates, failing to clean the enclosures for the monkeys (they had “a buildup of grime/scale on the chain link mesh and wire sides of the enclosures”), failing to ensure adequate protection from heat for rabbits who were housed outdoors, and failing to maintain exercise runs for the dogs. The runs had rust and peeling paint and couldn’t be properly sanitized. Birds & Animals was also cited for failing to submit a single itinerary for animals in travel status in the last year. The USDA inspector wrote, “Licensee has been repeatedly requested to supply such information on a regular basis.”

**December 20, 2006:** The USDA cited Birds & Animals for poor housekeeping, failing to sanitize an enclosure housing primates, and failing to maintain an enclosure housing pigs. It had damaged and rotting wood.

**December 19, 2006:** The USDA cited Birds & Animals for failing to provide rabbits with adequate shelter from cold weather, failing to provide caged squirrels with adequate access to food, failing to maintain records of acquisition and disposition, and failing to have a written program of veterinary care signed by the licensee.

**May 9, 2006:** The USDA cited Birds & Animals for failing to provide an inspector with a travel itinerary and access to the animals in order to conduct an animal-welfare inspection.

**September 8, 2005:** The USDA cited Birds & Animals for failing to provide adequate drainage in a cage housing primates.

**March 17, 2005:** The USDA cited Birds & Animals for failing to correct a previously identified noncompliance for failing to notify the agency of a change of operation.

**November 12, 2004:** The USDA cited Birds & Animals for failing to notify the agency of a change of operation involving the closure of one of its sites.

**October 7, 2004:** The USDA cited Birds & Animals for failing to provide records of veterinary care, failing to maintain an enclosure housing dogs (it smelled of urine and contained heavily rusted surfaces), and failing to maintain a cage for an orangutan named Louie. It couldn’t be sanitized because of excessive rust.

**April 1, 2004:** The USDA cited Birds & Animals for failing to have a current program of veterinary care,

failing to provide and document veterinary care, and failing to provide animals with adequate shelter from the elements.

**July 21, 2003:** The USDA cited Birds & Animals for improperly labeling drugs and failing to dispose of expired medications.

**January 16, 2003:** The USDA cited Birds & Animals for failing to maintain enclosures to prevent injuries and escapes.

**January 15, 2003:** The USDA cited Birds & Animals for failing to give veterinary care to pigs suffering from a skin condition, failing to provide shelter from the elements, failing to provide sanitary food receptacles, and failing to have an adequate environmental enrichment plan to promote the psychological well-being of primates.

**November 26, 2002:** The USDA cited Birds & Animals for failing to implement an efficient system for proper cleaning and monitoring of housekeeping in primary enclosures.

**September 17, 2002:** The USDA cited Birds & Animals for failing to provide veterinary care, improper chemical storage, failing to maintain cages in good repair to prevent injury to animals, and failing to have a complete environmental enhancement plan to promote the psychological well-being of primates. The inspector wrote, “Orangutan Jethro can no longer be handled by trainers. His current enclosure does not allow ready access to provide adequate enrichment.”

**October 25, 2001:** The USDA cited Birds & Animals for failing to protect an orangutan from unauthorized access, failing to maintain cages in a sanitary manner, and having unsafe housing facilities.

**August 8, 2001:** The USDA cited Birds & Animals for failing to maintain cages in good repair and a sanitary manner.

**January 29, 2001:** The USDA issued Birds & Animals its fourth official warning for repeatedly failing to correct veterinary-care violations that were identified as far back as March 19, 1998. The USDA documented numerous instances in which Birds & Animals failed to have a program of veterinary care as well as sufficient visits by a veterinarian. The USDA’s regional director wrote, “In addition to the flagrant failing to respond to repeated citations noted above, you have had other cited violations that have been repeated over time.”

**January 3, 2001:** The USDA cited Birds & Animals for failing to correct a previously identified

noncompliance of not having a current program of veterinary care. Citations were also given for improper drug storage, insufficient lighting, inadequate cleaning, and unsanitary conditions in the food-preparation area.

**February 14, 2002:** The USDA cited Birds & Animals for failing to dispose of expired medication.

**September 20, 2000:** The USDA cited Birds & Animals for failing to have a current program of veterinary care and regular veterinary visits.

**March 13, 2000:** The USDA cited Birds & Animals for failing to correct previously identified noncompliances of ignoring repeated requests to furnish a list of animals used in the filming of *George of the Jungle* and failing to maintain cages. The facility was also cited for poor housekeeping, inadequate animal identification, and stagnant water and debris in the enclosure housing pigs.

**December 22, 1999:** The USDA cited Birds & Animals for failing to have a current program of veterinary care and sufficient veterinary visits, failing to cage animals in a safe manner, and failing to provide adequate shelter.

**October 26, 1999:** The USDA cited Birds & Animals for failing to dispose of expired medication.

**August 5, 1999:** The USDA cited Birds & Animals for feces-contaminated and foul-smelling cages, failing to have a current program of veterinary care, failing to supply a list of animals used in the filming of *George of the Jungle*, improper chemical storage, failing to maintain cages in good repair and a sanitary manner, failing to provide minimum space, poor housekeeping, and failing to implement adequate pest control.

**February 2, 1999:** The USDA cited Birds & Animals for failing to have a complete veterinary-care program, failing to have an exercise program, and failing to clean the holding and kitchen areas adequately.

**October 15, 1998:** The USDA cited Birds & Animals for failing to provide animals with shelter from cold weather, failing to comply with veterinary-care requirements, and improper food storage.

**June 8, 1998:** According to the *Los Angeles Times*, Birds & Animals was among the defendants named in a lawsuit brought after a chimpanzee bit a 12-year-old actor on the face, causing a scar, during the filming of *The Jungle Book: Mowgli's Story*.

**March 19, 1998:** The USDA cited Birds & Animals for failing to have a current program of veterinary care.

**June 30, 1997:** The USDA cited Birds & Animals for failing to correct previously identified noncompliances of having a poorly maintained outdoor pen that exposed animals to exhaust and excessive heat from a large air-conditioning unit nearby and having a refrigerator that contained old food and stagnant liquids. Birds & Animals was also cited for inadequately cleaning cages housing primates, preparing food in an unsanitary manner, failing to maintain enclosures and structures, and delaying the inspector's access to the facility for 30 minutes.

**January 11, 1996:** The USDA issued Birds & Animals its third official warning for repeatedly failing to comply with the AWA. The USDA documented numerous instances in which the facility failed to provide animals with shelter from heat and sunlight.

**September 27, 1995:** The USDA cited Birds & Animals for failing to correct a previously identified noncompliance of not supplying shade to dogs, cats, and pigs kept in a holding pen with heat-absorbing concrete flooring in a poorly ventilated area as temperatures soared into the upper 80s.

**January 20, 1994:** The USDA cited Birds & Animals for failing to maintain housekeeping.

**January 5, 1994:** The USDA cited Birds & Animals for having insufficient lighting in an enclosure housing an orangutan. It wasn't adequate for the animal or for conducting an inspection.

**August 12, 1993:** In a letter to Ann Terbush, in the permit division of the National Marine Fisheries Service, USDA Assistant Deputy Administrator Richard Crawford wrote, "At this time, we cannot recommend the issuance of the permit requested by Mr. Gero for two California sea lions to be housed at the designated facilities."

**July 27, 1993:** The USDA cited Birds & Animals for failing to provide a program of veterinary care and failing to maintain enclosures in good repair. The inspector also noted that facilities lacked adequate space and sanitation features to house the pinnipeds it was planning to acquire.

**July 21, 1993:** The USDA issued Birds & Animals its second official warning for repeatedly failing to notify it of additional animal-holding facilities, failing to have a program of veterinary care, failing to maintain records of acquisition, failing to provide adequate shelter, improper food storage, and failing to maintain

enclosures to prevent escape.

**July 16, 1993:** The USDA cited Birds & Animals for failing to correct a previously identified noncompliance of failing to notify the USDA of additional animal-holding facilities.

**June 2, 1993:** The USDA cited Birds & Animals for failing to correct a previously identified noncompliance of failing to notify it of additional animal-holding facilities. It also cited Birds & Animals for failing to provide animals with shelter from the elements, inadequate perimeter fencing, poor housekeeping, and insufficient lighting. The inspector wrote, "These enclosures are dark. It is difficult to properly inspect these enclosures and view the animals."

**May 7, 1993:** The USDA cited Birds & Animals for improper drug storage, failing to provide animals with shelter from inclement weather, and failing to maintain cages in good repair.

**April 26, 1993:** The USDA cited Birds & Animals for failing to correct a previously identified noncompliance of failing to maintain secure enclosures. It also cited the facility for failing to provide a USDA official with access to property and records in order to conduct an animal-welfare inspection.

**January 21, 1993:** The USDA cited Birds & Animals for failing to correct previously identified noncompliances of improper food storage, failing to provide shelter from the elements, failing to maintain secure enclosures, failing to maintain records of acquisition, and not maintaining health records, a program of veterinary care, or veterinary site visits. Birds & Animals was also cited for having poorly maintained cages that had flaking, peeling rust and failing to notify the USDA of additional animal-holding facilities.

**December 28, 1992:** The USDA cited Birds & Animals for failing to correct previously identified noncompliances of improper food storage, failing to have adequate-sized dens, failing to maintain secure enclosures to prevent escape, and not maintaining health records, a program of veterinary care, or veterinary site visits. The USDA also cited the facility for failing to maintain enclosures.

**December 10, 1992:** The USDA cited Birds & Animals for failing to correct a previously identified noncompliance of not disposing of expired medication. The USDA also cited the facility for improper food and bedding storage, insufficient lighting, failing to maintain enclosures, failing to notify

the USDA of additional animal-holding locations, and failing to provide adequate shelter.

**September 10, 1992:** The USDA cited Birds & Animals for failing to correct a previously identified noncompliance of not providing minimum space. It also cited the facility for inadequate drainage, failing to maintain enclosures, and inhumane caging. The inspector wrote, "Lower [orangutan] enclosure containing 'Sunshine' could not be inspected safely due to animal's age, size, and disposition. Emergency access to area is not possible unless specific trainers are present."

**June 2, 1992:** The USDA cited Birds & Animals for failing to maintain enclosures in good repair, failing to provide minimum space, and failing to maintain records of acquisition.

**May 27, 1992:** The USDA cited Birds & Animals for failing to provide shelter from inclement weather, failing to maintain enclosures in a sanitary manner, failing to maintain cages in good repair, improper bedding storage, failing to have a veterinarian-approved exercise plan, inadequate pest control, failing to separate dogs who were fighting, inadequate recordkeeping, and failing to dispose of expired medication.

**May 12, 1992:** The USDA cited Birds & Animals for failing to correct a previously identified noncompliance of not disposing of expired medication. It also cited the facility for failing to maintain cages and failing to give adequate environmental enhancement to a spider monkey named Zoey, who was kept in solitary confinement.

**March 31, 1992:** The USDA cited Birds & Animals for failing to maintain cages, unsanitary food storage, failing to separate incompatible species adequately, improper drug storage, and failing to give timely access to a USDA inspector conducting an unannounced inspection. The inspector noted that Birds & Animals wasn't able to produce an environmental enhancement program and that the facility may not be providing an orangutan with adequate enrichment.

**January 22, 1992:** The USDA issued Birds & Animals an official warning for repeatedly failing to comply with animal-identification requirements.

**December 11, 1991:** The USDA cited Birds & Animals for unsanitary food storage, failing to have an exercise plan, inadequate recordkeeping, and failing to correct a previously identified noncompliance of not

complying with animal-identification requirements.

**November 1, 1991:** The USDA cited Birds & Animals for dirty cages, improper food storage, poor drainage, insufficient lighting, failing to maintain cages, failing to dispose of expired medication, failing to have an exercise plan, failing to have an environmental enrichment program, and failing to provide veterinary-care records.

**September 12, 1991:** The USDA cited Birds & Animals for dirty cages housing the orangutans, failing to maintain cages, inadequate pest control, failing to have an exercise plan, and failing to have an environmental enrichment program.

**April 9, 1991:** The USDA cited Birds & Animals for failing to have a program of veterinary care and failing to comply with identification requirements.

**March 22, 1991:** The USDA cited Birds & Animals for failing to have a program of veterinary care, improper food storage, failing to provide animals with shelter from cold weather, unsanitary drinking water receptacles, failing to maintain the cages in a sanitary manner, failing to comply with identification requirements, poor housekeeping, and failing to give timely access to inspectors conducting an unannounced inspection.