

3-18-2021

COVID-19: Enough About Humans, What About the Animals?

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COVID-19: Enough About Humans,
What About the Animals?
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about-humans-what-about-the-animals/)

March 18, 2021 by Kristen Tabone (<https://gguelj.org/author/ktabonemy-ggu-edu/>)

Introduction

The COVID-19 pandemic, also known as SARS-CoV2



Chimpanzees. Photo by Satya Deep on Unsplash
(<https://unsplash.com/photos/xttQG4YyJ6l>)

(<https://www.sciencedirect.com/science/article/pii/S0048969720323305>), has impacted life in unexpected ways. This virus has affected every country (<https://www.worldometers.info/coronavirus/countries-where-coronavirus-has-spread/>), resulting in over two million global deaths (<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>) as of February 17, 2021, including about 470,000 (<https://www.cdc.gov/coronavirus/2019-ncov/covid-data/covidview/index.html>) in the U.S., and the establishment of social distancing policies and shelter-in-place orders (<https://www.usatoday.com/story/news/nation/2020/03/21/coronavirus-lockdown-orders-shelter-place-stay-home-state-list/2891193001/>). Amidst this social upheaval, it is easy to lose sight of the impacts suffered by commercial and domestic animals.



Pangolin. Photo by Louis Mornaud on Unsplash

Although most reporting on the pandemic has focused on the impact of the virus on humans, animals have also been impacted by the virus. This is not surprising given that many researchers suggest that animals are the likely source of COVID-19 and coronaviruses are known to circulate in mammals and birds

(<https://www.nature.com/articles/d41586-020-00364-2>). In fact, coronaviruses are known as zoonotic diseases, (<https://www.nbcnews.com/science/science-news/where-did-new-coronavirus-come-past-outbreaks-provide-hints->

(<https://unsplash.com/photos/mtTpAM2uaRM>) n1144521) because they spread from animals to people. The 2003 outbreak of Severe Acute Respiratory Syndrome (SARS), was found to have originated in bats (<https://www.nbcnews.com/science/science-news/where-did-new-coronavirus-come-past-outbreaks-provide-hints-n1144521>) and later transferred to humans through an intermediate animal, the civet cat (<https://www.nbcnews.com/science/science-news/where-did-new-coronavirus-come-past-outbreaks-provide-hints-n1144521>). Researchers studying COVID-19 have also looked to animals as a likely source, ruling out bats (<https://www.nbcnews.com/science/science-news/where-did-new-coronavirus-come-past-outbreaks-provide-hints-n1144521>) because their genetic sequences do not match the DNA of the COVID-19 virus (<https://www.nbcnews.com/science/science-news/where-did-new-coronavirus-come-past-outbreaks-provide-hints-n1144521>) but identifying a plausible source as the pangolin (<https://www.worldwildlife.org/stories/what-is-a-pangolin>), a scaly, long-snouted anteater, whose genetic sequences are 99% similar to those of the COVID-19 virus.

But whatever the ultimate source of this virus, the danger to animals is real. There is no doubt that animals are being adversely affected by COVID-19. As this paper will show, zoo animals, in particular, are among the most severely impacted due to the lack of legal requirements designed to protect them from this type of emergency. This paper will also show that domestic animals and pets, while also impacted, nevertheless enjoy some protections from laws enacted to lessen the impact of public emergencies like this global pandemic. This uneven impact highlights how animals are treated differently depending on their circumstances, which illustrates the discriminatory effect of these laws, as explained below.

This article will provide examples of how zoo animals and domestic animals around the world have both benefited and suffered during this pandemic, and the actions taken by their caregivers to protect them from the adverse impacts of COVID-19. It will then examine how the provisions of the Animal Welfare Act (<https://www.animallaw.info/statute/us-awa-animal-welfare-act>) (AWA) (<https://www.animallaw.info/statute/us-awa-animal-welfare-act>) and the PREPARED Act (<https://www.congress.gov/bill/116th-congress/house-bill/1042>), have both failed to protect zoo animals. This article will also examine how the PETS Act (<https://aldf.org/article/the-pets-act-companion-animals-affected-by-natural-disasters/>) and other legislation enacted during COVID-19 (<https://www.asPCA.org/news/how-smart-government-policies-can-help-keep-people-and-animals-together-through-covid-19-crisis>) have better protected domestic animals during this time, and how the PREPARED Act would be a beneficial addition to the PETS Act because it would add commercial animals to the list of animals protected during emergencies. Finally, this article will assert that more regulations like the PREPARED Act, are needed to better protect animals impacted by COVID-19 and other future emergencies by creating stricter guidelines for emergency planning.

Zoo Animals Have Reacted to the Lack of Visitors During the COVID-19 Pandemic

The shelter-in-place orders and a significant decrease in animal tourism (<https://therising.co/2020/04/11/covid-19-impacting-animal-conservation/>) have left animals in zoos and aquariums to cope without the constant presence of humans. Despite zoos around the world closing (<https://www.newyorker.com/news/our-columnists/some-zoos-and-some-of-their-animals-may-not-survive-the-pandemic>) in March 2020 (<https://www.usatoday.com/story/travel/news/2020/08/02/zoos-return-amid-coronavirus-pandemic-but-no-one-visiting/5567553002/>), some animals have enjoyed the isolation. For example, zookeepers at the National Zoological Park (<https://timesofindia.indiatimes.com/city/delhi/call-of-the-wild-quiet-brings-out-animal-instincts-at-zoo/articleshow/75665638.cms?>

utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst) in India reported that carnivores, such as the tigers, were enjoying the quiet spell (https://timesofindia.indiatimes.com/city/delhi/call-of-the-wild-quiet-brings-out-animal-instincts-at-zoo/articleshow/75665638.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst) away from human visitors.

However, there are animals who have not benefited from the decrease in animal tourism. Lions in the Maryland Zoo in Maryland, have come up to the windows anytime a person walks by (<https://abcnews.go.com/US/life-covid-19-animals-zookeepers-maryland-zoo/story?id=70422788>). The zookeepers at India's National Zoological Park (https://timesofindia.indiatimes.com/city/delhi/call-of-the-wild-quiet-brings-out-animal-instincts-at-zoo/articleshow/75665638.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst) reported that the birds were silent and less active. Macaws at both the Oakland Zoo (<https://www.npr.org/2020/07/25/895329229/zoos-are-reopening-but-some-animals-are-more-excited-for-visitors-than-others#:~:text=After%2520months%2520shut%2520down%2520from,but%2520have%2520they%2520missed%2520us%253F>) in California and the Maryland Zoo voiced (<https://abcnews.go.com/US/life-covid-19-animals-zookeepers-maryland-zoo/story?id=70422788>) their disapproval of the lack of human presence and moved from the public viewing areas to the zookeeper's holding areas (<https://www.npr.org/2020/07/25/895329229/zoos-are-reopening-but-some-animals-are-more-excited-for-visitors-than-others#:~:text=After%2520months%2520shut%2520down%2520from,but%2520have%2520they%2520missed%2520us%253F>), where they were likely to see the only humans in the zoo.

Chimpanzees also miss the constant flow of visitors (<https://www.leicestermercury.co.uk/news/local-news/animals-twy-cross-zoo-are-missing-4119435>). The Chimpanzees at the Twycross Zoo in England began looking for zoo visitors, whom the chimps normally interact with. Chimps at the Maryland Zoo showcased attention-seeking behaviors, such as reaching towards workers who usually feed the primates by hand, but who have taken to scattering the chimps' food in their enclosure in an effort to protect the chimps from possible infection (<https://abcnews.go.com/US/life-covid-19-animals-zookeepers-maryland-zoo/story?id=70422788>).

To combat the loneliness the animals were feeling, zookeepers at the Oakland Zoo have made sure to keep a strict routine while also providing the animals with enrichment items (<https://www.npr.org/2020/07/25/895329229/zoos-are-reopening-but-some-animals-are-more-excited-for-visitors-than->



Otter. Photo by Daniel Olaleye on Unsplash (<https://unsplash.com/photos/8xGNvZVLNCK>)

others#:~:text=After%2520months%2520shut%2520down%2520from,but%2520have%2520they%2520missed%2520us%253F) to ensure they were keeping busy. This included hiding the animals' food in new toys

(<https://www.npr.org/2020/07/25/895329229/zoos-are-reopening-but-some-animals-are-more-excited-for-visitors-than-others#:~:text=After%2520months%2520shut%2520down%2520from,but%2520have%2520they%2520missed%2520ous%253F>), or giving zebras piles of compost (<https://www.npr.org/2020/07/25/895329229/zoos-are-reopening-but-some-animals-are-more-excited-for-visitors-than-others#:~:text=After%2520months%2520shut%2520down%2520from,but%2520have%2520they%2520missed%2520ous%253F>), or having zookeepers eat lunch outside the windows of the otter enclosure (<https://www.npr.org/2020/07/25/895329229/zoos-are-reopening-but-some-animals-are-more-excited-for-visitors-than-others#:~:text=After%2520months%2520shut%2520down%2520from,but%2520have%2520they%2520missed%2520ous%253F>). Some zoos have allowed animals to take daily zoo walks, such as the penguins in Shedd Aquarium (<https://www.independent.co.uk/environment/coronavirus-animals-tourism-conservation-zoo-aquarium-a9447116.html>) in Chicago, who were let out to wander around the zoo and meet the other animals. In the Sumida Aquarium located in Japan, the garden eels hosted a virtual face-showing festival (<https://www.theguardian.com/world/2020/may/01/japanese-aquarium-urges-public-to-video-chat-eels-who-are-forgetting-humans-exist>) in May 2020, to have the garden eels see people and stop hiding in fear of the zookeepers.



A Malayan Tiger similar to Nadia. Photo by Vlad Tchompalov on Unsplash
(<https://unsplash.com/photos/M1RiC7rHPHc>)

Although zoo closures kept crowds away from the animals, zoo animals were not spared from contracting COVID-19. On April 5, 2020, New York's Bronx Zoo reported the first case of a zoo animal contracting COVID-19, found in Nadia, a 4-year-old Malayan tiger (<https://newsroom.wcs.org/News-Releases/articleType/ArticleView/articleId/14084/Update-Bronx-Zoo-Tigers-and-Lions-Recovering-from-COVID-19.aspx>), along with four other tigers and three African lions (<https://www.cnn.com/2020/04/23/us/bronx-zoo-cats-positive-coronavirus-trnd/index.html>) later found to have tested positive for the virus. As of April 23, 2020, all of the cats, were reported to be recovering, behaving normally, eating well, and having reduced coughing (<https://newsroom.wcs.org/News-Releases/articleType/ArticleView/articleId/14084/Update-Bronx-Zoo-Tigers-and-Lions-Recovering-from-COVID-19.aspx>).

The cats contracted the virus by a zookeeper (<https://newsroom.wcs.org/News-Releases/articleType/ArticleView/articleId/14084/Update-Bronx-Zoo-Tigers-and-Lions-Recovering-from-COVID-19.aspx>), who had not shown symptoms of having COVID-19. More recently, on December 11, 2020, three snow leopards (<https://www.cnn.com/2020/12/11/us/snow-leopard-positive-coronavirus-kentucky-zoo-trnd/index.html>) tested positive for the virus at the Louisville Zoo, showing mild symptoms but are expected to fully recover while the zoo remains open. Then on January 11, 2021, two gorillas at the San Diego Zoo Safari Park (<https://www.npr.org/2021/01/11/955782284/two-gorillas-in-california-contract-the-coronavirus>) tested positive for the virus despite staff members taking precautionary measures. Here too, it is suspected that the gorillas contracted the virus through an asymptomatic worker (<https://www.npr.org/2021/01/11/955782284/two-gorillas-in-california-contract-the-coronavirus>). As

of January 29, 2021, these tigers, snow leopards, lions, and gorillas have been the only zoo animals that the United States Department of Agriculture (USDA) (https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/sa_one_health/sars-cov-2-animals-us) confirmed to have contracted COVID-19 throughout the U.S.

Existing Federal Laws Failed to Protect Zoo Animals From the Pandemic. One of the most important U.S. laws governing the treatment of zoo animals is the Animal Welfare Act (AWA) (<https://www.animallaw.info/statute/us-awa-animal-welfare-act>). Under the AWA, the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) regulates the care and treatment of more than 2.5 million animals held at nearly 11,000 (https://kb.osu.edu/bitstream/handle/1811/86396/OSLJ_V79N3_0451.pdf) facilities across the country. Zoos are subject to the AWA because they are exhibitors (<https://www.law.cornell.edu/uscode/text/7/2132>) of animals, and also because they engage in commerce to purchase animals and charge fees for admission to view them. The AWA also applies to research facilities that use warm-blooded (<https://www.law.cornell.edu/uscode/text/7/2132>) animals, such as monkeys and rabbits for testing and experimentation purposes. However, the AWA does not protect cold-blooded (https://aldf.org/focus_area/captive-animals/) animals, such as reptiles, amphibians, and fish.

In addition, critics have noted that the AWA provides only minimal protections (<https://www.animallaw.info/article/detailed-discussion-laws-affecting-zoos#s20>) for zoo animals. For example, a legal analysis conducted in 2004 found that the law contained only vague requirements (<https://www.animallaw.info/article/detailed-discussion-laws-affecting-zoos#s20>) for housing and food, subjective standards for assessing animals' well-being, and allowed for infrequent (<https://www.animallaw.info/article/detailed-discussion-laws-affecting-zoos#s20>), inspections (https://kb.osu.edu/bitstream/handle/1811/86396/OSLJ_V79N3_0451.pdf). Notably, APHIS inspections (<https://www.animallaw.info/article/detailed-discussion-laws-affecting-zoos#s20>) are necessary to assess compliance with the minimum animal welfare standards. Before COVID-19, inspections generally occurred only once a year, or every 2-3 years (https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/SA_AWA/CT_AWA_Risk_Based_Inspection_System) for facilities with a low risk of animal welfare concerns, or in some cases, only when the USDA received a complaint about a facility (https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/SA_AWA/CT_AWA_Risk_Based_Inspection_System). High risk facilities were inspected every 3 months (https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/SA_AWA/CT_AWA_Risk_Based_Inspection_System). As a result of COVID-19, all of these inspections became even more infrequent, leaving animals with less protection. The USDA announced (<https://content.govdelivery.com/accounts/USDAAPHIS/bulletins/28381a8>) on March 27, 2020, that it would be limiting inspections to cases where APHIS became aware of serious welfare concerns. APHIS then established new protective procedures to reduce the risk of infection resulting from inspections of AWA covered facilities during COVID-19 (https://www.aphis.usda.gov/publications/animal_welfare/sop-for-resuming-inspections-during-covid19.pdf). These went into effect on July 20, 2020.

Another key deficiency of the AWA is its failure to require emergency or disaster planning. Although zoos that are accredited (<https://www.aza.org/what-is-accreditation>) by the Association of Zoos and Aquariums (AZA) are required to have disaster preparedness plans (<https://assets.speakcdn.com/assets/2332/aza-accreditation-standards.pdf>) for their animals, fewer than 10 percent (<https://www.aza.org/what-is-accreditation>) of the animal exhibitors licensed by the USDA are actually accredited. In an attempt to address this gap, the USDA issued a proposed rule (<https://www.federalregister.gov/documents/2008/10/23/E8-25289/handling-of-animals-contingency-plans>) in 2008 to

amend the AWA by adding guidelines requiring personnel at facilities housing animals, to create contingency plans for emergencies or disasters, and to provide training for personnel charged to carry out such plans. The USDA believed that this draft Animal Welfare Act Contingency Plan Regulation (<https://www.federalregister.gov/documents/2008/10/23/E8-25289/handling-of-animals-contingency-plans>) would heighten the awareness of licensees under the AWA with respect to their responsibilities and ensure a timely and appropriate response should an emergency or disaster occur. In December 2012, the final rule (<https://www.federalregister.gov/documents/2012/12/31/2012-31422/handling-of-animals-contingency-plans>) was published, and AWA-covered facilities were given until July 2013 to create, finalize and implement an appropriate plan (<https://www.federalregister.gov/documents/2012/12/31/2012-31422/handling-of-animals-contingency-plans>) for the humane handling, treatment, transportation, housing, and care of their animals in the event of an emergency or disaster. However, on July 31, 2013, the USDA stayed the new rule indefinitely (<https://www.regulations.gov/document?D=APHIS-2006-0159-0214>) to complete additional review and analysis of the impact of the contingency plan requirements on businesses. The effect of this stay is that facilities and personnel covered by the AWA, including zoos, still do not have to create contingency plans (https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/awa/ct_awa_contingency_regulation_final_rule) or follow other requirements set forth in the Animal Welfare Act Contingency Plan Regulation (<https://www.federalregister.gov/documents/2012/12/31/2012-31422/handling-of-animals-contingency-plans>).

More recently, Congress revisited provisions of the Animal Welfare Act Contingency Plan Regulation that were included in the bipartisan Providing Responsible Emergency Plans for Animals at Risk of Emerging Disasters Act (PREPARED Act) (<https://www.congress.gov/bill/116th-congress/house-bill/1042/text>) introduced on February 7, 2019. This bill was subsequently referred to the House Committee (<https://www.congress.gov/bill/116th-congress/house-bill/1042/actions>) on Agriculture and the subcommittee on Livestock and Foreign Agriculture and remains in committee. On February 12, 2020, the American Society for the Prevention of Cruelty to Animals (ASPCA) (<https://www.aspc.org/news/aspc-a-appears-congress-support-prepared-act>) testified before a subcommittee of the U.S. House Transportation and Infrastructure Committee in support of the Regulation. If passed, this bill would help ensure animals in institutional settings covered by the AWA (<https://www.aspc.org/news/aspc-a-appears-congress-support-prepared-act>), have better protections in place and a reduced risk of harm should another emergency strike again in the future.

Animal welfare organizations such as the ASPCA and the Humane Society have urged Congress to address the remaining gaps affecting animals excluded from disaster planning (<https://www.aspc.org/news/aspc-a-appears-congress-support-prepared-act>) in its legislative responses to the COVID-19 crisis. Animals in institutional settings are also at greater risk of neglect or abandonment (<https://hslf.org/blog/2020/03/congress-should-act-fast-protect-animals-puppy-mills-roadside-zoos-and-research-labs>) as a result of government-imposed quarantines. These organizations are also encouraging people to contact their legislators (<https://blog.humanesociety.org/2020/03/congress-should-act-fast-to-protect-animals-in-puppy-mills-roadside-zoos-and-research-labs-during-coronavirus-crisis.html>) to ask them to cosponsor the PREPARED Act and to provide more legal protections for animals minimally covered by the AWA. Failure to include animals in disaster plans can lead to terrible outcomes, as evidenced by the 600,000 animals abandoned after Hurricane Katrina. (<https://hslf.org/blog/2020/03/congress-should-act-fast-protect-animals-puppy-mills-roadside-zoos-and-research-labs>)

Zoos Facing Financial Hardship Seek Federal Aid to Protect their Animals and Facilities.

In addition to the shortcomings of the AWA, animals in zoos are also facing substantial risks from COVID-19 as a result of lost revenues. Zookeepers are finding it difficult to provide care for the animals because of fixed costs (<https://www.al.com/business/2020/04/alabamas-zoos-closed-during-coronavirus-fight-to-keep-animals-fed-and-people-employed.html>) unmet by limited income. Unlike other businesses, zoos must continue to feed, provide medical attention, and enrichment to the animals, even when there are no visitors (<https://www.al.com/business/2020/04/alabamas-zoos-closed-during-coronavirus-fight-to-keep-animals-fed-and-people-employed.html>). Many zoos rely on admissions fees for revenue, like the Birmingham Zoo (<https://www.al.com/business/2020/04/alabamas-zoos-closed-during-coronavirus-fight-to-keep-animals-fed-and-people-employed.html>) in Alabama that relies on opening the facility to the public for nearly 90 percent (<https://www.al.com/business/2020/04/alabamas-zoos-closed-during-coronavirus-fight-to-keep-animals-fed-and-people-employed.html>) of its revenue. During the COVID-19 pandemic, many zoos have been forced to turn to other methods to maintain their facilities and ensure that the animals survive. For example, the Calgary Zoo (<https://www.newyorker.com/news/our-columnists/some-zoos-and-some-of-their-animals-may-not-survive-the-pandemic>) in Canada shipped two pandas back to China so that the pandas were able to eat fresh bamboo. In contrast, Germany's Neumunster Zoo made a list (<https://www.bbc.com/news/world-europe-52283658>) of animals to euthanize to feed to other animals.

Not all zoos have taken such drastic measures to support their facilities. Some zoos have turned to federal aid programs, such as the Coronavirus Aid, Relief and Economic Security Act (CARES) Act passed on March 27, 2020 (https://www.kff.org/global-health-policy/issue-brief/the-coronavirus-aid-relief-and-economic-security-act-summary-of-key-health-provisions/?gclid=EAlaIQobChMlnOClq6fz6wIV-B-tBh1Z1wvGEAMYASAAEglqRvD_BwE), and the CARES Act's Paycheck Protection Program (PPP) for assistance.

The CARES Act (https://www.kff.org/global-health-policy/issue-brief/the-coronavirus-aid-relief-and-economic-security-act-summary-of-key-health-provisions/?gclid=EAlaIQobChMlnOClq6fz6wIV-B-tBh1Z1wvGEAMYASAAEglqRvD_BwE) provides direct economic relief for individuals and small businesses and non-profit organizations with fewer than 500 employees (<https://www.congress.gov/bill/116th-congress/senate-bill/3548/text#toc-id32D8206FB15E48D3A20E3C67A1E60204>). Under the CARES Act, many zoos and aquariums are able to receive emergency loans to help offset operating losses (<http://www.zooadvisors.com/covid-resources-for-zoos-and-aquariums>), with loan debt being forgiven if the money is used for its intended purpose (<https://www.congress.gov/bill/116th-congress/senate-bill/3548/text#toc-id32D8206FB15E48D3A20E3C67A1E60204>). However, only 60 percent (<https://www.newyorker.com/news/our-columnists/some-zoos-and-some-of-their-animals-may-not-survive-the-pandemic>) of the accredited zoos under the Association of Zoos and Aquariums (AZA) qualify as small businesses eligible to receive aid through the Paycheck Protection Program. The remaining accredited zoos do not qualify for the PPP, because they have more than 500 employees. The Paycheck Protection Program is also limited to payroll (<https://home.treasury.gov/policy-issues/cares/assistance-for-small-businesses>) and other specific expenditures (https://www.sbc.senate.gov/public/_cache/files/9/7/97ac840c-28b7-4e49-b872-d30a995d8dae/F2CF1DD78E6D6C8C3BF58C6D1DDB2B.small-business-owner-s-guide-to-the-cares-act-final-.pdf) and does not cover costs of animal care (<https://www.newyorker.com/news/our-columnists/some-zoos-and-some-of-their-animals-may-not-survive-the-pandemic>) needed by small zoos and aquariums. PPP loans were originally only available through June 30, 2020 (https://www.sbc.senate.gov/public/_cache/files/9/7/97ac840c-28b7-4e49-b872-

d30a995d8dae/F2CF1DD78E6D6C8C8C3BF58C6D1DDB2B.small-business-owner-s-guide-to-the-cares-act-final-.pdf),

leaving many zoos at a loss for federal aid, but loans under this program were later extended.

(<https://www.cnn.com/2020/06/30/politics/paycheck-protection-program-extension-passes-senate/index.html>)

As the pandemic continues, zoos have found more financial support in updated COVID relief bills. The Consolidated Appropriations Act (<https://www.jdsupra.com/legalnews/economic-aid-to-hard-hit-small-83725/>), enacted on December 27, 2020, allocated over \$284 billion (<https://www.jdsupra.com/legalnews/economic-aid-to-hard-hit-small-83725/>) to various relief programs. One of these programs is the Second Draw PPP Loans (<https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program/second-draw-ppp-loans>), which reopened the Paycheck Protection Program. To be eligible for a Second Draw PPP Loan, a borrower must have previously received a PPP Loan (a First Draw PPP loan) and have used the full amount for authorized uses, have no more than 300 employees, and can show at least a 25% reduction in gross receipts between comparable quarters in 2019 and 2020 (<https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program/second-draw-ppp-loans>). This Second Draw PPP Loans program was established under the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (<https://www.jdsupra.com/legalnews/economic-aid-to-hard-hit-small-83725/>) (Economic Aid Act), which was enacted under the Consolidated Appropriations Act. Along with providing a Second Draw PPP Loans, this Economic Aid Act establishes a \$15 billion grant program (https://www.sba.gov/sites/default/files/articles/12-29-20_SBA_provisions_in_new_legislation_0.pdf) to support shuttered venues, theaters, museums, and zoos. This grant has already helped zoos. For example, the Pueblo Zoo (<https://www.chieftain.com/story/news/2021/01/07/pueblo-zoo-gears-up-comeback-2021-after-facing-covid-19-pandemic/6586193002/>) in Colorado, which saw a 44 percent decline in revenue in 2020, was kept afloat and able to feed their animals by funds from the PPP, CARES Act, and the Economic Aid Act. However, despite the federal aid, the Pueblo Zoo currently has about a \$300,000 budgeted deficit (<https://www.chieftain.com/story/news/2021/01/07/pueblo-zoo-gears-up-comeback-2021-after-facing-covid-19-pandemic/6586193002/>). Thus, although more zoos can now get much needed support, more federal aid is needed to make up for substantial revenue shortfalls incurred during COVID-19.

The CARES Act also provides tax incentives for charitable donations to zoos by increasing allowable deductions for charitable donations. For example, the Act allows taxpayers who take the standard deduction to deduct up to \$300 of charitable contributions made (<https://www.oregonzoo.org/get-involved/ways-give/what-you-need-know-about-cares-act>) to qualified charities in 2020. Zoos and aquariums, such as the Oregon Zoo (<https://www.oregonzoo.org/get-involved/ways-give/what-you-need-know-about-cares-act>) and New England Aquarium (<https://act.newmode.net/action/aquarium-conservation-partnership/ask-congress-support-emergency-relief-funding-us-aquariums>), as well as organizations like the Humane Society (<https://blog.humanesociety.org/2020/03/coronavirus-aid-relief-and-economic-security-act-cares-passes-with-potential-benefits-for-animal-protection-sector.html>), have urged people to press Congress for more aid to animal care and service providers by expanding the provisions (<https://act.newmode.net/action/aquarium-conservation-partnership/ask-congress-support-emergency-relief-funding-us-aquariums>) of the CARES Act. In addition, larger non-profit zoos and aquariums, like the San Diego Zoo (<https://www.kusi.com/san-diego-zoo-seeks-federal-covid-19-funds/>), that do not qualify for aid under the PPP, have sought legal reform (<https://www.kusi.com/san-diego-zoo-seeks-federal-covid-19-funds/>) of the PPP to extend coverage under the program to allow larger non-profits to qualify for federal loans. The Birmingham Zoo also created an emergency animal fund (https://www.birminghamzoo.com/get-involved/donate/?fbclid=IwAR113YjqLHC9oyF0a7pFJYPp2iMH-pf8xYSGwK8_s2h4Z4vgFihsmI67hvE) in an effort to gather donations, apart from

federal loans, to help feed the animals in the zoo.

Domestic Animals are Significantly Impacted By Increased Time With Owners.

Like zoo animals, domestic animals are also being affected by COVID-19, but for different reasons. One of the main fears concerning domestic animals and pets is that the animals kept closest to humans will thereby face significant risk of contracting the disease. In some cases, people have given up their pets for adoption for fear that they would contract COVID-19 from their pets (<https://www.newsweek.com/man-abandons-pet-dog-because-he-thought-it-could-give-him-coronavirus-1495052>). In contrast, enforced lockdowns have led to an increase (<https://www.latimes.com/california/story/2020-04-02/requests-to-foster-and-adopt-pets-surge-as-coronavirus-keeps-us-at-home>) in the fostering and adoption of animals from shelters and rescue organizations in the U.S. and around the world. Pet owners also worry that the additional attention received by pets during lockdown will lead to increased separation anxiety (<https://www.independent.co.uk/life-style/queen-corgi-dog-separation-anxiety-coronavirus-lockdown-a9477006.html>) when owners go back to work. Unlike the zookeepers who are trying to spend extra time with animals, the solution for pet owners is to schedule time away (<https://www.independent.co.uk/life-style/queen-corgi-dog-separation-anxiety-coronavirus-lockdown-a9477006.html>) from pets to help the animals build up tolerance for being away from their owners.

Despite fears of pets contracting and passing on the virus, the American Veterinary Medical Association has found little to no evidence that domestic animals are easily infected with [COVID-19] under natural conditions (<https://www.avma.org/resources-tools/animal-health-and-welfare/covid-19/sars-cov-2-animals-including-pets>). There is no evidence that animals transmit the virus to humans (<https://www.avma.org/resources-tools/animal-health-and-welfare/covid-19/sars-cov-2-animals-including-pets>). One study (<https://science.sciencemag.org/content/368/6494/1016>) found that ferrets are highly susceptible to catching and passing the virus along to other ferrets, while cats are slightly less susceptible but can still easily be infected and pass the virus on to other cats. Dogs barely pass the virus on to their own species, and pigs, ducks, and chickens are not susceptible (<https://science.sciencemag.org/content/368/6494/1016>) at all.

As of February 11, 2021, there were over 200 investigated cases globally (<https://www.oie.int/en/scientific-expertise/specific-information-and-recommendations/questions-and-answers-on-2019-novel-coronavirus/events-in-animals/>) of animals infected with COVID and around 131 confirmed cases (https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/sa_one_health/sars-cov-2-animals-us) within the U.S. This includes thousands of minks on mink farms (<https://www.vetmed.ucdavis.edu/news/information-animals-covid-19>) throughout the Netherlands, Denmark, and Spain. Minks in Utah (<https://www.vetmed.ucdavis.edu/news/information-animals-covid-19>) have also been infected.

The first global report of a pet with COVID-19 involved a 17-year-old Pomeranian (<https://abcnews.go.com/International/coronavirus-hong-kong-warns-people-kiss-pets-dog/story?id=69406015>) in Hong Kong, who on March 4th, tested "weak positive

A German Shepherd similar to Buddy. Photo by Sofia Guaico on Unsplash
(<https://unsplash.com/photos/xqjZznraro>)

(<https://www.info.gov.hk/gia/general/202003/04/P2020030400658.htm>)" after catching the disease from his owner. The Pomeranian passed away on March 16th (<https://www.bloomberg.com/news/articles/2020-03-18/hong-kong-dog-tested-for-coronavirus-dies-after-quarantine>), but the cause of death is uncertain since the owner declined to do an autopsy (<https://abcnews.go.com/International/coronavirus-hong-kong-warns-people-kiss-pets-dog/story?id=69406015>). The first report of pets testing positive for COVID-19 in the U.S. was on April 22, 2020, and involved two cats (<https://www.cdc.gov/media/releases/2020/s0422-covid-19-cats-NYC.html>) in New York City. One cat had an owner who tested positive for COVID-19 and the other lived in a neighborhood where a high number of humans had contracted COVID-19. The first confirmed U.S. case of a dog (<https://content.govdelivery.com/accounts/USDAAPHIS/bulletins/28eae2e>) with COVID-19 was Buddy, a German Shepherd in New York, reported on June 2, 2020. Buddy lived with two owners who contracted COVID-19 and with a second dog who did not test positive. Buddy passed away on July 11, 2020, but his death was likely caused by lymphoma (<https://www.marketwatch.com/story/rip-buddy-the-first-dog-to-test-positive-for-the-coronavirus-in-the-us-has-died-2020-07-31>). Another case of a pet reported to have died in the U.S. after testing positive, was a dog in North Carolina, who tested positive for coronavirus and died on August 3, 2020 (<https://www.nbcnews.com/news/us-news/north-carolina-dog-died-after-acute-illness-tests-positive-coronavirus-n1236477>), although the cause of death is still unclear (<https://www.nbcnews.com/news/us-news/north-carolina-dog-died-after-acute-illness-tests-positive-coronavirus-n1236477>). COVID tests on animals as recent as October 2020, continue to find infected animals from households where humans contracted COVID-19 (<https://www.cnn.com/2020/10/30/health/what-animals-have-coronavirus-partner-scni/index.html>). These reports provide evidence that this particular zoonotic disease can spread from humans to animals in some situations, especially after close contact with a person sick with COVID-19 (

[coping/animals.html#:~:text=There%2520have%2520been%2520reports%2520of.with%2520people%2520with%2520COVID%252D](#)

Federal Laws Protect Domestic Animals Better Than Zoo Animals.

Unlike zoo animals who are not completely protected under the AWA or by other U.S. regulations, domestic animals that serve as companion or service animals are protected by the Pets Evacuation and Transportation Standards Act (<https://aldf.org/article/the-pets-act-companion-animals-affected-by-natural-disasters/>) (PETS Act). The PETS Act was signed into law by President George W. Bush on October 6, 2006 (<https://www.govtrack.us/congress/bills/109/hr3858>), shortly after Hurricane Katrina. Under this Act, state and local emergency preparedness plans are required to address the needs of household pets and service animals before, during, and following a major disaster or emergency (<https://www.congress.gov/109/plaws/publ308/PLAW-109publ308.pdf>). The PETS Act protects certain companion animals, including service animals and those that the Federal Emergency Management Agency (FEMA) calls "household pets" (https://www.fema.gov/pdf/conferences/iaconference/2010/wednesday_830am_household_pets_intro_1.pdf), which includes domesticated animals like dogs, birds, cats, rabbits, rodents, and turtles, that are traditionally kept in homes for pleasure rather than commercial purposes. However, animals such as reptiles (except turtles), amphibians, fish, insects, farm animals, and animals kept for racing purposes (https://www.fema.gov/pdf/conferences/iaconference/2010/wednesday_830am_household_pets_intro_1.pdf) are not included under the definition of household pets. As such, the latter animals and commercially owned animals, such as those in zoos, are not entitled to the protections that service and household pets receive during an emergency or disaster.

Some domestic animals and household pets also benefitted from being defined as family members (<https://www.usatoday.com/story/news/health/2020/03/17/coronavirus-san-francisco-california-shelter-in-place/5073397002/>) when state and local governments enacted shelter-in-place policies to reduce the spread of COVID-19. Initial shelter-in-place orders in San Francisco (<https://www.sfdph.org/dph/alerts/files/C19-07i-Shelter-in-Place-Health-Order.pdf>), California also recognized activities necessary to feed and care for pets as essential activities (<https://www.aspc.org/news/how-smart-government-policies-can-help-keep-people-and-animals-together-through-covid-19-crisis>). States and local governments outside of California have also issued orders designating veterinary services (<https://www.mcguirewoods.com/client-resources/Alerts/2020/8/state-governors-stay-at-home-prohibition-elective-procedures-orders>) as essential healthcare operations for family members. The ASPCA has celebrated the protection pets have received during COVID-19, and have stated that it is essential (<https://www.aspc.org/news/how-smart-government-policies-can-help-keep-people-and-animals-together-through-covid-19-crisis>) that designating pets as family members continue (<https://www.aspc.org/news/how-smart-government-policies-can-help-keep-people-and-animals-together-through-covid-19-crisis>) as state and local governments continue to support their communities through COVID-19 (<https://www.aspc.org/news/how-smart-government-policies-can-help-keep-people-and-animals-together-through-covid-19-crisis>).

Animal advocacy organizations such as the Animal Legal Defense Fund (<https://aldf.org/article/the-pets-act-companion-animals-affected-by-natural-disasters/>) have suggested that the PETS Act should be expanded to provide protections for more animals (<https://aldf.org/article/the-pets-act-companion-animals-affected-by-natural-disasters/>) during disasters or emergency situations. The aforementioned PREPARED Act was meant to build on the PETS Act, which was a crucial step (<https://awionline.org/press-releases/prepared-act-aims-save-animals-natural-man-made-disasters>) in protecting animals,

but the PETS Act did not address all pets and commercially owned animals. While the PETS Act has assisted companion animals and household pets during COVID-19, the Animal Welfare Institute argues that the PREPARED Act would protect substantially more animals under human care (<https://awionline.org/press-releases/prepared-act-aims-save-animals-natural-man-made-disasters>), especially the zoo animals facing the brunt of COVID-19 with minimal legal protection.

The U.S. Should Provide Better Legal Protections for Zoo Animals By Enacting the PREPARED Act.

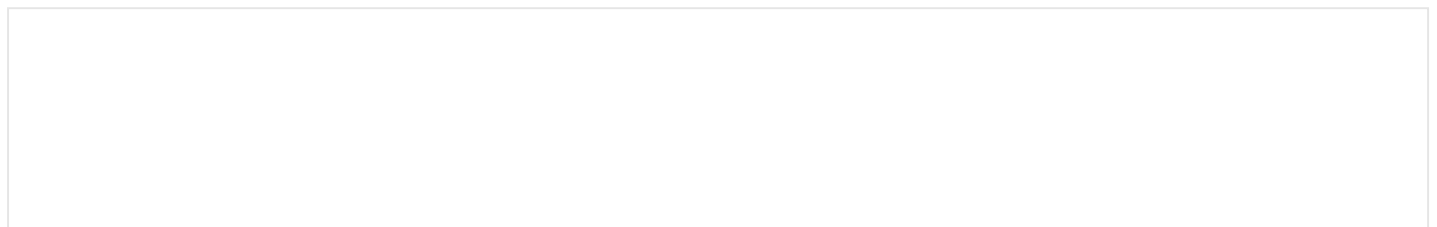
Not all animals are impacted equally by COVID-19. During lockdowns, zoo animals have missed the constant flow of human visitors and face an uncertain future as facilities struggle to cover the costs of adequate care. Domestic animals, in contrast, are more likely to suffer from too much time spent with humans, which may expose them to COVID-19 or increased risk of developing separation anxiety. On the legal front, although there are federal laws in place, such as the AWA and the PETS Act, it is clear that not all animals within the U.S. have equal protection during an emergency like COVID-19. Animals in zoos arguably face more of the fallout from COVID-19 when compared to domestic animals and thus more laws are needed to protect them. The strict guidelines contained in the PREPARED Act for creating and implementing contingency plans for the handling, treatment, transportation, housing, and care of animals in institutional settings covered by the AWA would greatly reduce the risk of harm to animals in such locations during future emergencies. For this reason, Congress should enact the PREPARED Act as soon as possible to address the need for legal reforms to assure that all animals are protected under the law.

For more information on how you can help zoo animals, visit these links:

- USA: Support Legislation to Protect Animals During Disasters! | ASPCA (https://secure.aspca.org/action/prepared-act?ms=wb_blo_news-prepared-act-20200212&initialms=wb_blo_news-prepared-act-20200212)
- Congress should act fast to protect animals in puppy mills, roadside zoos and research labs during coronavirus crisis · A Humane World ([humanesociety.org](https://blog.humanesociety.org/2020/03/congress-should-act-fast-to-protect-animals-in-puppy-mills-roadside-zoos-and-research-labs-during-coronavirus-crisis.html)) (<https://blog.humanesociety.org/2020/03/congress-should-act-fast-to-protect-animals-in-puppy-mills-roadside-zoos-and-research-labs-during-coronavirus-crisis.html>)

◀ Carryout in the COVID-19 Crisis: The Environmental Impact of the Increased Reliance on Restaurant Carryout Materials During the World-Wide COVID-19 Pandemic (<https://gguelj.org/carryout-in-the-covid-19-crisis-the-environmental-impact-of-the-increased-reliance-on-restaurant-carryout-materials-during-the-world-wide-covid-19-pandemic/>)

Water Contamination Ruining the Nation: How the Lead Water Crisis Disproportionately Affects Children of Color (<https://gguelj.org/water-contamination-ruining-the-nation-how-the-lead-water-crisis-disproportionately-affects-children-of-color/>) ▶





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