

TESTIMONY

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before the

SUBCOMMITTEE ON FISHERIES, WILDLIFE
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COMMITTEE ON NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

on

H.R. 2964
CAPTIVE PRIMATE SAFETY ACT

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Thank you Madam Chair, for the opportunity to testify before you and the Subcommittee regarding HR 2964, the Captive Primate Safety Act. Before I begin, I would like to request that my written testimony on behalf of the Association of Zoos and Aquariums (AZA) be included in the hearing record.

My name is Steve Ross. I am the Supervisor of Behavioral and Cognitive Research at the Lester E. Fisher Center for the Study and Conservation of Apes at Lincoln Park Zoo in Chicago and the Chair of the AZA Chimpanzee Species Survival Plan (SSP). I have worked with nonhuman primates for 14 years and the primary focus of my research has been on improving the care and management of captive primates – specifically that of chimpanzees.

AZA represents 216 professionally-managed and accredited institutions which draw over 156 million visitors annually. AZA institutions are the leaders in animal care and welfare, conservation science and conservation education. One of the cornerstones of AZA is its Species Survival Plan (SSP) program—a long-term plan involving genetically-diverse breeding, habitat preservation, public education, field conservation and supportive research to ensure survival for many threatened and endangered species. Currently, AZA member institutions are involved in 112 different SSP programs throughout the world covering 159 species, including primate species such as baboons, bonobos, chimpanzees, gibbons, gorillas, macaques, mangabeys, marmosets, orangutans and tamarins.

It is in this context that AZA expresses its strong support for HR 2964. The bill is a logical extension of the Captive Wildlife Safety Act which was passed into law in 2003. Combined, these measures begin to address the public safety threats posed by the private ownership of certain wild and dangerous animals as pets, as well as the important animal welfare issues associated with the personal ownership of these animals. This bill represents a much-needed step towards stemming the tide of the growing exotic animal pet trade. This legislation takes aim at the increase in the number of unregulated and untrained individuals who are maintaining non-human primates as personal pets.

Specifically, HR 2964 would amend the Lacey Act to prohibit the interstate and foreign commerce of dangerous exotic animals defined as non-human primates for use as pets. This legislation would not ban the private ownership of these species and would specifically exempt zoos, circuses, sanctuaries, incorporated humane societies and others that are currently regulated by the U.S. Department of Agriculture (USDA) under the provisions of the Animal Welfare Act.

Currently, very few states have enacted outright bans on the private ownership of these dangerous exotic animals with only a handful of other states enacting partial bans. For instance, in a recent thorough review of state legislation I conducted with Sarah Baekler of the Chimpanzee Collaboratory in preparation for an article to be published in Science this week, we found that only 6 states have full and complete bans on the private ownership of chimpanzees – arguably the most dangerous of the nonhuman primates that would be affected by HR 2964. To further complicate matters, full enforcement of these bans has been difficult and inconsistent given the scope of the problem. The result is a patchwork of laws, regulatory loopholes and a thriving commercial trade in dangerous exotic animals. There are hundreds of web sites and numerous catalogues that market exotic animals, including dangerous and powerful non-human

primates, as pets. The inconsistent enforcement of current regulations and increasing demand has fostered a dangerous underground industry in exotic pets.

Primates are among the most intelligent species on earth. They have large brains, complex social systems and their behavioral needs are so specialized that in 1985, an amendment to the Animal Welfare Act was passed that specifically called for specialized environmental enhancement for nonhuman primates. But the ability of private pet owners to meet these behavioral and psychological needs is suspect and too often pet primates are subjected to suboptimal housing, inappropriate social environments and as a result, compromised quality of life.

Earlier this year, I had the opportunity to visit with a couple who have two young adult chimpanzees as pets. The couple had purchased the chimpanzees at a young age from private dealers out of state and transported them back to live with them at their private residence in New York State. When the chimpanzees were much younger, they were brought to birthday parties and other events, as well as photographed for commercial purposes. But today they are older, more dangerous and live in two separate, small cages indoors. They are unable to go outside. They cannot fully interact with each other or others of their species. And despite the couples' obvious affection for them, they are unable to receive even minimally acceptable housing and care. Finding a new home for them is next to impossible and as such, these chimpanzees may live another 30 years in these same cramped conditions.

In addition to these welfare considerations, private ownership of nonhuman primates has significant public health consequences that threaten the wellbeing and safety of not only the pet owners themselves but of their friends, family, neighbors and community. Many of these pet primates are kept without proper veterinary care as neighborhood vet clinics often don't have the training or expertise to diagnose or treat rare and exotic species such as nonhuman primates. Given that these animals have the ability to contract, carry and transmit many diseases that can infect humans (such as herpes B, monkey pox and tuberculosis), this presents a serious zoonotic threat to communities across the country. One recent study found that 67% of non-occupational macaque bite incidents from 1993-97 were B-virus positive and that children were more than three times as likely to be the victims of such bites.

Finally, it is important to point out the inherent dangers to which the pet primate community is subjecting their local communities across the country. Many of the nonhuman species that would be covered by this legislation are powerful, intelligent and dangerous by almost any measure. The great apes in particular, including chimpanzees and orangutans, require specialized care and housing far beyond what most private citizens can provide and the consequences of their escape into the local community could have devastating results. The bite of any but the smallest primate species would result in serious wounding to humans and more powerful primate species are certainly capable of inflicting lethal damage. Just last week, a pet macaque monkey escaped from its owner in Spokane, Washington and bit three people, including a young female exchange student. This event was thankfully not serious but given that macaques are natural carriers of the potentially fatal Herpes B virus, it is clear that the potential consequences of inadequate housing by an unregulated and inexperienced population are grave.

Collectively, AZA institutions care for over 800,000 wild animals on a daily basis—many of these animals are extremely dangerous. Based on our member institutions' unparalleled experience and expertise in dealing with these animals, the AZA firmly believes that non-human primates cannot be properly maintained by individuals without the necessary resources or knowledge to care for them. Non-human primates are highly complex and intelligent animals with very specific physical, behavioral, husbandry, health and nutritional needs. Very rarely would these all of these needs be able to be met by someone who possesses these animals for use as a pet. Not only is the wellbeing of these highly intelligent and endangered animals being neglected but their presence as pets in suboptimal housing presents a significant health and safety risk to neighbors, children, and domestic pets in the community. These powerful, unpredictable animals should only be maintained by qualified experts from accredited zoological institutions or other professionally-operated, regulated facilities. Curatorial staffs in these facilities have the requisite knowledge and experience to meet the behavioral and physical needs of these animals and understand the inherent risks associated with caring for them. In addition, these facilities have the resources to provide the necessary housing, nutrition, veterinary care and enrichment to accommodate the animals' special needs and to maintain them in a safe and humane environment.

There is also emerging consensus on the part of animal welfare, public safety and professional organizations and the Federal government concerning the need for concerted action to address the issue of nonhuman primates that are kept as pets. For example, the American Association of Zoological Veterinarians which represents over 1000 veterinarians caring for zoo animals in the United States points out that keeping and trading exotic and captive wild animals can cause serious problems including: (1) zoonotic disease transmission; (2) human injury and death; (3) compromised animal welfare due to inadequate knowledge and experience to meet the complex social, emotional, behavioral and physical needs of these animals; (4) medical problems due to inadequate veterinary care, poor nutrition, poor husbandry or due to various surgical procedures, such as dental extractions, performed for the sole purpose of trying to turn a wild animal into a pet; (5) abandonment, suffering or death due to insufficient financial resources to provide a safe and humane environment; (6) potential for escape due to improper transport, insecure containment or lack of proper equipment; and (7) damage to wild populations of rare species due to over-collection, introduction of non-native species or exotic diseases.

Madam Chair, this bill represents a timely response to an ever-increasing human health and animal welfare concern. The ability to restrict the interstate transport of pet primates would have a significant impact on the private pet trade and curtails an industry that has ignored the serious risks that it has subjected to local communities across the country. It brings much-needed attention to an issue with public health, safety and animal welfare consequences. AZA, our conservation management programs, and our 216 accredited member institutions stand ready to assist you in this challenge and the overarching issues surrounding the illegal and unregulated trade in wildlife and wildlife parts.

Thank you again, Madam Chair, for this opportunity to comment on this important public safety and animal welfare issue. I would be happy to answer any questions that you may have.