



March 17th, 2023

Dear members of the Oregon House Judiciary Committee,

I am writing on behalf of the National Animal Interest Alliance (NAIA) and its associate, NAIA Trust, two broad-based national animal welfare organizations founded in 1991 and 2001, respectively. Together they work to enable society to understand and provide solutions to complex, emotional, and often controversial issues regarding animals. We have a diverse bi-partisan membership that includes pet owners, hobby dog breeders, rescuers, businesses, ranchers and animal professionals, scientists, and veterinarians. NAIA's expertise in animal welfare and husbandry is recognized nationwide – Oregon is our home state.

After the hearing for HB 3214 we have follow up points to be considered and clarified. Our original testimony was submitted once the hearing was ended.

- There are not 12,000 circuses in America. There aren't even that many USDA licensees permitted to exhibit animals.
- Wonder Dust is an antiseptic styptic powder that can be used on any animal to help heal a wound. It is *not* gray makeup. Elephant's skin in particular can take a long time to heal if there is an abscess or lesion in their thicker areas of skin. Wonder Dust helps what can be a very slow healing process compared to animals like cows and goats. An elephant getting a wound is not synonymous with abuse. They too can get fly bites, blackheads, abscesses, and pressure sores from daily life. They also fight and can injure one another and even rub themselves too hard on a tree after a bath. If the wound is in close proximity to their trunk, you can bet they will pick at it just like a kid picks a scab.
- The elephant guide, or bullhook, is an elephant appropriate livestock guide. It is designed to move the elephant away from you or bring the elephant to you when working in a free contact management system. After a verbal cue is given the guide is used to provide a tactile cue. The guide can also be helpful when a cue is given to turn to the right, for example. The handler standing to their left can use the guide in the elephant's peripheral vision to reinforce asking for the behavior to turn. They are paired together because elephants are creatures that rely heavily on communication thus combining visual, auditory, and touch cues sets up the animal and the handler for success.
- The thickness of elephant skin varies across different parts of their body. The head, back and hips being the thickest. Those are all the designated cue points handlers touch when using the guide. It is done so by design of the guide and to protect the elephant, not harm it.
- The guide is a design from Southeast Asia where elephants have been living and working alongside man for thousands of years. There it is called an ankus or takaw. That is what the elephant god Lord Ganesh is holding in his hand to symbolize the relationship between elephant and man. Today animal trainers and scientists have combined century's old training methods with modern behavioral science to create an excellent and safe way to train elephants.

- The elephant guide is a recognized training tool approved by the [Elephant Managers Association](#), the [International Elephant Foundation](#), and the [American Veterinary Medical Association](#) .
- Smaller circuses are just that – measured by size only. If they did not have the money to care for their elephants or horses or camels, they would not have them. They would not pass inspection and they would not be federally allowed to leave their property without papers signed by a state veterinarian.
- It is extremely important to recognize the difference between USDA animal welfare violations and non-compliance items. Non-compliance items are corrected and reinspected without write up. Violations can be corrected and reassessed and either left or removed from the record. Just as with any infraction, it should be evaluated on a case by case basis.
- According to Dr. Ellen Wiedner, one of the top exotic animal vets in the country, there has not been a case of camelid brucellosis here in the U.S. within the last 100 years. The [camelid brucellosis](#) can be transmitted between New World camelid species like llamas and alpacas too. Oregon State University has a [fact sheet online](#) about keeping both people and animals safe when it comes to those zoonotic diseases. It is important to remember that all animals can get brucellosis, even whales. Today it is most commonly found in cattle and dogs.
- Camels, elephants, and even big cats do not endure undue stress by performing or traveling. Please see the extensive work done by Dr. Marthe Kiley-Worthington in her book *Animals in Circuses and Zoos – Chiron's World?* and Dr. Ted Friend, the animal scientist from Texas A&M. Both took the time to travel and research animals in human care to report their findings.
- The other animals listed, such as opossums, genets and civets, and armadillos and tamanduas all offer fantastic outreach opportunities for audiences to learn about human animal conflict all over the world – plus they are fascinating creatures that don't need much introduction!
- The list of accreditation exemptions does not include the ZAA, Zoological Association of America, a national member organization of zoological professionals that have excellent husbandry and management standards. To omit them would be ignoring a body of animal science and hands-on keeper experience.

NAIA supports reasonable laws that put the health and safety of people and animals first. In addition, we support measures that promote transparency. We believe that transparency enables the public to make more informed decisions and allows good operators to distinguish themselves from the black sheep in their enterprise. As stated in our first testimony, any and all measures to define or regulate the transportation of animals, their training, or handler training are absent from the bill. We ask that you please consult with animal experts to draft future language concerning exotic animals and their welfare in human care.

Please oppose this bill in its entirety. It will harm the welfare of endangered animals if passed by making them “out of sight, out of mind.”

Please contact us if you have any further questions or concerns. I have included our original testimony below.

Respectfully,



Vanessa Gagne, Legislative and Animal Welfare consultant

Original Testimony

Greetings members of the House Judiciary Committee,

My name is Vanessa Gagne and I am testifying on behalf of the National Animal Interest Alliance in opposition to HB 3214. As a professional member of the Elephant Managers Association for 12 years and former zookeeper, I work with NAIA to provide fact based analyses regarding the care and conservation of exotic animals. Passing this legislation will lead to incrementalism meant to destroy the human-animal bond.

Working closely with exotic animals has evolved over the decades to provide the highest standards of animal welfare possible. Today, the free contact management of animals faces a constant barrage of targeted ads and protests that doesn't accurately depict the truth of what happens in the daily lives of those animals living and working alongside people. These animals are cared for by people who have dedicated their lives to working with them; it is a labor of love. Their owners must be federally licensed and maintain impeccable records in order to operate in addition to individual state animal welfare laws. They are subject to stringent rules and can be inspected anytime without notice by a USDA APHIS inspector or animal control officer.

This bill offers no exemptions for ZAA or other accredited facilities, and would alienate small business owners in good standing that find AZA accreditation cost prohibitive.

The proposed list of banned animals, while detailed, does not directly address any claims of suspected abuse - it only bans animals. By definition GFAS facilities do not take their animals off site, so providing them with an exemption is superfluous. There are no specifications on method of transport, caging, handling, or personnel training. That would also need to include veterinary consultation as well as input from industry experts that have hands-on experience. All of those measures are absent from the bill language.

Some of the species listed are not harmful to people and actually make a big impact when used in educational programs like tortoises and opossums. The list bans animals native to Oregon that can be used to educate people about human-wildlife conflict. The language is too broad to distinguish between what could be considered a display or an educational program and the behaviors required to train an animal for shows could be misconstrued as "tricks."

Big cats are listed even though it is now federally illegal to use them in performances under the Big Cat Public Safety act, making that section redundant.

Dromedary camels are listed as exotic even though they have been domesticated for nearly four thousand years, but an exception remains for reindeer who were domesticated within the same time frame. Banning camel performances would end any and all Christmas pageants using them for nativities.

Most troubling is the language in the bill that will require an animal owner in violation to forfeit ownership of an animal used in a performance that is part of the banned list. The bill does not specify what entity, person or facility, would take charge of the transferred animal.

We ask that you please oppose HB 3214 in its entirety. The state of Oregon already has excellent animal welfare laws in the books that cover neglect and abuse, please enforce those instead.

Thank you for your time and attention to this matter. I am always available for questions or concerns.