

January 25, 2017

Robert Gibbens, D.V.M.
 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) promptly investigate Bob Steele III, dba "The Great Bear Show" (license no. 74-C-0837), for the following apparent Animal Welfare Act (AWA) violations, detailed in the attached appendix, that were documented by a concerned citizen who visited the traveling exhibit at the Great Rockies Sportshow in Billings, Montana, on January 22:

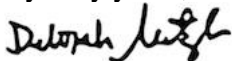
- The excessive scratching of a young cinnamon black bear named Barney was observed and documented, indicating skin or hair irritation. (*See Video 1.*) He has apparently been suffering from a chronic skin condition since November 2014, which was previously cited by the USDA.
- The older male black bear named Andy, who apparently suffers from painful arthritis, was observed to have access only to concrete substrate. This can exacerbate his condition. (*See photo.*)
- The female black bear named Cindi was observed pacing on concrete continuously, a stereotypical behavior that indicates psychological distress. (*See Video 2.*) The bears' unnatural, deprived environment is a potential cause for behavioral stress.
- The bears were apparently handled and exhibited by only Steele himself, creating a possibility for the animals to be left unattended which puts the animals and public at risk.

These concerns are all chronic and ongoing—PETA reported Barney's irritating skin condition, Andy's apparently painful arthritis, and Cindi's apparent psychological distress to the USDA last July. (*See complaint no. AC16-550.*)

The Great Bear Show is scheduled to appear at the St. Cloud Sportsmen's Show from February 10 to 12 in St. Cloud, Minnesota. Please ensure that the bears are provided with adequate veterinary care, shelter, food, and water and are otherwise handled in accordance with the AWA. Please also hold Steele fully accountable for any and all violations that you discover during your investigation.

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,



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

cc: Nicolette Petervary, V.M.D., Regional Animal Care Specialist, USDA/APHIS/AC
 Andrea D'Ambrosio, Animal Care Inspector, USDA/APHIS/AC

PEOPLE FOR
 THE ETHICAL
 TREATMENT
 OF ANIMALS
 FOUNDATION

Washington, D.C.
 1536 16th St. N.W.
 Washington, DC 20036
 202-483-PETA

Los Angeles
 2154 W. Sunset Blvd.
 Los Angeles, CA 90026
 323-644-PETA

Norfolk
 501 Front St.
 Norfolk, VA 23510
 757-622-PETA

Oakland
 554 Grand Ave.
 Oakland, CA 94610
 510-763-PETA

PETA FOUNDATION IS AN
 OPERATING NAME OF FOUNDATION
 TO SUPPORT ANIMAL PROTECTION.

AFFILIATES:

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

Appendix

a. Bears in Need of Veterinary Evaluation

On January 22, a witness observed and documented that a bear named Barney was suffering from what appeared to be a skin irritation. (*See* Video 1.) His skin condition is chronic, and as PETA reported to the USDA in complaint number AC16-550, the agency previously cited Steele on February 26, 2016, for failing to run diagnostics in order to start a treatment regimen that can correct Barney's irritation.¹ An article posted in a Billings, Montana, newspaper featured photos of Barney that highlight apparent thinning hair around his neck and sides. (*See* attached.)

Barney's skin and hair loss issues have apparently been recurring since at least November 2014.² Since the February 26, 2016, inspection report, Steele apparently has *still* not taken adequate measures to alleviate Barney's irritation and discomfort. As was the case in July 2016, he was reportedly scratching throughout the show on January 22.

The older male black bear named Andy apparently suffers from arthritis, according to one of the handlers (*see* complaint no. AC16-550) and the attached article. Although this condition commonly afflicts older bears, it's imperative that Andy be on an appropriate therapeutic regimen and treatment plan to provide him with comfort and to prevent the condition from progressing. Furthermore, the conditions under which he lives—which include confinement to concrete substrate during performances and being crated around the country between shows—will only exacerbate his condition. According to Jay Pratte, an animal behavior expert with 25 years of experience in captive bear husbandry, "cement flooring, even with shavings, is hard on the feet and joints. Bears expect natural substrates to dig, forage and build nests/dens in."

Pratte further opined that "the bears all look overweight, which would be a normal appearance in late summer or early fall after a pre-hibernation hyperphagia, but which is *not* normal for this time of year. These animals are also transported all over and not allowed to engage in appropriate seasonal behaviors; in this case, hibernation." Even though the licensee is based in Texas, according to Pratte:

The animals would genetically experience a metabolic depression, and when transported to colder climes would be expecting to hibernate... the result of not being allowed to hibernate is chronic stress and an ongoing inability to appropriately regulate their own natural bodily functions. The obesity itself has numerous health complications, including but not limited to potential diabetes, joint pain and injury, liver and kidney disease, heart disease and failure, and respiratory distress.

Pratte concluded that "the bears appear (and have been reported) to suffer from gait issues, hair loss, and can be seen scratching. These are indicative on untreated or poorly addressed medical issues."

Please inspect these bears, as well as their veterinary records, and ensure that they're receiving adequate veterinary care and treatment pursuant to 9 C.F.R. § 2.40. Please also ensure that they are 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 accordance with 9 C.F.R. § 2.131(b)(1) and (d)(1).

¹*See* USDA Inspection Report, Bob Steele III, License No. 74-C-0837, dated February 26, 2016.

²*Id.*

b. Bears Suffering From Psychological Distress and Inability to Exhibit Natural Behaviors

The witness observed and documented that Cindi was pacing continuously. (See Video 2.) Pacing is a stereotypical behavior that indicates psychological distress and is likely a sign of poor welfare and stress. According to Georgia Mason, a renowned and widely published animal-behavior researcher and professor at the University of Guelph:

[S]tereotypies should warn us that the animal has probably been in an unchanging and frustrating environment, and that [his or her] welfare has probably been unsatisfactory. Much evidence does indeed link the development of stereotypies with specific sub-optimal environments. The development of a stereotypy in an individual is therefore the sign of an animal that has probably been suffering, and whose well-being may be poor still.³

Pratte explained that the inability to engage in natural behaviors and the sterile, barren environment limits the bears' ability to engage in natural behaviors, and can actually cause behavioral and psychological stress in bears. He stated that:

The inability to hibernate or respond to seasonal metabolic depression causes stress in bears, which can lead to a number of behavioral issues. These include, but are not limited to: stereotyped behaviors, aggression to conspecifics and humans, lethargy, myopathy, learned helplessness, and displacement behaviors. All of these are potentially injurious or result in chronic stress, which lead to a myriad of physiological and psychological problems.

Long term psychological distress and inability to seasonally self-regulate will cause hormonal and neurological changes in the animal's brain and body. Many of these are permanent and will impair learning, mobility, and the animal's ability to cope with its unnatural surroundings.

At least one animal can be seen pacing and also engaging in anticipatory behavior, likely either expecting food/interaction or trying to communicate that it wants to leave the exhibit space. These types of behaviors indicate a serious underlying issue(s) with the animal that results from poor husbandry and management, and an inability to engage in natural bear behaviors.

The inability to evade public attention is also a source of stress, according to Pratte. He said:

There are no "hides" where the animals are exhibited. The animals are unable to get away from or avoid even seeing one another, let alone the public. Constant presence of viewers and the noise in this type of environment are unnatural and outside of a bear's genetic expectations. These are another constant source of stress for the animal.

The Great Bear Show is likely not providing these animals with sufficient space, in apparent violation of 9 C.F.R. § 3.128, which states that "[i]nadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or abnormal behavior patterns." Bears are naturally far-ranging animals, and Cindi's stereotypic pacing is an "abnormal behavior pattern" indicating stress. Exhibiting these animals in a manner that causes "behavioral stress" is an apparent violation of 9 C.F.R. § 2.131(b)(1).

³G.J. Mason, *Stereotypies and Suffering*, Behavioural Processes 25, 103–15, 1991.

c. Apparent Public Endangerment and Dangerous Handling

The Great Bear Show allows for the public to pose for photographs with the bears, separated by a Plexiglas sheet (*see* attached article). The USDA has previously cited Steele for failing to adequately protect the public and the bears during these photo-ops, requiring that Steele ensure the bears are "anchored by an immovable object," such as the trailer, by a chain.⁴

According to Pratte, the thin divider "is insufficient to protect any person from a full grown bear if they were to become stressed or agitated." And further, "the chains used to restrain the animals are likely heavy and painful. These would also cause chronic skin abrasions and hair loss, and could lead to possible infections. The weight and pressure of the chain and from the trainer pulling on it or using it to coerce movement is likely causing long-term trauma to the nerves, vertebrae and musculature in the neck, shoulders and lower skull."

Requiring that the bears be chained so that they can safely be used in photo-ops is putting the animals at risk of serious negative health implications. The photo-op arrangement is inherently unsafe for both the animals and the public and appears to violate 9 C.F.R. § 2.131(c)(1), requiring 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."

On January 22, the witness only saw Steele himself giving the show and handling the animals. This appears to risk leaving these dangerous animals unattended should Steele step away for any reason. Since the wire cage is only surrounded by a short pop-up public barrier, it would be feasible for any person to breach that barrier and have contact with the bears, in violation of 9 C.F.R. § 2.131(c)(1), and in potential violation of *Id.* (d)(2) and (3) which require that, respectively, "[a] responsible, knowledgeable, and readily identifiable employee or attendant must be present at all times during periods of public contact" and "[d]uring public exhibition, dangerous animals such as... bears... must be under the direct control and supervision of a knowledgeable and experienced animal handler." The exhibition may also be in violation of 9 C.F.R. § 3.132, requiring that "[a] sufficient number of adequately trained employees shall be utilized to maintain the professionally acceptable level of husbandry practices set forth in this subpart."

After reviewing the evidence from January 22, the attached article, and other materials found online demonstrating how these animals are regularly exhibited, Pratte concluded that:

In my expert opinion, these bears are enduring poor husbandry and care, neglect of their basic biological needs and considerations, and the constant exploitation for public presentation is a direct form of abuse. The public and staff are also at constant risk due to visibly inadequate safety parameters. I believe it is in the best interests of the animals and the public for these animals to be removed from this environment and situation and placed in a more appropriate environment conducive to their genetic expectations and needs.

Please ensure that these bears are provided with the ability to engage in natural behaviors, are not exhibited in a manner that put their well-being at risk, and are provided with adequate veterinary care, in accordance to the mandates of the AWA.

⁴*See* USDA Inspection Report, Bob Steele III, License No. 74-C-0837, dated March 12, 2012.



Andy, a bear with arthritis, was confined to concrete with no padding, which can be hard on a bear's joints and sensitive paws.