

JUN 8 2000

Ms. Katherine A. Meyer
Meyer & Glitzenstein
Suite 700
1601 Connecticut Avenue, NW.
Washington, D.C. 20009-1056

Dear Ms. Meyer:

Thank you for your letter of April 10, 2000, on behalf of Ms. Pat Derby and Mr. Ed Stewart of Performing Animal Welfare Society (PAWS) concerning the welfare of elephants belonging to the Ringling Bros. and Barnum & Bailey Circus.

We recognize your concern that captive elephants be treated humanely, and we wish to assure you that the Animal and Plant Health Inspection Service's (APHIS) Animal Care program officials are committed to enforcing the Animal Welfare Act (AWA) regulations. When we hear of incidents of abuse like the ones described by [redacted] in your letter, we take them seriously. Last year, for example, APHIS looked into the information [redacted] provided the Agency regarding the Circus' treatment of two of their elephants, Benjamin and Shirley. APHIS found that there was not sufficient evidence to pursue enforcement action against the Circus. In order to take enforcement action, APHIS officials must have documented evidence of abuse or neglect. If [redacted] has such evidence or is willing to testify against the circus in an administrative hearing, we urge him to contact Animal Care's Eastern Regional office directly. The phone number is (919) 716-5532. The address is U.S. Department of Agriculture, APHIS, Animal Care, 920 Main Campus Drive, Suite 2000, Raleigh, North Carolina 27606-5210. APHIS' Animal Care officials will look into his statements.

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APHIS has already resolved the issue of the method of separating elephant calves from their mothers at the Center for Elephant Conservation in Florida mentioned in your letter. After carefully reviewing the case and soliciting opinions from independent elephant experts, APHIS informed Center officials that there was sufficient evidence to confirm that the handling of the two elephants was not in compliance with AWA regulations and that they must review the Center's handling practices and bring them into accord with currently accepted standards. APHIS will continue to monitor the Center to ensure that only appropriate handling practices are in use.

I would like to stress that APHIS Animal Care field inspectors are trained professionals. In addition to their years of experience, they have also received training specific to inspecting elephants. In fiscal year (FY) 1999, Animal Care conducted three courses in elephant training

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and handling. Field inspectors spent time at several local facilities in order to apply their regulatory training and strengthen their enforcement skills. During visits to facilities, inspectors look at all the animals and note any sign of trauma or abuse, which is then entered into the inspection report.

Again, if ^{b6 b7c b7d} [redacted] can provide Animal Care officials with evidence of abuse at Ringling Bros. and Barnum & Bailey Circus, they will look into the matter. I must point out that APHIS officials have the authority to confiscate animals and place them with alternate care providers only in cases of unrelieved animal suffering or cases where a regulated animal is in imminent, life-threatening danger. We have no evidence that this is the case with Ringling Bros.' elephants. We share your concern for their well-being and assure you that APHIS is committed to enforcing the AWA.

Sincerely,

/s/ Enrique E. Figueroa, Ph.D.

Michael V. Dunn
Under Secretary
Marketing and Regulatory Programs

cc: MRP, Washington, DC
Dr. Craig A. Reed, OA, Washington, DC
Dr. W. Ron DeHaven, AC, Riverdale, MD
Mrs. Sally A. Liska, LPA, Riverdale, MD w/cy of inc.

FINAL:AHIS:LPA:AllisonBoehm:fs:5/23/00:734-7776:MRP-00-47:CS8908

Clearances:

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LPA Jalisha 052000/1/17 05/30/00
AC RHW 05125100
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SOURCE: BKohn, AC and MBinkley, AC/NC

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