

April 27, 2023

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

Via e-mail: [REDACTED]; ac.complaints@usda.gov

Re: Request to Investigate Apparent Animal Welfare Act Violations at SeaQuest Trumbull, CT (License No. 16-C-0177)

Dear Dr. Gibbens:

I am writing on behalf of PETA to request that the U.S. Department of Agriculture (USDA) investigate SeaQuest in Trumbull, CT (license no. 16-C-0177) for the following apparent Animal Welfare Act (AWA) violations observed and documented by [REDACTED], who was employed at SeaQuest Trumbull between [REDACTED] and [REDACTED]. [REDACTED] is a whistleblower and, as such, we respectfully request that the USDA keep [REDACTED] identity confidential. [REDACTED] has provided a signed declaration attesting to the incidents detailed in the attached appendix. (See Exhibit.) [REDACTED] allegations include:

- Parakeets frequently became egg-bound and most did not receive adequate veterinary care. (See Ex. ¶ 17.)
- Ducks frequently laid eggs that were soft and underdeveloped and did not receive veterinary care. (See Ex. ¶ 18.)
- Two Bengal cats had ear infections, but did not receive veterinary care for over a month. (See Ex. ¶ 22.)
- A pig had skin issues, but did not receive veterinary care in a timely manner. (See Ex. ¶ 26.)
- A sloth's nails broke off, likely due to dehydration because his environment was not humid enough to meet his species-specific needs. (See Ex. ¶ 21.)
- SeaQuest Trumbull failed to provide animals with appropriate and timely veterinary care on a regular basis. (See Ex. ¶ 7, 9, 17, 18, 21, 22, and 26.)
- SeaQuest Trumbull deprived cockatiels of food to force them to interact with members of the public. (See Ex. ¶ 25.)
- [REDACTED] was scratched on the arm by a wallaby, bitten on the hand by an Amazon parrot, and bitten by an otter. (See Ex. ¶ 12, 13, and 28.)
- SeaQuest Trumbull endangered members of the public by allowing guests to have direct contact with wild animals, including with animals known to injure people. (See Ex. ¶ 12 and 33.)
- A Bengal cat was confined to a cramped cage for over two months. (See Ex. ¶ 24.)
- Two cockatiels were confined to a cramped cage for about two months. (See Ex. ¶ 25.)
- There were excessive cockroaches and fruit flies throughout the facility. (See Ex. ¶ 31.)

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- PETA U.S.
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- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

Please ensure that all animals at SeaQuest Trumbull are being provided with adequate veterinary care, space, shelter, food, and water and are otherwise handled in accordance with the AWA. Please also hold SeaQuest Trumbull 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,



Rebecca Smudzinski, M.A.

Manager of Captive Animal Welfare, Captive Animal Law Enforcement



Appendix

[REDACTED] was employed at SeaQuest Trumbull as [REDACTED] between [REDACTED] and [REDACTED]. [REDACTED] primary duties included [REDACTED] [REDACTED] [REDACTED]. [REDACTED] reported [REDACTED] concerns about incidents [REDACTED] witnessed to PETA after [REDACTED] employment ended and PETA obtained the attached sworn declaration detailing these incidents.

a. Multiple Birds Reportedly Did Not Receive Adequate Veterinary Care

[REDACTED] attested that parakeets (budgies)¹ frequently became egg-bound, but only two received veterinary care during the course of [REDACTED] employment. (*See* Ex. ¶ 17.) [REDACTED] attested that many of the parakeets died before anyone noticed anything was wrong because the aviary was overcrowded. According to [REDACTED], there were between 60 and 100 birds in the parakeet aviary during [REDACTED] employment.

Wildlife Veterinarian Dr. Mason Payne opined that multiple animals exhibiting the same health issue within an enclosure most likely indicates an underlying husbandry problem. When a bird becomes egg-bound, it can be the result of an inadequate number of nesting sites, excessive stress, obesity, poor diet, and/or improper UV lighting resulting in low levels of vitamin D, which is essential for proper egg formation. Dr. Payne further opined that parakeets are often fed solely a seed diet, which can lead to obesity while also being deficient in many vitamins and minerals needed for egg laying. Parakeets are healthier when fed a formulated pelleted diet that ensures they receive proper amounts of vitamins, minerals, and fats.

[REDACTED] also attested that the ducks often laid eggs that were soft and underdeveloped, and despite repeatedly alerting managers to this indicator of a potentially serious health issue, the managers never approved veterinary care for the ducks. (*See* Ex. ¶ 18.) Dr. Payne opined that soft and underdeveloped eggs are often an indication of inadequate calcium, phosphorous, and/or vitamin D in the duck's diet. These animals were likely not receiving adequate UV lighting to make enough Vitamin D, and/or may not have been receiving an adequate diet with correct amounts of calcium or phosphorous. Dr. Payne further opined that based on [REDACTED] declaration and photos, the ducks do not appear to have a sufficient nesting area, which can cause ducks to retain eggs, making any adhesions between the egg and the reproductive tract worse, which could potentially lead to more serious health issues.

Please examine all the parakeets and ducks and their veterinary records to ensure that they have received and continue to receive adequate veterinary care pursuant to 9 C.F.R. § 2.40. Please also ensure that all the birds are receiving an adequate diet pursuant to 9 C.F.R. § 3.129(a), which requires that “food shall be wholesome, palatable, and free from contamination and of sufficient quantity and nutritive value to maintain all animals in good health.” (*See also* 9 C.F.R. § 3.155, bird specific regulation effective Aug. 20, 2023.) Housing the parakeets in overcrowded conditions that prevent

¹ Although the USDA's new standards for birds do not take effect until August 20, 2023, these warm-blooded animals are currently covered by the plain language of the AWA (*see* 7 U.S.C. § 2132(g); *see also* 9 C.F.R. § 1.1), and AWA regulations, including the general AWA standards set forth in subpart F, 9 C.F.R. §§ 3.125–142.

staff from adequately monitoring their health and behavior appears to violate 9 C.F.R. § 2.131(b)(1) and (d)(1), which requires 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,” and that “[a]nimals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being.”

b. Two Bengal Cats and a Pig Reportedly Did Not Receive Adequate Veterinary Care

██████████ attested that two female Bengal cats arrived at SeaQuest Trumbull on October 23, 2022 with ear infections, but they did not receive any veterinary care for over a month, despite that ██████ reported the issue to ██████ manager. (See Ex. ¶ 22.) It wasn’t until the cats’ conditions became worse, and ██████ was able to get photos of the cats’ ears and report it *directly* to the veterinarian on ██████████, that the veterinarian was able to examine and treat the cats.

██████████ also attested that a pig had a skin issue when ██████ started working at SeaQuest Trumbull, but the pig had not been seen by a veterinarian. (See Ex. ¶ 26.) ██████████ attested that they were asked to apply coconut oil to the pig’s skin, but over time the condition got worse and the pig’s skin started bleeding, at which time, they were finally able to contact the veterinarian. The pig was housed in a strictly indoor enclosure without access to a mud wallow.

Dr. Payne opined that many serious, potentially reportable, health conditions in pigs manifest as skin conditions, so skin lesions in pigs should always be diagnosed rapidly. Dr. Payne further opined that pigs are notorious for having dry skin, especially when kept indoors and without proper mud/wallows to bathe in or proper humidity, and that the condition becomes harder to treat the longer the animal goes without any treatment because treatment often involves long-term medications that work slowly. Dr. Payne opined that this pig’s skin condition could have been caused from allergic reaction, an autoimmune disorder, or bacterial, fungal, or parasitic infections and should not have been overlooked. This pig should have received timely veterinary care and diagnostics to determine the cause and appropriate treatment, including a physical exam to check for fever and other concerning skin lesions, as well as a skin scraping and/or skin biopsy to diagnose the cause of skin inflammation.

Please examine the Bengal cats, the pig, and their veterinary records to ensure that they have received and continue to receive adequate veterinary care pursuant to 9 C.F.R. § 2.40. Please also contact the attending veterinarian for this facility to ensure that accurate information on the animals’ health and well-being is being conveyed to the attending veterinarian in a timely manner. Please also investigate the cause of the pig’s skin condition because housing the pig in an inadequate environment that can lead to poor health appears to violate 9 C.F.R. § 2.131(b)(1) and (d)(1).

c. Inadequate Conditions for a Sloth

██████████ attested that a sloth fell from a branch in his enclosure after his nails broke off and that the sloth’s skin was dry. (See Ex. ¶ 21.) ██████████ reported that the veterinarian explained that the sloth’s environment needed to be very humid, but they weren’t able to provide the proper humidity levels in the sloth’s enclosure because of inadequate equipment. ██████████ also attested that ██████ was told by ██████ supervisor and the veterinarian that this same sloth almost died last year because he became dehydrated, and ██████ was told by a former employee that a previous sloth did die from dehydration at SeaQuest Trumbull.

Dr. Payne opined that sloths are very sensitive to humidity requirements and that this is likely the cause of the dry skin and cracked fingernails since low humidity can lead to dry, cracked, and weakened nails. Dr. Payne further opined that sloths normally get much of their hydration from the leaves and fruits that they eat, as well as water naturally running off of the leaves of their environment, but if SeaQuest Trumbull is not providing an adequate diet or water source to meet the sloth's needs, it could lead to dehydration.

The USDA recently cited another facility for failing to house a sloth in an adequate environment, stating that “[t]he drafty conditions and low humidity can contribute to the discomfort of this animal and be detrimental to its health,” and the lack of appropriate housing “demonstrates that the licensee does not have adequate knowledge or experience with sloths. This knowledge is critical to avoid unnecessary suffering and possible death for this animal.”²

Please examine the sloth and his veterinary records to ensure that he is receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40. Please also ensure that the sloth is receiving an adequate diet pursuant to 9 C.F.R. § 3.129(a). Housing the sloth in an inadequate environment that can lead to poor health appears to violate 9 C.F.R. § 2.131(b)(1) and (d)(1). Please also ensure SeaQuest has the appropriate knowledge and experience to be handling this species as required by 9 C.F.R. § 2.131(a), which requires that “[a]ll licensees who maintain wild or exotic animals must demonstrate adequate experience and knowledge of the species they maintain.”

d. SeaQuest Trumbull Reportedly Failed to Provide Adequate and Timely Veterinary Care

██████████ attested that everything they needed, including veterinary care, had to be approved by the National Husbandry Directors, who “oversaw and made decisions for all of SeaQuest’s locations.” (See Ex. ¶ 7.) According to ██████████, the National Husbandry Directors frequently made calls on veterinary care without consulting a veterinarian, delayed veterinary care for cheaper alternatives, and failed to ensure that animals were provided with proper environmental conditions to meet their species-specific needs, which would have prevented health issues from occurring. (See Ex. ¶ 9, 17, 18, 21, 22, and 26.) For example, despite one of the National Husbandry Directors adjusting the diets and conditions for the parakeets who were frequently found egg-bound (see Sec. a), nothing appeared to improve while ██████████ was employed at SeaQuest Trumbull, and it did not appear that a veterinarian was ever consulted. In another incident, a pig suffered from a skin condition that one of the National Husbandry Directors attempted to treat on her own. It wasn’t until the condition became worse, and the pig’s skin was bleeding that she finally agreed to contact the veterinarian (see Sec. b). In another incident, despite the Directors being aware that humidity levels were extremely important for the sloth’s health and well-being, proper measures were not taken to prevent the animal from losing his nails or becoming dehydrated, which could have potentially led to the sloth becoming injured or dying (see Sec. c).

Please ensure that the animals at SeaQuest Trumbull are receiving adequate veterinary care and “[t]hat a mechanism of direct and frequent communication is [occurring] so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian” pursuant to 9 C.F.R. § 2.40.

² See USDA Inspection Report, K&M Pets LLC, license number 34-B-0244, February 21, 2023.

e. SeaQuest Trumbull Reportedly Deprived Animals of Food to Foster Public Encounters

██████████ attested that when five new cockatiels were put in the enclosure that allowed public encounters, the cockatiels would not come down to interact with customers. (See Ex. ¶ 25.) ██████████ was instructed by ██████ supervisor not to feed the cockatiels except during public encounters because “if they were hungry enough they would come down and land on the guests.”

Depriving animals of food to force public interactions violates 9 C.F.R. § 2.131(b)(2)(ii), which states that “[d]eprivation of food or water shall not be used to train, work, or otherwise handle animals.”

f. SeaQuest Trumbull Reportedly Endangered Members of the Public and Staff

██████████ attested that ██████ was scratched by a wallaby, bitten by an Amazon parrot, and bitten by an otter. (See Ex. ¶ 12, 13, and 28.) ██████████ attested that another staff member was also bitten by the Amazon parrot. (See Ex. ¶ 13.) According to ██████████, these animals had a history of aggression and injuring people, and the wallaby had a history of injuring customers during encounters. Despite this, ██████ and other staff were required to continue public encounters with the wallaby and were required to continue transferring the parrot from a cage to a perch, which is when the injuries would occur. ██████████ and other staff asked the National Husbandry Directors to discontinue public encounters with the wallaby, but their request was denied and the wallaby continued to injure members of the public. ██████████ attested that members of the public were injured during encounters by other animals during the course of ██████ employment, including a child being scratched on the face by one of the Bengal cats. (See Ex. ¶ 33.)

Please ensure that SeaQuest Trumbull is handling the animals in accordance with 9 C.F.R. § 2.131(b)(1). Allowing members of the public to have direct contact with a wallaby who was known to injure people is dangerous, and puts the public and the animals at risk of injury in apparent 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.”

Multiple SeaQuest facilities have been cited by the USDA for putting the public in danger during animal encounters and it appears to be an ongoing issue. The USDA has repeatedly cited SeaQuest Fort Worth for endangering the public following incidents that resulted in bites from a wallaby and a sloth during public encounters, stating that the “facility has a history of public injury during it’s [sic] ‘animal encounters.’”³ SeaQuest Trumbull has also received repeat handling citations, including for encounters with a sloth while not having any means to control the sloth, stating that the “[l]ack of sufficient control poses a risk of harm to the animals and the public during public interactions.”⁴ In addition, SeaQuest received a Citation and Notification of Penalty on December 8, 2022, due to animals injuring customers and employees during public encounters at multiple SeaQuest facilities.⁵

g. Animals Were Reportedly Confined to Inadequate Enclosures

██████████ attested that a Bengal cat named Tut was confined to a cramped cage in a back room for over two months between October and December 2022 while he received parasite treatment. (See Ex. ¶

³ See USDA Inspection Reports, SeaQuest Holdings LLC, license number 88-C-0216, Site 003, February 3, 2021 and September 22, 2022.

⁴ See USDA Inspection Report, SeaQuest Holdings LLC, license number 88-C-0216, Site 008, April 18, 2022.

⁵ See USDA Citation and Notification of Penalty, SeaQuest Holdings LLC, license number 88-C-0216, December 8, 2022.

24.) ██████████ attested that two cockatiels were also housed in a cramped, barren cage in a back room for about two months from the beginning of October 2022. (*See* Ex. ¶ 25.) ██████████ attested that SeaQuest Trumbull does not have proper off-exhibit enclosures to house animals for quarantine or medical treatment purposes.

Confining animals to small, inadequate cages for extensive periods of time appears to violate 9 C.F.R. § 2.131(d)(1), and fails to allow the animals adequate freedom of movement, as required by *id.* § 3.128, which requires 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.” (*See also* 9 C.F.R. § 3.153(b), bird specific regulation effective Aug. 20, 2023.)

h. Inadequate Insect Control

██████████ attested that there is an ongoing cockroach and fruit fly infestation throughout the facility, but nothing was done to adequately address the issue. (*See* Ex. ¶ 31.) Instead, according to ██████████, managers would use plants or vines to cover up the areas where the insects could be seen. The most notable place where insects were visible was in the clear plexiglass wall between the Bengal cat and cockatiel enclosures and in the substrate of the reptile enclosures.

The lack of effective insect control appears to violate 9 C.F.R. § 3.131(d), which requires that a “safe and effective program for the control of insects, ectoparasites, and avian and mammalian pests shall be established and maintained.” (*See also* 9 C.F.R. § 3.158(d), bird specific regulation effective Aug. 20, 2023.)