



IN DEFENSE OF ANIMALS

March 17, 2010

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Via Fax 970-494-7461

Please consider this to be a formal complaint in the matter of the St. Louis Zoological Park, Certificate #43-C-0032 (Customer ID 4296), which recently announced the pregnancy of two of its Asian elephants, Ellie and her daughter Rani, both due to give birth in the spring/summer of 2011. It is our contention that, given the existence of the Elephant Endotheliotropic Herpesvirus (EEHV) at the zoo and the clear risk it presents to naïve Asian elephant calves, the breeding practices that purposefully produced these pregnancies and expected births constitute a violation of safe handling and veterinary care regulations under the Animal Welfare Act, as described below. We are requesting an investigation into the matter, and further request the issuance of a policy statement clarifying that the decision to allow breeding under these circumstances is a violation of the Animal Welfare Act and regulations.

1. The presence of EEHV presents a high risk of infection and death for elephant calves born at the St. Louis Zoo.

The likelihood is substantial that any calves born at the St. Louis Zoo will be exposed to EEHV, a hemorrhagic disease with a near 90 percent mortality rate.

Jade, Rani's first calf, was stricken with the disease in February, 2009. She survived only after undergoing drastic veterinary treatment, including a blood transfusion. Maliha, who was reported by the Zoo to have tested positive, showed no symptoms and was also treated. After months of being symptom-free, Jade again sickened in December 2009, and was treated. She is the first known EEHV survivor to experience a relapse.

Despite over a decade of research since this disease was first discovered, very little is known about EEHV or the means by which it is transmitted. The presence of the virus in a facility renders it more likely that it will recur there. The St. Louis Zoo itself acknowledges on its website: "Because EEHV is never gone, however, [Jade and Maliha's] caretakers continue to monitor them closely, as they do the entire elephant herd."

(<http://www.stlzoo.org/animals/abouttheanimals/mammals/elephants/asianelephant/whichelephantiswhich/jade/>)
The zoo also has acknowledged to the public that they do not know the origin of Jade and Maliha's EEHV infections, though the calves likely would have acquired it from their mothers or another elephant.

In addition to the fact that EEHV is present in both calves, Jade's mother Rani was treated in August 2001 for "potential endotheliotropic herpesvirus infection," according to zoo records. In addition, Pearl spent time at the Dickerson Park Zoo where she was sent for breeding and conceived Raja; five calves were infected with EEHV at that facility, four died. It is possible that Pearl was exposed to EEHV at Dickerson Park Zoo.

A known risk factor for EEHV is the presence of other elephants with the virus. At the St. Louis Zoo it will not be possible to keep any newborns away from any elephants carrying the virus: The entire exhibit at Zoo, which will soon be housing 10 elephants, is only 1.2 acres. More importantly, the elephants with known EEHV histories will be sisters to the new babies, which means that their relationships would naturally be close.

For the St. Louis Zoo to willfully bring vulnerable newborn calves into a situation where there is such a high risk of exposure to the potentially fatal EEHV clearly violates the requirements of Sec. 2.131 of the Regulations, which provide that:

(b)(1) Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, **physical harm**, or unnecessary discomfort.

And

(d)(1) Animals shall be exhibited only for periods of time and **under conditions consistent with their good health and well-being**. (Emphasis added.)

Further, this violates Section 2.40 of the Regulations, which requires that exhibitors have in place a program of veterinary care which includes, “(b)(2) The use of appropriate methods to **prevent, control**, diagnose, and treat diseases and injuries...” (Emphasis added.)

The only available method at this stage for preventing EEHV in the St. Louis Zoo elephants, which the zoo is failing to employ, is to refrain from breeding more calves. The Zoo’s decision to allow breeding to continue is irresponsible, potentially deadly to the new babies, and violates the Animal Welfare Act and accompanying regulations.

2. Potential inability of mother elephants to care for offspring may increase susceptibility to EEHV infection.

Stress and physical debilitation are known to compromise the immune system and cause a higher susceptibility to disease. The last calves born to Rani and Ellie each suffered stressful, life-threatening situations soon after birth, and each was affected by EEHV: Rani’s calf, Jade, was stricken with the virus, and Ellie’s calf, Maliha, tested positive.

- Rani gave birth to Jade in 2007 and then rejected her. According to zoo records, she “became agitated and directed behaviors” at the calf, causing “superficial abrasions and contusions.” The zoo sedated Rani on two occasions to facilitate nursing. After at least one more recorded incident of Rani attacking Jade, the decision was apparently made to hand-rear her. This means that the mother who attacked and rejected her first calf has gained no significant experience with rearing her own baby before being impregnated again, rendering her unlikely to respond differently to a new baby.
- Ellie’s calf Maliha, born in 2006, was taken off display a month and a half after her birth, after she failed to gain weight. She was force-fed with milk replacer and given rectal enemas to help maintain hydration on nine occasions, each of which required she be separated from her mother and sedated. Ellie was given a hormone to boost milk production.

There is no reason to believe that the causes of these complications are not utterly unchanged. Therefore, there is a risk that Rani and Ellie’s expected calves may also suffer the stress of maternal rejection and the debilitation of poor nutrition, respectively, leaving them susceptible to disease, including EEHV.

3. Conclusion

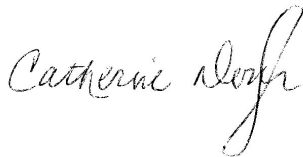
The AWA contains a clear requirement that an exhibitor provide adequate veterinary care, and that veterinary care is not permitted to be simply reactive. The facility is required to follow appropriate methods to “**prevent, control, diagnose, and treat diseases,**” and the only way to prevent or control EEHV from infecting juvenile elephants, the individuals at highest risk, is to prevent births in facilities with individuals affected by EEHV.

The very fact that current science does not provide a mechanism to determine which elephants may develop or shed the virus should not deter the agency from adopting a policy against bringing young elephants into herpes-affected facilities, either through birth or transfer from another facility. If anything, lack of knowledge about EEHV calls for the agency to err on the side of caution and adopt a pro-active policy that effectively prevents the infection and possible deaths of young elephants in such high-risk situations. Without clear direction from your agency, these zoos will continue to put elephants into situations of completely avoidable risk, and more young elephants will die avoidable deaths.

Therefore, IDA hereby requests that APHIS determine that the deliberate breeding of Asian elephants at the St. Louis Zoo, since it is a facility that is affected by EEHV, violates the veterinary care provisions of the AWA regulations in that it fails to use the only currently available methods to prevent and/or control EEHV exposure in young, endangered elephants. We ask a further determination that safe handling regulations are violated in that babies born here will likely be subject to physical harm, and in that conditions which subject juvenile elephants to the grave risk of the usually-fatal herpes virus are certainly not consistent with their good health and well-being.

We appreciate hearing from you on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Doyle".

Catherine Doyle
Director, Elephant Campaign
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