



United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

4700 River Road
Riverdale, MD 20737

October 18, 2000

Dr. William Lindsay
4631 County Hwy. A
Oregon, WI 53575

Dear Dr. Lindsay:

Thank you for your letter regarding the recent inspection at the Williston retirement facility in Florida. I understand the unusual circumstances surrounding this situation and appreciate your efforts to provide treatment for Tillie after obtaining permission from Ms. Patricia Zerbini. There are some issues, however, that may need clarification.

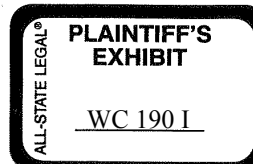
Even though Tillie is not owned by Ringling, because she is on the same licensed premise with the Ringling elephants and is not clearly separated from them, Ringling is responsible for her care. As such, according to the TB guidelines, arrangements for her treatment should have been made shortly after her first positive culture result which was received in June. There is no provision for waiting for a second positive culture, nor are we aware of any problems with "false positive" cultures. In fact, the lack of false positive cultures was why this test was selected as the basis for all treatment decisions. While it does appear that Tillie is difficult to handle, the fact that you have begun treatment would indicate that she is not too dangerous to be treated. I understand the difficulty that arose due to Ms. Zerbini's reluctance to begin treatment; however, given the history of tuberculosis in this group of animals, it may have been wise to discuss these issues with Ms. Zerbini and gain her permission for treatment before a situation developed.

With regard to the issue of "commingling" of TB positive elephants, again, this situation is somewhat unique. With the exception of one case (Vance at Polk City), other positive elephants have all been started on treatment shortly after their diagnosis. In Vance's case, we accepted the fact that he could not be treated safely until new facilities were built, that he was housed separately, and that nearby elephants were on preventive or therapeutic medication. As such, we did not feel that the delay in treatment posed a great risk to the other elephants. In Tillie's case, it is our understanding that she is in close contact with a number of other elephants that are not on medication.



APHIS - Protecting American Agriculture

An Equal Opportunity Employer



FEI 3104

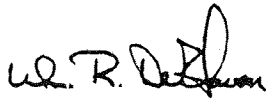
2

Dr. William Lindsay

While I agree that the TB guidelines did not intend for positive animals to be separated from their companions if they were under treatment, it does not seem to be in the best interest of the elephants to have an untreated, known positive animal housed with other animals that are not on preventive medication. If our understanding that the other elephants are not on preventive medication is incorrect, please let me know.

Given the above, the inspection report will stand as written at this time. We would be happy to meet with you to discuss the treatment and management of this herd. You may contact either Dr. Tom Callahan at (703) 812-6954 or Dr. Miava Binkley at (919) 716-5588 to arrange a meeting. You also may want to reconsider the licensed status of this facility since it is our understanding that none of the animals there are being used for exhibition or dealing activities. If that is the case, this site may be deleted from Feld Entertainment's license as long as no animals are moved from this facility to another licensed site.

Sincerely,



W. Ron DeHaven
Deputy Administrator
Animal Care