



December 12, 2022

Lewis Von Thær
CEO
Battelle Memorial Institute

Via e-mail: vonthaerl@battelle.org

Dear Mr. Von Thær:

I'm writing on behalf of People for the Ethical Treatment of Animals—PETA entities have more than 9 million members and supporters globally—regarding the recent U.S. Department of Justice (DOJ) [indictment](#) of named Cambodian officials and nationals as well as unindicted, unnamed U.S. co-conspirators who allegedly conspired to traffic in the illegal importation of long-tailed macaques into the U.S. The DOJ alleges that defendants and unindicted co-conspirators secured Convention on International Trade in Endangered Species of Wild Fauna and Flora (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 (ESA).

Based on information in the indictment and in a [filing to the U.S. Securities and Exchange Commission](#), PETA believes that one of the unnamed co-conspirators is Inotiv, a major U.S. primate importer, which maintains macaque colonies at its facilities in Alice, Texas. Inotiv provides third parties in the U.S. with macaques.

Documents show that Battelle Memorial Institute received long-tailed macaques from Inotiv's facilities in Alice. In light of this, we urge you to conduct a thorough audit of all long-tailed macaques used by Battelle Memorial Institute since 2018. If the audit determines that any of those monkeys were part of illegal shipments into the U.S., we urge you to transfer the illegally trafficked animals to reputable sanctuaries and pay for their lifetime care.

Since 2017, more than 74,000 long-tailed macaques (*Macaca fascicularis*, also known as “cynomolgus monkeys” and “crab-eating macaques”) have been imported into the U.S. from Cambodia. They 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 CITES permit system. CITES permits establish whether the [trade is legal, sustainable, and traceable in accordance with articles III, IV and V of the convention](#). The provisions of CITES are implemented in the U.S. through the ESA. Shipments of long-tailed macaques 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 their natural habitat. Falsely declaring the source of even one animal on a CITES export permit is an act of illicit trafficking in wildlife and subjects the entire shipment to seizure.

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
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

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

According to documents obtained by PETA through public records requests, Battelle Memorial Institute received long-tailed macaques from Inotiv's Alice, Texas, monkey facilities on the following occasion—and potentially others:

Shipping Facility	Receiving Facility	Date of Shipment or Date CVI Issued	Description
Orient BioResource Center (Alice, Texas)	Battelle Memorial Institute (West Jefferson, OH)	January 30, 2019	7 male long-tailed macaques, 2-3 years old

The Lacey Act, 16 U.S.C. §§ 3371–3378, protects wildlife through civil and criminal penalties for a wide array of violations. Notably, it prohibits trade in wildlife who have been illegally possessed, transported, or sold. Id. § 3372. It contravenes 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 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 Battelle Memorial Institute to work with U.S. Fish and Wildlife Service officials to identify whether the monkeys it purchased from Inotiv were involved in the illegal shipments listed in the indictment. For any monkeys still in your laboratories, we urge that you send them to reputable sanctuaries under the direction of the Lacey Act. For any wild-caught monkeys used in research that resulted in publication, we urge that you issue statements to the journals about the origin of the monkeys used in that research. Thank you for your immediate attention to this important matter.

Sincerely,



Kathy Guillermo
Senior Vice President
Laboratory Investigations Department

