



Save The Chimps, Inc.
P.O. Box 12220
Fort Pierce, FL 34979

CITATION AND NOTIFICATION OF PENALTY

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

Date of Alleged Violation: February 5, 2019

9 C.F.R. § 2.40(a)(1) Attending veterinarian and adequate veterinary care (dealers and exhibitors).

Each dealer and exhibitor shall employ an attending veterinarian under formal arrangements. In the case of a part-time attending veterinarian or consultant arrangements, the formal arrangements shall include a written program of veterinary care and regularly scheduled visits to the premises of the dealer or exhibitor;

You failed to establish a written Program of Veterinary Care (PVC) with the part-time attending veterinarians employed by your facility.

In August or September of 2018, two full-time veterinarians no longer served as your Attending Veterinarian. You contracted with part-time veterinarians, continued to use the PVC established by the previous full-time veterinarians and failed to establish a new PVC.

Date of Alleged Violation: February 5, 2019

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors).

(b) Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include:

(2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care;

You failed to maintain a program of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries and the availability of emergency care for the following animals:

1.) A 26-year-old, male chimpanzee (“Nigida”) was injured on December 9, 2018. APHIS officials reviewed medical records

showing that “Nigida” sustained an open fracture of the toe with bone exposure, which later showed signs of infection. The animal was also observed chewing at the bone and showing signs of pain. On December 9, 2018, an off-site veterinarian instructed that pain relievers and antibiotics be administered. However, the animal was not seen in-person by a veterinarian until December 11, 2018. On December 11, 2018, the veterinarian examined the injury, stated that the toe would likely “come off on its own” and prescribed continued antibiotics and pain medication. Medical records show that as late as January 3, 2019, the wound had not completely healed as it reopened, reportedly from a fight between “Nigida” and another chimpanzee.

2.) A 13-year old, female chimpanzee (“Tiffany”) who arrived at Save the Chimps on April 17, 2018 after being kept as a pet, suffered from anorexia. APHIS officials reviewed medical records that repeatedly documented lack of interest in food, not eating enough chow and/or not eating enough calories from April 18, 2018 to July 28, 2018. On April 23, 2018, you administered a single dose of anti-anxiety medication and on June 26, 2018 administered an appetite stimulant. Tiffany’s anorexia persisted from the time of her arrival in April 2018 through August 2018, becoming acute in July of 2018. You failed to identify the source of the anorexia before it became acute. After diagnostic testing was inconclusive and outside consultants were unable to determine the cause of the anorexia, on August 19, 2018, Tiffany was euthanized to prevent further suffering.

Date of Alleged Violation: February 5, 2019

9 C.F.R. § 3.81 Environment enhancement to promote psychological well-being.

Dealers, exhibitors, and research facilities must develop, document, and follow an appropriate plan for environment enhancement adequate to promote the psychological well-being of nonhuman primates. The plan must be in accordance with the currently accepted professional standards as cited in appropriate professional journals or reference guides, and as directed by the attending veterinarian. This plan must be made available to APHIS upon request, and, in the case of research facilities, to officials of any pertinent funding agency.

You failed to produce a documented Environment Enhancement Plan to APHIS officials at the time of the inspection of your facility.

Date of Alleged Violation: February 5, 2019

9 C.F.R. § 3.82(a) Feeding.

(a) The diet for nonhuman primates must be appropriate for the species, size, age, and condition of the animal, and for the conditions in which the nonhuman primate is maintained, according to generally accepted professional and husbandry practices and nutritional standards. The food must be clean, wholesome, and palatable to the animals. It must be of sufficient quantity and have sufficient nutritive value to maintain a healthful condition and weight range of the animal and to meet its normal daily nutritional requirements.

You failed to provide and maintain a diet of sufficient quantity and nutritive value that will allow animals to maintain a healthful condition and weight range.

APHIS officials observed a 22-year-old chimpanzee (“Tuffy”) with a lean body condition and low muscle mass. The facility attributed Tuffy’s appearance to him being castrated as a juvenile. APHIS officials observed that the animal’s weight dropped from 154 pounds in April 2018 to 137.5 pounds in August 2018. APHIS officials reviewed food logs from May 2018 to October 2018 that showed that “Tuffy” consumed a diet that included “human food”, such as pancakes and syrup, donuts, pie, pizza, Funion snacks, soda, and coffee rather than a full diet of chimpanzee-appropriate foods. APHIS officials also observed that “Tuffy” was intermittently withdrawn.

Date of Alleged Violation: March 4, 2019

9 C.F.R. § 3.81(a)(3) Environment enhancement to promote psychological well-being.

Nonhuman primates may not be housed with other species of primates or animals unless they are compatible, do not prevent access to food, water, or shelter by individual animals and are not known to be hazardous to the health and well-being of each other. Compatibility of nonhuman primates must be determined in accordance with generally accepted professional practices and actual observations, as directed by the attending veterinarian, to ensure that the nonhuman primates are in fact compatible. Individually housed nonhuman primates must be able to see and hear nonhuman primates of their own or compatible species unless the attending veterinarian determines that it would endanger their health, safety, or well-being.

You failed to determine compatibility of nonhuman primates housed in the same enclosure. You failed to address animal incompatibility in your plan for environmental enrichment.

Two male chimpanzees (“Jude” and “Capone”) were housed together despite a known history of incapability. On February 28, 2019, through a single panel of metal mesh, the animals engaged in



aggressive interaction that resulted in a large injury to one animals (“Jude”) right leg.

Despite a history of incompatibility, your facility environment enhancement plan failed to address the incompatibility of the chimpanzees.

Date of Alleged Violation: May 14, 2019

9 C.F.R. § 3.78(d)(1) Outdoor housing facilities. Perimeter fence.

On and after February 15, 1994, an outdoor housing facility must be enclosed by a fence that is of sufficient height to keep unwanted species out. Fences less than 6 feet high must be approved by the Administrator. The fence must be constructed so that it protects nonhuman primates by restricting unauthorized humans, and animals the size of dogs, skunks, and raccoons from going through it or under it and having contact with the nonhuman primates. It must be of sufficient distance from the outside wall or fence of the primary enclosure to prevent physical contact between animals inside the enclosure and outside the perimeter fence. Such fences less than 3 feet in distance from the primary enclosure must be approved by the Administrator. A perimeter fence is not required if:

(1) The outside walls of the primary enclosure are made of a sturdy, durable material such as concrete, wood, plastic, metal, or glass, and are high enough and constructed in a manner that restricts contact with or entry by humans and animals that are outside the housing facility;

You failed to properly maintain a perimeter fence to restrict unauthorized animals and contact with nonhuman primates.

APHIS officials observed a hole in the chain link perimeter fence, approximately 7 x 7 inches on the bottom center portion of the south side. The fence was secured by several pieces of rebar to hold the fence down and reduce the size of the opening.

Date of Alleged Violation: August 15, 2019

9 C.F.R. § 2.40(b)(1) Attending veterinarian and adequate veterinary care (dealers and exhibitors). Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include:

(1) The availability of appropriate facilities, personnel, equipment, and services to comply with the provisions of this subchapter;

You failed to provide adequate veterinary care including the availability of appropriate personnel and services.

During the week of July 15, 2019, with multiple veterinary care priorities, you employed one veterinarian and no veterinary



technicians. The staffing level was insufficient to provide adequate veterinary care and resulted in the delayed euthanasia of a female chimpanzee.

Date of Alleged Violation: February 26, 2020

9 C.F.R. § 3.75(a) Housing facilities, general.

(a) Structure: construction. Housing facilities for nonhuman primates must be designed and constructed so that they are structurally sound for the species of nonhuman primates housed in them. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

You failed to properly maintain housing facilities in good repair to protect animals from injury.

APHIS officials observed the following conditions:

1. Five housing units with stripping paint on the walls,
2. Windows of the outer enclosures for indoor housing of all five housing units with stripping paint,
3. One housing unit, Doug's Island, with stripping paint inside of the indoor housing enclosure; and,
4. Chipping and peeling paint outside of a vent hood positioned over a temporary food holding station inside of a housing unit.

The penalty for the alleged violation(s) described above is \$9,000.

This settlement agreement, including your payment of a penalty, does not constitute an admission of liability or wrongdoing on your part.