

AZA United States approach to Legislation and Conservation

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What are Ethics ?

I. Definition

1. Any set of moral (what is right and wrong in behavior) principles or values.
2. The moral quality of a course of action;
3. The rules or standards governing the conduct of the members of a profession.

Ethics – evaluation in light of rules of behavior

Accreditation/recognition – evaluation in light of standards adopted by a profession or by a governmental or quasi-governmental organization regulates that profession; behaviors that are inconsistent with the profession=unethical outlines specific & general categories of “behaviors”

The Code of Ethics is an :

- inspirational guide for members
- is a basis for disciplinary action
- and applies to members only

For example:

MANDATORY STANDARDS

Misconduct

- a. A member shall not knowingly engage in activities contrary to local, state, federal, or international laws as such laws relate to our profession
- b. A member will, to the best of his or her ability, cooperate with governmental agencies regulating animal welfare and animal transactions
- c. A member shall not engage in conduct that adversely affects, or is prejudicial to, the concepts and ideals of the AZA
- d. A member shall make every effort to assure that all animals in his/her collection and under his/her care are disposed of in a manner which meets the current disposition standards of the Association and do not find their way into the hands of those not qualified to care for them properly

Disclosure of Information

- a. member shall not knowingly misinform others regarding animal records or specimen disposition, professional information, and advice.
- b. A member shall not alter animal records or alter the facts concerning age, condition, or other material information about any animal in order to affect the sale, trade, loan or other transaction with respect to such animal.
- c. A member shall issue no statement to the public which he/she knows (or should know) to be false or misleading.

Animal Transactions

Make **every effort** to assure that all animals in his/her collection and under his/her care are disposed of in a manner which meets the current disposition standards of the Association and do not find their way into the hands of those not **qualified to care** for them properly

What does that mean ?

- Know where you’re sending animals
- Check out the receiving facility yourself; talk to colleagues about their reputation
- The recipient must have the proper facilities to meet the needs of the animals
- The recipient must have the expertise to care for the animals.
- If you learn the recipient is not providing proper care, get the animals back.

Animal auctions - AZA members offering wildlife for sale at auctions attended by the general public are in violation of the AZA Code of Professional Ethics, specifically Mandatory Standard II.e. “do not find their way into the hands of those not properly qualified to care for them.”

Animal Acquisition

- Know where your animals come from – who is the seller, importer, broker or donor
- Check to make sure that all local, state, federal provincial, country laws are being followed
- Check to make sure that there are the proper permits
- You must have the space for the animal
- You must have the proper facilities
- You must have the expertise to care for the animals
- You must have sufficient finances; some animals are more expensive to keep than others (e.g., elephants, giant pandas)

What are some of the ethical debates in your zoos ?
Are ethics different in each country?
Do ethics change over time ?

Animal Welfare Act (AWA)

The Animal Welfare Act is the United States Approach to Zoo Legislation

It was enacted in 1970 and is administered by US Department of Agriculture, Animal and Plant Health Inspection Service

Purpose

- to insure that animals intended for use in exhibition are provided humane care and treatment
- to assure the humane treatment of animals during transportation in commerce
- to protect owners of flora and fauna from theft

AWA Regulates

- Transportation • Purchase • Sale • Housing
- Care • Humane Handling • Treatment

Who is regulated ?

Exhibitors = zoos, carnivals, and circuses
An “exhibitor” is a facility that is open to the public and displays animals.

Animals covered

- Secretary of Agriculture determines animals covered
- Non-human Primates — psychological well-being.
- Marine Mammals — specific space requirements.
- No standards for fish, horses, herps, farm animals.

- Preliminary regulatory work begun on rats, mice, and birds not bred for research.

Minimum requirements

- Handling • Housing • Feeding • Watering • Sanitation
- Ventilation • Shelter from extremes of weather and temperatures • Adequate veterinary care • Separation by species

Exhibitor's License

- Apply for the license annually • Pay the fee
- Must be inspected first by APHIS inspector and meet the standards

License Renewal

Submit the application and pay the fee
Submit an Annual report

- Number of animals owned, held or exhibited during the past year
- Any offspring listed
- Identification, names and address from whom animals acquired

Failure to comply

- List of deficiencies and corrective action
- 2 times to demonstrate compliance
- 3rd time, lose fee and can't apply for 6 months
- Can't operate as a zoo or be open to the public or exchange animals

Who are the Inspectors ?

- Veterinarians; veterinary technicians
- Specially trained on elephant care
- Specially trained on marine mammal care
- 100+ for 2700 exhibitors

Records

- Records of purchase, sale, transportation, identification and previous ownership must be retained
- All animals must be identified
- Records must be maintained for 1-year

Transportation

- Containers • Feed • Water • Rest • Ventilation • Temperature • Handling

Veterinary Care

- Attending veterinarian required
- Can be part-time; if so written program of care and regularly scheduled visits needed
- Appropriate methods to prevent, control and diagnose and treat diseases and injuries
- Daily observations directed by veterinarian
- Pest control

Handling of Animals

- No deprivation of food and water for training
- Minimum risk of harm to animal and to public
- Sufficient distance and barriers to protect animals and public

Food

- Wholesome and palatable
- Proper storage
- Protect against mold
- Protect against contamination by vermin

-Protect against deterioration

Waste Disposal

- Animal and food waste
- Bedding
- Dead animals
- Trash/debris

Facilities Indoor

- Temperature; protect from extremes
- Adequate ventilation
- Ample lighting
- Adequate drainage
- Sufficient space
- Adequate housekeeping
- Potable water

Facilities Outdoor

- Shelter from sunlight
- Shelter from inclement weather
- Sufficient space
- Potable water

Sanctions

- Authority exists to confiscate animals or destroy them in a humane manner if animals found suffering because of failure to comply with the AWA
- Civil penalties of \$2,500 per violation per day
- Cease and desist order
- If reason to believe a licensed exhibitor is violating the AWA, may suspend license for up to 21 days
- After hearing, exhibitor's license could be suspended for longer
- Opportunity for a hearing
- Size of penalties can vary
- size of business
- seriousness of violation
- history of violations

Investigations

- Complaint filed or phoned in
- Can be anonymous
- Investigation team sent to the zoo
- Team doesn't share the complaint with the zoo
- Investigation team writes up a report
- Zoo has to ask for a report
- Many times the institution is fined

Accreditation Overview

Accreditation (peer evaluation and review)

An assessment process using experts in a particular field to identify standards of acceptable operation or performance, and to measure compliance with them
Accreditation = recognition

Common Goals of Accreditation Programs

- Development of standards
- Assessment of compliance
- The improvement and continuing education of the applicant
- Promote an ongoing, long-term self evaluation of the applicant

Goals of AZA Accreditation Program

- Encourage institutions to develop superior facilities
- Establish standards

- Assess compliance
- Provide counsel

Why AZA?

- USDA would regulate, if not AZA
- Don't want the animal rights groups as inspectors
- We are the experts
- We want to differentiate ourselves from the "bad" zoos
- Desire to promote excellence within the profession

Mission

To establish, uphold, and raise the highest zoological and aquarium industry standards through self-evaluation, on-site inspection, and peer review.

Why Accreditation/Recognition Is Important?

- Binds the best of the profession together as one voice
- Sets us apart
- Promotes growth & improvement within each institution & the profession
- Increases ability to attract & retain high quality staff
- Eases animal exchange with other accredited institutions
- Increases eligibility for grants
- Exempts institutions from certain government requirements (primarily at the state or local level)

The Accreditation Commission

- 12-member Commission
- Experts in zoo & aquarium operations, animal management & husbandry, & veterinary medicine
- Representatives from small, medium, & large operations

Three Primary Areas of Expertise of Inspection

Team Members

Operations/Institution Management

Primarily Focuses On:

Governing authority, Staffing, Facilities, Finance, Guest services, Maintenance.

Animal Management/Curatorial

Animal collection, Animal records, Exhibits, Graphics & signage, Husbandry, Facilities

Exotic Animal Veterinary Medicine

Animal collection, Medical records, Veterinary care, Nutrition & Food Prep, Hospital facilities, Necropsies.

Criteria For Service As An Inspector,

Expertise to fill one or more of the three primary roles, Individual membership in AZA, Employment at an accredited institution- Minimum 5 years experience in the profession, professional experience, Thorough understanding of the accreditation process, its value, & related standards and policies; Ability to maintain impartiality, Good communication skills, Attend AZA Inspection Training Session once every three years

Criteria For Selecting Team Members

2-4 inspectors from accredited institutions, One for each primary role (operations, animal management, veterinary), Expertise in areas applicable to institution, One inspector from previous team, when possible; One inspector from similar size institution, when possible, One new inspector, when possible,

Located within reasonable distance of institution being inspected

Conclusion of Inspection

The Commission makes their decision

Team recommendation is only a part of what the Commission considers

Accreditation Commission makes the decision & bears the full responsibility ~ not the inspection team

What The Commission Considers when Making Its Final Decision

Six months of reviewing & evaluating documents,

records, policies, & practices of the institution

The previous inspection report & concerns

2-5 day on-site inspection

The current inspection report & concerns

Recommendation of the inspection team

Investigation of comments from colleagues & outside sources (if any)

The number & nature of concerns

Institution's response to the concerns

Institution's hearing

State of the institution at present

Commission's Decision

- Commission will either
 - Grant Accreditation
 - Table Application – the institution doesn't quite meet standards but should be able to in one-year or
 - Deny accreditation
- Progress reports & follow-up inspections

In Conclusion

Accreditation is for five years & expires at the end of that period

Accreditation is based on state of institution at the time of the review (not on future plans)

Commission may rescind accreditation anytime

Commission may require follow-up or special inspections

Development and Application of Standards

Performance Standard (qualitative)

-The level of achievement considered to be minimally acceptable for a performance characterist

Example: All animal exhibits and holding areas must be secured to prevent unintentional animal egress

The animals shouldn't be able to get out of their exhibits.

• Engineering Standard (quantitative)

-A quantity or measurement; specific numbers

Example:

The walls in the tiger exhibits should be 16 feet high.

Guideline

A plan or explanation to guide in setting standards

Not a requirement per se

Developing and/or Revising Standards

- Consideration of commonly accepted best practices
- Seek input from related committees, colleagues, experts

- Assign a team to develop language

Does the standard meet the following:

- Is it accurate?
- Is it fair and reasonable?
- Is it reliable (will it evaluate the same thing in a variety of settings)?
- Does it represent good business practice?
- Does it conflict with other established standards?
- Does it contribute to the goals of the accreditation process?
- Is it assessable?

- Determine who has final approval authority of standards
- When will the standard become effective? Is there need for a phase-in period? If it involves new construction, the phase-in will need to be longer.
- Even if there is a phase-in period, institutions should take immediate steps to incorporate the standard.

Evaluation In Light of Standards

- Judgment based on "as is", not future plans
- Consider all factors in each case
- Apply each standard without bias
- Assess the result, not the method
- Inspection team must discuss and agree

Accreditation/Recognition : Areas of Primary Focus

Animal Collection

- Living environments -- Temperature, - Shade, - Size of exhibit & holding areas, - Exhibit furniture, - Ventilation, - Lighting, - Construction & Nature
- Social & biological needs
- Enrichment program
- Nutrition
- Record Keeping
- Outreach animals & those used in public contact
- Acquisition & disposition, policy & practice
- Safety of exhibit & service areas -- Animals, - Public, - Staff
- Institutional Collection plan
- Water quality & access
- Food storage & prep.
- Pest Control

Veterinary Care

- Staff Veterinarians (qualification, number, experience)
- Hospital guidelines & medical programs of the American Association of Zoo Veterinarians
- Adequacy of Veterinary program & services
- Medical records
- Nutrition
- Food storage & prep
- Drug storage & authorization
- Medical & emergency policies & procedures
- Compliance with FDA guidelines
- USDA reports, & what has been done to correct concerns
- Medical alarm systems
- Quarantine -- Space, - Policies & procedures
- Necropsies

Conservation

- Key element in mission of institution
- Level of involvement in conservation programs
- Written plan or strategy
- Participation in Species Survival programs / SSPs
- Stud books managed by the institution
- Staff involvement in SSPs, AZA Taxon Advisory Groups, & other conservation efforts within AZA
- Contribution to local & natural conservation literature and programs
- Level of involvement with Schools & Universities

Education & Interpretation

- Key element in mission of institution
- Education & interpretive programs
- Staffing
- Funding
- Publication, brochures, printed materials
- Library & Internet
- Classrooms & teaching areas
- Exhibit graphics & signage
- Interaction with local Colleges & Universities
- Community outreach
- Volunteer training

Research

- Level & nature of research projects
- How projects are selected
- Publication of research
- Level of involvement with local & regional academia
- How research benefits animals & other institutions

Governing Authority

- Support for institution
- Relationship with the institution Director
- Depth of control in management of institution
- Process of hiring or firing personnel
- Line of authority in acquisition & disposition stock

Staff

- Qualifications & number
- Training & continuing education
- Salary levels
- Roles & responsibilities
- Working relationship between staff & management
- Lines of communication
- Clarity of lines of authority
- Involvement in AZA & other relevant organizations
- Supervision & training of volunteers

Support Organization

- Day-to-day role of the society
- Support & fund-raising efforts
- Financial reports and audits
- Relationship between society staff & zoo staff
- Consideration of whether an SO might be helpful, if one does not exist

Finance

- All financial records
- Solvency for next five years
- Budgeting process
- Adequate funding for required programs
- Contingency plan
- Strategic Plan
- Master Plan

Physical Facilities

- Condition of facilities *at the time of inspection*
- Preventative maintenance
- Adequacy of service areas
- Adequacy of plumbing, water, & ventilation systems
- Condition of walkways
- Condition of the buildings & structures
- Usage of buildings & structures
- General housekeeping
- Compliance with relevant Federal & State requirements for animal facilities

Safety & Security

- Safety procedures
- Emergency procedures
- On-grounds security
- Protocol & frequency of drills
- Adequate barriers
- Perimeter fencing
- Clarity & accuracy of signage
- Incidents that have occurred over the previous five years (what has been done to prevent recurrence)
- Storage & handling of flammables & hazardous materials
- Emergency alarm systems & life support systems
- Firearms training, storage, & access

Guest Services • Overall aesthetics of buildings and grounds • Housekeeping • Restrooms • Quality of food • Gift shops • Accessibility • Parking • Benches • Water fountains • On-grounds guest transportation • Trail maps & visibility of staff

Commonly Found Major Concerns

- Unresolved governance issues
- Unsigned/unconsummated agreements
- Low staffing levels
- Incomplete or lack of written safety procedures, manuals, protocols
- Inadequate policies, or failure to follow them
- Failure to conduct periodic emergency drills
- No duplication of older records, or failure to store duplicate set in separate location
- Lack of GFI circuits in wet areas

Commonly Found Lesser Concerns

- Peeling paint • Rusty or bent doors & fencing
- "Permanent" extension cords
- Cluttered yards & storage areas
- Rotted wood & fencing
- Potholes in asphalt & cracks in visitor walkways
- Dark work areas
- Insufficient safety barriers, ladders, fencing
- Missing, improperly mounted, or expired fire extinguishers
- Inaccessible MSDS sheets

Mentoring

Some institutions want their operations evaluated before applying for accreditation or before undergoing the process again

- Institution may contact the Accreditation Department requesting a "mentor".
- Mentor is a professional from an accredited institution
- Mentor is or has been an inspector, a Commissioner, or Commission Advisor

- Mentor is well versed in accreditation standards & fundamental AZA philosophies
- Mentor can be consulted throughout the preparation phase

Scope of duties of Mentor

- The mentor is available to perform an unofficial inspection.
- The mentor produces a list of areas that need work before submitting application, or before the official inspection.

FIRST-TIME APPLICANTS

- Any costs incurred by the mentor (expenses only) shall be borne by the applicant institution.
- Having a mentor *does not guarantee* an institution will be granted accreditation.

CITES -- CONVENTION ON INTERNATIONAL TRADE OF ENDANGERED SPECIES OF WILD FAUNA AND FLORA

PROBLEM

- Each year intl wildlife trade worth billions of dollars
- 100's of millions of plant and animal specimens
- Trade is diverse
- Exploitation of animal and plant species is high
- International trade + habitat loss can deplete populations
- Many wildlife species in trade are not endangered
- Trade in wild animals and plants crosses borders between countries

PURPOSE

- International cooperation to safeguard species from over-exploitation
- CITES = spirit of such cooperation to ensure the sustainability of the trade for the future
- Protection for 30,000 species flora and fauna

WHAT IS CITES?

- International trade treaty - 175 party nations
- Regulates import/export of species threatened **by international trade**
- Covers animal/plants, dead/alive, and all derived parts *any readily recognizable part or derivative*

BEGINNING

- Text of the CITES agreed to by 80 countries in Washington DC., USA, on 3/3/73.
- Treaty entered into force on 1 July 1975 CITES
- States (countries) that join CITES = Parties

TREATY

- CITES is legally binding on Parties
- CITES does not take the place of national laws
- Each Party must adopt its own domestic legislation to implement CITES

SAZARC CITES MEMBERS -Ratification dates

- Afghanistan-1985, • Bangladesh-1981
- Bhutan- 2002, • India- 1976 • Nepal - 1975
- Pakistan - 1976 • Sri Lanka -1979

CONFERENCE OF THE PARTIES

- The Conference of the Parties (CoP) = supreme decision-making body
- CoP comprises all member States; all 175 Parties
- CITES Secretariat to run the treaty

STRUCTURE

- CoP
- Standing Committee meets between meetings
- Animals Committee meeting
- Plant Committee meeting

STRUCTURE AT PARTY LEVEL

- Designate a Management Authority
- Designate a Scientific Authority
- Implement the decisions of the CoP or take a reservation

LISTING ON APPENDICES

- CoP agreed on a biological and trade criteria to determine whether a species should be included in Appendices I or II
- At CoP, Parties submit proposals based on the criteria to amend these two Appendices

CITES Appendix I

- Species imminently threatened with extinction due to international trade
- Requires both import and export permits
- Import of species must "not be primarily for commercial purposes"
- Removing species must be found not "detrimental" to survival of whole species

Import Permit: Importing country must decide:

- import will not be detrimental to the survival of the species involved
- the recipient is equipped to house and care for the specimen
- the specimen is not to be used for primarily commercial purposes

Export Permit. Exporting country must decide:

- the specimen was not obtained in contravention of the laws of that Country
- the export will not be detrimental to the survival of the species involved
- any living specimen will be prepared and shipped to minimize risk of injury, damage to health or cruel treatment
- the import permit has been granted

Primarily Commercial Purposes

- Commercial Activity - one whose purpose is to obtain economic benefit, including profit (whether in cash or in kind) and is directed toward resale, exchange, provision of a service or other form of economic use or benefit
- Commercial purposes – defined by country of import.
- Non-commercial aspects must clearly predominate the transaction
- Intended use of the Appendix I specimen in the country of import; not the nature of the transaction between the owner and the recipient

RESOLUTION ON CAPTIVE BREEDING

- Captive-breeding programmes: Importation of specimens of Appendix-I species for captive-breeding purposes raises special problems. Any importation of such specimens for *ex situ* purposes must be aimed as a priority at the long term protection of affected species as required in Resolution Conf. 2.12.
- Some captive-breeding operations sell surplus specimens to underwrite the cost of the captive-breeding programme. Importations under these circumstances could be allowed if any profit made would not inure to the personal economic benefit of a private individual or share-holder.
- Rather, any profit gained would be used to support the continuation of the captive-breeding programme to the benefit of the Appendix-I species. It should not be assumed that importation under such circumstances is inappropriate.
- As for imports of captive-bred specimens for captive-breeding programmes for commercial purposes, Article VII, paragraphs 4 and 5, eliminate the need to address the 'primarily commercial purposes' standard in Article III, paragraph 3 (c).
- In connection with captive-breeding purposes, it should be noted that as a general rule importations must be part of general programmes aimed at the recovery of species and be undertaken with the help of Parties in whose territory species originate.
- The profit gained that might result should be used to support the continuation of the programme aimed at the recovery of the Appendix-I species.

CITES Appendix II

- Species not imminently threatened, but trade needs to be regulated
 - Requires export permit
 - Export or re-export certificate must accompany each shipment
- Export Permit
- the specimen was not obtained in contravention of the laws of that Country
 - the export will not be detrimental to the survival of the species involved
- Exporting country must decide that:
- any living specimen will be prepared and shipped to minimize risk of injury, damage to health or cruel treatment
 - the import permit has been granted

CITES Appendix III

- Species regulated by country of origin for conservation reasons
 - Requires export permit
- CoP Meetings
- Every 2 ½ years
 - Next meeting in January 2010 in Qatar
 - Each Party sends delegates
 - NGOs send delegates
 - WAZA is an NGO; AZA is an NGO
 - Important to participate
 - Text of any draft resolution or any document for consideration at 15th CoP communicated to the Secretariat by **19 August 2009**
 - Text of proposed amendment to Appendix I or II for consideration at the 15th CoP communicated to the Secretariat by **19 August 2009**
 - If the proposed amendment to Appendix I or II concerns a species or a population of a species that occurs partly or totally outside the Parties territory and if the proposing Party does not intend to consult the other range States before the submission date to the Secretariat by **20 February 2009**
 - Follows the intent of international cooperation