



IN DEFENSE OF ANIMALS

April 19, 2009

The Honorable Tom Vilsack, Secretary
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Via fax: 202-720-2166

Dear Secretary Vilsack:

In Defense of Animals (IDA), on behalf of its thousands of supporters worldwide, vehemently objects to your agency's settlement agreement with Will Davenport, whereby Davenport will transfer the elephant Queenie to the San Antonio Zoo as settlement of charges against him for multiple violations of the Animal Welfare Act. Given that the Performing Animal Welfare Society (PAWS) contacted your agency months ago offering to provide a far superior sanctuary home for Queenie, we are astounded that you would send her to San Antonio, which has an antiquated exhibit unfit even for the one elephant it presently holds. IDA maintains that Queenie should be allowed to retire to the PAWS sanctuary, given that it offers the best quality of life for her.

Delivery of Queenie to the San Antonio Zoo would subject her to unreasonable danger and hardship, given the alternative available. In fact, it is our opinion that adding Queenie to the zoo exhibit currently holding the lone elephant Lucky is tantamount to acknowledging complete indifference to the welfare of both animals, which it is the obligation of your agency to oversee.

IDA recognizes that there are instances in which elephants may require particular care, such as the case with the seizure of Tina and Jewel. In fact, IDA did not object to your agency sending these elephants to the San Diego Zoo, where they are receiving specialized medical care. However, in Queenie's case there is no particular reason to send her to the San Antonio Zoo. In fact, the evidence argues against it.

The zoo's antiquated elephant display provides less than on-half acre of space and is not equipped for elephant introductions, particularly with two elephants known to have difficulty in getting along with other elephants. Zoo director Steve McCusker has said Lucky "does not like other elephants," and Queenie has, by necessity, often been kept physically separated from other elephants. It is astonishing that the USDA would even consider placing these elephants together, creating a highly stressful and potentially volatile situation.

The likelihood that Queenie, an Asian elephant, will have a permanent home in San Antonio is virtually nonexistent. The zoo is constructing an African attraction in which it plans to hold African elephants. Mr. McCusker has publicly stated that the zoo's long-term plans do not include Asian elephants, who would be moved out of the zoo. (While he may be altering his story, it is infeasible to hold any elephants after a certain phase of exhibit construction.) It clearly is in Queenie's best interest to send her to a permanent home, such as PAWS, yet the USDA chose this unstable situation for her.

Your office is fully aware of these points that were made in our letter to you of November 10, 2009 (copy attached).

IDA Letter to Sec. Vilsack re Queenie

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In addition, Lucky, the sole elephant at the San Antonio Zoo, consistently displays stereotypic behavior, a condition that your agency acknowledges is a cause for heightened concern. IDA has provided irrefutable evidence of Lucky's frequent stereotyping. Yet, to date, we have no indication that an appropriate in-depth veterinary evaluation has been conducted to address her condition, and Lucky is still demonstrating these symptoms. It is inconceivable that APHIS is choosing to disregard that there is a root problem that needs to be solved and yet decided to place another elephant, with a largely unknown medical history, in an exhibit with her.

IDA has long objected to Lucky's situation. However, contrary to being a "solution" for Lucky, the plan to move Queenie to the zoo is actually antithetical to Lucky's needs as well as to Queenie's and will make the situation worse.

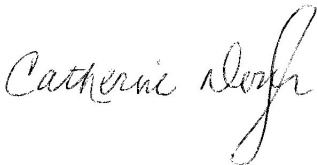
In stark contrast, the PAWS sanctuary stands ready to provide Queenie with a permanent home. As you know, she has spent her life performing in the circus where she has suffered abuse, endured the rigors of travel and intensive confinement, and lived in unnatural conditions that do not meet the complex needs of her species. At PAWS, she could wander a 50-acre Asian elephant habitat in the company of other elephants, permanently retired from the public eye after a lifetime of performing with circuses. Integration has a higher likelihood of success at PAWS because the large amount of space afforded the elephants can better facilitate introductions and subsequent social interaction in a low-stress environment. Together, these considerations make PAWS the best available choice for this elephant.

In September the sanctuary sent your agency a formal offer setting forth its proposal and describing how it would provide for Queenie's welfare. By ignoring the offer from PAWS, your agency makes a clear statement that the best interest of the elephant is not a consideration in deciding placement, as the PAWS facility is clearly the superior choice for Queenie.

As you are well aware, thousands of concerned citizens around the country have communicated with your office to express their concern for Queenie's welfare; they have frequently been assured that the USDA has that welfare at heart. This decision will be viewed by many as the betrayal of those assurances and an indication that your agency is abrogating its responsibilities with respect to the welfare of captive elephants in this country.

We urge you to immediately direct the transfer of Queenie to PAWS. You have the opportunity to deliver this elephant into a safe and stable environment there. Please do not consign her to a miserable, dangerous and uncertain future at the San Antonio Zoo.

Sincerely,



Catherine Doyle
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Attachment: IDA letter to Sec. Vilsack dated November 10, 2009