



IN DEFENSE OF ANIMALS

June 10, 2009

Via Fax

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

Dear Secretary Vilsack:

The signees to this letter, which include leading animal protection groups and celebrated animal advocates such as acclaimed actress Lily Tomlin, are extremely concerned with your agency's long-standing failure to enforce the Animal Welfare Act (AWA) with regard to elephants in zoos and circuses.

The USDA's inaction in elephant welfare cases has cost several elephants their lives and has currently placed the lives of many other elephants in jeopardy. Further, your agency's failure to hold AWA violators accountable has allowed many institutions to continue practices that inflict great suffering and have cost even more elephant lives.

Please consider these examples:

- **Tina, Jewel and Queenie** are the victims of chronic AWA violations, including abusive and unsafe handling practices, inadequate veterinary care, and negligent treatment of the elephants. Despite years of chronicling these violations, the USDA has taken no action to hold the elephants' handler, Will Davenport, accountable. Currently, all three elephants have experienced serious weight loss, two for the second time in two years. Jewel is emaciated and has sores on her head. Despite the debilitated condition of these elephants, the litany of AWA violations by the handler, and numerous public safety transgressions, the USDA allows Davenport to maintain a valid exhibitor's license, enabling him to continue to travel across the U.S. and force these ailing elephants to perform.
- **Val**, a baby Asian elephant not yet two years old, was separated from her mother and put on the road by Carson and Barnes Circus (which has rented her out to the Hanneford Circus). Elephant calves would never naturally be separated from their mothers, and the process causes extreme stress to both. Carson and Barnes routinely puts elephants under two years of age on the road without their mothers, a clear violation of Animal Welfare Act requirements for humane handling and safe exhibition of young animals, but the USDA has allowed the circus to continue this egregiously inhumane practice.
- **Gita**, a 48-year-old Asian elephant who died at Los Angeles Zoo *three years ago today*. Despite obvious and egregious negligence by the Zoo, the USDA *still* has not resolved her case (#CA06314-AC), the facts of which are detailed in the enclosed fact sheet. Gita's death followed by two years the death of another elephant, Tara, under similar circumstances, for which the zoo was never held accountable. This is inexcusable and unacceptable. We ask that you take immediate action on the L.A. Zoo's AWA violations and sanction the zoo accordingly.

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- **Ned**, a 21-year-old Asian elephant whose death may have been prevented had the USDA acted sooner to confiscate him from a trainer with a nine-year history of AWA violations. It took the USDA nearly a year to confiscate Ned. Despite finding that he was dangerously underweight, underfed, and not provided veterinary care, the USDA waited another 10 months before checking on him again. (At the time of his confiscation, Ned was underweight by a ton.) By the time he reached The Elephant Sanctuary, Ned was terminal; he died six months later in May 2009 after experiencing acute and prolonged abdominal pain.
- **Dehli** was found by the USDA in 2002 to be "in a serious health emergency" after sustaining severe chemical burns to both front legs. (Her "owner" had used undiluted formaldehyde to soak her feet causing both of her front legs to be swollen to twice their normal size.) It took a full 20 months after this finding for the USDA to take action and remove the critically injured elephant from her abuser and send her to The Elephant Sanctuary.
- **Lota**, another endangered elephant owned by a company that rented her to circuses, was found by the USDA in 2001 to be losing weight. By the time she reached The Elephant Sanctuary in November of 2004, she was so ill from tuberculosis that she only lived another two and a half months.

We, the undersigned, strongly urge you to take immediate action to halt your agency's continued policy of endangering elephants by failing to enforce the Animal Welfare Act. Please start by immediately confiscating Tina, Jewel and Queenie and sending them to The Elephant Sanctuary; ordering Carson and Barnes to return the baby Val to her mother and preventing that circus from cruelly separating mothers and their babies; and taking firm action against the Los Angeles Zoo in the negligent deaths of Gita and Tara.

The lives of these endangered animals rest in your hands. It is time for your agency to fulfill its legal responsibility to enforce our nation's animal welfare laws.

Sincerely,

Lily Tomlin
Actress

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Actress, Chief Animal Welfare Advisor to
U.S. Congressman Dennis Kucinich

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