



The American Society for the Prevention of Cruelty to Animals



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Report Reveals Government Routinely Ignores Violations of Animal Welfare Act by Ringling Bros.

Wednesday September 24, 2003

Circus beats and mistreats elephants; feds turn blind eye.

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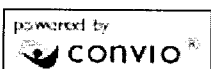
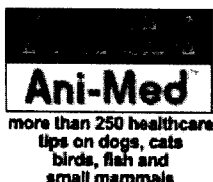
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FOR IMMEDIATE RELEASE

WASHINGTON (September 24, 2003) -- Three of the nation's largest and oldest animal protection organizations have released an in-depth report revealing that the U.S. Department of Agriculture (USDA)-charged with enforcing the federal Animal Welfare Act-routinely looks the other way when Ringling Bros. and Barnum & Bailey beats and otherwise mistreats the elephants in its circus. The report also demonstrates that many Ringling Bros. elephants have tested positive for Tuberculosis-a disease that is highly communicable to humans-and that the USDA has failed to disclose this information to the public.

The report was released by the American Society for the Prevention of Cruelty to Animals, The Fund for Animals, and the Animal Welfare Institute, and was based on hundreds of records obtained through litigation under the Freedom of Information Act. The records show that in case after case brought to the USDA in the last five years by animal welfare organizations, state humane agencies, former Ringling Bros. employees, and even USDA's own inspectors, the USDA purposely ignored crucial evidence, closed investigations prematurely, and overrode its own inspectors' and investigators' determinations-allowing Ringling to insist to the public that there is no truth to any allegations that it abuses its elephants. Tracing nine different investigations over five years, the report reveals such incidents as:

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- The USDA has been extremely cooperative in helping Ringling keep the public from knowing that as many as eight elephants have tested positive for Tuberculosis and many more have been exposed to the disease. In one instance, although a USDA investigator originally cited Ringling for failing to provide any medical treatment for an elephant who had tested positive, a high level USDA official later "overrode" that citation when Ringling's attorneys complained.
- Internal documents show that USDA investigators found that a trainer's use of a bullhook on a baby elephant named Benjamin "created behavioral stress and trauma which precipitated in the physical harm and ultimate death of the animal," yet the USDA memorandum closing the case omitted all references to this finding and instead stated that "suddenly, and without any signs of distress or struggle, Benjamin became unconscious and drowned." No enforcement action was taken by the USDA.
- USDA determined that Ringling's use of chains and ropes to forcibly remove nursing elephants from their mothers at Ringling's "Center for Elephant Conservation" caused the animals "unnecessary trauma, behavioral stress, [and] physical harm," and "was not in compliance with the Animal Welfare Act," yet the agency quietly closed the investigation without taking any enforcement action.

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"The USDA is charged by law to protect performing animals-not to help Ringling with its public relations," said Lisa Weisberg, ASPCA's Senior Vice President for Government Affairs and Public Policy. "This report raises serious questions about the relationship between the circus and USDA officials."

"We're appalled that USDA not only turned a blind eye to Ringling Bros.' repeated abuse of animals, but apparently, the department actually assisted Ringling Bros. by covering up violations of the Animal Welfare Act," said Cathy Liss, President of the Animal Welfare Institute. "Ringling Bros.' political machine has kept USDA and politicians from touching this issue, and the circus' public relations machine has kept the public in the dark about the animal abuse."

"This report confirms what we have long known-that there is an extraordinarily cozy relationship between Ringling Bros. and the USDA," said Michael Markarian, President of The Fund for Animals. "Only the USDA can enforce the Animal Welfare Act, and when it fails to do so, it makes a mockery of the statute's intent to protect animals from inhumane treatment. The American public, and the abused elephants, deserve much better from our federal government."

Along with a former Ringling employee, the three groups have brought a lawsuit against Ringling under the Endangered Species Act for its mistreatment of Asian elephants. Earlier this year, the U.S. Court of Appeals in Washington, D.C., rejected Ringling's

arguments that the case should be dismissed, and the case is now going forward in the federal district court in Washington. The plaintiffs are being represented by the public interest law firm, Meyer & Glitzenstein.

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