



<p>UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE</p> <p>USDA</p> <p>OFFICIAL WARNING</p> <p>NOTICE OF ALLEGED VIOLATION</p>	<p>CASE NUMBER: TX230126-AC</p>
	<p>ALLEGED VIOLATOR: Austin Aquarium, LLC</p>
	<p>ADDRESS (<i>City, State, ZIP Code</i>): Austin, TX 78750</p>
<p>The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following alleged violation(s) of Federal laws:</p> <p>Date of Alleged Violation: Between June 2022 and May 2023</p> <p>9 C.F.R. § 2.131(c)(1) Handling of animals. During 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.</p> <p>Austin Aquarium, LLC failed to handle animals with minimal risk of harm to the animal and/or public, with sufficient distance and/or barriers as required.</p> <p>As documented on the August 2, 2022 inspection report, during an animal encounter that was held on June 13, 2022, a minor child was bitten on the hand by a one-year-old male ring tail lemur. The lemur jumped toward the child, who covered his face and the lemur bit his hand.</p> <p>As documented on the August 24, 2022 inspection report, during an animal encounter that was held on August 27, 2022, a minor child was bit on the hand by an adult female kinkajou.</p> <p>On January 9, 2023, APHIS Officials observed open feeding tubes (2.5 feet off the ground, 2 inches in diameter, 6 inches long) installed in the otter exhibit to allow public feeding interactions. Unsupervised guests could potentially provide foreign material and/or touch the otters through the feeding tubes, posing a risk to both the animals and the public.</p> <p>As documented on the May 22, 2023 inspection report, during an animal encounter that was held on May 18, 2023, an adult guest was bit on the face and scratched on the lip by a two-year-old male lemur that jumped on the guest's shoulder.</p>	



The Animal and Plant Health Inspection Service (APHIS) published federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the alleged violation(s) described above. This Official Warning is not to be construed as a final agency action, or as an adjudicated finding of a violation. If APHIS obtains evidence of any future violation of these federal regulations, APHIS may pursue sanctions, which may include criminal prosecution, for this alleged violation(s) and for any future violation(s). If you have any questions concerning this Official Warning or alleged violation(s), please contact the APHIS official listed in this notice.

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Andrea McNally

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APHIS OFFICIAL (Title):

Director, Investigative and Enforcement Services

DATE ISSUED:

7/3/2025

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