

April 22, 2022

USDA/APHIS/Animal Care

Via e-mail: [animalcare@usda.gov](mailto:animalcare@usda.gov)

Re: Request for Investigation of Apparent Animal Welfare Act Violations by  
Yellowstone Bear World Inc. (License No. 82-C-0042)

Dear USDA Animal Care:

I am writing on behalf of PETA to request that the U.S. Department of Agriculture investigate Yellowstone Bear World Inc. ("YBW," license number 82-C-0042) for apparent Animal Welfare Act (AWA) violations, which were documented by concerned citizens who visited YBW's traveling exhibit at the International Sportsmen's Expo in Sandy, Utah, on March 19, 2022; the "Baby Animal Days" event in Wellsville, Utah, on April 6 and April 9, 2022; and the "Cubpalooza" event at YBW on April 16, 2022. The apparent violations listed below are detailed in the attached appendix:

- Multiple bear cubs exhibited signs of stress and exhaustion likely due to excessive handling, noise, inadequate space and enrichment, and/or overheating. (See Photo 1, Photo 2, [Video 1](#), [Video 2](#), [Video 3](#), [Video 4](#), [Video 5](#), [Video 6](#), [Video 7](#), [Video 8](#), and [Video 10](#).)
- A bear cub exhibited abnormal suckling behavior. ([Video 9](#).)
- Multiple animals, including bear cubs and deer, did not appear to have accessible drinking water. (See [Video 11](#), [Video 12](#) and [Video 13](#).)
- An unsupervised, agitated deer was lunging at children in the petting zoo, posing a serious injury risk to them. (See [Video 14](#).)

Please inspect these animals and ensure that all animals exhibited by YBW are being provided with adequate veterinary care, space, shelter, food, and water and are otherwise handled in accordance with the AWA. Please also hold YBW fully accountable for 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.

Very truly yours,



**R. Mason Payne, DVM, cVMA**  
Wildlife Veterinarian, Captive Animal Law Enforcement

cc: Andrea D'Ambrosio, Animal Care Inspector

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## Appendix

### a. Multiple Bear Cubs were Exhibiting Signs of Stress and Exhaustion

The concerned citizens observed and documented multiple bear cubs at each of the events exhibiting signs of distress, including crying, squirming, and struggling to escape from being held by handlers or members of the public. (See [Video 1](#) [Mar. 19], [Video 2](#) [Mar. 19], [Video 3](#) [Mar. 19], [Video 4](#) [Apr. 9], [Video 5](#) [Apr. 9], [Video 6](#) [Apr. 16]) On March 19, the cubs used in the International Sportsmen’s Expo exhibition were limp from apparent exhaustion and overheating after nine hours of near-continuous handling. (See Photo 1, Photo 2, and [Video 7](#) [showing a handler fanning a cub with a piece of paper].)<sup>1</sup> At Baby Animal Days on April 6, the witness documented the exhausted cubs attempting to sleep despite the excessive noise. (See [Video 8](#).)

Further, the enclosures confining the bear cubs at Baby Animal Days lacked bedding, soft substrate, and any shelter, visual barriers, or quiet retreat from the large crowds, exposing them to relentless and excessive noise. (See [Video 10](#) [Apr. 9].) The witness measured the decibel level of the crowd noise on April 9 at an average of 70 dB with peaks of 80-85 dB, a noise level potentially damaging to human hearing,<sup>2</sup> which is two times *less* sensitive than bears’ hearing.<sup>3</sup> (See Exhibit 1.) The cubs were exposed to this environment for seven hours a day for four straight days.

At both International Sportsmen’s Expo and Cubpalooza, the cubs were being held in an inappropriate position by handlers and guests: around the abdomen and/or placed on the lap sitting up like a human baby. (See [Video 1](#), [Video 2](#), and [Video 6](#), for example.) In the wild, mother bears do not hold their young around the body and instead only occasionally grab them by the back of the neck to correct behavior or to help them climb. This unnatural position likely caused the cubs unnecessary discomfort.

The environments at each of these events presented numerous stressors, prevented the cubs from expressing natural behaviors such as denning and digging, and potentially exposed them to COVID-19.<sup>4</sup> Moreover, the noise levels at International Sportsmen’s Expo and Baby Animal Days in particular likely compromised the cubs’ ability to obtain good quality sleep, which could further compromise their physical and psychological health.

Exhibiting the bear cubs in these stressful and inadequate environments appears to violate 9 C.F.R. § 2.131(b)(1) and (d)(1), which require that animals be exhibited only “under conditions consistent with their good health and well-being” and that “[h]andling of all animals shall be done . . . in a manner that does not cause . . . unnecessary discomfort.” In addition, it appears that this kind of cub display violates 9 C.F.R. § 2.131(c)(3), which states that “[y]oung or immature animals shall not be exposed to . . . excessive public handling or exhibited for periods of time which would be detrimental to their health or well-being.” As documented by the concerned citizens, the bear cubs were thoroughly exhausted by these relentless events. Indeed, the USDA has previously cited an exhibitor for violating this provision

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<sup>1</sup> The concerned citizen stayed for the duration of the event.

<sup>2</sup> Centers for Disease Control and Prevention (CDC). (2019). *What Noises Cause Hearing Loss?* [https://www.cdc.gov/nceh/hearing\\_loss/what\\_noises\\_cause\\_hearing\\_loss.html](https://www.cdc.gov/nceh/hearing_loss/what_noises_cause_hearing_loss.html).

<sup>3</sup> Florida Fish and Wildlife Conservation Commission. (2022). *Black Bear Behavior*. <https://myfwc.com/wildlifehabitats/wildlife/bear/facts/behavior/>.

<sup>4</sup> International Association for Bear Research and Management. (2020). *SARS-COV-2 Advisory Resources for Handling Bears*. <https://www.bearbiology.org/sars-cov-2-advisory-resources-for-handling-bears/>.

based on conditions similar to these, noting, “[y]oung growing animals normally take frequent naps during the day” and “[n]ot allowing these animals to follow normal behavior as they grow may interfere with their development.”<sup>5</sup> The USDA further cited the exhibitor for not providing breaks for big cat cubs who “had been exhibited for 5 hours,” in violation of 9 C.F.R. 2.131(c)(2) which states “[p]erforming animals shall be allowed a rest period between performances at least equal to the time for one performance.”

#### **b. A Cub Exhibited Abnormal Suckling Behavior**

At Cubpalooza on April 16, one cub was exhibiting a stereotypic suckling behavior while held by a handler, which may be a comfort-seeking behavior due to stress and fear, and likely exacerbated by premature separation from his or her mother. (See [Video 9](#).)

The cub’s stereotypic suckling indicates that YBW is not providing the cubs with sufficient space, in apparent violation of 9 C.F.R. § 3.128, which states in part that “[i]nadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or *abnormal behavior patterns*” [emphasis added]. The USDA has previously cited several other exhibitors for failing to provide bears with adequate space and enrichment in conditions similar to these, including Bob Steele, dba The Great Bear Show, and Wilson’s Wild Animal Park.<sup>6</sup>

The USDA has also previously stated “[a]bnormal behavior patterns can be indicative of physical or psychological issues that may require medical treatment or habitat/husbandry modification, and must be evaluated by the attending veterinarian in order to receive appropriate treatment and management.”<sup>7</sup> Please inspect this animal, as well as their veterinary records, and ensure that they have been evaluated by a qualified veterinarian pursuant to 9 C.F.R. § 2.40.

#### **c. Multiple Animals Lacked Access to Drinking Water**

Witnesses observed and documented that the enclosures for the bear cubs at Baby Animal Days on April 6 and April 9 appeared to lack water receptacles. (See [Video 11](#) [Apr. 6] starting at 0:44 and [Video 12](#) [Apr. 9].) On April 16, a witness also documented that a deer enclosure at YBW had a completely dry pond and did not appear to contain a water trough. (See [Video 13](#).)

The lack of access to water, the most basic of necessities, appears to violate 9 C.F.R. § 3.130, which requires that “[i]f potable water is not accessible to the animals at all times, it must be provided as often as necessary for the health and comfort of the animal. Frequency of watering shall consider age, species, condition, size, and type of the animal.”

#### **d. An Unsupervised, Agitated Deer was Lunging at Children in the Petting Zoo**

A witness observed and documented a deer in the YBW petting zoo on April 16 that was defensively lunging at a group of children with no attendant or barrier present. (See [Video 14](#).) This deer posed a significant risk to the children, as deer are capable of inflicting serious injuries by defensively kicking.

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<sup>5</sup> See USDA Inspection Report, Timothy Stark, license number 32-C-0204, September 13, 2015.

<sup>6</sup> See USDA Inspection Report, Bob Steele III, license number 74-C-0837, February 25, 2017 and USDA Inspection Report, Wilson’s Wild Animal Park, license number 52-C-0038, September 18, 2017.

<sup>7</sup> See USDA Inspection Report, Kathleen M. Futrell, dba Waccatee Zoo, license number 56-C-0230, May 9, 2017.

These circumstances are dangerous for both the public and the animal and appear to be a violation of 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.” The lack of any visible or responsive YBW employee during this incident additionally appears to violate 9 C.F.R. § 2.131(d)(2), which dictates that “[a] responsible, knowledgeable, and readily identifiable employee or attendant must be present at all times during periods of public contact.”