



November 21, 2022

Lawrence Tabak, D.D.S., Ph.D
Director, National Institutes of Health

Sent via e-mail: Lawrence.Tabak@nih.hhs.gov

Dear Dr. Tabak,

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—regarding last week's [indictment](#) of named Cambodian officials, nationals and unindicted, un-named U.S. co-conspirators who allegedly conspired to traffic in the illegal importation of long-tailed macaques into the U.S. In light of this, we urge you to conduct a thorough audit of all long-tailed macaques used by National Institutes of Health (NIH) directly or in NIH-funded experiments. If the audit determines any of those monkeys were illegally imported into the U.S., the NIH must facilitate the transfer of these monkeys to reputable sanctuaries and pay for the lifetime care of these illegally trafficked animals.

Since 2017, more than 74,000 long-tailed macaques (also known as *Macaca fascicularis* and cynomolgus macaques) have been imported into the U.S. from Cambodia. All of these monkeys were destined for use and sale in the billion-dollar U.S. primate experimentation industry. Long-tailed macaques are listed under Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) permit system. CITES permits establish whether the [trade is legal, sustainable and traceable in accordance with Art. III, IV and V of the Convention](#). The provisions of CITES are implemented in the U.S. through the Endangered Species Act (ESA). Long-tailed macaque shipments entering the U.S. must be accompanied by a CITES export permit which details, among other information, whether the monkeys were bred in captivity or taken from the wild. Falsely declaring the source of even one animal on a CITES export permit is an act of illicit trafficking in wildlife and the entire shipment is subject to seizure.

On November 16, 2022, the U.S. Department of Justice (DoJ) indicted Cambodian government officials, including the Director and Deputy Director of the Ministry of Agriculture, Forestry and Fisheries, and the owner and staff of Vanny Bio Research (Cambodia) Corporation Ltd (VBRC), a Cambodian breeding farm that exports monkeys for use in laboratories in the U.S. and elsewhere. The DoJ indictment references two unindicted co-conspirators—companies located in Florida and Alice, Texas—which had established facilities in Cambodia to engage in the importation of long-tailed macaques. The DoJ alleges defendants and unindicted co-conspirators secured CITES export permits that falsely labeled wild-caught, long-tailed macaques as captive-bred—felony violations of both the Lacey Act and the Endangered Species Act. Inotiv, a major U.S. commercial monkey importer with facilities in Alice, Texas, admitted [in a](#)

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

Washington
1536 16th St. N.W.
Washington, DC 20036
202-483-PETA

Los Angeles
2154 W. Sunset Blvd.
Los Angeles, CA 90026
323-644-PETA

Norfolk
501 Front St.
Norfolk, VA 23510
757-622-PETA

Info@peta.org
PETA.org

Entities:

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

[filing to the Securities and Exchange Commission](#) on November 16th that VBRC is its principal supplier of long-tailed macaques.

In 2021, the Centers for Disease Control and Prevention (CDC) reported 16 commercial entities, three National Primate Research Centers (NPRCs), and one university that were registered as primate importers.

As noted above, any shipment of monkeys from Cambodia that had falsified documents related to the origin of a monkey invalidates the entire CITES permit, making all of the monkeys involved in these shipments illegally imported. The indictment is likely the tip of the iceberg given the apparent willingness at the highest levels of Cambodian government to falsify documents. Given the voracious appetite that U.S. experimenters have demonstrated, especially during the pandemic, it may be that VBRC is not the only facility willing to engage in whatever it deems necessary to supply long-tailed macaques to the U.S. experimentation industry.

The NIH itself contracts with Envigo, Inotiv’s company that admitted importing long-tailed macaques from VBRC. A search in USASpending.gov reveals [218 NIH contracts to Envigo](#) from FY 2018-FY 2023. A few of the most concerning examples are below:

PIID	Start Date – Current End Date	Current Award Amount	Description
75N98022F00004	9/12/22—7/31/23	\$528,000	“CYNO, ASIAN ORIGIN, SPF, MALES, 3.5-8 YRS OF AGE”
75N98021F00004	3/9/21—7/31/21	\$147,000	“CYNO, CAMBODIAN ORIGIN, B+, 2-5 YRS OF AGE”
75N98022F00002	2/11/22—7/31/22	\$1,583,100	“CYNOS, ASIAN ORIGIN, SPF, EITHER GENDER, 1-2 YRS OF AGE”
75N98020F00004	4/24/20—2/1/21	\$440,873	“CYNO, CAMBODIAN ORIGIN, 18 MALE/24 FEMALE, 2+ YRS OF AGE”
75N98018F00031	4/27/18—1/31/19	\$157,590	“CYNO, CAMBODIAN ORIGIN, EVEN GENDER”

PETA can provide documentation that monkey importers in Alice, Texas and Florida, which have reportedly imported long-tailed macaques from Cambodia, have sold, since 2018, long-tailed macaques to the facilities listed below:

- National Institutes of Health (Poolesville, MD)
- Albert Einstein College of Medicine (Bronx, NY)
- Allergan (Irvine, CA)
- Altasciences Preclinical Seattle (Everett, WA)
- Bioanalytical Systems Inc. (Mt. Vernon, IN)
- Batelle Memorial Institute (West Jefferson, OH)
- Bioqual (Rockville, MD)

BTS Research (San Diego, CA)
Calvert Laboratories (Scott Township, PA)
Charles River Laboratories (Ashland, OH)
Charles River Laboratories (LaBelle, FL)
Charles River Laboratories (Mattawan, MI)
Charles River Laboratories (Reno, NV)
Charles River Laboratories (Shrewsbury, MA)
Children's Hospital of Philadelphia (Philadelphia, PA)
Citoxlab (Stillwell, KS)
Covance (Denver, PA)
Covance (Greenfield, IN)
Covance (Madison, WI)
CS Primates (Kaiser, MO)
Envigo (East Millstone, NJ)
Inotiv (Mount Vernon, IN)
MRI Global (Kansas City, MO)
Northern Biomedical Research Inc. (Spring Lake, MI)
Primera Science Center (Lehigh Acres, FL)
Rocky Mountain Laboratories (Hamilton, MT)
Sinclair Research Center (Auxvasse, MO)
SNBL USA (Everett, WA)
Southern Research Institute (Birmingham, AL)
USAMRIID (Fort Detrick, MD)
Washington University at St. Louis (St. Louis, MO)

The Lacey Act, 16 U.S.C. §§ 3371-3378, protects wildlife through civil and criminal penalties for a wide array of violations. Notably, the Lacey Act prohibits trade in wildlife who have been illegally possessed, transported or sold. Id. § 3372. Specifically, it violates the Lacey Act “to import, export, transport, sell, receive, acquire, or purchase” wildlife who have been possessed or transported in violation of any federal law or regulation. Id. § 3372(a)(1). The Lacey Act allows forfeiture of wildlife “imported, exported, transported, sold, received, acquired, or purchased contrary to” this provision. Id. § 3374(a)(1). It also allows forfeiture of the “vessels, vehicles, aircraft, and other equipment” used in the commission of a “criminal violation of [the Act] for which a felony conviction is obtained.” Id. § 3374(a)(2).

We urge NIH to work with U.S. Fish and Wildlife officials to identify all monkeys involved in the illegal shipments listed in the indictment, and immediately confiscate the animals and send them to reputable sanctuaries under the authority of the Lacey Act. PETA is ready and willing to provide further documentation. Thank you for your immediate attention to this important matter.

Sincerely,



Kathy Guillermo
Senior Vice President
Laboratory Investigations Department

