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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWA Docket No. 15-0 160
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)
EXOTIC FELINE RESCUE CENTER,)
INC., an Indiana corporation doing business)
as Exotic Feline Rescue Center; and JOE)
TAFT, an individual,)
)
)
Respondents) COMPLAINT

There is reason to believe that the respondents named herein have willfully violated the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.)(AWA or Act), and the regulations and standards issued thereunder (9 C.F.R. § 1.1 et seq.)(Regulations and Standards). Therefore, the Administrator of the Animal and Plant Health Inspection Service (APHIS) issues this complaint alleging the following:

JURISDICTIONAL ALLEGATIONS

1. Respondent Exotic Feline Rescue Center, Inc. (EFRC), is an Indiana corporation whose agent for service of process is respondent Joe Taft, 2221 East Ashboro Road, Centerpoint, Indiana 47840. At all times mentioned herein, respondent EFRC was an exhibitor, as that term is defined in the Act and the Regulations, did business as Exotic Feline Rescue Center, held AWA license 32-C-0098, and together with respondent Joe Taft, operated a zoo exhibiting wild and exotic animals at Centerpoint, Indiana.

2. Respondent Joe Taft is an individual whose business address is 2221 East Ashboro Road, Centerpoint, Indiana 47840. At all times mentioned herein, said respondent was an exhibitor, or was an officer or agent of an exhibitor (respondent EFRC) and was acting within the scope of his employment or office.

ALLEGATIONS REGARDING SIZE OF BUSINESS, GRAVITY OF VIOLATIONS, GOOD FAITH AND HISTORY OF PREVIOUS VIOLATIONS

3. In 2011, respondent EFRC represented to APHIS that it had custody of 225 animals; in 2012, respondent EFRC represented to APHIS that it had custody of 229 animals; in 2013, respondent EFRC represented to APHIS that it had custody of 227 animals; in 2014, respondent EFRC represented to APHIS that it had custody of 215 animals; and in 2015, respondent EFRC represented to APHIS that it had custody of 202 animals. The allegations in this complaint involve the serious failures to handle animals carefully, and repeated noncompliance with the minimum standards for animal facilities. APHIS sent an Official Warning to respondents on July 2, 2007 (IN07032), with respect to a cougar that was inadequately contained, and was able to escape from its enclosure.

ALLEGED VIOLATIONS

4. On or about July 8, 2012, respondents failed to handle animals as carefully as possible, in a manner that does not cause them behavioral stress, physical harm, or unnecessary discomfort, and specifically, respondents delegated to an untrained volunteer sole responsibility for securing a black leopard in a den box and cleaning the leopard's enclosure, the leopard was not secured, and escaped its enclosure, bit the volunteer, and was loose for approximately 45 minutes, and was subsequently darted, in willful violation of the Regulations. 9 C.F.R. § 2.131(b)(1).

5. On or about July 8, 2012, during exhibition, respondents failed to handle animals so that there was minimal risk of harm to the animals and the public, with sufficient distance and/or barriers between the animals and the public so as to ensure the safety of the animals and the public, and specifically, respondents permitted members of the public to stand next to an enclosure housing

a cougar (Blackie), and to approach the enclosures of lions and tigers close enough that one of the tigers (Raja) urinated on one of respondents' customers, and the customers could have direct contact with the exotic felids, in willful violation of the Regulations 9 C.F.R. § 2.131(c)(1).

6. On or about July 8, 2012, respondents exhibited dangerous animals to the public without the supervision of a knowledgeable and experienced animal handler, and specifically, one of respondents' tour guides left the group of customers unattended in an area of respondents' facility that was surrounded by exotic felid enclosures, and lacked public barriers, in willful violation of the Regulations. 9 C.F.R. § 2.131(d)(3).

7. In or about August 2012, respondents failed to handle animals as carefully as possible, in a manner that does not cause them behavioral stress, physical harm, or unnecessary discomfort, and specifically, respondents had their personnel clean the enclosures of exotic felids without securing the felids in a separate area, and specifically, a mountain lion (Ares) attacked one of respondents' employees while she cleaned the animal's shelter box, and had to be physically removed from the employee, in willful violation of the Regulations. 9 C.F.R. § 2.131(b)(1).

8. On or about June 21, 2013, respondents failed to handle animals as carefully as possible, in a manner that does not cause them behavioral stress, physical harm, or unnecessary discomfort, and specifically, respondents failed to secure a tiger in the lock down area of its enclosure during cage cleaning, whereupon the tiger entered the main part of the enclosure and mauled one of respondents' employees, and respondents subsequently used a piece of rebar pipe and hose to separate the tiger from the employee, in willful violation of the Regulations. 9 C.F.R. § 2.131(b)(1).

9. On or about the following dates, respondents willfully violated the Regulations, 9

C.F.R. § 2.100(a), by failing to meet the Standards, as follows:

a. December 1, 2011. Respondents failed to maintain animal enclosures structurally sound and in good repair so as to protect the animals from injury and to contain them, and specifically, enclosures 8, 11, 12, 14, 15, 17, 19, 19a, and 20a, all of which housed exotic felids, had trees growing adjacent to or through the primary enclosure fence, which provided the animals with potential means of escape. 9 C.F.R. § 3.125(a).

b. January 17, 2013. Respondents failed to maintain animal enclosures structurally sound and in good repair so as to protect the animals from injury and to contain them, and specifically, enclosures 8, 11, 12, 14, 15, 17, 19a, and 20a, all of which housed exotic felids, had trees growing adjacent to the primary enclosure fence, which may provide the animals with potential means of escape. 9 C.F.R. § 3.125(a).

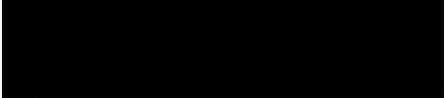
c. May 13, 2013. Respondents failed to maintain animal enclosures structurally sound and in good repair so as to protect the animals from injury and to contain them, and specifically, enclosures 8, 11, 12, 14, 15, 17, 19a, and 20a, all of which housed exotic felids, had trees growing inside or adjacent to the primary enclosure fence, which may provide the animals with potential means of escape. 9 C.F.R. § 3.125(a).

d. June 21, 2013. Respondents failed to employ a sufficient number of adequately trained employees to maintain an acceptable level of husbandry practices. 9 C.F.R. § 3.132.

e. June 24, 2013. Respondents failed to maintain animal enclosures structurally sound and in good repair so as to protect the animals from injury and to contain them, and specifically, the guillotine door separating the lock down area from the open area of the

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondents have in fact willfully violated the Act and the Regulations issued under the Act, this complaint shall be served upon the respondents. The respondents shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 et seq.). Failure to file an answer shall constitute an admission of all the material allegations of this complaint. APHIS requests that this matter proceed in conformity with the Rules of Practice governing proceedings under the Act; and that such order or orders be issued as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.
this 5th day of Aug 2015



Administrator
Animal and Plant Health Inspection Service

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