



Inspection Report

MS Leisure Company, Inc.
4400 Rickenbacker Causeway
Key Biscayne, FL 33147

Customer ID: **6011009**
Certificate: **58-C-1252**
Site: 001
Miami Seaquarium

Type: ROUTINE INSPECTION
Date: 28-NOV-2023

3.150(a) Repeat

Facilities, general.

**The penguin building, and indoor enclosure have multiple problems that require attention. The metal frame around the glass, both on the outside and inside of the door, is rusted and breaking off, causing sharp edges that could pose a hazard to the penguins. Inside the enclosure, there are several areas where paint is peeling away from the walls and ceiling, and sections of the drywall are breaking off in different corners near the water feature and rock outcrops. Rust marks are running down the walls from rusty screws, and the main door frame is also rusted all the way around. This indoor area has multiple issues that need prompt addressing and maintenance for the safety of the penguins.

**In the remaining parrot trailer in use, there are still areas of the wall behind one of the cages that are damaged from a parrot chewing through the metal bars, and strips of paint are peeling off the ceiling. Staff stated that cages are usually pulled away from the wall to prevent this from happening. Allowing access to surfaces and materials that are not safe or appropriate for birds to chew or ingest can lead to illness or injury. All housing facilities for birds must be designed and constructed to be structurally sound for the species housed in them. Additionally, all housing facilities for birds must be kept in good repair and protect the birds from injury.

2.40(b)(1) Critical Repeat

Attending veterinarian and adequate veterinary care (dealers and exhibitors).

**At the time of the inspection, Clarity, the manatee, showed evidence of a progressive skin condition. She is currently covered with a thick layer of algae and has patchy white discolorations around her nostrils, mouth, and face, extending to the axillary region, both front flippers, with numerous large white patchy lesions on the ventral abdomen. According to the care staff and AV, these white patches have grown in size and spread over the last several weeks. Due to a lack of appropriate facilities and the inability to drop the pool, coupled with the absence of necessary equipment, the AV has been unable to thoroughly examine Clarity. A comprehensive examination is essential for diagnosis and to formulate a treatment plan. The lack of appropriate facilities and equipment is affecting the AV's ability to provide proper care for this animal. Although the facility has arranged for Clarity to be moved to another facility capable of ensuring care, all pre-shipment bloodwork expense were covered by the receiving facility. This facility needs to meet the requirements of this subpart to ensure the attending veterinarian has the necessary equipment and facilities to conduct the diagnostics required for an appropriate treatment plan for all animals in need of veterinary attention.

Prepared By: COLETTE KIRK EL-AMIN
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL OFFICER

Date:
07-DEC-2023

Received by Title: Facility Representative

Date:
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**The attending veterinarian has concerns that several dolphins (Ripley, Panama, Onyx, and Sundance) are showing signs of gastric distress and abnormal samples from these animals continue to be found. Ripley is known to consume and regurgitate non-food items. The AV suspects that several dolphins may have ulcers and possibly foreign bodies, necessitating an endoscope for confirmation of diagnosis and to proceed with a more targeted treatment plan.

To ensure adequate veterinary care, the AV will require appropriate facilities, personnel, equipment, and services deemed necessary to perform the diagnostic tests essential for proper diagnosis and treatment, aligning with subpart sub part E 3.110 (f). At the time of inspection, the facility still has not acquired an endoscope.

3.101(a) Repeat

Facilities, general.

**Two dolphin pools in Dolphin Harbor are in disrepair. The medical pool has a section of concrete near the slide-out that is broken, causing rough edges that could potentially injure the dolphins in that pool. Additionally, the steps in pool A are also in similar disrepair, with sections of concrete missing, and needs to be repaired. A facility work order for both these areas was submitted on August 21, 2023, but neither area has been addressed and there is no timeline stating when they will be fixed. Enclosures must be maintained in good repair for the safety of the animals and the facility needs to make corrective actions in a timely manner once work orders are submitted to ensure the safety of the marine mammals.

**In sea lion holding, a metal grate that covers a pit, which is an access point to the filtration system, was not secured after recent work and the inspector noted the grate was slightly shifted. This grate, if left unsecured, can be a potential hazard to the sea lions in the holding as they can easily move the metal grate giving them access to the pit and equipment, which could cause injury to the animals. This grate needs to be secured after every time it is opened for the safety of the animals.

3.103(c) Repeat

Facilities, outdoor.

**The facility's perimeter fence has multiple areas that require attention due to disrepair. On the bay side, several support beams were rusted at the base to the point they were no longer connected to the concrete, making it easy to move the fencing significantly when pushed. These areas need prompt attention to maintain the structural integrity of the fencing in this section.

**The perimeter fencing along the east side of the facility had several sections where razor wire was hanging down low over the fence, posing a potential hazard and affecting the strength of the barbed wire that ensures the fencing is 6 feet high. Defects in the perimeter fence can allow animals and unauthorized people to enter and exit the area, gaining access to the animals at the facility. Stay cats were observed entering the facility, and a few employees mentioned seeing foxes on the grounds. Perimeter fencing must be regularly checked and maintained to ensure it protects marine mammals by restricting animals and unauthorized persons from having contact with the marine mammals.

3.106(b)(1)

Water quality.

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From the last week in October throughout all of November, the coliform counts for sea lion holding GD 4 have been excessively high, well over 1,000 Most Probable Number (MPN). While the pool was dropped and cleaned a few times during that time, there were periods of time where the total coliform counts were excessively high without mitigation, the longest being over one week, from November 1 - 7. Coliform counts were documented below:

- 25Oct23- >24,190.6 MPN
- 01Nov23- 9,200.8 MPN.
- 02Nov23->24,190.6 MPN
- 03Nov23->24,190.6 MPN
- 06Nov23->24,190.6 MPN
- 14Nov23 - 17,320.9 MPN.
- 17Nov23- 3,070.6 MPN.
- 20Nov23- >24,190.6 MPN
- 24Nov23- >24,190.6 MPN
- 28Nov23- 6,860.7 MPN

High counts of coliform bacteria in the environments of marine mammals pose a risk to the health of these animals. The facility must maintain water quality which is not detrimental to the health and the well-being of the animals and must ensure that appropriate and effective corrective and preventive actions are taken when high coliform counts, or other water quality concerns are detected.

Correct by: Dec 13, 2023

3.108(a) **Repeat**

Employees or attendants.

The facility continues to have an inadequate number of trained employees in the Veterinary Care department. Currently a single veterinarian is employed to care for the 46 marine mammals, 50 birds, and hundreds of fish, sharks and rays housed at the facility. Without veterinary technicians, the veterinarian has had to postpone routine physical exams since March, to allow for the continued prioritization of sick and/or urgent cases until additional staff can be hired. Insufficient staffing can lead to poor husbandry practices and hinder the veterinary staff's ability to provide routine care and maintenance for the animals. A sufficient number of adequately trained employees or attendants, responsible to management and working in concert with the attending veterinarian, must be utilized to maintain the prescribed level of husbandry practices.

3.150(c)(2) **Repeat**

Facilities, general.

In the Tropical Wings section, there are still multiple indoor and outdoor metal enclosures that showed evidence of excessive rust. There are areas of bubbling and flaking paint due to rust and areas where the metal is rusted through. Excessive rust can compromise structural strength, present roughened and jagged surfaces where it is possible for the birds to injure themselves and prevent proper cleaning and sanitization of a surface. Any surfaces that come in contact with the birds must be free of rust or damage that affects the structural integrity of the surface or prevents cleaning.

3.151(b) **Repeat**

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Facilities, indoor

*The ventilation problem within the penguin indoor enclosure, housing 9 penguins, has not been addressed since the last inspection. There is still an excessive accumulation of moisture condensation on the ceiling, leading to numerous spots of black mold growth and areas of bubbling and peeling paint that are still visibly hanging down into the enclosure.

*The air filter in the ventilation duct for the penguin enclosure was removed in August and has not been replaced. Consequently, there is excess dust and debris blowing directly into the exhibit area. A mechanism is required to reduce the amount of aerosolized debris entering the enclosure.

*While one of the bird trailers is in the process of being refurbished, the remaining trailer housing several parrots still has a strong noxious odor permeating the air. This odor is consistently present, and no windows were open at the time of the inspection to aid in air flow. The facility has placed two air purifiers in this area; however, there is still insufficient ventilation.

Mold, mildew, poor air quality, and noxious odors can cause illness in birds. Indoor housing facilities must be sufficiently and consistently ventilated when birds are present to ensure their health, to prevent discomfort or distress, and minimize accumulations of moisture condensation, odors, and levels of ammonia, chlorine, and other noxious gases.

3.152(b)

Facilities, outdoor

There is no shelter from inclement weather in the flamingo yard. This yard houses 29 flamingos and is a large area located near the entrance of the park. Storms and high wind events are a frequent occurrence in this area. Outdoor housing facilities must provide adequate shelter that is adequately ventilated in hot weather and that is large enough to comfortably contain all the birds to prevent discomfort from direct sunlight, and offer effective protection from excessive rain, hail, or wind. This needs to be corrected for the welfare of the birds.

Correct by February 5, 2024.

3.153(a)(2)

Primary enclosures.

In the Tropical Wings section for the parrots, most of the perching needs to be replaced. Many of the wood perches have been chewed excessively shortening their length and limiting the parrot's movement around the area. Some of the perches have been stripped and are so smooth that there is less grip for the birds as they move around. Perches that enrich a bird's environment must be maintained in good condition. A sufficient number of perches must be available that vary in size, shape, strength, texture and placement to comfortably hold all the birds. The manager for the area states that she has tried unsuccessfully to order additional enrichment and perching for these birds. The perching for these birds needs to be addressed for their psychological and physiological well-being.

Correct by January 10, 2024.

3.154(c)(2)

Environment enhancement to promote psychological well-being.

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The facility has created an avian enrichment plan, but the plan does not consider the special needs of the birds that show signs of being in psychological distress through behavior or appearance. The facility houses a bonded pair of macaws that has feather plucked each other extensively and a third parrot that has self-plucked and is housed alone. These birds have been identified but their additional enrichment needs have not been documented. This needs to be addressed for their psychological wellbeing.

Correct by: Dec 16, 2023

3.157(a)(2)

Repeat

Water quality.

* In the enclosure housing 29 flamingos, there is still an area of poor drainage along the water feature where the ground has eroded. There is also a trough that is part of the cement pond that does not connect to a functional drain. The staff has started to add material to the area to reduce the amount of water but at the time of the inspection, this project was not completed, and the size of this area is large. Stagnant water can attract pests, produce noxious odors, and could lead to disease or illness in the animals.

*The coliform counts in flamingo pools have been well over 1,00 MPN for the month of November and are a current concern by the AV. She has stated that she wants the coliform counts to be within industry standards for the birds which is at or below 1,000 MPN. Counts documented:

- 01Nov23- >24,190.6 MPN
- 08Nov23- >24,190.6 MPN
- 14Nov23- >24,190.6 MPN
- 24Nov23- >24,190.6 MPN

Pools or other aquatic areas without drainage systems must be aerated and have an incoming flow of fresh water or be managed in a manner that maintains appropriate water quality in accordance with current professionally accepted standards appropriate for the species.

3.159

Employees

Based on the number of non-compliant items identified in this report, this facility does not have enough adequately trained employees that can maintain the professional acceptable level of husbandry and handling practices for the animals in their collection. Extensive maintenance is required for all bird areas to maintain enclosures in good repair for the safety and health of the birds.

Correct by January 10, 2024.

This inspection and exit interview were conducted with facility representatives.

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Additional Inspectors:

Laurie Gage, Field Zoological Species Specialist

ANDREA D AMBROSIO, ANIMAL CARE INSPECTOR

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Species Inspected

Cust No	Cert No	Site	Site Name	Inspection
6011009	58-C-1252	001	Miami Seaquarium	28-NOV-2023

Count	Scientific Name	Common Name
000013	<i>Zalophus californianus</i>	CALIFORNIA SEA LION
000008	<i>Phoca vitulina</i>	HARBOR SEAL
000019	<i>Tursiops truncatus</i>	BOTTLENOSE DOLPHIN
000003	<i>Trichechus manatus</i>	CARIBBEAN MANATEE
000009	<i>Spheniscus demersus</i>	AFRICAN PENGUIN / CAPE PENGUIN
000029	<i>Phoenicopterus ruber</i>	AMERICAN FLAMINGO
000004	<i>Ara chloropterus</i>	RED-AND-GREEN MACAW / GREEN-WINGED MACAW
000002	<i>Ara macao</i>	SCARLET MACAW
000001	<i>Ara militaris</i>	MILITARY MACAW
000005	<i>Ara ararauna</i>	BLUE-AND-YELLOW MACAW / BLUE-AND-GOLD MACAW
000001	<i>Ara, Anodorhynchus, Primolius, Diopsittaca spp hybrid</i>	MACAW HYBRID
000002	<i>Amazona autumnalis</i>	RED-LORED PARROT / RED-LORED AMAZON
000001	<i>Cacatua galerita</i>	SULPHUR-CRESTED COCKATOO / GREATER SULPHUR-CRESTED COCKATOO
000003	<i>Cacatua alba</i>	WHITE COCKATOO / UMBRELLA COCKATOO
000001	<i>Cacatua moluccensis</i>	SALMON-CRESTED COCKATOO / MOLUCCAN COCKATOO
000001	<i>Psittacus erithacus</i>	CONGO AFRICAN GREY PARROT / GRAY PARROT
000102	Total	