



# APHIS' Animal Care Report

United States Department of Agriculture • Animal and Plant Health Inspection Service

Happy New Year. My first year as Deputy Administrator with the Animal Care (AC) program has been both interesting and exciting. I have come to know not only the issues but the people involved with them. If there is one issue that people are passionate about, it is animal welfare. I hear from members of the public, interest groups, industry, and academia on a daily basis. I receive letters from people of all age groups and all walks of life from all over the world. These letters all express concern over animals and the Animal Welfare Act (AWA), the law that protects them.

Over the course of last year, the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) brought on a number of new inspectors to reach an all time high of 99. These new inspectors, like the people who write in, want to ensure that the animals we regulate receive the proper protection under the law. Included in this report is some basic information on our new inspectors. In addition, we have some veteran employees that have gone above and beyond the call of duty to help out some animals even though, in this instance, they were outside of our jurisdiction. You can read one veterinary officer's firsthand account of a defunct zoo, some missing animals, and a grateful owner.

There are a number of new and proposed regulations working their way through the system as well as changes made to the AWA through the new Farm Bill. Also in the last year, the court system has upheld the original definition of pet store and the exclusions it provides.

This last year has been full of movement as we continue to grow, change, and enforce the AWA and its regulations. I am looking forward to another year at AC's helm and to working with everyone to ensure that the program continues to provide protection for America's animals.

Sincerely,

Chester A. Gipson  
Deputy Administrator for Animal Care

## The Case of the Missing Meerkats: A Veterinary Medical Officer's First Hand Account

Last summer, I was contacted by the Santa Barbara Zoo concerning the whereabouts of five slender-tailed meerkats that they had loaned to a roadside zoo in Texas. It turns out, the roadside zoo in Texas had gone out of business and attempts by the Santa Barbara Zoo to contact the zoo's owner had not been successful. There were rumors that the meerkats had been stolen but the owner of the former roadside zoo would provide no information. In addition, the roadside zoo was no longer licensed and out from under our regulatory authority.

A local newspaper quickly picked up the story, and it suddenly seemed as though everyone in the area knew about the mystery of the missing meerkats. There was a rumor that they may have been eaten by an alligator or even, believe it or not, hungry Texans! No one knew where these animals were, but everyone had a theory. Locals weren't the only ones interested, however. There were at least eight front-page stories about the missing meerkats in Santa Barbara area papers.

In the course of my normal duties, I was talking with Charlie Curren, an animal care inspector who also works in Texas, and asked him to check for the meerkats at a facility he was about to inspect. I knew that this particular facility owner had purchased animals previously from the roadside zoo in Texas. Charlie called me back a few hours later and reported that the owner had indeed been contacted by someone trying to sell some meerkats. The seller, while not the roadside zoo, was another individual in my inspection area. I immediately called and asked them about the meerkats for sale. It turns out that they had purchased them from the now defunct roadside zoo. Once I explained the situation, they were anxious to return the animals to their rightful owner and, that same afternoon, dropped them off at the San Antonio Zoo to ensure they received proper care prior to their return to California.

The Santa Barbara Zoo and community were very excited to hear that the meerkats had been found safe and sound and would be coming back to California. Case closed.

—Dr. Elizabeth Pannill, animal care inspector,  
Texas

## **2002 Canine Care Workshops a Big Hit**

In an effort to educate pet dog breeders, AC and State veterinary colleges sponsored 1-day canine care workshops in Iowa, Kansas, Missouri, Oklahoma, and Pennsylvania during 2002.

The workshop was designed to assist pet breeders with enhancing the health and well-being of their dogs. Topics included canine reproduction, nutrition, and common kennel issues. Officials from AC presented information on the national program, kennel design, and adequate veterinary care under USDA regulations.

"This is one of the most worthwhile projects I have ever participated in," said Ed Slauter, AC's veterinary medical officer (VMO) for Missouri. "I've been with AC for 12 and one-half years and the workshops have proven to be an excellent way to inform the breeders and ensure compliance with the Animal Welfare Act."

## **Appeals Court Sides with USDA on Definition of Retail Pet Stores**

In a recent decision, the U.S. Court of Appeals for the District of Columbia ruled that people who sell non-exotic animals directly to the consumer do not fall under the jurisdiction of the USDA and do not need to be licensed. This decision is in line with current Federal standards that exempt breeders who have less than three breeding female dogs and cats as well as breeders who sell directly to the public.

This decision reversed a lower-court ruling that found animal breeders in private homes should be subject to USDA regulations. The court action regarding the issue of exempt breeders came as a result of a lawsuit brought by the Doris Day Animal League as well as other animal rights organizations.

## **New Faces in the Field**

Over the last year, AC has hired a number of new inspectors. These new hires have brought the number of field inspectors to an all time high of 99.

Carrie Bongard is a graduate of Macomb Community College with an associates degree in applied science. She is a licensed veterinary technician and worked in a small animal practice for 11 years prior to joining AC. She is responsible for most of Michigan's lower peninsula and four counties in the Detroit area.

Paula Gladue went to the University of Connecticut where she received a bachelor of science in pathobiology and later graduated from the University of Pennsylvania School of Veterinary Medicine. She practiced small animal medicine and surgery for 20 years prior to joining AC. Gladue is the veterinary medical officer for Connecticut, Rhode Island, and part of Massachusetts.

Susan Kingston received her doctorate in veterinary medicine from the University of Illinois at Urbana-Champaign (UIUC) and practiced small animal medicine for several years in central Illinois. She then returned to teach at UIUC and finished a master's degree in toxicology. Prior to joining AC, Kingston served as head of Biological Safety at UIUC. She is the veterinary medical officer in the State of Illinois.

Mario Rodriguez received his bachelor of science in animal science from the University of Puerto Rico in Mayagüez, PR, as well as a master's in animal reproductive physiology and embryo transfer. He later earned his doctorate in veterinary medicine from Louisiana State University. Rodriguez has worked as an equine practitioner and theriogenologist and as a small animal clinician since veterinary school. Rodriguez is the veterinary medical officer in Puerto Rico.

Melissa Swanda earned a bachelor of science in biology with a zoology minor from South Dakota State University. Prior to joining AC, she worked as a zookeeper at two zoos, one in South Dakota and the other in Kansas. She also worked for the South Dakota Game, Fish, and Parks in the Fisheries Department. She is an animal care inspector in Minnesota.

John Rubin is a graduate of Hofstra University and the University of Pennsylvania School of Veterinary Medicine. He served in the U.S. Army Veterinary Corps as a veterinary laboratory animal officer at Edgewood Arsenal, MD. Since leaving the military, Rubin has practiced as a small animal practitioner and has worked in several veterinary roles at the University of Pennsylvania. He is the veterinary medical officer in the State of Pennsylvania.

Amy Bartholomew is a graduate of the Ohio State University College of Veterinary Medicine. After completing a 1-year internship in large animal medicine and surgery at University of Georgia, she came to work for APHIS. Prior to joining AC, Bartholomew served as a temporary veterinary inspector for APHIS' Veterinary Services during the 2001 foot-and-mouth disease outbreak in the United Kingdom. She is the veterinary medical officer in the State of Georgia.

## **Farm Bill Changes AWA Regulations on Animal Fighting**

The Farm Bill, signed into law on May 13, 2002, included provisions amending sections of the AWA dealing with animal fighting.

As of May 13, 2003, it will no longer be legal to knowingly sell, buy, transport, deliver, or receive a bird in interstate commerce for purposes of participation in a fighting venture, regardless of the law in the destination State. Prior to the Farm Bill, the AWA had prohibited such interstate commerce of fighting dogs and

other animals, but allowed an exception for birds destined to fight in a State that allows cockfighting.

In States where cockfighting is allowed, it will be illegal to sponsor or exhibit a bird in a fighting venture if the person knew that any bird was bought, sold, delivered, transported, or received in interstate or foreign commerce for participation in the fighting venture. In States where cockfighting is not allowed, sponsoring or exhibiting a bird in a fighting venture has been, and will continue to be, illegal under Federal law if any bird in the venture was moved in interstate or foreign commerce.

Sponsoring or exhibiting a dog or other animal in a fighting venture will also continue to be illegal under the AWA if any animal in the venture was moved in interstate or foreign commerce.

Persons who violate the animal fighting section of the AWA will be subject to a fine of up to \$15,000 and/or imprisonment for up to 1 year. Prior law provided for the same potential jail time, but a maximum fine of only \$5,000.

## Regulatory Update

The items listed below are either (1) under consideration and not yet published in the *Federal Register*, (2) were published in the *Federal Register* and open for comment, or (3) were previously open for comment and are new under review by the Department.

### *Advanced Notice of Proposed Rules*

- Marine Mammals; Nonconsensus Language and Interactive Programs (reviewing comments)

### *Notices*

- Final Policy Statement on Training and Handling of Potentially Dangerous Animals (under review)
- Transportation of Animals on International Carriers (review)
- Public Meeting: Big Cat Symposia (published)

### *Proposed Rules*

- Identification of Unweaned Puppies and Kittens (drafting)
- Submission of Itinerary by Traveling Exhibitor and Prairie Dog Suppliers (drafting)
- Veterinary Medical Records (under review)
- Establish Minimum Age Requirements for the Transport of Exotic and Wild Animals (drafting)
- Amend Regulations to Require Regular Tuberculosis Testing in Elephants (drafting)
- Removal of the Acclimation Certificate Requirement (pending)
- Horse Protection (under review)
- Amend Definition of Exhibitor (on hold)

### *Final Rule*

- Revisions to Licensing Requirements (drafting)
- Regulate only Wholesale Dealers of Hunting, Breeding and Security Dogs (under review)
- Amend the Definition of Animal (drafting)

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