



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
FWS/DMA/PRT-28258A

JUN 14 2012

Mr. Leon Wilmoth
Wild Wilderness Drive-Through Safari
20923 Safari Road
Gentry, Arkansas 72734

Dear Mr. Wilmoth:

This responds to your February 21, 2012, application for Amendment of your Captive-Bred Wildlife registration (PRT-28258A) for the enhancement of propagation and survival of 6 mammal species. Your request is denied for the reasons outlined below.

The Endangered Species Act (ESA) prohibits any person, subject to the jurisdiction of the United States, from conducting certain activities with any endangered or threatened species listed under the ESA. These activities include, among others, import, export, take, and interstate or foreign commerce, and apply equally to both wild and captive populations [50 CFR 17.21]. Otherwise prohibited activities may be permitted under certain conditions, but only if the U.S. Fish and Wildlife Service find that the activity would serve to enhance the propagation or survival of the affected species, and is determined to be consistent with the purposes of the Act [Section 10(d)]. The primary purpose of the Act is the conservation and continued existence of wild populations of endangered and threatened species and the ecosystems on which they depend [Section 2]. Conservation is defined as "...the use of all methods and procedures which are necessary to bring any endangered or threatened species to the point at which the measures provided pursuant to the Act are no longer necessary" [Section 3(3)].

The issuance criteria for the CBW registration [50 CFR 17.21(g)(3)](enclosed) require that the applicant possess the necessary expertise, facilities and other resources to successfully accomplish the objectives stated in the application. In order to meet the issuance criteria, the applicant must have adequate facilities and show responsibility. Inspection records from United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service, Animal Care, indicate that you have had a large number of uncorrected, noncompliant items at your facility over the past two years. This is an indication that you are unable to maintain compliance with the requirements of the Animal Welfare Act. Since a number of the non-complaint items for animal care and housing are serious violations of the

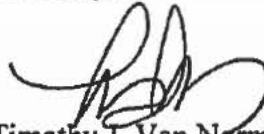
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IN AMERICA** 

Animal Welfare Act, we are unable to find that you meet the issuance requirement of having adequate expertise, facilities, and resources to conduct your intended purpose under the CBW registration.

As provided in 50 CFR 13.29 (a) [copy enclosed], you may request reconsideration of our decision to deny your application. Such a request must be submitted in writing, must contain a certification statement as provided at 50 CFR 13.12(a)(5) [copy enclosed], should refer to your file number, PRT-26077A, and must be received in this office within 45 calendar days of the date of this letter. The reconsideration of the decision to deny your request will be based on the information you provided in your original application and in this instance USDA Animal Welfare Act Reports. As such, your letter requesting reconsideration must address how the decision to deny your request was based on a misinterpretation of the information you provided in your original application or it must present a clarification of this information. Should you supply a USDA report showing full compliance, we may be able to issue a registration for a restricted period pending the establishment of a record of compliance.

Copies of 50 CFR Part 13 and 17 are enclosed for your reference. If you have any questions, please contact biologist Mike Carpenter of this office: Division of Management Authority, 4401 N. Fairfax Drive, Room 212, Arlington, Virginia 22203 (703/358-2104 ext. 1970).

Sincerely,



Timothy J. Van Norman, Chief
Branch of Permits
Division of Management Authority

Enclosures

Inspection Report

WILD WILDERNESS INC.

Customer ID: 31951

Certificate: 71-C-0151

Site: 001

WILD WILDERNESS INC

20923 SAFARI ROAD

Type: ROUTINE INSPECTION

GENTRY, AR 72734

Date: Nov-02-2010

2.40 (b) (2) REPEAT

ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

REPEAT Section 2.40(b)(2) - Attending veterinarian and adequate veterinary care. Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries.

- There were two arctic foxes with veterinary care issues. The white fox had an approximately 1/2 inch circular lesion on the dorsal aspect of the tail two inches from the base. This lesion had a slight discharge. The grey fox was reluctant to stand upright while walking and appeared unstable at times while walking. These animals must be examined by a licensed veterinarian and treated appropriately. Documentation must be maintained for all health related problems that includes the following:

- Identity of the animal.
- Descriptions of the illness or injury
- Dates, details, and results of examinations, tests, and other such procedures.
- Dates and other details of all treatments, including the name, dose, route, frequency, and duration of treatment with drugs or other medications.
- Follow-up exams to determine resolution of problem

3.75 (c) (3)

HOUSING FACILITIES, GENERAL.

Section 3.75(c)(3) Housing facilities, cleaning. Hard surfaces with which nonhuman primates come in contact must be spot-cleaned daily and sanitized in accordance with Sec. 3.84 of this subpart to prevent accumulation of excreta or disease hazards. All other surfaces of housing facilities must be cleaned and sanitized when necessary to satisfy generally accepted husbandry standards and practices. Sanitization may be done by any of the methods provided in Sec. 3.84(b)(3) of this subpart for primary enclosures.

- There were two enclosures housing three non-human primates that were dirty. The interior walls, floors, and porches had dirt and grime on the surfaces. There was also dirt and grime on the exterior walls. There were spiders and cobwebs on the interior walls and ceiling. All surfaces that come in contact with the non-human primates must be cleaned on a daily basis. These enclosures must be cleaned more often and sanitized as directed in Section 3.84(b)(3).

To be corrected by: November 16, 2010.

Prepared By:


JEFFREY T BAKER, D.V.M. USDA, APHIS, Animal Care

Date:

Title: VETERINARY MEDICAL OFFICER Inspector 4052

Nov-08-2010

Received By:


CHARLES WILMOTH

Date:

Title: OFFICER

Nov-09-2010

Inspection Report

3.75 (e) REPEAT

HOUSING FACILITIES, GENERAL.

REPEAT Section 3.75(e) Storage. Supplies of food and bedding for non-human primates must be stored in a manner that protects the supplies from spoilage, contamination, and vermin infestation. Only the food and bedding currently being used may be kept in animal areas, and when not in actual use, open food and bedding supplies must be kept in leakproof containers with tightly fitting lids to prevent spoilage and contamination.

- The barrels used to store food did not have tightly fitted lids. All food must be stored appropriately to prevent contamination and spoilage. These barrels must have tightly fitted lids put in place.

Note: The enclosure fencing for the big cats is under review.

An exit briefing was conducted by the licensee, Konnie Plumlee, Veterinary Medical Officer, Amanda Owens, Veterinary Medical Officer, and Jeff Baker, Veterinary Medical Officer.

Prepared By:


JEFFREY T BAKER, D.V.M. USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER Inspector 4052

Date:

Nov-08-2010

Received By:


CHARLES WILMOTH

Title: OFFICER

Date:

Nov-09-2010



Inspection Report

WILD WILDERNESS INC.

Customer ID: 31951

Certificate: 71-C-0151

Site: 001

WILD WILDERNESS INC.

20923 SAFARI ROAD

Type: ROUTINE INSPECTION

GENTRY, AR 72734

Date: Jan-23-2012

3.75 (c) (3) REPEAT

HOUSING FACILITIES, GENERAL.

REPEAT Section 3.75(c)(3) Housing facilities, cleaning. Hard surfaces with which nonhuman primates come in contact must be spot-cleaned daily and sanitized in accordance with Sec. 3.84 of this subpart to prevent accumulation of excreta or disease hazards. All other surfaces of housing facilities must be cleaned and sanitized when necessary to satisfy generally accepted husbandry standards and practices.

- There was one enclosure housing three non-human primates that contained a shelter that was dirty. The floor had an excessive accumulation of dirt, grime, and waste material on the surface. All surfaces that come in contact with the non-human primates must be cleaned on a daily basis to ensure the health of the animals. This shelter must be cleaned more frequently and sanitized as directed in Section 3.84(b)(3).

3.75 (f)

HOUSING FACILITIES, GENERAL.

Section 3.75(f) - Drainage and waste disposal. Housing facility operators must provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, dead animals, debris, garbage, water, and any other fluids and wastes, in a manner that minimizes contamination and disease risk. Housing facilities must be equipped with disposal facilities and drainage systems that are constructed and operated so that animal wastes and water are rapidly eliminated and the animals stay dry. Disposal and drainage systems must minimize vermin and pest infestation, insects, odors, and disease hazards. If the facility uses sump ponds, settlement ponds, or other similar systems for drainage and animal waste disposal, the system must be located far enough away from the animal area of the housing facility to prevent odors, diseases, insects, pests, and vermin infestation.

- There was an excessive accumulation of waste material on the concrete drainage pad adjacent to the outdoor portion of the non-human primate winter enclosures. The waste material contained solids and liquids. There were leftover pieces of fruit and vegetables in the accumulation. All waste must be removed from the animal area to minimize pest infestation and disease risks. The drainage system must be constructed so the waste can be removed from the animal area daily.

To be corrected by: February 11, 2012.

Prepared By:

JEFFREY T BAKER, D.V.M. USDA, APHIS, Animal Care

Date:

Title: VETERINARY MEDICAL OFFICER Inspector 4052

Jan-23-2012

Received By:

SENT VIA EMAIL

Date:

Jan-23-2012



Inspection Report

3.80 (a) (2) (iii)

PRIMARY ENCLOSURES.

Section 3.80(a)(2)(iii) Primary enclosures. Primary enclosures must be constructed and maintained so that they contain the nonhuman primates securely and prevent accidental opening of the enclosure, including opening by the animal.

- There was one rhesus macaque that was not contained in an enclosure. The animal was running free in the drive through area of the park. The licensee stated that there were three nonhuman primates that had escaped from an enclosure and were loose in the park. All nonhuman primates must be securely contained in an enclosure to protect the animal from predators to protect the general public. These animals must be captured and returned to an enclosure.

To be corrected by: February 11, 2012.

3.125 (a)

FACILITIES, GENERAL.

Section 3.125(a) - Structural strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

- There were areas in the park that were not maintained in good repair. The resting boards in the serval enclosure were rotted leaving broken areas and jagged points. The resting boards in the fox enclosure were worn leaving jagged edges and exposing the tops of a nail. The sheet metal shelter in the bear enclosure was torn loose exposing sharp metal edges. The metal food pan in the bear enclosure was bent and folded over on itself. All areas in an enclosure must be maintained to protect the animals from injury. The resting boards, bear shelter, and bear feeding pan must be repaired or replaced.

To be corrected by: February 11, 2012.

3.125 (d)

FACILITIES, GENERAL.

Section 3.125(d) - Waste disposal. Provision shall be made for the removal and disposal of animal and food wastes, bedding, dead animals, trash and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors, and disease hazards. The disposal facilities and any disposal of animal and food wastes, bedding, dead animals, trash, and debris shall comply with applicable Federal, State, and local laws and regulations relating to pollution control or the protection of the environment.

- There was an excessive accumulation of waste in five enclosures housing eleven animals. There were bones, fruit, and vegetables on the ground in one bear enclosure. There were bones on the ground in the serval enclosure and two tiger enclosures. There was excessive feces and food scraps on the ground in another bear enclosure. The food scraps were contaminated with dirt and mud. All waste must be removed in a timely manner to prevent contamination of the food and to minimize disease risks. These

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Jan-23-2012



Inspection Report

enclosures must be cleaned more frequently and any leftover food scraps removed in a timely manner.
To be corrected by: February 11, 2012.

3.130

WATERING.

Section 3.130 - If potable water is not accessible to the animals at all times, it must be provided as often as necessary for the health and comfort of the animal. Frequency of watering shall consider age, species, condition, size, and type of the animal. All water receptacles shall be kept clean and sanitary

- There were four enclosures housing ten animals that contained dirty water receptacles. The surface of the water receptacle was brownish green in the serval and coalamundi enclosures. There were leaves and dirt on the bottom of the water receptacle in one tiger enclosure. The water was green one bear enclosure. Water receptacles must be kept clean and contain potable water to prevent disease risks. These water receptacles must be cleaned more frequently and sanitized at least once every two weeks.

To be corrected by: February 11, 2012.

Note: The big cat enclosure fencing, feline diet plan, and the nonhuman primate environmental enhancement plan are under review.

This inspection was conducted on January 11/12/23, 2012.

An exit briefing was conducted by a facility representative and Jeff Baker, Veterinary Medical Officer.

Prepared By:

JEFFREY T BAKER, D.V.M. USDA, APHIS, Animal Care

Date:

Title: VETERINARY MEDICAL OFFICER Inspector 4052

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Title: SENT VIA EMAIL

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