

THE BIG CAT HANDLING CRISIS



Issue: Currently, dozens of traveling zoos and roadside exhibitors profit from charging the public a fee to pet, play with, and pose with tiger cubs and other large felids. These operations have cropped-up as the result of a four week “window” during which it is legal for the public to pet big cat cubs in the U.S. This loophole was created by a guidance from the U.S. Department of Agriculture (USDA) that bans contact with cubs under 8 weeks old while their immune systems are still developing, coupled with a court-affirmed prohibition on contact with cubs over 12 weeks old because they are dangerous to the public. The result is a four week period of the cat’s life during which it is legal for the public to pet them. This four week window has created the following serious problems:

- The guidance is impossible to enforce. Cubs are regularly handled at under 8 weeks old and over 12 weeks old because enforcement officers can’t readily determine exact cub ages.
- Intensive breeding operations have emerged with hundreds of cubs born each year. The cubs are bred just to exploit the four week window, and are disposable after they’ve outgrown their profitable age.
- The cubs’ immune systems are not ready at 8 weeks to combat illness. Given the stresses and exposure to germs that they are subjected to with intense handling, their immune systems are not sufficient for handling until at least 16 weeks, even if they are fully vaccinated.
- Handling operations are inherently cruel for the cubs. Infant cubs are torn from mothers prematurely, their sleep cycle –necessary for healthy development-- is disrupted, and they are placed under stress from continual public contact and transportation.
- Breeding for four weeks of profitability results in inhumane treatment, including overpopulation, unsuitable living conditions, and abuse of the cats before, during and after the period when they can be exploited for public handling.
- Sanctuaries cannot take-in all the unwanted cubs that intensive breeding creates. US big cat sanctuaries are nearly full; this overpopulation of tigers and other big cats has left the few true big cat sanctuaries in the U.S. full and straining financially.
- The public is put at risk. Cubs can transmit diseases to the public, and because handlers regularly disregard age restrictions, the public is put in danger by interacting with over-age animals.
- Unwanted cubs could be supplying the illegal wildlife trade. With no comprehensive system of tracking captive tigers, there is no way to know if the cubs are ending up in the trade for parts and derivatives – a lucrative market currently pushing wild tigers to extinction.

Solution: The solution is to ban public handling and require that big cat cubs be kept a sufficient distance from the public to ensure the safety of the cubs from stress and disease, protect the public from harm, and eliminate incentives for intensive breeding operations that result in inhumane conditions for the cubs and an overpopulation of unwanted animals.



THE BIG CAT HANDLING CRISIS

Introduction

Current USDA policy uniformly suggests that tiger cubs under 8 weeks are too young for public exhibition and cubs over 12 weeks are too dangerous for public exposure.

Developed as the result of several internal determinations made by the U.S. Department of Agriculture (USDA), the informal policy presents significant enforcement and welfare challenges because it leaves a 4 week gap where tiger cubs are able to be handled by the public, giving exhibitors incentive to breed the cubs and make major profits at the risk of human health and safety, captive tiger welfare, and conservation of the species in the wild.

Based on these issues, the USDA should adjust their policy and close the 8-12 week loophole so that no cub at any age can be used by exhibitors for public interaction.

Background

The 8-12 week policy is a regulatory loophole where big cat cubs such as tigers and lions can be handled by the public after they are considered to have adequately developed immune systems (8 weeks old) until they are deemed a threat to the public (12 weeks old). This window was created as the result of several internal determinations made by the USDA,

none of which were codified into the Code of Federal Regulations. Those documents, combined with the administrative decision in the Palazzo case recognizing the informal policy, have left an opening for opportunistic businessmen and women to exploit animals and put humans at risk.

The Resulting Problems

Intensive breeding to feed demand for big cat cub handling has generated serious consequences. At least 33 facilities in the US are regularly advertising opportunities for the public to handle lion and tiger cubs – in traveling mall exhibits, private menageries, or road-side zoos. Given cat reproductive biology, and that every cub is only legitimately lawful for four weeks of handling, to meet this advertised supply the 33 breeding facilities would have to produce a minimum of 200 cubs each year for petting.

- **Animal Welfare Abuses**
As the cub handling industry has evolved, it has shown a systemic culture of inhumane mistreatment of the cubs. Tiger cubs in the wild are naturally weaned from their mothers by six months of age and remain with their mothers for 2 years or more. In contrast, cubs used in petting exhibits are prematurely taken from their mothers, causing emotional pain and physical stress. The cubs are then

typically confined in small cages, transported to unfamiliar settings and handled for long periods of time by scores of people in order to make the most profit for the exhibitor. The constant handling disrupts the cubs' need to sleep long hours and the stress frequently induces diarrhea and other symptoms of maltreatment. Additionally, individual animals that have outgrown the four week handling window when they are most profitable have been found warehoused in horrific conditions: In one case, 90 tigers were found dead and dozens more starved and barely alive – left behind by a cub handling exhibitor who operated a breeding facility in California. Other examples include the use of a cattle prod to stun a tiger cub, a tight stream of water shot at a tiger cub as discipline and even a blatant failure to provide adequate veterinary care, food, water and housing that led to the death of four tiger cubs in Minnesota just days after they were born.

- **Disease Transmission to Cubs**
Young cubs are most vulnerable to illness from birth to 12 weeks, therefore close human contact with cubs during this time poses risks to the health and welfare of the animals. These cubs have immune systems that are not considered competent until at least 16 weeks of age –provided



FACT SHEET



they are fully vaccinated. Factors like increased stress levels from being recently transported to an unfamiliar place, handled by multiple people, being prematurely removed from their mothers, and fed a nutritionally-deficient diet weaken their immune system, predisposing the cubs to disease. Such contagious diseases may be transmitted by handlers, the public, the environment, and through direct and indirect contact with other animals.

- **Age Violations**

Numerous big cat cub handling operations have been found to be clearly violating the 8-12 Week Policy by exposing cubs younger than 8 weeks and older than 12 weeks to public handling – despite potential harm to the cubs and to the general public. For example, the Palazzo case, which first applied the 8-to-12 week standard, revealed that the tiger cub exhibitor in that particular case misrepresented the tiger's ages, claiming one to be 14 weeks old when it was in fact 24 weeks old.

- **Little or No Enforcement**

The disparity between the number of available Department of Agriculture inspectors versus facilities is telling: during fiscal year 2009, Animal and Plant Health Inspection Service (APHIS) had only 97 Animal Care inspectors to perform over 4,300 inspections (pertain-



ing to more than 2,700 exhibitors) on a wide array of facilities that possess big cats and other animals--including but not limited to commercial breeders, safaris, zoos, dealers, auctions houses, sanctuaries, and circuses. Additionally, when an inspector is actually able to visit a cub handling facility or mobile operation, it is almost impossible for regulatory agents to determine if a cub being used on display is truly within the legal age range of 8 weeks to 12 weeks, given the great variance in body size among individuals. Unless an inspector is able to spend a day covertly observing the operation, it is also unlikely that common handling violations will be detected. That, coupled with the lack of inspectors and vague guidelines, creates an

environment of unpunished and unnoticed violations.

- **Sanctuary Saturation**

The need for taking in big cats after they have outgrown their private owners has outpaced the number of facilities in the U.S. that can take them in. Many sanctuaries lack financial reserves, for even more than 1-3 months operating expenses, and are not equipped to keep taking on more animals. In fact, many sanctuaries are currently full after taking in animals from the now-defunct Wild Animal Orphanage in Texas that had over 50 big cats. Consequently, big cats coming out of these handling-operations not only face the possibility of being killed for their parts; they may also be sold to other unscru-



THE BIG CAT HANDLING CRISIS

pulous exhibitors or enter the “pet” trade, further exacerbating animal welfare and human health and safety concerns.

- **Too Many Big Cats in Private Ownership**

The U.S. is believed to be home to about 5,000 captive tigers – almost double the number left in the wild. The 2009 OIG Audit of USDA found that 70% of the licensees with four or less animals were in fact pet owners just using their USDA license to take advantage of the USDA exemption in state law prohibitions against exotic animal ownership. This creates a scenario where unqualified individuals are keeping large, dangerous animals in residential areas. Neighbors, visitors, and emergency first responders are all put in direct danger if these animals are not being kept in secure facilities, and even then there is always the chance of an unforeseeable or premeditated event such as the devastating Zanesville, Ohio incident last October where nearly 50 animals, including 38 big cats, were freed and then had to be killed by local deputies.

- Risks to Humans - The risk of injury and disease to humans, associated with big cat cub handling, is significant. Young animals subject to sources of stress from continual contact with humans are more likely to shed pathogens, increas-

ing the risk to human illness from handling. Bite and scratch wounds can result in bacterial infections, ringworm can be contracted by handling, and children may become sick with such illnesses as E. coli, Toxoplasmosis, Staphylococcus, and Streptococcus by putting their fingers in their mouths after petting the animals.

- **Illegal Trade in Big Cat Parts**

A black-market in traditional Asian medicine has pushed the wild tiger to the threshold of extinction.

Conclusion

There is no age-appropriate window for tiger cubs to be placed in public situations with constant human contact. The danger of exposure to disease or illness to both the animal and human during the 8-12 week window is enough to warrant closure of this regulatory loophole. Coupled with unenforceable age requirements, lack of consistent government oversight and inspection, numerous animal welfare concerns, and a resulting surplus of unwanted big cats in private hands, closing down “petting for profit” operations should be a priority for the US government.

The Solution

Since the 8-12 week policy is an interpretive rulemaking, USDA can close the four week window by simply revising its Exhibitor Handbook and Big Cat FAQ's on the website and adding a requirement to keep cubs a reasonable distance from the public for the safety of both.

Meanwhile, breeding of “generic” tigers -- or those born of unknown or mixed lineage like the ones typically used in petting exhibits -- is not tracked in the U.S. Therefore, there is no way to know how many U.S. born tigers are disposed of with their parts being illegally sold into the black market trade. This lack of monitoring creates an opportunity for profiteers to kill the tigers and sell their parts for a lucrative profit after they have passed the 8-12 week window.



FACT SHEET SOURCES



Background:

- *“Those documents, combined with the administrative decision in the Palazzo case recognizing the informal policy, have created an opening for opportunistic businessmen and women to exploit animals and put humans at risk.”*

In the 2004 Palazzo case, the USDA changed its policy from allowing public contact with a tiger cub no older than 6 months old, to allowing public contact with a tiger cub no older than 3 months old. Palazzo and Riggs were alleged to have willfully violated the Animal Welfare Act and the Code of Federal Regulations on multiple occasions between August of 2006 and August of 2008.

The Court found that Palazzo and Riggs failed to handle animals during public exhibition in such a manner as to allow only “minimal risk” to the animals and to the public, with sufficient distance and/or barriers between the animals and the general viewing public to insure the safety of all involved. Such an omission was a willful violation of 9 C.F.R. §2.131(c)(1).

In re Jamie Michelle Palazzo, d/b/a Great Cat Adventures and James Lee Riggs, AWA Docket No. 07-0207 Appeals Decision and Order (May 10, 2010).

The Resulting Problems:

“Given cat reproductive biology, and that every cub is only legitimately lawful for four weeks of handling, to meet this advertised supply the 33 breeding facilities would have to produce a minimum of 200 cubs each year for petting.”

There are many difficulties to knowing the exact number of big cat cubs at the many exhibiting facilities as it is often unclear where exactly the cubs are coming from, whether the exhibitor is also a breeder, and how many individual animals each exhibitor has. Additionally, there is no public record of the number of tiger cubs at any facilities. With all this in mind, despite having ample evidence of cubs that are over and under age, basing the math on the legal age makes sense for our purposes.

Our calculations were done as such: If one exhibitor is known to have at least two cubs at his stationary facility and two in a traveling exhibit all year, we assume the cubs are of legal age and only used for one month, which would mean 4 cubs x 12 months or 48 cubs. But, cubs are not born in litters of two, one month apart. The average litter is 3 and can be up to 7.

Given that, and the random timing of the births, it is likely that it would require breeding at least 50% more than that, or 72 cubs, just for that one exhibitor. Of the 33 exhibitors we identified as offering cub petting at least some of the time, a few are large exhibitors who breed constantly, while some are smaller. Based on this information, it is likely that a minimum of 200 cubs being born each year for petting is a conservative estimate.

Animal Welfare Abuses:

- *“Tiger cubs in the wild are naturally weaned from their mothers by six months of age and remain with their mothers for 2 years or more.”*

Infobook, Tigers, <http://www.seaworld.org/animal-info/info-books/tiger/birth-&-care.htm>

- *“In one case, 90 tigers were found dead and dozens more starved and barely alive – left behind by a cub handling exhibitor who operated a breeding facility in California.”*

Dixon, Chris, “Last 39 Tigers Are Moved From Unsafe Rescue Center,” The New York Times, June 11, 2004. Whitaker, Barbara, “Many Dead Tigers Are Found At Big Cat ‘Retirement Home,’” The New York Times, April 24, 2003. (John Weinhart of Tiger Rescue claimed to be running a retirement home for big cats once used by the entertainment industry. However, state officials fund 30 dead animals on the property –most of them large cats like tigers –with 58 cubs dead in a freezer. Among the living, they found 11 baby cats – estimated to be just 10 to 14 days old in a crawl space and two young tigers outside.)

- *“Other examples include...”*

“...Animal Care Inspector observed Ms. Palazzo spray an 11 month old tiger with a ‘tight stream of water from a garden hose’ in an attempt to encourage a tiger to enter an enclosure...the tiger ‘reacted negatively...” In re Jamie Michelle Palazzo, d/b/a Great Cat Adventures and James Lee Riggs, AWA Docket No. 07-0207 Appeals Decision and Order (May 10, 2010) at page 5.

- *“Other examples include...”*

“The USDA filed charges against Cook for alleged AWA violations including using a cattle prod to stun a tiger as a means of discipline, exposing young animals to excessive handling, causing animals trauma and harm, unsupervised public contact...dozens of instances of unsafe handling of dangerous animals during public exhibition, filthy enclosures in disrepair, exposing animals to extreme heat and inadequate ventilation, failing to provide minimum space, food and water, and failing to comply with veterinary requirements.” -“Exotic Animals Neglected, 4 Deaths Reported,” Deluth, Minnesota, April 15, 2004, <http://www.pet-abuse.com/cases/12110/MN/US/>.

Disease Transmission to Cubs:

- *“Such contagious diseases may be transmitted by handlers, the public, the environment, and through direct and indirect contact with other animals.”*

See Widespread Use of Under and Over Age Cubs at Big Cat Habitat on page 3, tiger cub pictured with a dog and a person.

Age Violations:

See Widespread Use of Under and Over Age Cubs, the photographic compilation of cubs both over and under age.

- *“For example, the Palazzo case, which first applied the 8-to-12 week standard, revealed that the tiger cub exhibitor in that particular case misrepresented the tiger’s ages, claiming one to be 14 weeks old when it was in fact 24 weeks old.”*

In re Jamie Michelle Palazzo, d/b/a Great Cat Adventures and James Lee Riggs, AWA Docket No. 07-0207 Appeals Decision and Order (May 10, 2010) at page 14.

Little or No Enforcement:

“Animal and Plant Health Inspection Service (APHIS) had only 97 Animal Care inspectors to perform over 4,300 inspections (pertaining to more than 2,700 exhibitors).” - USDA Office of Inspector General, Controls Over APHIS Licensing of Animal Exhibitors, Audit Report 33601-10-Ch, p. 5 (June 2010)

Sanctuary Saturation:

- *“The need for taking in big cats after they have outgrown their private owners has outpaced the number of facilities in the U.S. that can take them in.”*

Williamson, D.F. and L.A. Henry. 2008, Paper Tigers: The Role of the U.S. Captive Tiger Population in the Trade in Tiger Parts, TRAFFIC North America, Washington D.C.: World Wildlife Fund.

- *“Many sanctuaries lack financial reserves, for even more than 1-3 months operating expenses...”*

Patty A. Finch, Executive Director, Global Federation of Animal Sanctuaries

- *“Consequently, big cats...may also be sold to other unscrupulous exhibitors...”*

Whitaker, Barbara. The New York Times, Many Dead Tigers Are Found At Big Cat ‘Retirement Home,’ April 24, 2003 (The article explains the concept of ‘warehousing’ as follows: “...it appeared that the older animals had been taken from the sanctuary when they were no longer appealing to the public and were left to die at the residence...”.)

Too Many Big Cats in Private Ownership:

- *“The U.S. is believed to be home to about 5,000 captive tigers...”*

World Wildlife Fund, Tigers Among Us: The Impact of Poorly Regulated Captive Tigers in the United States on Tigers in the Wild, <http://www.worldwildlife.org/species/finder/tigers/captive-tigers/WWFBinaryitem18371.pdf>.

- *“The 2009 Audit of USDA found that 70% of the licensees with four or less animals were in fact pet owners...”*

USDA Office of Inspector General, Controls Over APHIS Licensing of Animal Exhibitors, Audit Report 33601-10-Ch, p. 5 (June 2010)

Risks to Humans:

- *“Young animals subject to sources of stress from continual contact with humans are more likely to shed pathogens, increasing the risk to human illness from handling.”*

Compendium of Measures to Prevent Disease Associated with Animals in Public Settings, 2009. National Association of State Public Health Veterinarians, Inc. (NASPHV). CDC Morbidity and Mortality Weekly Report, Vol. 58, No. RR-5, May 1, 2009.

Haddad, Kim, Risks Associated with Handling Juvenile Non-Domestic Felids, Captive Wild Animal Project Campaign (CWAPC) Statement of Concern..



FACT SHEET SOURCES