

THE DILEMMA OF THE AMERICAN ZOO

Can it be legislated out of business?

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By now almost everyone associated in any way with exotic animals has come to realize that American zoos have fallen upon hard times. Strange as it may seem, the realization of this fact is more encouraging. Collectively, North American zoos have finally acknowledged that we are in trouble. The problem is not a simple one, but rather is most complex and can be construed as a sign of the times. Simply stated, this great country of ours has become a victim of overaction and the pendulum has shifted from the far right to the far left, and unfortunately emotion is overruling logic.

This phenomenon, although not occurring overnight, appeared very rapidly. It began in the mid-sixties when the word "ecology" became vogue and really began to gain momentum in 1969 during the Santa Barbara oil spill. Zoos themselves were not affected until 1972. Had the zoological world recognized at that time what was happening, our problems would not nearly be as great today as they presently are. Some of us have been outspoken on the matter and have been subjected to some unjust criticism from our colleagues. In 1972 in Portland we tried to point out what would happen to zoological collections with regards to marine mammals if the proposed Marine Mammal Protection Act went through as proposed. During the regional meeting in 1973 we tried to stress the dangers and increasingly powerful role of the protectionists in Washington. In 1974, in Canada, we even went so far as to designate the American zoo as an endangered species. These warnings were considered by many to merely be scare tactics, but unfortunately, time has proven there is indeed a definite "anti-zoo" movement and it is gaining momentum. But the important thing for us is the fact that the feeling of security among ourselves is over and that most, if not all zoos, now realize that we are in for a fight for survival. The opposition truly believes that zoos are evil and

must be eliminated. Once zoos realized their intention, we began to make some progress — not much, but a start, and that is significant.

A review of the situation up to now might be beneficial to some. What happened? How did it happen? In retrospect, it would appear that the movement started with the era of "ecology" in the mid sixties. True, rape of North America had been permitted and as more people became aware of it, they rebelled. However, as time wore on, the movement became fashionable and everyone was leaping on the bandwagon. Those of us that had devoted our lives to biological sound conservation projects were initially most impressed with the upsurge of interest. But as these organizations became more vocal and militant, biological concepts and common sense practice fell by the wayside. Even remote field and behavioral studies came under attack. Possibly the biggest contribution to all of this was the power of television. As a result, almost overnight the country was overrun with instant "biologists and ecologists", courtesy of the tube. At that point, the conservation movement began to fragment into a number of well defined diverse segments — the true dedicated conservationists who really care and take the time to get the facts; the protectionists; and finally the hard core fanatical tree-huggers or deep breathers. True conservationists are realists and deeply committed, but at the same time see things as they are, not through rose-colored glasses. Generally they are able to grasp biological concepts and recognize that conservation is a long term complex problem with no instant solutions. They acknowledge that some progress is inevitable and understand the meaning of compromise. The protectionists, on the other hand, believe that instant changes and solutions are possible and that all of these problems are black and white. They feel, for example, that "Freeways are bad, because they kill

flowers and rabbits. The solution is simple — no more freeways and eliminate those that we have. Obviously then, the rabbits and flowers will return."

They do not accept the concept of compromise. However, there is an even more dangerous group — the Washington tree-huggers. These people can be termed fanatics and are generally special interest groups. They frequently ooze with money. As opposed to the other two types, which are probably genuinely concerned (although uninformed in many instances) the tree-huggers do not exhibit such concern. But because it is fashionable, they are able to create many waves and are constantly in the news. This new found notoriety is an extremely strong motivating force. The more noise they make, the more coverage they get. They maintain full time Washington offices and some groups retain \$50,000.00 a year attorneys to keep issues stirred up and to discover new ones. Their pulses do not get going in the morning until after they have read the Federal Register. The constant pressure they bring to bear on the legislators is unbelievable (although it should be believable now).

As a result of their tactics and manipulations, the torrent of recent adverse unwarranted animal-related legislation is with us. They were able to get away with it simply because we were too busy and looked upon them as kooks. Their credibility was not challenged and our side was not presented. The picture today is not bright, but it is better than it was a year ago merely because we in the zoo business are now responding and we are beginning to fight back — collectively.

The credible saga of zoo problems began in earnest in August of 1972 when the USDA imposed retroactive avian importation ban went into effect. This was closely followed in December by the Marine Mammal Protection Act. In 1973 the new Endangered Species Act became effective as well as the beginnings of the Inter-

national Treaty concerning endangered species. During 1973 USDA came out with their overly restrictive avian import and quarantine requirements and importers began to drop like flies. 1974 was no better as the first proposal from USDI regarding the so called "injurious species" was presented. In addition, the concept of a federal zoo bill was being received favorably in Washington. The situation between USDA and American zoos continued to deteriorate. 1975 has started out just as poorly for us. The second, and just as bad, proposal from FWS on injurious species has been made public and the concept of a Federal Zoo Control Board is gaining wider acceptance.

We have not yet learned to live or cope with the present legislation. The cost of administrative paperwork and unending time-lags involved is overwhelming. Examination of a seemingly simple importation will serve to illustrate some of the problems; importation of a pair of Laysan teal from Canada. First it is required to apply for a USDA import permit. If that is approved, space must then be secured in a USDA approved quarantine facility, which frequently takes many months. Then the bird has to survive quarantine, and while in quarantine must even not be "exposed" to anything such as VVND. If so, they are destroyed. Now, unfortu-

nately for the teal, they are considered an endangered species; hence an endangered species permit is required from USDI. Waiting periods up to a year are not unusual, even if approved. In addition, a \$50.00 application fee is required, even though the birds are only worth \$20.00 a pair. In the meantime, the birds may have died of senility. Assuming that they have not and are at least legally imported, and breeding is ultimately achieved, still another endangered species permit to transfer the offspring is necessary. Laysan teal are prolific breeders, so the only solution is to separate them to prevent the breeding of this endangered species. Many zoos have had to do this with the big endangered cats such as tigers. So, in effect, the bill that was conceived to assist endangered species, is in reality, the most detrimental thing that has happened to them in some time. In essence, they are actually being legislated out of existence. I suggest that this is a rather sad commentary on our times. Now, on top of all this, even more restrictive new legislation is proposed. If passed, it means in addition to everything else, we will also have to apply for an "injurious species" permit and, if the zoo bill goes through, all animal facilities will have to be inspected and licensed by "federal experts". And, if this is not enough, we repeatedly hear

from Washington that there really is little cost and paperwork involved. One only has to apply for a permit once to see the fallacy of that. They acknowledge that there are problems with some of the legislation and are moving rapidly to solve them. The fact that they said this almost two years ago with respect to the Endangered Species Act should give us an idea of how different our definition of time, paperwork and costs differs from theirs. The zoo is being strangled by needless bureaucratic red tape and there is no end in sight. Like the endangered species, we are being legislated out of business. If it is to be stopped, we must do it ourselves.

However, we are making some progress. Recognizing that there is a problem is often 50 percent of the battle plan. We have progressed that far anyway. During 1974 AAZPA finally acknowledged that the problem was no longer serious, but rather was critical, and consequently beefed up their Washington activities significantly. American zoos at last woke up to the fact that they were no longer thought of as part of American tradition nor were they regarded as sacred cows. The zoo had, in fact, become an endangered species. Lacking both the funds and the ability to actively lobby effectively in Washington seriously curtailed the role of AAZPA on

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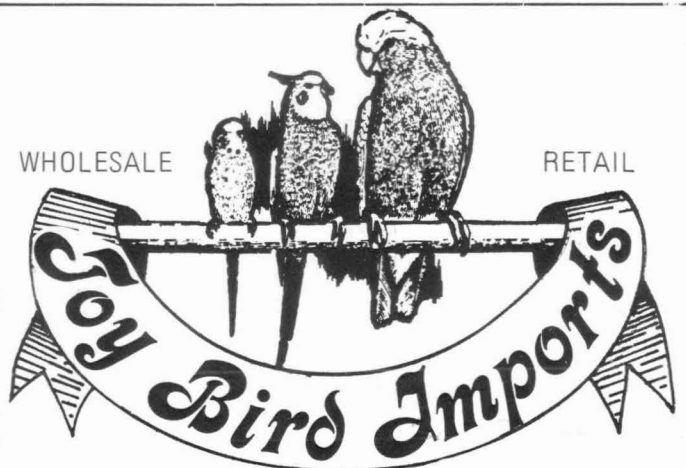
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the national level. So, during 1974, the Zoological Action Committee (Zooact) was formed. Its function is political; it is based in Washington; it is active full time; and its major value lies with professional active lobbying. It was designed to work in conjunction with AAZPA, not as a competing organization. Its role is merely to do the things in Washington that AAZPA is prohibited from doing by charter.

AAZPA and ZOOACT have formed an active partnership, each complimenting the other. In essence, the Zoological Action Committee is committed to doing the same things that the tree-huggers are doing. In fighting back, the zoological community is now fighting fire with fire. This is not to suggest that we will overcome in the long run, but fortunately the protectionists no longer have free rein in Washington. No longer can they run about unchallenged. We have learned they are extremely powerful and have assumed a vendetta-like posture. But, as we have learned about their strengths, we are now learning about their weaknesses. At the same time, we are discovering some of our collective strength.

We know what we have to do this year. Already two major problem areas are evident. We know that there will be others. All of us will be fighting the Injurious Species ruling and the proposed Federal Zoo Control Board Bill. In a way, it was a good thing that the injurious species problem arose, because it was the one piece that came out of Washington that everyone instantly recognized as extremely dangerous. It pulled us all together. It may be that we will end up thanking USDI for the assistance. We will, however, withhold our thanks until after the outcome of the ruling on injurious species. There is no need to go into the specifics of the Injurious Species ruling or the Zoo Bill at this point. We are all familiar with them. The question is, what are we going to do about it - both collectively and individually?

AAZPA and ZOOACT will continue to actively work on the problem in Washington, i.e. contact with legislators and bureaucrats, counter adverse publicity, go on the offensive with material to the media telling our side of the story, attempt to establish a rapport with the opposition (although this is unlikely as they have already made up their minds and do not want to be confused with the facts), and attempt to have input on proposed adverse bills before they come out of committee, etc. As has repeatedly been pointed out, one of the major reasons the protectionists and tree-huggers have been so successful is because they have steam rolled

ahead unopposed. But we have a tremendous potential force working for us that we have not yet tapped. That force is over 100 million people that visit American zoos annually. They are not aware that they are in danger of losing their zoo. They don't know because we haven't told them. What do you suppose their reaction would be if they did? We must get the facts of life to them. Each zoo has established contacts with the various media. Do not be hesitant to use them. Our story is valid, even though not as spectacular as the opposition as we have little time to carry placards, initiate boycotts, and march on Washington.

Zoological societies form the backbone of individual institutions. Get the word out to these hard core supporters via the zoo publications. Some consideration should be given to special mailings if necessary. Give them the straight facts, but also provide them with some means of fighting back as individuals. For example, massive letter writing campaigns have been extremely successful for the opposition. They can do the same for us. The individual zoo has an obligation to their society members to keep them informed of current events and is obligated to give them the ammunition they need to fight back effectively. 100 million people is a most effective fighting force, far outnumbering the opposition. By not using them, we are handicapping ourselves.

I am cautiously optimistic that we can survive. However, we will win only by exposing the opposition as the uninformed fanatics that they are. By massing our thus far unheard forces on a collective front, we can and must, overwhelm them. If the American zoo is to survive, there is no alternative. It is bad enough losing a battle, but it would be tragic to lose without a fight ■

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