

July 26, 2017

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

Via e-mail: [REDACTED]; aceast@aphis.usda.gov

Re: Request for Investigation of Apparent Animal Welfare Act Violations at
Maple Lane Wildlife Farm (License No. 32-C-0178)

Dear Dr. Goldentyer:

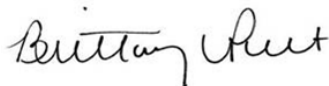
I'm writing on behalf of PETA to request that the U.S. Department of Agriculture (USDA) promptly investigate Lavern Yoder, dba "Maple Lane Wildlife Farm" (license no. 32-C-0178), for the following apparent Animal Welfare Act (AWA) violations, detailed in the attached appendix, which were documented by a concerned citizen on July 7 and 15:

- A wolf had fly-strike and possible sunburn on the ears. (*See Photo 1.*)
- A fox had overgrown nails in need of corrective trimming. (*See Photo 2.*)
- The black bears, tigers, cougars, and wolves had inadequate means of protection from the elements. (*See Photos 3-9.*)
- Multiple animals exhibited apparently stereotypic behavior: a white-faced capuchin exhibited self-injurious behavior in the form of self-biting and self-hitting, a black bear was repetitively swinging his or her head, and a tiger was pacing. (*See Video 1, Video 2, and Video 3.*)
- Two tigers and a leopard were confined to cramped corn crib cages, and the tigers were confined exclusively on concrete. (*See Video 3 and Photo 10.*)
- A white-faced capuchin and a long-tailed macaque were held in solitary confinement. (*See Video 1.*)

Please investigate Maple Lane Wildlife Farm and ensure that it provides all animals there with adequate veterinary care, shelter, food, and water and that the animals are otherwise handled in accordance with the AWA. Please also hold Maple Lane Wildlife Farm fully accountable for any and 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,



Brittany Peet, Esq.
Director, Captive Animal Law Enforcement

[REDACTED] | [REDACTED]

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- PETA Germany
- PETA Netherlands
- PETA Foundation (U.K.)

cc: Gwendalyn Maginnis, D.V.M., Nonhuman Primate Specialist

[REDACTED]

Nicolette Petervary, V.M.D., Regional Animal Care Specialist, USDA/APHIS/AC

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Andrea D'Ambrosio, Animal Care Inspector, USDA/APHIS/AC

[REDACTED]

Laurie Gage, D.V.M., Big Cat and Marine Mammal Specialist [REDACTED]

Appendix

a. **Wolf With Cutaneous Myiasis (Fly-Strike) on the Ears**

The witness observed and documented that a wolf had fly-strike on the ears and possible sunburn. (*See* Photo 1.) Cutaneous myiasis, caused by fly-larvae infestation, is painful and itchy and leads to ulcerated, infected skin. Animals with white fur are particularly susceptible to sunburn, and the hair loss on the ear tips, exposing the skin, has made this wolf even more susceptible.

Please examine this wolf, as well as the facility's veterinary records, and ensure that she or he is receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40.

b. **Fox With Overgrown Nails in Need of Corrective Trimming**

The witness observed and documented that a fox had overgrown nails. (*See* Photo 2.) Nails may require regular corrective trimming, and inadequate treatment can lead to serious health and welfare concerns, including cracked and broken nails and nail beds, infection, and lameness.

Please examine this fox, as well as the facility's veterinary records, and ensure that the animal is receiving adequate veterinary care pursuant to 9 C.F.R. § 2.40.

c. **Multiple Animals Without Adequate Protection From the Elements or Other Cooling Measures**

The bears, tigers, cougars, and wolves had inadequate protection from the elements. (*See* Photos 3-9.) The witness observed and documented that these animals were exposed to the rain on July 7 and to the heat of the sun on July 15. The white wolf, in particular, had possible sunburn on the ears. (*See* Photo 1.) Animals with white fur are particularly susceptible to sunburn. There appeared to be no access to adequate shelters for any of these animals, in apparent violation of 9 C.F.R. § 2.131(e), which requires that "[w]hen climatic conditions present a threat to an animal's health or well-being, appropriate measures must be taken to alleviate the impact of those conditions."

In addition, two of the tigers were confined to extremely small corn cribs with concrete floors, which can radiate heat.¹ (*See* Video 3.) The shelter for the bears appeared to be made of metal, which can also radiate heat, and had no ventilation. (*See* Photo 4.) The bears and all the tigers also lacked pools in which to bathe or cool off. Submerging in water is a normal species-specific behavior used by tigers and bears in order to thermoregulate effectively.^{2,3} These conditions appear to violate 9 C.F.R. § 3.127(a) and (b), which require that "[w]hen sunlight is likely to cause overheating or discomfort of the animals, sufficient shade by natural or artificial means shall be provided to allow all animals kept outdoors to protect themselves from direct sunlight," and "[n]atural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided ... to afford them protection and to prevent discomfort to such animals."

d. **Multiple Animals Exhibiting Apparent Stereotypical Behavior, Including Self-Injury**

¹*See* K.N. Morgan and C.T. Tromborg, "Sources of Stress in Captivity," *Applied Animal Behavior Science* 102 (2007): 262–302.

²*See* M.A. Sawaya, A.B. Ramsey, and P.W. Ramsey, "American Black Bear Thermoregulation at Natural and Artificial Water Sources," *Ursus* 27.2 (2017): 129–135.

³*See* R. Tilson and P.J. Nyhus, *Tigers of the World: The Science, Politics, and Conservation of Panthera tigris* (Boston: Elsevier, 2010).

The witness observed and documented that a solitary, juvenile white-faced capuchin exhibited self-injurious behavior, including self-biting and self-hitting. (*See* Video 1.) In addition, multiple animals were observed and filmed exhibiting other apparent stereotypical types of behavior, including a black bear who was repetitively swinging his or her head and a tiger who was pacing. (*See* Video 2 and Video 3.) Animals who, in nature, are far-ranging, such as tigers and bears, are particularly susceptible to the development of abnormal behavior when confined to inadequate, small, and barren enclosures. These repetitive movements may indicate psychological distress. Abnormal types of behavior are likely caused by a lack of sensory stimulation and suggests poor welfare and suffering,⁴ in apparent violation of 9 C.F.R. § 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. Inadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or abnormal behavior patterns," and *Id.* § 2.131(d)(1), which requires that "[a]nimals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being."

In addition, exhibitors "must develop, document, and follow an appropriate plan for environment enhancement *adequate* to promote the psychological well-being of nonhuman primates." 9 C.F.R. § 3.81 [*emphasis added*]. As is apparent from the capuchin's bizarre and self-injurious behavior, Maple Lane Wildlife Farm does *not* appear to be following a plan of environmental enhancement that's *adequately* addressing the primate's psychological needs. Because he or she "show[s] signs of being in psychological distress through behavior or appearance," the capuchin "must be provided special attention regarding enhancement of their environment, based on the needs of the individual species and in accordance with the instructions of the attending veterinarian." *Id.* § 3.81(c).

Please inspect these animals—in particular, the capuchin for self-inflicted wounds—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.

e. **Tigers and a Leopard Confined to Cramped, Barren Corn Cribs and Tigers Kept Exclusively on Concrete**

The witness observed and documented that two tigers were confined to cramped, barren concrete corn cribs. (*See* Video 3.) Being kept on concrete without any access to a natural substrate is harmful to felids and can cause them to suffer from numerous physical maladies, including early-onset osteoarthritis, and sustain foot injuries. Repetitive trauma to the skin and footpads from standing and walking on concrete—especially wet or hot concrete—also can predispose them to painful blisters and ulcers. Wildlife veterinarian Dr. Christine Capaldo opined that calluses can form and crack open, causing infections, abscesses, and pain. In addition, a leopard was confined to a cramped, barren corn crib with inadequate horizontal or vertical space to engage in normal postural behavior.⁵ (*See* Photo 10.) Recognizing the potential risks inherent in confining big cats to inadequate spaces, a May 6, 2011, USDA inspection report on Kirby Van Burch stated that "[b]ig cats must be provided with appropriate

⁴*See* G.J. Mason, "Stereotypies and Suffering," *Behavioural Processes* 25 (1991): 103–104; R.R. Swaisgood and D.J. Shepherdson, "Scientific Approaches to Enrichment and Stereotypies in Zoo Animals: What's Been Done and Where Should We Go Next?" *Zoo Biology* 24 (2005): 499–518.

⁵*See* J. Vaz, *et al.*, "Prevalence and Determinants of Stereotypic Behaviours and Physiological Stress Among Tigers and Leopards in Indian Zoos," *PLoS One* 12.4 (2017): e0174711.

resting platforms that allow them to make species appropriate movements and postures for the sake of their well-being."⁶

These enclosures appear to violate 9 C.F.R. § 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. Inadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or abnormal behavior patterns," and 9 C.F.R. § 2.131(d)(1), which requires that "[a]nimals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being."

Please also inspect the tigers, as well as the relevant veterinary records, and ensure that they're receiving adequate care pursuant to 9 C.F.R. § 2.40, including provision (b)(2), which requires "[t]he use of appropriate methods to *prevent*, control, diagnose, and treat diseases and injuries" [*emphasis added*].

f. A White-Faced Capuchin and a Long-Tailed Macaque Held in Solitary Confinement

The witness observed and documented that the juvenile white-faced capuchin (*see* Video 1) and a long-tailed macaque appeared to be housed alone. Capuchins and macaques are complex social beings, who, in the wild, live in groups of at least 10 conspecifics. Holding any primate in isolation is an apparent violation of 9 C.F.R. 3.81(a), requiring the implementation of "specific provisions to address the social needs of nonhuman primates of species known to exist in social groups in nature," and also *Id.* § 2.131(d)(1).

Pursuant to 9 C.F.R. § 3.81(e)(1), the solitary housing of primates requires an exemption by the attending veterinarian in the environmental enhancement plan, which "must be reviewed at least every 30 days by the attending veterinarian." Please investigate whether the attending veterinarian has made and is qualified to make such an exemption for these primates and—if the plan is being reviewed every 30 days, as required—whether the exemption provides an adequate welfare justification for the isolation of this highly social animal.

⁶*See* USDA Inspection Report of Kirby Van Burch, license number 43-C-0320, May 6, 2011.