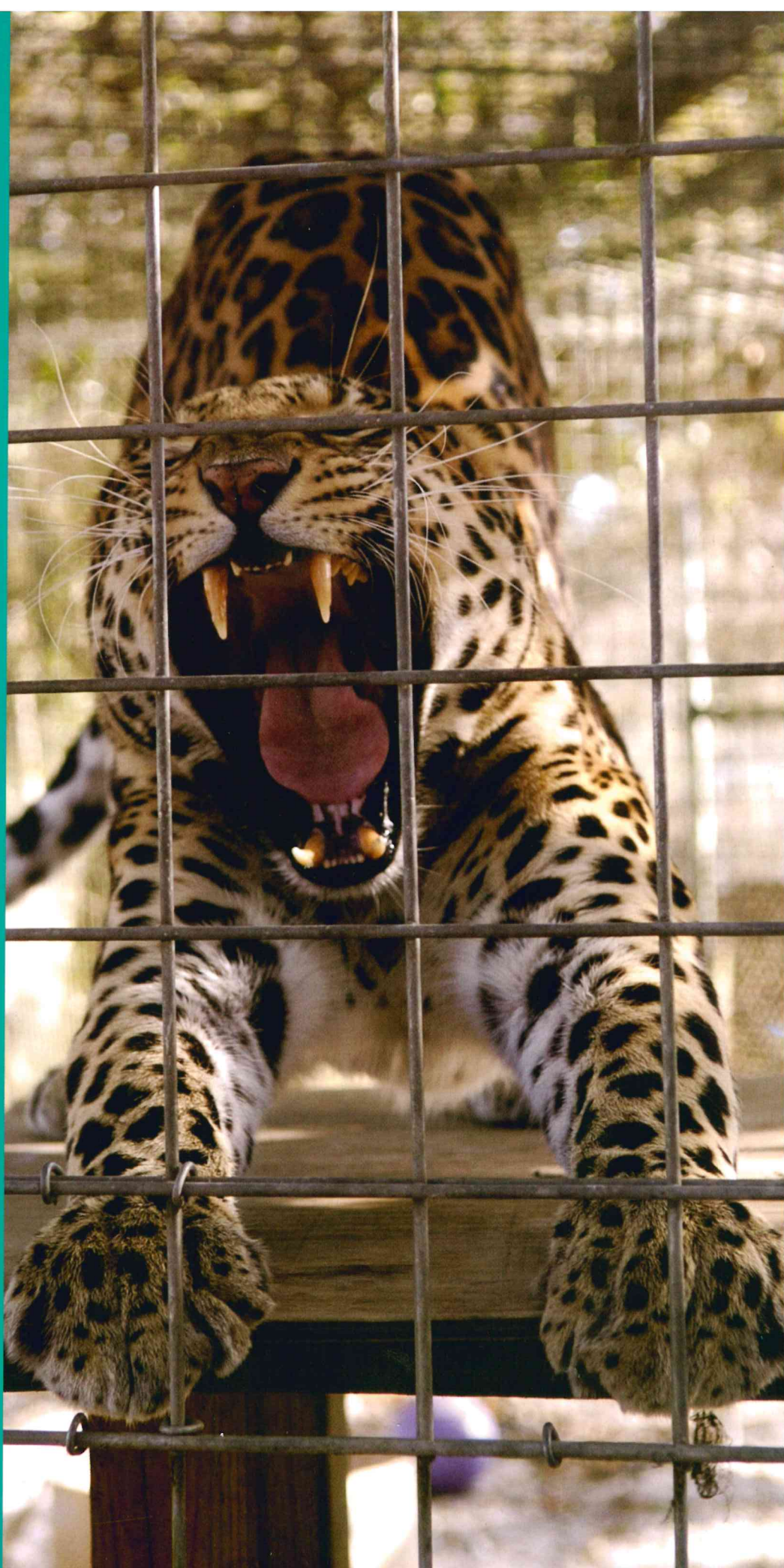




# Fatal Attractions

## Big Cats in the USA

IFAW Report on  
Dangerous Safety  
Violations  
at USDA-Licensed  
Wildlife Facilities



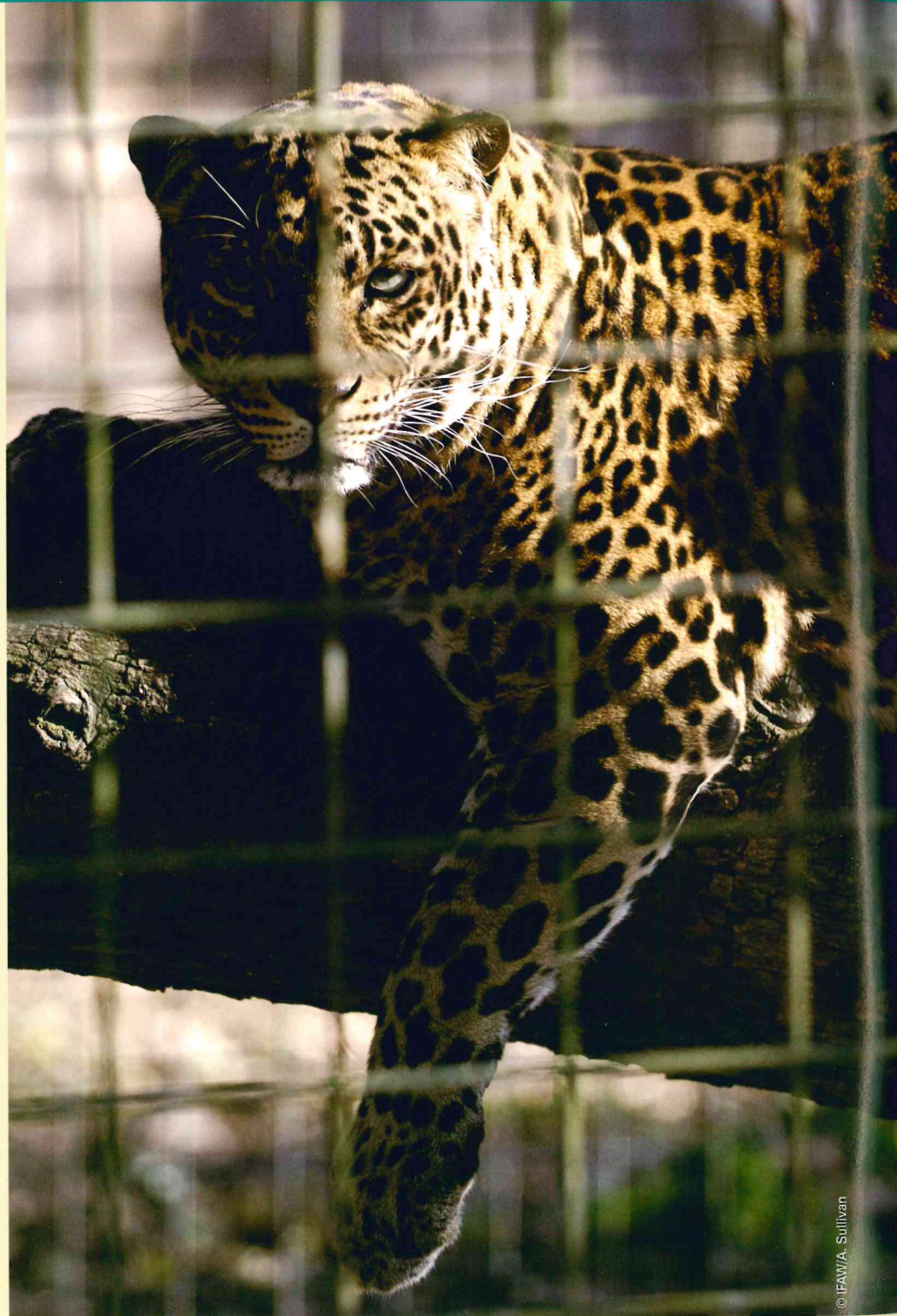


The International Fund for Animal Welfare (IFAW) is one of the largest international animal welfare organizations in the world.

IFAW seeks to promote conservation and animal welfare policies that advance the well-being of both animals and people. Our work is concentrated in three areas: reducing the commercial exploitation and trade of wild animals, protecting wildlife habitats and assisting animals in distress.

IFAW pursues a variety of local, national and global campaigns around the world. We have offices in 15 countries and a staff of more than 200 experienced campaigners, legal and political experts, and internationally acclaimed scientists. In each region where we work, IFAW's activities are informed by local customs and culture and tailored to the particular economic and political conditions of that area.

All of IFAW's efforts are rooted in the belief that a world in which animal life can survive and thrive is fundamental to human well-being.



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**At one facility, IFAW staff saw a leopard bite off the finger of an untrained sanctuary worker in a situation similar to this. Leopards become aggressive when they do not have enough room to roam.**

**A jaguar at the Wildlife Survival Sanctuary, Spring Hill, Florida**

*“Exotic and wild animals are not suited to be kept as pets. The average pet owner lacks the expertise and facilities to provide appropriate housing, secure containment, adequate nutrition, appropriate medical care and cannot meet the complex social, emotional and behavioral requirements of these animals.”*

**WILBUR AMAND, V.M.D.**  
Former Executive Director, American Association of Zoo Veterinarians

## EXECUTIVE SUMMARY

# FATAL ATTRACTIONS: Big Cats in the USA

Imagine looking out your window and seeing a 450-lb. Bengal tiger walking down your street.

Or finding out that your neighbor has decided to open a backyard zoo – featuring predatory lions, leopards and cheetahs.

Or losing your 17-year-old daughter in a tiger attack – that occurs while she is having her high school picture taken at a United States Department of Agriculture (USDA) licensed wildlife facility.

These frightening and tragic incidents aren't happening on the other side of the world – they're happening in New Jersey, Florida and Kansas – and all over the United States.

## An Alarming Trend

There may be only 5,000 tigers left in the wild – and the International Fund for Animal Welfare (IFAW), one of the world's largest international wildlife organizations, has long worked to protect them.

Yet, incredibly, there are an estimated 5,000-7,000 tigers living in captivity in the United States – as well as another 10,000 or more lions, leopards, cheetahs, jaguars and cougars. And their numbers are growing – rapidly and uncontrollably – as the demand for “cute” cubs as novelty pets also grows.

These big cats and their cubs are not at accredited zoos where you would expect to find them. Many are living in cramped, appalling conditions in substandard sanctuaries, roadside or “amateur” zoos, backyards and even city apartments – situations that are not only dangerous to these magnificent felines, but also seriously endanger any people in proximity to them.

As the number of big cats in the United States has grown, so has the frequency of big cat attacks, escapes and deaths. In response, IFAW is now deploying our extensive global expertise in large cat conservation closer to home by working to protect both these threatened predators and the public from the inevitable tragedies that occur when they are in unnaturally close contact.

## IFAW Investigates Dangers at USDA-Licensed Wildlife Facilities

Of all the big cats in the United States, nearly 5,000 are kept in facilities licensed and inspected by the USDA.

That seems reassuring. But in reality, a USDA-licensed facility could be anything from a fenced-in backyard of a private home to a rundown roadside zoo, to a large “pseudo-sanctuary.” The three categories of USDA licenses covering breeders, dealers and exhibitors are far too broad and the licenses themselves are surprisingly easy to get. For instance, all legal species are covered by the same licenses – so the same license is obtained



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**THAT'S ONE BIG BABY.** For \$10, you can have your photo taken bottle-feeding a 7-month-old Siberian tiger on a leash at a USDA-licensed facility in Davenport, FL.

Although very young “cubs” are sometimes allowed to be exhibited under certain circumstances, this tiger is far too old to qualify – and should be subject to the same distance and/or barrier requirements as adult big cats.

## The Rising Toll

Until only recently, statistics on big cat attacks were not even recorded in one central place – so the public was only aware of the few stories that have made headline news. Now, though, these incidents are being recorded.

BETWEEN JANUARY 2003 AND NOVEMBER 2005:

- **7 children have been mauled and bitten; 2 have been killed**
- **31 adults have been mauled and bitten; 3 have been killed**
- **56 big cats have escaped – these big cats have been found in suburban neighborhoods, backyards and along highways**
- **357 big cats have been confiscated for being confined in dangerous or unsafe conditions**
- **46 big cats have been killed due to escapes, disease and natural causes**

## Sanctuaries: Not "Safe Havens"

Wildlife sanctuaries are popular family destinations. And most of us trust they are safe to visit – especially when licensed by the USDA. But sadly, this has proven to be tragically untrue.

On August 19, 2005, Haley Hilderbrand, 17, of Altamont, Kansas, was posing next to a Siberian tiger for her senior high school picture at a USDA-licensed facility known as Lost Creek Animal Sanctuary. What should have been a normal day turned into unspeakable tragedy when the tiger attacked and killed her despite being on a leash held by the handler.



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**TOO CLOSE FOR COMFORT.** A young woman's face is just inches away from 700 lb. Siberian tiger at a USDA-licensed facility in Christmas, FL. One swipe of a claw could leave this woman seriously scarred or blinded.

USDA regulations require facilities to maintain sufficient distance and barriers between exotic animals and the public or have dangerous animals controlled by an experienced handler. **USDA regulations also state that a leash is not an adequate barrier between a big cat and the public.** In reality, these regulations are often ignored by facilities and the USDA simply does not currently have the resources or personnel to properly enforce the law.

The USDA itself recognizes there are problems with inspecting facilities and enforcing the Animal Welfare Act. The USDA also warns against the dangers of keeping big cats as pets<sup>1</sup>.

<sup>1</sup> United States Department of Agriculture's Position Statement, "Large Wild and Exotic Cats Make Dangerous Pets." Miscellaneous Publication No. 1560, issued February 2000. <http://www.aphis.usda.gov/ac/position.html>

for a tiger as for a goat – whether the owner is operating as a breeder, dealer or exhibitor. In addition, there is inadequate oversight once obtained. Unfortunately, due to a lack of resources, regulations are rarely effectively enforced.

As a result of insufficient regulations and poor enforcement, many senseless big cat tragedies involving humans have occurred and future heartbreaks are inevitable. Big cats in backyard enclosures have pulled young children under chain link fences and killed them. Tigers have escaped USDA-licensed facilities and roamed suburban neighborhoods. Leopards on leashes often lounge on sanctuary lawns for young children to pet.

Many of these serious public safety hazards could be easily avoided if facilities had specific regulations and standards for maintaining dangerous animals.

Unfortunately, none of these incidents are the results of an occasional lapse in enforcement or non-compliance at one or two facilities. Between April 2004 and June 2005, IFAW investigated 42 USDA-licensed facilities where big cats were kept and exhibited. Serious and disturbing violations were observed at nearly every single facility IFAW visited.

Here is a brief summary of the findings:

- **The vast majority of the big cats they saw were housed at facilities that were structurally unsound.** Many enclosures had rusty fences and some facilities had no barriers at all.
- **Direct public contact between dangerous big cats and people – including very young children – was allowed at many facilities.**
- Poor housekeeping and animal hygiene were observed at the majority of facilities including **dead animals, filthy water buckets** (which often included urine and feces), **vermin and grossly inadequate sewage disposal.**
- **Meat, which is the staple of the big cat diet, was often stored without refrigeration.** Many animals were fed rotten food.
- **Many facilities had no attendants on hand at big cat exhibits – and some even allowed children to work as attendants!**

**As a result of this investigation, IFAW is calling for immediate action on both the federal and state levels to safeguard the public safety and ensure the welfare of big cats in captivity. These recommendations are outlined on page 11 of this report.**

*"Accredited zoological parks and bona fide research facilities mandate specialized training for handlers and enforce strict protocols concerning prevention of zoonotic diseases and injury hazards with captive animals. In contrast, well intentioned pet dealers, breeders, and private owners often lack the expertise and resources to maintain exotic and native wildlife safety."*

**STEPHEN OSTROFF, M.D., M.P.H.**

Deputy Director, National Center for Infectious Diseases (NCID),  
Centers for Disease Control and Prevention (CDC)

## Where Do All the Tigers Come From? Can They Ever Be Sent Back to the Wild?

Many of these big cats that are languishing in substandard sanctuaries in the US are bought as adorable cubs over the Internet – for about the same price as a pedigree dog. (The typical price tag for a leopard cub is \$600; a Bengal tiger sells for \$1,500; and other cubs can be bought for as little as \$400 – with “free shipping” included.)

Usually, there is no background check or license requirement needed – and most big cats live among us completely unregulated due to a lack of state and federal oversight.

The sad truth is these tiger cubs don’t stay cute. In just 6 months, they’re strong enough to inflict a lethal bite or a deep scratch wound. By 3 years old, big cats often become aggressive and most owners can’t handle their growing physical and nutritional needs.

For example, a 350-lb. adult Bengal tiger needs to eat 12 pounds of meat a day, 5 days a week – or more than 60 pounds a week.<sup>2</sup> Not to mention that large cats need acres to roam and prefer to catch and dismember their own prey – in fact, if they don’t chew on animal carcasses, big cats experience severe dental problems.<sup>3</sup> And of course, if your leopard is sick, it may be difficult or even impossible to find a nearby veterinarian who is qualified and experienced in treating dangerous carnivores.

People also wrongly assume that big cats can be domesticated and become a friendly addition to the family. However, big cats are wild by nature and will instinctively attack when triggered by fear, hunger, intrusion on their domain or any other innate

response – no matter how accustomed to people the animal may be, or how experienced the owner is. In 2003, Roy Horn, of the world-famous Siegfried and Roy entertainment act, was attacked on stage by one of his own tigers showing that even the most well-trained big cats can attack without warning.

Big cats are also often declawed and sometimes defanged as a way to make them “safer” and more “tame” pets. However, these cruel procedures<sup>4</sup> do nothing to “tame” these animals and declawing has even been shown to increase a cat’s likelihood to bite.<sup>5</sup>

Overwhelmed, owners often try to get rid of these huge animals. But accredited zoos cannot or will not take them due to their poor breeding and the sheer overabundance of unwanted exotic cats.

Sadly, these discarded wild cats often end up in unregulated roadside facilities, or are simply “dumped” somewhere after they have lost their appeal. Recently two 80-lb. tiger cubs were found wandering down a North Carolina highway.<sup>6</sup> Big cats are even shot in “canned hunts,” where they are sometimes drugged before being released into an enclosure to be shot by hunting enthusiasts looking for a guaranteed kill.

The few legitimate sanctuaries and well-run, accredited facilities simply do not have the space or resources to absorb thousands of unwanted large cats. Many animals end up in pseudo-sanctuaries, which claim to save tigers through captive breeding. However, unregulated breeding of large cats – particularly tigers – actually decreases the viability of the species. The fact of the matter is, due to inbreeding and unregulated breeding – which can perpetuate medical problems – big cats bred in captivity can never be re-introduced to the wild.



**This picture looks innocent enough – but young children should never be allowed to feed or come in direct contact with wild cats, which can deliver a deadly bite from an early age.**

© IFAW



**A leopard on a leash is a shocking sight to anyone who knows about predatory cats. While this cat is lying peacefully now, it could very quickly attack this young girl. Leopards are extremely effective hunters and killers in the wild.**

© IFAW

<sup>2</sup> “Management and Conservation of Captive Tigers” <http://nagonline.net/Diets%20pdf/Tiger%20Nutrition%20Manual.pdf>

<sup>3</sup> “Management and Conservation of Captive Tigers” <http://nagonline.net/Diets%20pdf/Tiger%20Nutrition%20Manual.pdf>

<sup>4</sup> West Hollywood, CA, set a precedent for other municipalities in banning the declawing of domestic and wild cats in April 2003. Following this, AB395 was introduced to ban declawing of all cats statewide and AB1857 was introduced to ban the declawing of captive, wild cats.

<sup>5</sup> AB1857 FactSheet-Declawing, The Paw Project

<sup>6</sup> In January 2005 in Charlotte, North Carolina, two tiger cubs each weighing at least 80 pounds were found wandering along a highway prompting zoo officials to warn that private ownership of exotic animals poses an increasing danger in the state. Two children in NC since mid-2003 have been mauled by tigers in the state; one died of his injuries.

## IFAW's Big Cats in the USA Campaign

We Support Legitimate Refuges ...Rescue Endangered Cats ...  
And Campaign for Laws to Protect the Public and Big Cats

IFAW is at the forefront of this serious national issue ...

**Caring for Big Cats That Can Never Be Released to the Wild:** Since 2000, IFAW has supported a wildlife sanctuary in Texas, which holds more than 600 exotic animals (including many large cats), many of which are refugees from the exotic pet trade.



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**A gaping violation of USDA regulations. The gap in the enclosure is wide enough for someone to stick their arm through. Only a flimsy rope, 1 1/2 feet off the ground separated the public from this adult tiger's cage.**

**In this case, there is neither sufficient distance nor a safe enough barrier to keep the public protected as stipulated in USDA regulations.**

**Rescuing Tigers from Substandard Sanctuaries:** In November 2003, IFAW conducted a joint operation to help local authorities rescue 24 Bengal tigers kept in appalling conditions in a woman's New Jersey backyard "pseudo-sanctuary." The seizure made national and

international headlines and was the end result of a four-year court case against the owner after a 450-lb. tiger escaped into the neighborhood in 1999 and was shot dead. In 2005, IFAW also assisted in the relocation of 13 big cats from two substandard facilities in Nevada.

**Getting Laws Passed to Protect Both Large Cats and People:** IFAW was also instrumental in campaigning for passage of the US Captive Wildlife Safety Act (CWSA), which bans the interstate trade of big cats for commercial purposes. However, the selling and breeding of large cats within state borders and the associated animal welfare and human safety issues remain at crisis levels.

- **Since 2004, IFAW has supported the passage of four state bills regarding exotic animal ownership:** California (2004), Minnesota (2004), New York (2004) and Arkansas (2005).

- **In 2005, IFAW helped implement a stringent regulation in Kentucky** and is currently campaigning for the enactment of a similar regulation in Kansas.
- **Still, at this point, 35 states have little or no regulations on the ownership of big cats.** IFAW will continue to work with many of these states to enact bans on owning big cats and other exotic animals.

### Now IFAW Focuses Public Attention on the Problems of "Pseudo-Sanctuaries"

While the stories of big cat attacks and escapes usually make headlines, there has been no comprehensive review undertaken to examine the magnitude of this national public safety and animal welfare problem.

Therefore, IFAW gathered its own information on the dangers to people and big cats at wildlife facilities and visited 42 USDA-licensed facilities where big cats are being kept and exhibited.

The USDA-licensed exhibitors investigated were in 11 states – and included roadside animal exhibits, zoos, sanctuaries, petting zoos, wildlife parks, nature preserves and game farms.

The investigators, who are experts in captive wild animal issues, took 2,521 photos to document the conditions of the facilities, the conditions of the animals and countless Animal Welfare Act violations.

### IFAW Exposes Disturbing Big Cat Violations

The American people depend on the United States Department of Agriculture's Animal and Plant Health Inspection Service, Animal Care Division [USDA-APHIS/AC], to monitor compliance of the Animal Welfare Act [AWA] of 1966 and its amendments.

Under this Act, licensed exhibitors are required to provide animals with adequate care and treatment and have a duty to maintain safety measures to protect the public.

However, during our yearlong investigation, IFAW discovered key violations of all APHIS safety measures at the majority of the 42 USDA-licensed facilities visited.

## A Summary of Our Primary Findings

APHIS Requirements	IFAW Findings
<p><b>LICENSING IS REQUIRED:</b> For any person operating or desiring to operate as a dealer, exhibitor or operator of an auction sale. (Section 2.1 (1) (a))</p> <p>For example: circuses, roadside animal exhibits, zoos, petting zoos, animal acts, wildlife parks, nature preserves and game farms.</p>	<p>Facilities were found exhibiting without a license – which means they are not being inspected, either.</p> <p>Many private owners are obtaining licenses to evade laws prohibiting private ownership of big cats.</p>
<p><b>VETERINARY CARE:</b> Each dealer or exhibitor needs to have an attending veterinarian to provide adequate care to animals. (Section 2.40 (a)(1)(2))</p>	<p>Unhealthy animals were observed with longstanding ailments such as fungal infections, parasites and open sores. Many animals were sick, bloated and lying down ill and unable to walk.</p>
<p><b>ENCLOSURES:</b> Facilities must be structurally sound and in good repair to contain the animals and protect them from injury. (Section 3.125 (a))</p>	<p>Many visited facilities had structurally unsound enclosures. Some had rusty fences.</p>
<p><b>FENCES:</b> Perimeter fences must be of sufficient height to keep animals and unauthorized persons out.</p> <p>Fences should be at least 8 feet high for large felines such as lions, tigers, leopards, cougars and bobcats.</p> <p>Fences should be at least 3 feet from the primary enclosure to prevent physical contact with people outside the perimeter fence. (Section 3.127(d))</p>	<p>At almost every facility, IFAW investigators observed:</p> <ul style="list-style-type: none"> <li>■ Inadequate perimeter fences</li> <li>■ Lack of barriers</li> <li>■ Lack of proper height and distance</li> </ul>
<p><b>SANITATION:</b> Provision needs to be made for the removal and disposal of animal and food wastes, bedding, dead animals, trash and debris in order to minimize vermin infestation, odors and disease hazards. (Section 3.125(d))</p>	<p>At all facilities, some level of poor housekeeping and animal hygiene was observed, including:</p> <ul style="list-style-type: none"> <li>■ Litter, debris and even dead animals</li> <li>■ Filthy standing water often contaminated with urine and feces</li> <li>■ Inadequate disposal leading to vermin and insects</li> <li>■ Feces and puddles of urine, strong sewage smells and ammonia from urine</li> <li>■ Rotten food</li> </ul>
<p><b>SHELTER:</b> Must be provided to protect animals from inclement weather and overheating due to direct sunlight. (Section 3.127 (a) and (b))</p>	<p>Many facilities offered animals:</p> <ul style="list-style-type: none"> <li>■ Inadequate or no shelter</li> <li>■ Little or no shade cover</li> </ul>
<p><b>SPACE AND SEPARATION:</b> Enclosures need to give animals enough space to move and interact socially. (Section 3.128)</p> <p>Species that are housed together need to be compatible. (Section 3.133)</p>	<p>Majority of enclosures were inadequate for the species.</p> <p>Incompatible species were often housed together causing undue danger and stress to the animals.</p>
<p><b>FOOD AND WATER:</b> Food and water should be clean and sanitary and free of contamination. (Sections 3.125(b), 3.129(a) and 3.130)</p>	<p>At many facilities, IFAW observed:</p> <ul style="list-style-type: none"> <li>■ Filthy, algae-covered water, including urine and feces</li> <li>■ Rotten food</li> <li>■ Food covered with vermin and insects</li> <li>■ Unrefrigerated perishable food</li> </ul>
<p><b>ANIMAL HANDLING:</b> Handling of animals should not cause trauma, stress or physical harm. (Section 2.131(a)(1))</p>	<p>IFAW investigators observed:</p> <ul style="list-style-type: none"> <li>■ A one-week-old cougar cub separated from its mother and living in a plastic food container</li> <li>■ A leopard being dragged on a leash</li> </ul>
<p>During public exhibition, animals handled must be handled so there is minimal risk of harm to the animal and to the public with sufficient distance and barriers between the animal and the general viewing public. (Section 2.131(b)(1))</p>	<p>Direct contact was observed at many facilities. In some cases, young children were allowed to pet these dangerous wild animals and photos with adult cats, restrained only by a leash, were available.</p>
<p>When animals are in direct contact with the public, a knowledgeable and responsible attendant must be present. Dangerous animals such as lions and tigers must be under the direct control of an experienced trainer. (Section 2.131(c)(2) and (3))</p>	<p>Many facilities with no attendant – or with a young child as the only attendant.</p>
<p>If public feeding of animals is allowed, the food must be provided by the animal facility according to the dietary needs of the species. (Section 2.131(c)(4))</p>	<p>Patrons hand-feeding rotten chicken to animals.</p>

## USDA License Categories

There are three types of licenses under the USDA covering Breeders (Class A), Dealers (Class B) and Exhibitors (Class C). A "commercial purpose" is defined as when the owner is earning more than \$500 a year from dealing, breeding or trading the big cat(s). An individual or a business can only obtain one license. In cases where a business is under multi-ownership, each individual active in that business must be licensed.

**Class A (Breeder) USDA license** is intended for individuals participating in the breeding and sale of animals.

**Class B (Dealer) USDA license** pertains to individuals who participate in the sale and trade of animals or the offspring of animals that are not part of the licensee's permanent collection.

**Class C (Exhibitor) USDA license** can be considered the all-encompassing license. Class C licensees are permitted to breed and sell their own animals' offspring, sell offspring from adults other than their own, and are permitted to fully exhibit all animals. This class covers most of the tigers in private ownership. To be issued a Class C USDA license, the individual must engage in some sort of commercial activity (entertainment being a common one). All licensed zoos in the US receive a Class C license.<sup>7</sup>

All three license categories require the licensee to have adequate husbandry knowledge for the animals they own. Additionally, all facilities and animal care methods must comply with the AWA. In July 2004, the Animal Care Committee of USDA-APHIS revised the handling requirements, stating, "All licensees that maintain wild or exotic animals must demonstrate adequate experience and knowledge of the species they maintain." (AWA section 2.131(a)). However, sufficiently enforcing these requirements is nearly impossible with current resources.

<sup>7</sup> www.aphis.usda.gov

## Current Federal & State Regulations Leave Gaping Holes for Big Cat Attacks and Escapes

The incomplete state and federal regulatory framework in the USA fuels the trade in big cats.

Broadly speaking, the keeping of large cats falls into two categories:

- **Big cats at wildlife facilities:** The USDA manages the regulation of commercial or exhibiting animal facilities at a federal level.
- **Big cats as pets:** Each state is responsible for regulating the ownership of large cats as pets and state regulations vary enormously.

### Big Cats at Wildlife Facilities: The USDA Recognizes the Problems

The USDA is responsible for ensuring that commercial operators and exhibitors that own exotic animals are abiding by the Animal Welfare Act (AWA). However, the USDA does not have the power to ban the ownership of exotic animals as pets.

Under the USDA regulations, any person who possesses exotic animals for the purposes of exhibition to the public, or to commercially breed or deal in exotic animals, is held accountable to the federal Animal Welfare Act (AWA) and must comply with its minimum standards of care and treatment. The Animal Welfare Act is enforced by the Animal and Plant Health Inspection Service (APHIS), part of the USDA, which licenses and regulates exhibitors, breeders and dealers.

Permits are issued when minimum requirements are fulfilled and a pre-licensing inspection is completed. The license is then issued by APHIS. A year later, USDA-APHIS is required to inspect the facility, and to continue to do so annually, to ensure the facility is operating in compliance to the Animal Welfare Act.

Despite these regulations, IFAW investigators witnessed serious human safety and animal welfare violations at all of the 42 USDA-licensed facilities observed.

The USDA itself recognizes that there are problems with inspecting wildlife facilities and enforcing current regulations. It has conducted its own audit and has put forth a number of its own recommendations, which IFAW supports (see page 9).

### What if a Facility is not in Compliance with the Animal Welfare Act?

There is no immediate penalty. Rather, the licensee is supposed to go through a series of court proceedings, which can be appealed. Depending on the court decision, the USDA must ensure that the licensee does not continue to violate the Animal Welfare Act or in an unlikely case, that the licensee's permit is permanently revoked. However, if an individual's license is revoked, IFAW has found that it is very easy for that same individual to become licensed under a different business name or for a family member to become licensed for that individual.<sup>8</sup>

<sup>8</sup>Information derived from IFAW USDA court decision research and analysis 1998-current.



The average time between an APHIS inspector documenting AWA violations and a decision by the court to penalize the licensee is 3 years (IFAW has found the decision range to be between 5 months – 11 years).<sup>9</sup>

The USDA does have the power to issue penalties and revoke licenses. Once a penalty is issued, one of two things can occur: the licensee is given a grace period to pay a fine and is issued a cease and desist order from operating (although the animals can usually remain on the property), or they are issued a penalty and their license is temporarily or permanently revoked. In the rare case that the operator's license is revoked, the animals are not always confiscated. Instead, the operator is accountable for placing animals with other exhibitors, which can mean recycling the animals back into substandard facilities or, often, that the animals never even leave the facility that was in violation.<sup>10</sup>

In addition, there are a large amount of violation cases that are settled outside the court.

### Problems with the Current USDA Licensing System

There are loopholes in the actual licensing process, there are loopholes in the inspection process and there are loopholes throughout the court penalty process. All in all, the USDA is not operating at full capacity, utilizing their resources or acting with sufficient force to enforce the Animal Welfare Act.

For instance, if a big cat owner does not breed or sell commercially in an amount over \$500 per year, and does not exhibit to the public, then they are NOT required to obtain a USDA license. It falls under the responsibility of the state to determine how to license these individuals – if at all. Given that individuals are allowed to keep big cats as pets in many states, this opens the door for big cat owners to bypass the USDA licensing system.

The recent and rapid increase in the exotic pet trade has rendered the USDA licensing system – a system originally intended to deal with agricultural issues – unable to deal with all the animal welfare issues it presents.

However, the USDA does recognize that there are problems with sufficiently inspecting facilities and enforcing the Animal Welfare Act. Specifically on big cats, the USDA warns of the dangers of keeping them as pets and has hired a staff member as a Large Felid (Cat) Specialist.

In the USDA Office of Inspector General's Audit Report of APHIS Animal Care Program Inspection and Enforcement Activities of September 2005,<sup>11</sup> problems are identified and recommendations are put forward which IFAW supports.

The audit report makes several findings including the following:

- Cases were documented where the Animal Care Program has declined to take enforcement action against violators who compromised public safety or animal health.
- Due to a lack of clear national guidance, the Animal Care Program's Eastern Region is not aggressively pursuing enforcement actions against violators of the Animal Welfare Act.

<sup>9</sup>Information derived from IFAW USDA court decision research and analysis 1998-current.

<sup>10</sup>Information derived from IFAW USDA court decision research and analysis 1998-current. The majority of court decisions are settled outside the court, these are called Consent Decisions.

<sup>11</sup>USDA Office of Inspector General's (Western Region) Audit Report of APHIS Animal Care Program Inspection and Enforcement Activities of September 2005, Report No. 33002-3-SF.

## Big Cat Tragedies in the News



**This is no kitty. Although servals are small, they are particularly aggressive and dangerous pets. According to the Captive Wild Animal Protection Coalition (CWAPC) there have been 6 incidents involving servals since 2001 - including at least 2 attacks.**

**OCTOBER 2003** ■ A 425-lb. tiger is found in a Harlem apartment in New York City.

**OCTOBER 2003** ■ Famous entertainer Roy Horn is nearly killed by a "trained" tiger – demonstrating how even the most experienced tiger handlers can be surprised by a tiger's wild instincts and that tigers can never be fully trained or trusted.

**DECEMBER 2003** ■ A 10-year-old child is dragged under a chain link fence in North Carolina and killed by his aunt's pet tiger.

**JULY 2004** ■ A 600-lb. tiger, owned by actor Steve Sipek who once played Tarzan, escapes and prowls a Miami neighborhood for 24 hours before being killed by a safety officer. Only a year later, Sipek buys two more tiger cubs to add to his wild animal collection.

**AUGUST 2005** ■ A 17-year-old Kansas teenager, Haley Hilderbrand, is killed by a tiger at a USDA-licensed wildlife facility.

**NOVEMBER 2005** ■ A tiger escapes a USDA-licensed facility in Greenwich, New York, while its cage is being cleaned and is found in a nearby backyard.

**Between January 2004 and August 2005, there has been an average of 2 potentially dangerous big cat escapes a month in the US.<sup>12</sup>**

<sup>12</sup><http://cwapc.org/pr/index.html> - Adding the newest November escape, the number comes to 39 escapes over 20 months – an average of 2 escapes per month.



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**An IFAW investigator was allowed to pet a 1-year-old Siberian tiger, while the handler bottle-fed it at a USDA-licensed facility in Umatilla, FL. The cat is staked out on a long leash (about 15 feet) and if it decided to attack, no human would be able to move quickly enough to get away. USDA regulations state that leashes and trained handlers are not sufficient. Barriers and distance are needed to keep the public safe.**

*“Wild animals are not appropriate pets; they’re dangerous to people, they can bite, they injure and kill children and adults on a regular basis, they can transmit potentially deadly diseases, they can wreak havoc on the local environment and the indigenous wildlife population when they’re released.”*

**KIM HADDAD, DVM.**  
Manager, Captive Wild Animal Protection Coalition



© IFAW

**This adult lion may be purring from being scratched – but could just as easily turn around and bite off the hand of this woman. Like tigers, adult lions often become unexpectedly aggressive and can attack trainers who have handled them from birth.**

- The Animal Care Program offers a 75% discount on fines (agreed to by the violator) resulting in minimal amounts being paid in out-of-court settlements.
- The tracking and prioritization of inspection activities is not being done effectively.
- APHIS’ Financial Management Division did not follow the law and internal control procedures in processing and collecting penalties.

The Audit Report makes a number of recommendations including the following:

- Review all cases where the regions decline to take enforcement actions against violators.
- Eliminate the automatic 75% discount for repeat violators or direct violations (where the animals’ welfare is often at stake) and calculate fines based on the number of animals affected by the violation.
- Seek legislative change to increase the fines up to \$10,000 for research facilities.
- Conduct more frequent reviews of facilities identified as repeat violators.
- Fully train committee members on protocol review, facility inspectors and the Animal Welfare Act.

## **Big Cats as Pets: Momentum Grows at the State Level Against Private Ownership**

Each of the 50 states regulates private ownership according to their own laws and regulations.

- 15 states have a complete ban on the ownership of big cats: Alaska, California, Colorado, Georgia, Hawaii, Kentucky, Massachusetts, New Hampshire, New Jersey, New Mexico, New York, Tennessee, Utah, Vermont, Wyoming.<sup>13</sup>
- The rest of the states have little or no regulation on the ownership of big cats.

There are various levels of licensing depending on state laws and regulations – ranging from needing an actual license to simply registering the animals with a state agency. Thirteen states have permit requirements, obligating the owner to purchase a permit for each animal in possession. Fourteen states have no permit requirements, but may require animals to be registered or receive a veterinary certificate, etc. The remaining states do not require the owner to do anything in order to keep a big cat as a pet.

Even if the ownership of big cats at the state level was banned, a significant problem would remain in terms of what to do with the existing big cat population.

Given the enormous amount of exotic animals in substandard, “pseudo-sanctuaries” across the country, the number of confiscations on welfare grounds can only escalate. This places a huge burden on the USDA, which has limited options of adequate facilities at which to place confiscated animals.

<sup>13</sup>States that have a ban on ownership, but not all include big cats: Alaska, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Illinois, Maryland, Maine, Michigan, Nebraska, New Hampshire, New Mexico, Tennessee, Utah, Vermont and Wyoming

# IFAW Recommendations

## A Call for Immediate Action at the Federal and State Levels

IFAW believes that there needs to be tougher laws and regulations at both the federal and state levels to help promote public safety and to ensure the welfare of big cats in captivity. Improved and well-enforced standards of care would curb breeding and trading practices and improve substandard facilities, thus eventually reducing the number of big cats in cruel confinement.

### AT THE FEDERAL LEVEL

In order to help the USDA better enforce the Animal Welfare Act and address the animal welfare and human safety concerns of keeping big cats in private ownership, IFAW is making the following recommendations:

#### (1) A New Category of USDA License Specifically for Big Cats

To protect public safety and improve the standards of care and living conditions for large cats living in Department of Agriculture-licensed facilities, IFAW is calling for the establishment of a new USDA category of license for facilities holding large cats which would specifically address this group of animals (any live species of lion, tiger, leopard, cheetah, jaguar, or cougar or any hybrid of such species) and provide the types of amenities needed to guarantee public safety.

#### (2) Prohibition on Direct Contact with General Public

IFAW believes that the only way the public can truly be protected from big cats is if they are never allowed to come into direct contact with them. Therefore, as part of the new category of license, IFAW recommends a prohibition on direct contact by the general public and volunteers so that each USDA licensee and registrant that holds large cats will be required to take the steps necessary to ensure that the public does not come into direct contact with them. We believe this new requirement is in the best interest of both the animals and the general public. IFAW also recommends that the USDA be given the authority to expand this no contact policy to include other dangerous animals.

#### (3) A 24-month Moratorium on New Licenses for Facilities with Big Cats

To provide the Secretary of Agriculture with the time to establish improved facility standards to meet the needs of large cats living in captivity and protect the public, we believe it is necessary to establish a 24-month moratorium on the issuance of new licenses involving facilities holding large cats.

#### (4) Tougher Fines for Animal Welfare Act Violations

Fines and penalties need to be increased for violations of the Act and should be used to improve enforcement. These penalties can also help fund:

- Costs incurred in providing temporary housing, care and maintenance of seized animals;
- Rewards to anyone who furnishes information which leads to an arrest, conviction or civil penalty assessment;
- Expenses directly related to inspections, investigations and civil or criminal enforcement proceedings;
- Veterinary services, hospital care or medicines needed for abused animals.

### AT THE STATE LEVEL

#### Big Cats as Pets Should be Banned in Every State.

IFAW is working with individual states to ban private ownership of dangerous animals as pets. Momentum is building against the private ownership of big cats as pets – almost 1/3 of states have outright bans on the possession of large, dangerous cats. However, there is much more work to be done:

- More than 2/3 of state governments allow the private purchase and possession of large cats.
- A handful of states have no regulations regarding big cats whatsoever (with some exception for proof of legal ownership and health certificates).
- In the more than 1/3 of states that require an import/ownership permit, license or registration to own a large cat, attacks and escapes continue.

For more information on IFAW's work to protect big cats and promote public safety, visit: [www.ifaw.org/us/born tobewild](http://www.ifaw.org/us/born tobewild).

To support our efforts to protect animals worldwide, visit [www.ifaw.org](http://www.ifaw.org) or call 1-800-932-IFAW.



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