

RE: NEW LICENSE APPROVAL

License Number: 58-C-1252

License Expiration Date: 2/23/25

Customer ID Number: 6011009

March 2, 2022

MS Leisure Company, Inc  
9600 N. Oceanshore Boulevard  
St. Augustine, FL 32080

Dear Licensee:

Congratulations! We are pleased to inform you that you have met the licensing requirements to conduct regulated activity under the Animal Welfare Act (AWA). Accordingly, we are enclosing a copy of your approved application (APHIS Form 7003A), along with your official license certificate, which is suitable for display.

Please take note of your license expiration date. We will mail you a licensing application approximately 120 days prior to your license's expiration date. Please complete the application and mail it along with your {license fee} processing fee to our office at USDA-APHIS-Animal Care 2150 Centre Avenue Building B Mailstop 3W11 Fort Collins, CO 80526-8117 or [AnimalCare@usda.gov](mailto:AnimalCare@usda.gov). Once received, your application will be processed in the order it was received.

In addition to maintaining your facility and animals in accordance with the AWA regulations and standards, you must keep current, accurate records -- including a written program of veterinary care. You can request forms from our office, from your inspector, or print them from our website at [https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/sa\\_publications/ct\\_publications\\_and\\_guidance\\_documents](https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/sa_publications/ct_publications_and_guidance_documents)

Further, you must also notify Animal Care no fewer than 90 days before any change in the name, address, substantial control or ownership of business or operation, locations, activities, and/or number or type of animals. These such changes may result in the need for you to obtain a new license.

Because (1) MS Leisure has made the decision not to exhibit Lolita/Tokitae and the Pacific white-sided dolphin within the Whale Stadium, (2) the Whale Stadium is inaccessible to the public and the animals contained therein are not visible to the public, and (3) the animals in Whale Stadium are separate from, and will not be in contact with, the regulated animals at Miami Seaquarium, these animals (Lolita and her dolphin companion) are not covered by this USDA license. If, in the future, you intend to exhibit either of these animals (including posting any image of these animals on social media with the expectation of economic benefit), or resume using this pool for

exhibition purposes, you will need to apply for a new license. The new licensing rules focus on requiring facilities to demonstrate compliance when acquiring animals subject to different standards or that have special husbandry and care needs, or when expanding the size of the animal collection. The orca meets this criteria because she is subject to different standards and has special husbandry and care needs. Please note that exhibition of these animals or the exhibition of any animal in the Whale Stadium pool will require a 90 day notification, an application for new license, and a demonstration of compliance.

We hope this information is helpful. If you have any questions regarding this letter or the AWA please contact our office at (970) 494-7478 or [AnimalCare@usda.gov](mailto:AnimalCare@usda.gov). For additional information please access our website at [www.aphis.usda.gov/aphis/ourfocus/animalwelfare](http://www.aphis.usda.gov/aphis/ourfocus/animalwelfare).

Sincerely,

A handwritten signature in black ink that reads "Elizabeth Goldentyer". The signature is written in a cursive, flowing style.

Elizabeth Goldentyer, D. V. M.  
Deputy Administrator  
USDA, APHIS, Animal Care

Mario Mercado

Enclosures



**United States Department of Agriculture**

Expiration Date: 02-23-2025

**Marketing and  
Regulatory  
Programs**

This is to certify that  
MS Leisure Company, Inc.

**Animal and  
Plant Health  
Inspection  
Service**

is a licensed Class C - Exhibitor  
under the

**Animal Welfare Act**  
(7 U.S.C. 2131 et seq.)

**Animal Care**

Certificate No. 58-C-1252  
Customer No. 6011009

Maximum Number Of Animals  
Authorized: 100  
Authorized Dangerous Animal  
Group(s): None

  
Deputy Administrator