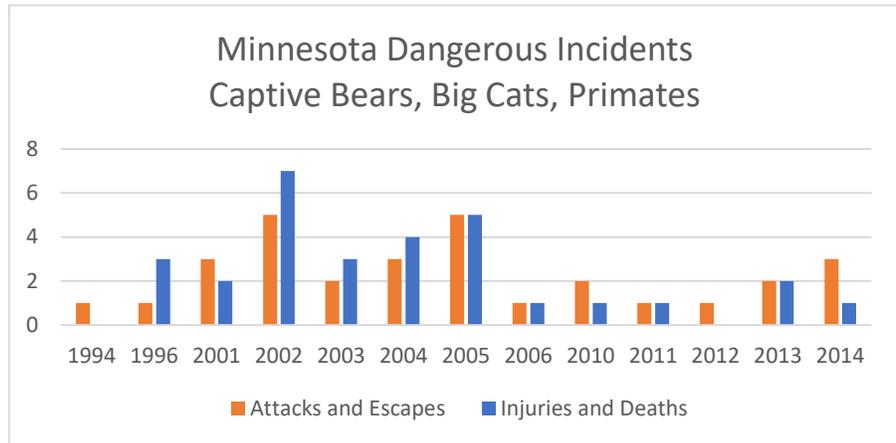


March 21, 2022  
Chair Mike Sundin  
House Agriculture Finance and Policy Committee  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

Dear Chair Sundin and members of the committee:

On behalf of The Wildcat Sanctuary in Sandstone, Minnesota and the Humane Society of the United States as well as our organizations' members and supporters in Minnesota, we are writing to express concerns with House File 4166.

House File 4166 exempts entities accredited by the Zoological Association of America (ZAA) from current law that restricts the possession of dangerous wild animals. The Florida-based ZAA accredits poorly run roadside zoos and private menageries with a history of public safety and animal welfare violations.



**Background:** After a series of dangerous incidents involving bears, big cats and primates, Minnesota passed one of the strongest laws in the country to restrict possession of these species, which resulted in a significant decline in dangerous incidents. The law went into effect January 1, 2005.

**Current law:** MN Regulated Animal Law 346.155 prohibits private ownership of big cats, primates and bears. Exemptions include zoos accredited by the Association of Zoos and Aquariums (AZA), bona fide wildlife sanctuaries, research facilities, licensed game farms, U.S. Department of Agriculture (USDA) licensed traveling shows that are temporarily in the state, and persons permitted by the commissioner of natural resources to possess native captive wildlife for exhibition.

The existing exemption for AZA is sensible because the AZA is a highly regarded and established zoo trade organization with 6,000 zoo and aquarium professionals, organizations, and suppliers worldwide and approximately 240 accredited facilities. Accreditation by the AZA ensures that knowledgeable and experienced professionals provide care for animals in a safe environment at modern facilities.

Exempting ZAA-accredited facilities from existing law threatens public safety and animal welfare. At ZAA-accredited facilities around the country people have been injured by captive wild animals and facilities have been cited by authorities for unsafe handling of animals, inadequate public safety barriers, animal escapes, inadequate veterinary care, and other issues.

Under HF 4166, ZAA-accredited facilities would no longer have to register regulated animals with local authorities, alert local law enforcement if their big cats, bears or primates escape, or comply with other state-mandated safety, animal care, and recordkeeping requirements for regulated animals.

***At ZAA-accredited facilities around the country, people have been injured by animals,*** including an orangutan, pygmy hippopotamus, guenon, lemur, tiger, lion cubs, bear, jaguar, and camel. Please consider the following examples of USDA enforcement actions against ZAA-accredited facilities:

- The USDA issued an \$857 fine after an unsupervised encounter in Florida with a bull elephant resulted in a woman being attacked and hospitalized for months with life-threatening injuries.
- The owner of two ZAA-accredited facilities was fined nearly \$100,000 by the USDA for charges that included unmonitored public contact that resulted in a child being severely bitten by a camel, repeated failure to prevent and treat illnesses and diseases, and drowning a wallaby with an eye injury.
- The USDA issued two warnings to a Kansas facility after a child was bitten by a pygmy hippo and for subjecting three 20-day-old lynx kittens to stressful transport conditions. The facility was also cited for allowing a lemur to perch on the head of a human infant.
- The USDA issued a critical citation against an Alabama facility after a visitor was allegedly bitten by a kangaroo during a public encounter.
- The USDA issued a warning to a Washington facility for failure to provide veterinary care to a severely underweight reindeer.
- The USDA fined a Maryland facility \$12,000 after an inexperienced keeper was mauled by two jaguars and other issues.
- The USDA issued a warning against a California facility for failure to provide adequate veterinary care, enclosures in disrepair, and failure to separate incompatible animals.
- The USDA issued a critical citation against an Arizona facility after a visitor was able to cross an inadequate safety barrier and was clawed by a caged jaguar.
- The USDA issued a critical citation against a Montana facility after a snow leopard apparently bit or tore off two-thirds of the tail of another snow leopard in an adjacent cage and previously had issued an official warning for declawing a tiger cub which can cause “ongoing pain, discomfort, or other pathological conditions in the animals.” The same facility was cited in 2021 for multiple animal welfare violations and a rusted vertical structural support pole in a wolf enclosure that could lead to injury of the enclosed animal or potential escape.
- The USDA cited a Florida facility 31 times since 2015, including for unsafe handling after an 8-year-old boy was attacked by a lemur.

***Despite claims to the contrary, ZAA’s standards, and its implementation of standards, are far weaker than those of the AZA.*** For example, ZAA has apparently developed no animal care manuals detailing professional animal care standards. The AZA’s biologists, veterinarians, nutritionists, reproduction physiologists, behaviorists and researchers have developed nearly three dozen species-specific animal care manuals that are often more than 100 pages.

In response to criticisms about its inadequate standards, ZAA has started copying standards from AZA, but implementation appears to be lacking. Several facilities that lost AZA accreditation for serious problems such as financial instability, failing infrastructure, plummeting attendance, federal Animal Welfare Act violations, insufficient staffing, and inadequate animal care *were subsequently accredited by ZAA*. And some facilities that refused to comply with AZA’s stronger safety standards switched their accreditation from AZA to ZAA. Since 2011, at least eight facilities that were once accredited by ZAA have closed.

**ZAA facilities present threats to public safety and headaches for local authorities.** For example, at one time, Kevin Vogel, who operates sites in Brainerd and Sanford, was accredited by ZAA. In 2014, a Syrian brown bear cub escaped as Vogel was transporting the animal between his two facilities. The bear got out of an improperly latched sky kennel inside the transport trailer and then broke through the sliding window of the trailer when Vogel stopped at a restaurant in Clearwater. *Vogel was unaware that the bear had escaped until he reached the final destination.* In the meantime, the bear encountered people in the parking lot of the restaurant and was ultimately recovered by local authorities. The incident resulted in \$1,357 fine from the USDA.

Minnesota should not jeopardize the safety of its citizens, burden law enforcement, or compromise animal welfare by weakening a law that has served the state well since 2005, and we urge you to oppose House File 4166. We would be happy to provide documentation of the public safety and animal welfare problems cited above and to discuss this issue in more depth at any time. Thank you for your time.

Sincerely,



Tammy Thies  
Founder and Executive Director  
The Wildcat Sanctuary  
[TammyT@wildcatsanctuary.org](mailto:TammyT@wildcatsanctuary.org)



Christine Coughlin  
Minnesota State Director  
Humane Society of the United States  
[ccoughlin@humanesociety.org](mailto:ccoughlin@humanesociety.org)