



September 8, 2022

Betty J. Goldentyer, D.V.M.
Deputy Administrator
USDA-APHIS-Animal Care

Via e-mail: Betty.J.Goldentyer@usda.gov

Dear Dr. Goldentyer:

I'm writing on behalf of People for the Ethical Treatment of Animals U.S.—PETA entities have more than 9 million members and supporters globally—to urge APHIS to conduct an immediate investigation into potential ongoing violations of the federal Animal Welfare Act (AWA) by Maleth Aero and its parent company, AELF FlightService. It appears that this airline is transporting live nonhuman primates in commerce without a valid USDA registration, a clear violation of 9 C.F.R. § 2.25(a) of the AWA that warrants enforcement action.

PETA received a whistleblower report stating that on September 1, Maleth Aero shipped 360 long-tailed macaques (*Macaca fascicularis*)—now recognized as an endangered species by the International Union for Conservation of Nature—to Houston's George Bush Intercontinental Airport. The monkeys were reportedly crammed into wooden crates and flown on the airline's Airbus A330-200 plane from Phnom Penh, Cambodia, to Tbilisi, Georgia, (flight DB1005, an eight-hour trip with a layover of more than seven hours due to a flight delay) and then to Houston (flight DB1005, a 14-hour flight). There were also two other recent Maleth Aero flights suspected to have shipped primates, which we urge the USDA to investigate: Flight DB1003 on August 29 from Ho Chi Minh City, Vietnam, to Dulles International Airport in Dulles, Virginia, and Flight DB1001 on August 25 from Phnom Penh to Dulles International Airport.

It's our understanding—based on a whistleblower report—that from there, the monkeys were to be sent to Orient BioResource Center (OBRC, license 74-B-0773) in Alice, Texas. Inotiv purchased Orient BioResource Center shortly after purchasing Envigo, which also operates another large-scale monkey breeding facility in Alice. As the consignee, Inotiv is apparently responsible for ensuring that the transporter is a legal carrier. However, the company has recently demonstrated that it places a premium on the volume of animals in its facilities, rather than ensuring that the AWA is upheld. The USDA cited its beagle-breeding facility in Virginia with more than 70 violations of the AWA following PETA's 2021 investigation. The agency also cited the Envigo monkey facility in Texas in 2019 with a critical violation of the AWA for failing to provide 25 macaques with food for six days. Envigo had to euthanize two of these monkeys because they were so severely starved. The company was also reportedly the cosigner on a recent Hainan Airlines flight—which PETA included in a complaint to you on August 23—as that airline also appears to have been in violation of the AWA.

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According to the results of a search of the USDA Animal Care Public Search Tool, neither Maleth Aero nor AELF FlightService has a carrier registration through the USDA, which constitutes a clear violation of the AWA.

On multiple occasions over the past three decades, primates **legally** imported into the U.S. as part of the biomedical trade have arrived with infectious agents capable of causing a global pandemic.^{1,2,3} The federal regulations on the importation of primates⁴ lead even a casual reader to understand that the overall risk of importing a monkey with significant known or unknown infectious disease is high. If Maleth Aero and AELF FlightService have failed to adhere to even the most basic importation requirements, it begs the question of how else they may have skirted the regulations that are in place to protect the public from the health risks associated with the importation and domestic movement of primates.

We're requesting an immediate and full investigation into Maleth Aero and AELF FlightService for their transport of monkeys into the U.S. We're also requesting that you investigate whether Inotiv has violated the AWA by reportedly consigning this shipment and receiving monkeys. If your investigation confirms noncompliance, PETA urges your agency to escalate its enforcement action against the companies.

I look forward to hearing from you regarding this important matter and am available to assist you in your investigation. You can contact me at 307-899-3264 or AmyM@peta.org.

Sincerely,



Amy Meyer
Manager of Primate Experimentation Campaigns

¹Roberts, JA, Andrews, K. Nonhuman primate quarantine: its evolution and practice. *ILAR Journal*. 2008;49(2):145–156. April 1, 2008. Accessed September 7, 2022. [doi:10.1093/ilar.49.2.145](https://doi.org/10.1093/ilar.49.2.145)

²Jahrling PB, Geisbert TW, Dalgard DW, et al. Preliminary report: isolation of Ebola virus from monkeys imported to USA. *The Lancet*. 1990;335(8688):502–505. Accessed September 7, 2022. [doi:10.1016/0140-6736\(90\)90737-P](https://doi.org/10.1016/0140-6736(90)90737-P)

³Centers for Disease Control and Prevention. Epidemiologic notes and reports update: Ebola-related filovirus infection in nonhuman primates and interim guidelines for handling nonhuman primates during transit and quarantine. *MMWR*. 1990;39(2):22–24, 29, and 30. Accessed September 7, 2022. <https://www.cdc.gov/mmwr/preview/mmwrhtml/00001538.htm>

⁴Centers for Disease Control and Prevention. Control of communicable disease; foreign-requirements for importers of nonhuman primates (NHP). *Federal Register*. 42 CFR § 71.53. Accessed September 7, 2022. <https://www.federalregister.gov/documents/2013/02/15/2013-03064/control-of-communicable-disease-foreign-requirements-for-importers-of-nonhuman-primates-nhp>