

GENERAL LIABILITY EMERGENCY ORDER

TO: ALL CFSA MEMBER FAIRS

FROM: Donna J. Bardaro, Executive Director

SUBJECT: PETTING ZOOS WITHOUT CFSA APPROVED LIABILITY COVERAGE

DATE: June 3, 2005

EMERGENCY ORDER

Protection and defense obligations for any **Protected Party** under the Memorandum Stating the Terms and Conditions of the Primary General Liability Risk Sharing Program Administered by CFSA ("**Memorandum**") with respect to any **Claim** or loss related to a petting zoo shall be conditioned upon CFSA's advance approval of the petting zoo's general liability insurance coverage. Otherwise, such protection and defense shall not be provided by CFSA with respect to any **Claim** or loss related to a petting zoo. This emergency order is issued under the terms and conditions of the **Memorandum**, Section 9 "Conditions," Subsection (A), and shall become effective June 3, 2005 at 12:01 a.m. Pacific Standard Time.

Background

CFSA's general liability insurance requirements for petting zoos specify minimum general liability limits of \$1 million per occurrence, with coverage at least as broad as the current Insurance Service Office (ISO) policy form #CG 0001. All fair contracts with petting zoo operators must be submitted to CFSA for **advance** insurance certificate review and approval because these are designated hazardous contracts.

In April, the Director of the Division of Fairs and Exposition sent a report to all fairs on the E. coli outbreak at several fairs in Florida, listing the numbers of children and adults severely injured. Multiple lawsuits already have been filed against the involved fairs and petting zoo.

It has recently come to our attention that because of the incidents in Florida, some commercial general liability insurance policies being issued to petting zoo operators now include a new exclusion eliminating coverage for claims arising from E. coli and other infectious diseases.

NOTE: Please file this EMERGENCY ORDER under General Liability Section 3, General Liability Memorandum, in your Claims & Loss Reporting Guide - 3rd Edition (The CFSA "Red Book").