

March 29, 2016

Dr. Robert Gibbens, Director, Animal Welfare Operations
USDA/APHIS/AC Western Region

Via e-mail: acwest@aphis.usda.gov

Dear Dr. Gibbens,

I am writing on behalf of PETA to request that the U.S. Department of Agriculture (USDA) investigate the circumstances that led to the death of the elephants Chai and Malee at the Oklahoma City Zoo ("OKC Zoo"; license number 73-C-0002). The zoo has recently released necropsy and veterinary records that reveal lapses in care and possible violations of the Animal Welfare Act (AWA).

On January 30, the OKC Zoo [announced](#) the sudden death of Chai. It later explained that the cause of death was an infection in her bloodstream on February 20. The zoo then [announced](#) on March 14 that the cause of her death was actually a chronic, long-standing tooth abnormality, which had prevented her from being able to chew her food, causing her to starve.

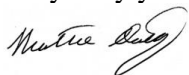
A review of Chai's medical records indicates that there were several warning signs of her ongoing illness, which the OKC Zoo apparently failed to note or address. I've described my review of these records in the attached appendix.

The OKC Zoo also [announced](#) on March 21 that infant Malee's death in October was caused by elephant herpesvirus (EEHV), and it believes that Chai transmitted the virus to Malee. Although EEHV is common in elephant herds, the zoo unnecessarily endangered Malee by apparently allowing her to have contact with an elephant who was actively shedding a deadly virus.

The USDA's regulations mandate that exhibitors shall "have an attending veterinarian who shall provide *adequate* veterinary care" and shall "establish and maintain programs of *adequate* veterinary care" that use "*appropriate* methods to prevent, control, diagnose, and treat diseases and injuries." 9 C.F.R. § 2.40. Therefore, more than just any veterinary care is required—the care must be "adequate," and the methods must be "appropriate." Likewise, the veterinary care must go beyond diagnosing and treating ailments—it must also *prevent* and *control* them. *Id.* § 2.40(b)(2). The OKC Zoo apparently failed to do both.

Please inspect the veterinary records of these two elephants and the surviving animals kept by the OKC Zoo and evaluate the adequacy and appropriateness of the veterinary care provided. Please hold all responsible parties accountable for any and all AWA violations that you uncover during your investigation. Please inform me of the complaint number that the USDA assigns to this correspondence. Thank you for your attention to this important matter.

Very truly yours,



Heather Rally, D.V.M.
Wildlife Veterinarian, Captive Animal Law Enforcement

cc: Dr. Denise Sofranko, Field Specialist for Elephants

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Appendix: Statement of Dr. Heather Rally Regarding the Deaths of Chai and Malee

I have reviewed husbandry, medical, and necropsy records made available under Oklahoma open-records law for the elephant Chai from the time of her arrival at the Oklahoma City Zoo (OKC Zoo) after a disrupted and prolonged transport from Seattle's Woodland Park Zoo in May 2015, to the time of her untimely death on January 30, 2016. The OKC Zoo has made two announcements regarding Chai's death. The first claimed that Chai died suddenly and unexpectedly from an infection after bacterial toxins entered her bloodstream. The second stated that a long-standing and medically untreatable tooth abnormality prevented her from properly chewing her food, which caused her to starve to death.

The story told by Chai's medical records indicates that warning signs for illness were long-standing in her history, including several that the zoo apparently failed to address. While elephants are stoic and like most wild animals will mask disease well until their illness becomes deadly, elephants do not die of "a combination of emaciation and sepsis" overnight.

The reality is that Chai's life had been fraught with indications of stress and disease since the early days of her arrival at the OKC Zoo. Upon arrival, Chai almost immediately developed an allergic reaction to her new environment. She acted consistently restless and itchy while being isolated from the rest of the herd during her month in quarantine. Although her allergies subsided in June after she was introduced to the herd, concerning indications of health problems were only just beginning.

In August, Chai began shedding a strain of elephant herpesvirus (EEHV) that had been previously reported in the OKC elephant herd. Elephant herpesvirus is found in both captive and wild elephants and has emerged as the biggest killer of captive elephant calves in North America, killing 80 percent of the elephants it infects.¹ The virus can be carried by clinically normal elephants for their entire lives, and shedding may begin at any time through nasal secretions, even without apparent symptoms. Elephant calves are most susceptible to death by herpesvirus around the time of weaning at the age of 1 to 6 years,² and it just so happens that one of Chai's new herd mates was a 4-year-old calf named Malee. There are no indications that Chai had been previously infected with this strain of herpesvirus prior to her arriving at the OKC Zoo. There is, however, evidence that several elephants in the herd to which Chai was exposed upon arrival did carry a strain that was at least genetically similar.

Herpesvirus manifests differently in every animal, but the development of clinical disease and active shedding are believed to be associated with insufficient immune function, concurrent disease, or stress. Regardless of whether Chai acquired the disease from a new herd mate or was carrying the virus upon arrival, the circumstances of her transport and early maladjustment to life in the zoo are likely to be contributing factors in her inability to suppress the virus.³ There is no evidence from Chai's medical records that she was admitted to quarantine or separated from the rest of the herd after her positive herpesvirus test result in August. Sadly, around two months later, young Malee's vulnerable immune system was no match for the virus, and she developed sudden onset of the illness and died overnight in early October.

For Chai, though, the suffering wasn't over. In early December, she passed some unusual feces containing long, undigested pieces of plant material. OKC Zoo staff members noted in the records that

¹Zachariah A, Zong J-C, Long SY *et al.* Fatal herpesvirus hemorrhagic disease in wild and orphan Asian elephants in southern India. *J Wildlife Dis.* 2013; 49(2):381–393.

²Reid CE, Hildebrandt TB, Marx N, Hunt M, Thy N, Reynes JM. Endotheliotropic elephant herpes virus (EEHV) infection. The first PCR-confirmed fatal case in Asia. *Vet Quarterly.* 2006; 28(2):61–64.

³*Id.*

they had observed an abnormal right upper molar tooth, but had been unable to check the rest of her mouth. Surprisingly, the records indicate that the veterinary staff members were previously unaware of what turned out to be a long-standing dental condition that Chai apparently had had for most of her life: She had a deformity or malalignment of one of her molar teeth, such that she was unable to chew her food properly. OKC Zoo veterinarians attributed her abnormal stool to the deformed molar yet did not order any changes in her diet or a thorough dental examination. In fact, zoo staff made no apparent changes in Chai's nutritional plan or husbandry care to address this problem, at all. Even though Chai had apparently lived with this tooth deformity for her entire life, her records indicate that she had lost nearly 13 percent of her bodyweight in just nine months since she was transferred to the OKC Zoo. In fact, Chai had lost so much of her body fat that emaciation was listed as a cause of death on her necropsy report.

The zoo's claims that the deformity caused Chai's death and that "there was no treatment, medical or surgical, that could have corrected the condition," are false. The reality is that although perhaps her tooth could not have been permanently fixed, there are simple husbandry and nutritional changes that could and should have been implemented in advance to help prevent her emaciation and death. At a minimum, a thorough dental examination and change in feeding regimen appeared to be warranted, especially given her chronic weight loss, despite a good appetite.

Around this time in early December, Chai was also being seriously bullied by other elephants in the herd. One day, the elephant Bamboo forcefully rammed Chai, who fell onto her side and landed on an apparently inactive hotwire fence. In subsequent weeks, staff noted other injuries, such as bruises and scrapes on Chai's skin, at least one as the result of bullying by other elephants.

Then, on December 14, 2015, Chai exhibited the most concerning behavior of all. Instead of her normal routine of lying down on her left side to sleep, she chose to lie on her right side. When keepers came in the next morning, she was still on her side and unable to rise until zoo staff hoisted her up. Lying down is dangerous business for elephants. Their sensitive tissues can sustain only the weight of their massive bodies for short periods before bruising, inflammation, and lack of blood supply cause their skin to die and slough off. Understandably, Chai's keepers and vet staff were very concerned about getting her onto her feet as quickly as possible. Upon rising after this episode, Chai appeared to have recovered after a short bout of lethargy. Four days later, however, she went down again and was unable to rise without assistance.

Around the time of these incidents, a concerning finding showed up in her blood work—a high percentage of heterophils with toxic changes. Heterophils are a type of white blood cell that play a critical role in inflammatory responses. When heterophils become "toxic," the change is typically the result of a severe systemic inflammatory response to active infection. However, because Chai's vets saw no bacteria inside the cells and Chai did not have a significantly elevated white blood cell count, they assumed that her high and abnormal heterophil count was the result of nonseptic inflammation caused by the pressure of lying down on her sensitive tissues. They placed Chai on medication to ease her inflammation and pain and chose to monitor her closely.

Around the December holidays, just about a month before her death, the records show that Chai had "returned to normal," and videos reportedly show her getting up from her right side on her own during the night. However, her blood work still contained a concerning percentage of toxic heterophils, and the veterinary staff members expressed confusion about this finding, since they considered her to be otherwise apparently healthy.

After this point, Chai's medical records became very sparse through the rest of January, with no indication that further diagnostics were performed to investigate her unusual bloodwork or weight loss issues. In fact, aside from one note about an abscess on the right shoulder that was expressed and "flushed easily," the records reflect no apparent health concerns in the month leading up to her death. This is confusing, to say the least. Not only did Chai have unresolved clinical problems for which the zoo apparently provided no diagnostic follow-up, her necropsy results later identified approximately 25 dermal abscesses across the right side of her body that she apparently sustained during one of the episodes in which she went down and was unable to stand up.

Ultimately, the necropsy concluded that Chai died of a combination of emaciation and sepsis from a bacterial infection of unknown origin. Nowhere in her records is there any indication that zoo staff had noticed or treated her extensive skin infection or that the zoo had even re-checked her blood work within the month prior to her untimely death. Nor is there any indication that the zoo had adapted her nutritional plan to meet her unique needs or that it conducted any further investigation into her dental condition.

The OKC Zoo has said that there were "no red flags" before Chai was found dead in the elephant yard one cold January morning. The available records, however, point to exactly the contrary. Unless the zoo has intentionally withheld medical records from the last month of Chai's life—which is surely not the case—there was, in fact, **no** monitoring, diagnostic, or therapeutic plan in place for any of her known clinical problems in the weeks before her death.