

Hawthorn Elephant Update February 14, 2006

Greetings! I would like to take this opportunity to provide you with important news from Animal Care (AC), a program within the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). We appreciate having you as one of our valued stakeholders and would like to provide you with the latest update on the Hawthorn elephants.

As you may recall, in March 2004, APHIS, AC, entered into a consent decision and order settling an Animal Welfare Act (AWA) enforcement case against John F. Cuneo, Jr., and the Hawthorn Corporation (collectively, Hawthorn). The consent decision and order required, among other things, that Hawthorn pay a \$200,000 civil penalty and donate its sixteen elephants to persons who have demonstrated the ability to provide care for the animals in accordance with the AWA and that are approved by APHIS.

Placing members of the Hawthorn herd in accordance with the terms of the consent decision has been complicated by the fact that two of the elephants are culture-positive for human tuberculosis and the other elephants have been exposed to human tuberculosis. Thus, to demonstrate the ability to properly care for the elephants, a facility must, among other things, have quarantine housing available to house tuberculosis-positive or exposed elephants; employ trained personnel capable of performing trunk washes, administering anti-tuberculosis drugs, and handling the elephants humanely; and be financially able to care for the elephants. APHIS also determined that it would only approve the placement of these elephants at non-traveling facilities that would not permit public contact with the Hawthorn elephants. This decision was made in light of the circumstances particular to the Hawthorn elephants and is supported by the Centers for Disease Control and Prevention (Division of Tuberculosis Elimination) and the majority of a subgroup of the U.S. Animal Health Association and National Tuberculosis Working Group for Zoo and Wildlife Species.

To date, Hawthorn has donated thirteen of its elephants to three Animal Welfare Act licensed facilities. Specifically, Chris Hamblen received one Asian elephant, Judy; the Endangered Ark Foundation received one African elephant, Joy; and, the Elephant Sanctuary in Tennessee received eleven Asian elephants: Misty, Lota, Minnie, Lottie, Queenie, Liz, Debbie, Ronnie, Billie, Frieda, and Sue. Regrettably, Lota died shortly after her arrival at the Elephant Sanctuary and Sue died in preparation for transport to the Sanctuary.

Of the three remaining elephants, one elephant, Tess, died at Hawthorn's facility before she was placed with a suitable donee. APHIS continues to work cooperatively with Hawthorn to identify suitable facilities for Nicholas and Gypsy. In the meantime, Hawthorn maintains custody of the elephants until they are placed. As always, AC will continue to conduct unannounced inspections of the Hawthorn's facilities and regulated

animals and will monitor the care provided to Nicholas and Gypsy and their health and well-being.

I would like to reiterate that we are working diligently to place the two remaining elephants as quickly as possible and to resolve this matter in a way that ensures the health and well-being of the Hawthorn elephants, the U.S. elephant population, and the safety of the general public. If you have a moment, I encourage you to visit our Web site at <http://www.aphis.usda.gov/ac> to learn more about AC. To add or remove a name from this update, e-mail ac.stakeholders.update@aphis.usda.gov. Suggestions for future updates are encouraged and can be sent to the same address.

Sincerely,

A handwritten signature in black ink that reads "Chester A. Gipson". The signature is written in a cursive style with a large initial 'C' and a distinct 'G'.

Chester A. Gipson, DVM
Deputy Administrator