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December 14, 2015

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

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

Re: Urgent Request for Investigation of Injured Bear at Cherokee Bear Zoo
(License No. 55-C-0118)

Dear Dr. Goldentyer,

I am writing on behalf of PETA to request that the U.S. Department of Agriculture (USDA) immediately investigate Barry Coggins, dba "Cherokee Bear Zoo" (CBZ; license number 55-C-0118), for a black bear who has a severe limp in his or her right hind limb, in apparent violation of the Animal Welfare Act (AWA).

Yesterday, December 13, a concerned citizen observed and documented a black bear who had a significant limp in his or her right forelimb. The animal was also reportedly passing loose stool. Veterinarian Dr. Heather Rally reviewed the video and stated that "this bear does have obvious right forelimb lameness and seems to be generally stiff and reluctant to walk. The right forelimb requires examination by a qualified veterinarian. Whether there is systemic illness or more generalized musculoskeletal disease happening here is unknown, but also worth investigating. The condition most likely will require diagnostics and an appropriate therapeutic plan to relieve pain, provide treatment, and prevent the progression of her lameness."

PETA will follow-up with video evidence tomorrow morning. Please immediately inspect this animal, and his or her veterinary records, and ensure that CBZ is providing adequate veterinary care pursuant to 9 C.F.R. § 2.40.

Furthermore, inadequate substrate such as concrete can predispose the animals to early-onset osteoarthritis. These animals should be provided with appropriate natural substrate to ensure and maintain proper musculoskeletal health. In recognizing the health risks inherent in confining bears entirely on concrete substrate, a July 20 USDA inspection report of Pymatuning Deer Park (license no. 23-C-0019) stated that:

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. ... This enclosure needs to be addressed and maintained to provide the opportunity for the bears to engage in species appropriate behavior.¹

The enclosure in which this bear and all bears at CBZ are confined fails to provide them with opportunities for the normal postural behaviors of climbing and digging, in apparent violation of 9 C.F.R. § 3.128, requiring 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

¹See USDA Inspection Report, Pymatuning Deer Park, license number 23-C-0019, July 20, 2015.

may be indicated by evidence of malnutrition, *poor condition*, debility, stress, or abnormal behavior patterns" (emphasis added). § 2.131(d)(1) states that "[a]nimals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being."

PETA stands ready to assist in any way, including by arranging for placement of this bear or any other animal at CBZ at a reputable sanctuary. Please hold all responsible parties fully accountable for any and all violations that you discover during your investigation.

Please inform me of the complaint number that the USDA assigns to this correspondence. Thank you for your prompt attention to this urgent matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Deborah Metzler". The signature is written in a cursive, flowing style.

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