



IN DEFENSE OF ANIMALS

April 2, 2015

Elizabeth Goldentyer, DVM
Eastern Regional Director
USDA APHIS Animal Care
920 Main Campus Drive, Suite 200
Raleigh, NC 27606-1401

Re: Formal Complaint Against Buttonwood Park Zoo

Dear Dr. Goldentyer;

Please consider this a formal complaint on behalf of In Defense of Animals (IDA), an international nonprofit organization with over 200,000 supporters.

Our complaint is in regard to the two female Asian elephants at the Buttonwood Park Zoo (Cert. No 14-C-0069, Customer No 11495) in New Bedford, Massachusetts. Ruth, at 55 years of age, is forced to share an exhibit with Emily, 50, who outweighs Ruth by 1,200 pounds and regularly demonstrates aggressive behavior toward Ruth, sometimes causing injuries. We focus our complaint on the most immediate and untenable issue; that of incompatibility between these two elephants, and the resulting negative impacts and risks to their health and wellbeing. This complaint is based on written documentation from the zoo and USDA (please see attachments), my own analysis of hours of video footage and, on rare occasions, reports from reliable observers and photographic documentation.

Incompatible Animals

Despite the zoo's separation policy of 2007 (see attached [Exhibit A](#)), records shows that Emily demonstrated aggressive behavior toward Ruth an additional 17 times that was serious enough to warrant documentation in zoo records. These entries can be found up until 2014, when the zoo apparently stopped keeping records of these incidents.

Housing two incompatible elephants together is a clear and flagrant violation of Animal Welfare Act regulations, specifically Part 3, Subpart F, Section 3.133, Separation, which states: Animals housed in the same primary enclosure must be compatible. Animals shall not be housed near animals that **interfere with their health or cause them discomfort**. (Emphasis added.)

Particularly disturbing is that USDA has not recognized the total of 29 attacks, as recorded by the zoo, between 2005 and 2013. During her March 2014 inspection, Dr. Gladue only recognized the time Emily bit 6 1/2" off Ruth's tail ([Exhibit B](#)). But Ruth has been bitten, hit, rammed, tusked, and pushed down by Emily, according to the zookeepers and a volunteer who reportedly witnessed the aggression ([Exhibit C](#)).

In Defense of Animals
San Rafael, California
info@idausa.org
www.idausa.org

IDA Hope Animal Sanctuary
Grenada, Mississippi
www.idausa.org/Hope

IDA Africa
Sanaga-Yong Chimpanzee
Rescue Center
Cameroon, Africa
www.idausa.org/Africa

IDA India
Mumbai, India
www.idausa.org/India

Fighting Apathy, Building Empathy



IN DEFENSE OF ANIMALS

Nine other occurrences of aggressive, physical behavior sufficient to leave visible markings of physical injury - to Ruth by Emily - were noted between 2007 (when their separation policy was enacted) and the end of 2013 - when the zoo appeared to stop recording aggressive behavioral events (Exhibit D).

In June 2006, **Emily bit 6 1/2" of Ruth's tail off**, in one of the more egregious incidents. Recent medical records indicate that Ruth was attacked yet again on December 4, 2014 (Exhibit E). The veterinarian noted that the "conspecific" bit Ruth's tail again, removing a bandage that was in place because Ruth's tail was still healing from a 10" surgical amputation performed on November 5, 2014. Purportedly, no additional physical trauma occurred. This indicates the veterinarian is aware of the aggression, and that Emily has caused Ruth discomfort and interferes with her health.

Clearly these ongoing attacks interfere with Ruth's health, cause her physical discomfort, and appear to inflict chronic, and occasionally, acute, psychological stress. Due to the small size of the elephant exhibit and barn, Ruth is unable to escape Emily's aggressive behavior and further injury. Unless and until Ruth is removed from Buttonwood Park Zoo, she will continue to suffer excessively and be in an unacceptably dangerous situation.

Behavioral and Psychological Trauma

Please also note that Ruth's November 2014 specimen report records do not indicate any behavioral issue, even though Ruth was attacked on November 9, 2014, as reflected in the veterinarian's notes of November 9-12, 2014 (Exhibit F).

Emily's hyper-aggressive and physically injurious behavior towards Ruth is a clear sign of excessive and chronic stress, a red light that Emily's welfare is also compromised by this situation. Of course, elephants living in unnaturally stressful captive situations who cannot separate naturally may act out in such violent ways compared to their wild counterparts - even towards the only other elephant their relatively tiny exhibits.

The psychological and physiological impacts on Ruth, from pervasive intimidation and harassment from Emily, especially after so many injurious incidents, appear to be severely impacting Ruth's behavior and welfare. This has been observed being manifested in Ruth's excessive avoidance in response to Emily, submissive behavior, spatial displacement, postural tension, hyper-vigilance and stereotypic behaviors.

Request for a More Thorough Investigation and Confiscation to Sanctuary

IDA requests that the USDA investigate this complaint promptly and thoroughly. According to the Animal Welfare Act, animals must have sufficient space to make normal social adjustments. Yet it appears that even the zoo may have stopped trying, as indicated by an absence of observable continuation of its own separation policy. Clearly, because of Ruth's situation - including a small enclosure and repeated incidents of physical injury by Emily - the zoo is unable to mitigate Ruth's suffering - even if the staff were to be more vigilant. Therefore, IDA believes confiscation is an appropriate and necessary action in this situation.

In Defense of Animals
San Rafael, California
info@idausa.org
www.idausa.org

IDA Hope Animal Sanctuary
Grenada, Mississippi
www.idausa.org/Hope

IDA Africa
Sanaga-Yong Chimpanzee
Rescue Center
Cameroon, Africa
www.idausa.org/Africa

IDA India
Mumbai, India
www.idausa.org/India

Fighting Apathy, Building Empathy



IN DEFENSE OF ANIMALS

Given Ruth's age, physical and psychological trauma, and current physical ailments, IDA further recommends that Ruth be transferred to an accredited U.S. sanctuary as soon as possible. She is in urgent need of a safer environment where she will not be further harassed or attacked by Emily - and a warmer climate more suitable to her species where she can spend a reasonable amount of time outside without further ill effects. Ruth will also need 24/7 monitoring, something that is not typically available in elephant exhibits and certainly not foreseeable at this zoo that already seems to be so exceedingly challenged at maintaining the health and wellbeing of the elephants under its care

Thank you for your attention to this timely and important matter. If you would like to review any substantiating documentation (such as video footage, etc.) please contact me directly.

Sincerely,

Toni Frohoff

Toni Frohoff, Ph.D.

Elephant & Cetacean Scientist, In Defense of Animals

Email: toni@idausa.org / Phone: (805) 836-0496

Attachments:

Exhibit A. Buttonwood Park Zoo Separation policy.

Exhibit B. USDA report of March 25, 2014.

Exhibit C. Page from zookeeper records, May 7, 2011.

Exhibit D. Specimen records for November 2014.

Exhibit E. Ruth's medical records dated December 4, 2014.

Exhibit F. Ruth's medical records dated November 9-12, 2014

In Defense of Animals
San Rafael, California
info@idausa.org
www.idausa.org

IDA Hope Animal Sanctuary
Grenada, Mississippi
www.idausa.org/Hope

IDA Africa
Sanaga-Yong Chimpanzee
Rescue Center
Cameroon, Africa
www.idausa.org/Africa

IDA India
Mumbai, India
www.idausa.org/India

Fighting Apathy, Building Empathy