

Regulatory
Enforcement
and Animal
Care

Western Sector
9580 Micron Ave
Suite J
Sacramento, CA 95827

Request for Investigation of Alleged Violations
Regarding the Animal Welfare Act, Regulations,
and/or Standards

August 12, 1994

Neil Williamson
Sector Supervisor
Western Sector, Regulatory Enforcement

The following documents are enclosed to assist in the initiation of
an investigation involving:

NAME: Attractions Hawaii
dba: Sea Life Park
ADDRESS: Makapuu Point
Waimanalo, HI 96795

LICENSE #: 95-C-011
PHONE #: (808) 259-7933

<input type="checkbox"/>	APHIS Form 7003	<input type="checkbox"/>	APHIS Form 7012	<input type="checkbox"/>	HEALTH CERTIF.'S
<input type="checkbox"/>	APHIS Form 7004	<input type="checkbox"/>	APHIS Form 7019	<input type="checkbox"/>	AIRBILLS/INVOICES
<input type="checkbox"/>	APHIS Form 7005	<input type="checkbox"/>	APHIS Form 7020	<input type="checkbox"/>	MEASUREMENTS
<input type="checkbox"/>	APHIS Form 7006	<input type="checkbox"/>	APHIS Form 7020A	<input type="checkbox"/>	SALE/PURCHASE RECORDS
<input type="checkbox"/>	APHIS Form 7006A	<input type="checkbox"/>	APHIS Form 7023	<input type="checkbox"/>	PHOTOGRAPHS
<input checked="" type="checkbox"/>	APHIS Form 7008	<input type="checkbox"/>	APHIS Form 7024	<input checked="" type="checkbox"/>	COMPLAINT(S)
<input type="checkbox"/>	APHIS Form 7011	<input type="checkbox"/>	STATEMENT(S)	<input type="checkbox"/>	PRIOR VIOLATIONS •

ADDITIONAL INFORMATION:

V. Wensley Koch, D.V.M.
Area Supervisor
Animal Care, Western Sector

Enclosures

cc:
E. Lyons, VMO

USDA:APHIS:REAC:WVK:emc:081294



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Regulatory
Enforcement
and Animal
Care

Western Sector
9580 Micron Avenue
Suite E
Sacramento, CA 95827-2623

COMPLAINT

COMPLAINT NO: 115

REPLY DUE: _____

RECEIVED BY: Lyons DATE: Aug 1, 94 REFERRED TO: Lyons
TIME: _____

ESTABLISHMENT NAME COMPLAINANT
Sea Life Park Anonymous

LICENSE/REGISTRATION NO: LICENSE/REGISTRATION NO:

ADDRESS ADDRESS

CITY, STATE, ZIP CODE CITY, STATE, ZIP CODE

PHONE NUMBER PHONE NUMBER

COUNTY COUNTY

DETAILS OF COMPLAINT:
False killer whale pool obtained, due to drain being left open.

ACTION:

AUTHORIZED BY: Don E. Malachuk
Sector Supervisor/AC Specialist



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Circle One:

Preliminary Investigation

Complaint

Search

Subject SEA LIFE PARK.

Circumstances or Events ANONYMOUS (8/1/94) TELEPHONE COMPLAINT - ALLEGED ANOTHER

INCIDENT OF A DRAIN BEING LEFT OPEN DURING TANK CLEANING,
STRANDING 2 PALE KILLER WHALES (Pseudorca crassidens). (Complainant
did not know exact date of incident, believed it to have occurred
within last 8 wks

Action VISITED SEA LIFE PARK - DID COMPLETE INSPECTION, AS WELL AS COMPLAINT
INVESTIGATION. NO REFERENCE TO ALLEGED INCIDENT IN ANIMALS' RECORDS;
HOWEVER, SECURITY LOG + CURATOR'S LOG DID CONTAIN INFORMATION REGARDING INCIDENT.
WHEN QUESTIONED DIRECTLY (AND SEPARATELY) OPERATIONS MGR + CURATOR
CONFIRMED THAT INCIDENT HAD OCCURRED ON 4 JUNE 94. WHALES
WERE LEFT IN ~ 1-2 ft of WATER FOR ~ 1/2 - 1 hr. ONE WHALE

Summary of Findings HAD AN ABRASION ON DORSAL FIN. THIS IS THE
SECOND STRANDING INCIDENT FOR WHICH SLP HAS BEEN CITED.
EVEN THOUGH ANIMALS WERE NOT SERIOUSLY INJURED (UNLIKE
LAST TIME), THESE UNATTENDED ACCIDENTAL STRANDINGS SHOULD
NOT BE OCCURRING.

Further Action Required 7012 ATTACHED TO 7008 → RE CASE? ANOTHER STRAND

E. C. Gorr
Inspector

8/8/94
Date



**REPORT OF ALLEGED VIOLATION OF THE
ANIMAL WELFARE ACT**

(7 USC 2131 et seq)

INSTRUCTIONS Submit original and 1 copy to USDA, APHIS, REAC, Hyattsville, Md 20782 and a copy to the Sector office and Inspector. If more space is needed use additional sheets and refer to each item No

1. STATE REPORTING HAWAII	2. DATE OF VIOLATION (See reverse) 6/4/94	3. STATION CASE NO. SCE # 26
4. OTHER STATES INVOLVED NONE		
5. ALLEGED VIOLATION OF <input type="checkbox"/> ACT <input checked="" type="checkbox"/> REGULATIONS <input type="checkbox"/> STANDARDS		

6. NAME AND ADDRESS OF ALLEGED VIOLATOR(S) (Include Zip Code) SEA LIFE PARK AIKAPUU POINT WAIMANALO, HI 96795	7. LICENSE NO. OR REGISTRATION NO. 95-C-011	8. "X" IF <input type="checkbox"/> NOT LICENSED <input type="checkbox"/> NOT REGISTERED
9. ADDRESS OF PREMISES, FACILITY, OR SITE (If different from item 6) SAME		

10. ALLEGED VIOLATIONS - (Give complete data on reverse)

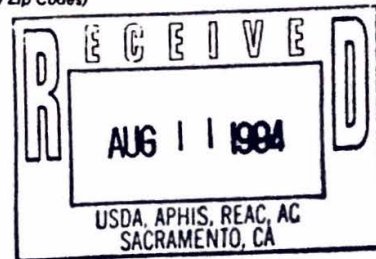
11. ENTER THE DATE OF EACH OF THE FORMS RELATED TO THIS VIOLATION AND ATTACH A COPY OF EACH			
A. DATE OF APHIS FORM 7003 Application for License	B. DATE OF APHIS FORM 7008 Inspection 5 AUGUST 1994	C. DATE OF APHIS FORM 7009 Holding Facility Approval	D. DATE OF APHIS FORM 7011 Application for Registration

12. HAS OWNER, OPERATOR, OR OTHER RESPONSIBLE PERSONS FOR LICENSEE OR REGISTRANT BEEN NOTIFIED OF THEIR VIOLATIONS IN ITEM 10? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	If "Yes", attach written evidence or Names and Addresses of witnesses MS. MARLEE BELLS CURATOR 8/5/94
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SHIPMENT INFORMATION

13. CONSIGNED BY (Name and Address, include Zip Code)	14. DATE SHIPPED	15. TIME SHIPPED
	16. SHIPPED (City, Town and State)	
17. CONSIGNED TO (Name and Address, include Zip Code)	A FROM	B TO
	18. TRANSPORTER OR CARRIER (Name and Address, include Zip Code)	
19. VEHICLE DRIVER (Name and Address, include Zip Code)	20. TRANSPORTER'S VEHICLE LICENSE NO.	
	21. TRANSPORTER'S LEGAL STATUS (Individual, Partnership, Corporation, etc.)	
	22. COMMON CARRIER <input type="checkbox"/> YES <input type="checkbox"/> NO	23. STATE WHERE INCORPORATED (If corporation)

28. IF PARTNERSHIP OR CORPORATION NAMES AND ADDRESSES OF PARTNERS OR CORPORATE OFFICERS (Include Zip Codes)



IF ALLEGED VIOLATOR(S), SHIPPER, TRANSPORTER OR DRIVER HAS BEEN INVOLVED IN PREVIOUS VIOLATIONS OF THE ANIMAL WELFARE ACT - COMPLETE ITEMS 24 THROUGH 26.

24. DATE OF VIOLATION 30 OCTOBER 92 + 23 MAY 91	25. NATURE OF VIOLATION HANDLING: 3 SEA LIONS LEFT 4/3 WATER (1 DIED); FIVE DOLPHINS STRANDED IN TANK 44 DRAIN LEFT OPEN (1 DIED - POSSIBLY UNRELATED)	26. PRIOR CASE NO. OF PREVIOUSLY SUBMITTED INVESTIGATION H194022 - AW
27. PREPARED BY (Signature) Elizabeth L. Lyons	28. NAME AND TITLE (Type or Print) Elizabeth L. Lyons, VMO	29. DATE 8/8/94
30. REVIEWED BY (Signature)	31. NAME AND TITLE (Type or Print)	32. DATE

10. ALLEGED VIOLATIONS (Give complete information - attach additional sheets if necessary)

DATE OF VIOLATION	SECTIONS AND PARAGRAPHS VIOLATED	BRIEF DESCRIPTION OF EACH VIOLATION	ANIMALS INVOLVED IN ALLEGED VIOLATION (if any)				
			NO. ANIMALS	SPECIES	INDIVIDUAL TAG NO., TATTOO NO., OTHER IDENTIFICATION, DESCRIPTION OR DISTINCTIVE MARKINGS	INVOICE (or related records)	
						NO. G	DATE H
E/4/94	2.151(a)(1)	DRAIN LEFT OPEN DURING TANK CLEANING. WHALES LEFT IN APPROX. 2 FT OF WATER FOR ~ 1/2 - 1 HOUR. LOW WATER LEVEL DISCOVERED BY SECURITY GUARD DURING HIS ROUNDS. ONE WHALE SUSTAINED AN ABRASION TO HIS/HER DORSAL FIN	2	PSEUDORCA CRASSIROSTRIS (False killer whale)	"MINNIE" & "FRUTUS" (aka "MALUHIA" & "POND")		
AS THIS IS THE SECOND TIME THEY'VE LEFT DRAINS OPEN, I RECOMMEND ANOTHER STIPULATION - PRONTO - FOR A SUBSTANTIAL SUM. [Signature]							