



September 21, 2022

Jennifer Lester Moffitt  
Under Secretary for Marketing and Regulatory Programs  
U.S. Department of Agriculture  
c/o Mary Irene Omade and Paula Ross DeFlanders

Via e-mail: [M.Irene.Omade@usda.gov](mailto:M.Irene.Omade@usda.gov); [Paula.Ross-DeFlanders@usda.gov](mailto:Paula.Ross-DeFlanders@usda.gov)

Dear Ms. Moffitt:

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 you to conduct an immediate investigation into the failure of the Animal and Plant Health Inspection Service (APHIS) to take consequential action regarding ongoing violations of the federal Animal Welfare Act (AWA) by monkey-breeding operations owned by Inotiv and the airlines that the company contracts with to supply it with imported monkeys.

Specifically, documents show that within the past 43 days Inotiv has used two unregistered airlines to transport at least 1,080 monkeys into the U.S. We're appealing to you, as under secretary for the U.S. Department of Agriculture's (USDA) Marketing and Regulatory Programs, to intervene immediately and confirm that the USDA has carried out its duties appropriately and has not, through its actions, enabled and encouraged violations of the AWA.

PETA received a whistleblower report stating that on September 1, 2022, Maleth Aero, which operates under parent company AELF FlightService in the U.S., 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. We pay close attention to the importation of wildlife, and following a search of the USDA Animal Care Public Search Tool, noted that neither Maleth Aero nor AELF FlightService had a carrier registration through the USDA.

There were also two other recent Maleth Aero flights suspected to have shipped primates, which we urged APHIS 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, Cambodia, to Dulles International Airport.

It's our understanding that the monkeys were sent from the Houston airport to Orient BioResource Center (OBRC, license 74-B-0773) in Alice, Texas. Inotiv purchased OBRC shortly after purchasing Envigo. With these recent acquisitions, Inotiv/Envigo/OBRC operates two large-scale monkey-breeding facilities in Alice. As the consignee, Inotiv should ensure that the transporter is a legal carrier. However, Inotiv/Envigo/OBRC has recently demonstrated that it places a premium on the volume of animals in its facilities, rather than ensuring

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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 with a critical violation of the AWA in 2019 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.

On September 8, PETA alerted APHIS Animal Care that Maleth Aero had apparently transported 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.

It appears that APHIS' response to our complaint, at least as of this letter, was simply to register Maleth Aero as a carrier. Records show that on September 9, the day after we submitted our complaint to APHIS, the airline was registered under Maleth Aero AOC LLC (33-T-0148). This appears to be an extraordinary and inappropriate action that undermines the authority of the USDA to enforce animal welfare regulations, *especially* for a company that wasn't even authorized before importing hundreds of vulnerable endangered monkeys who represent the greatest disease spillover risk to humans.

Inotiv/Envigo was also reportedly the cosigner on a recent Hainan Airlines flight—which PETA included in a complaint to APHIS on August 23, as that airline also appears to have been in violation of the AWA. To this day, the USDA Animal Care Public Search Tool doesn't list Hainan Airlines as a registered carrier. Furthermore, APHIS confirmed to PETA on August 17 that Hainan Airlines Holding Co. Ltd. (91-T-0002) was issued a letter of cancellation on May 3 for failing to renew its USDA registration. Yet on August 9, Hainan shipped 720 long-tailed macaques to Chicago's O'Hare International Airport. We were able to confirm the shipment through Hainan's online tracking system. The monkeys were crammed into 144 wooden crates and flown in the cargo holds of the airline's planes from Phnom Penh, Cambodia, to Beijing (flight HU497, a 4.5-hour trip) and then to Chicago (flight HU724, a 13-hour flight). From there, it's our understanding that the monkeys were to be sent to Envigo Global Services Inc. (74-B-0332) in Alice, Texas.

On multiple occasions over the past three decades, primates *legally* imported into the U.S. as part of the experimentation trade have arrived with infectious agents capable of causing a global pandemic.<sup>1,2,3</sup> The federal regulations on the importation of primates<sup>4</sup> indicate that the overall risk of importing a monkey with significant known or unknown infectious disease is high. If Inotiv/Envigo failed to ensure even the most basic importation requirements for these recent monkey shipments, it begs the question of how else they may have skirted the regulations in

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<sup>1</sup>Roberts 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)

<sup>2</sup>Jahrling 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)

<sup>3</sup>Centers 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, 30. Accessed September 7, 2022.

<https://www.cdc.gov/mmwr/preview/mmwrhtml/00001538.htm>

<sup>4</sup>Centers 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>

place to protect the public from the health risks associated with the importation and domestic movement of primates. One would expect that airlines that have operated in violation of registration requirements, risking possible grave danger to the public, would be denied registration.

We're requesting an immediate and full investigation into APHIS Animal Care's response to the ongoing issue of airlines' practice of importing monkeys without proper USDA registration. If your investigation finds that APHIS did respond properly within its boundaries under the AWA, we urge you to act without delay to modernize and strengthen the system of oversight—for the health and safety of the animals as well as the American public. We're also requesting that you use your authority to suspend Inotiv's monkey-breeding facility licenses at once, for its role in continuing to import endangered monkeys on airlines operating in violation of the AWA: 74-B-0332 and 74-B-0773.

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](mailto:AmyM@peta.org). Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Meyer". The signature is fluid and cursive, with the first name "Amy" being more prominent than the last name "Meyer".

Amy Meyer  
Manager of Primate Experimentation Campaigns