

PEOPLE FOR  
THE ETHICAL  
TREATMENT  
OF ANIMALS

February 1, 2022

The Honorable Pete Buttigieg  
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**Re: Application of the Federal Hazmat law to the movement of laboratory primates into and throughout the US**

Dear Secretary Buttigieg:

I hope this correspondence finds you well. I'm writing on behalf of People for the Ethical Treatment of Animals—PETA entities have more than 9 million members and supporters globally—to respectfully request that the U.S. Department of Transportation (DoT) promptly investigate the inter- and intrastate movement of nonhuman primates (primates) used in research to determine whether carriers are complying with federal regulations. We believe that the movement of primates throughout the US is occurring and may be in violation of the federal Hazardous Materials Regulations (HMR; 49 CFR 171-180),<sup>1</sup> that requires entities that transport hazardous material, including infectious agents such as those present in many primates, to take specific steps to provide notice of the dangers and to prevent exposures.

The DoT is charged with governing the transportation of hazardous materials, including infectious agents known or reasonably expected to contain a pathogen. A pathogen is defined as “a microorganism (including bacteria, viruses, rickettsiae, parasites, fungi) or other agent, such as a proteinaceous infectious particle (prion), that can cause disease in humans or animals.”<sup>2</sup>

The collision on Friday, January 21, in Danville, Pennsylvania, between a dump truck and a trailer hauling 100 primates who had not yet undergone required quarantine literally propelled the dangers of transporting live animals who likely harbor infectious agents into the public eye. The Danville disaster resulted in the escape of three quarantine-bound monkeys; the monkeys were shot to death following a public health risk assessment conducted by the Centers for Disease Control and Prevention (CDC).<sup>3</sup> Dozens of first responders, wading through primate feces and urine while handling wooden shipping crates that failed to

Entities:

- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

<sup>1</sup> [CFR-2012-title49-vol2-subtitleB-chapI-subchapC.pdf \(govinfo.gov\)](#)

<sup>2</sup> [§ 173.134 Class 6, Division 6.2—Definitions and exceptions., 49 C.F.R. § 173.134](#)

<sup>3</sup> [CDC: Three monkeys caught and euthanized after crash near Danville | wnep.com](#)

accurately characterize their contents,<sup>4</sup> were potentially exposed to infectious agents that monkeys are known to carry.<sup>5</sup> One motorist had direct contact with a primate and is being treated with antivirals and rabies prophylaxis following her exposure.<sup>6</sup> But the issues are much larger than this single incident.

The crash in Pennsylvania made international headlines; however, this shipment of 100 longtailed macaques represented less than 0.2% of the primates imported into the U.S. and trucked across our nation's roads in 2019-2020. The most recent CDC data available to us show that in fiscal year 2019 and 2020, there were 277 international shipments containing 60,546 primates arriving into the US.<sup>7</sup> In addition to the international importation and movement of primates, there is a robust network of trucking routes moving primates throughout the US.<sup>8</sup> In September 2020, a truck carrying laboratory macaques from a facility in Louisiana burst into flames.<sup>9</sup>

Many of these infectious agents and the threats that primates pose would fall under Category A of the Hazardous Materials Regulations' pertaining to infection substances<sup>10</sup>:

*Live animals may not be used to transport infectious substances unless such substances cannot be sent by any other means. An animal containing or contaminated with an infectious substance must be transported under terms and conditions approved by the Associate Administrator for Hazardous Materials Safety.*

State veterinary and other records show that monkeys who have traveled throughout the U.S. have consistently been found with tuberculosis, Chagas disease, Valley fever, cholera, shigella, salmonella, campylobacter, *Macacine herpesvirus 1* (Herpes B), and Methicillin-resistant *Staphylococcus aureus* (MRSA). According to a 2017 study<sup>11</sup> assessing the risk of infectious disease

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<sup>4</sup> Images from the crash show crates that fail to identify the contents as newly imported laboratory macaques destined for primary quarantine. [Police: Truck with 100 monkeys crashes, some of them missing | Region | register-herald.com](#)

<sup>5</sup> Jeffrey A. Roberts, Kirk Andrews, Nonhuman Primate Quarantine: Its Evolution and Practice, *ILAR Journal*, Volume 49, Issue 2, 2008, Pages 145–156, <https://doi.org/10.1093/ilar.49.2.145>

<sup>6</sup> [2022-01-27 CDC response](#)

<sup>7</sup> [2019-2020-CDC Primate Importation Statistics](#)

<sup>8</sup> [peta-feature-monkey-transport-map](#) These data were compiled from Certificate of Veterinary Inspection reports (CVIs) obtained through FOIA requests that PETA submitted to the Department of Agriculture in numerous states. CVIs are required by the USDA when monkeys are transported across state lines. Each line is drawn from the lab, breeder, importer who sold the monkeys to the lab who purchased them. Please note that there is likely many more routes we have yet to uncover, and many of these routes have been used multiple times, sometimes dozens, since 2018.

<sup>9</sup> [Truck Pulling Trailer Full Of Monkeys Catches Fire On I-287 | Bridgewater, NJ Patch](#)

<sup>10</sup> [eCFR :: 49 CFR 173.196 \(c\) -- Category A infectious substances.](#)

<sup>11</sup> Smith, K. M., Zambrana-Torrel, C., White, A., Asmussen, M., Machalaba, C., Kennedy, S., ... & Karesh, W. B. (2017). Summarizing US wildlife trade with an eye toward assessing the risk of infectious disease introduction. *EcoHealth*, 14(1), 29-39.

introduction into human communities: “Approximately one-quarter of human deaths caused by infectious disease and nearly 60% of infectious diseases are considered zoonotic (pathogens transmissible between animals and humans) [and] most of these (>70%) are caused by pathogens of wildlife origin.” The study continues: “[M]odern transportation allows emerging diseases to spread along various globally connected networks in a manner of days.”

The movement of primates into and within the U.S. has long operated in the shadows. However, recently several agencies have begun to focus on the international and domestic movement of primates. In August 2021, the head of one of the largest primate import businesses based in Alice, Texas, pled guilty after it was revealed that he had made knowingly false and fraudulent statements to United States Fish and Wildlife agents during an international investigation into the procurement and transportation of primates into the U.S.<sup>12</sup>

In May 2021, the Washington State Department of Agriculture (WSDA), acting on a complaint from PETA, found that the University of Washington National Primate Research Center (WaNPRC) violated state laws and committed multiple offenses against society and the public, including:

- Failure to comply with importation and testing requirements for wild and exotic animals: Animal Health Violation- [WAC 16-54-180](#);
- Failure to comply with reporting requirements for diseases on the World Organization for Animal Health’s (OIE) notifiable disease list: Animal Health Violation- [WAC 16-70-010](#); and
- Failure to report diseases in animals—resulting in unlawful importation: Animal Health Violation- [RCW 16.36.080](#)

The WSDA investigation focused only on the presence of *Coccidioidomycosis* (Valley fever) infections in macaques being transported by truck from Arizona and maintained in WaNPRC’s Seattle facilities. WaNPRC’s failure to abide by state regulations was detailed in a recent article following a 7-month investigation.<sup>13</sup> PETA has documents indicating that monkeys from multiple primate facilities have been exposed to and infected with unintended and/or spontaneous infections including Valley fever, campylobacter, Chagas disease, cryptosporidium, shigella, giardia, yersinia, salmonella, tuberculosis, West Nile virus and malaria and are moved by commercial trucks throughout the country.

It appears that agents in the primate research industry may have violated federal regulations for years and knowingly exposed U.S. citizens to dangerous infectious agents, betraying the trust of citizens who should rightly expect them

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<sup>12</sup> [Man Convicted of Lying to Federal Agents During International Wildlife Trafficking Investigation | USAO-SDFL | Department of Justice](#)

<sup>13</sup> O’Dell R. Sickness and death at Mesa-area monkey farm threaten primate center viability. Arizona Republic. Updated October 6, 2021. Accessed January 30, 2022. <https://eu.azcentral.com/in-depth/news/local/arizona-investigations/2021/10/05/valley-fever-mesa-monkey-facility-research/8371758002/>.

to comply diligently with the statutes and regulations that govern their activities. For the reasons described above, PETA urges the DoT to engage in a robust investigation and enforcement of the Hazardous Materials Regulations, beginning, but not limited to the recent incident in Pennsylvania.

Sincerely,



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