



October 18, 2023

Major Kelley Collier  
Airport Precinct Commander  
Atlanta Police Department

Via e-mail: [kcollier@atlantaga.gov](mailto:kcollier@atlantaga.gov)

**Re: Request to investigate JKL Secure Freight Lines for Apparent Violations of Georgia's Cruelty-to-Animals Law**

Dear Major Collier:

I'm writing on behalf of People for the Ethical Treatment of Animals—PETA entities have more than 9 million members and supporters globally, over 133,000 of whom live in Georgia—to request that your office investigate and pursue enforcement action against LR Transport LLC, DBA JKL Secure Freight (JKL), for apparent violations of Ga. Code § 16-12-4. JKL transports live animals for laboratories, and evidence indicates that JKL caused physical pain and suffering to over 300 monkeys by leaving them exposed to direct sunlight in high temperatures at the Hartsfield-Jackson Atlanta International Airport (ATL).

PETA obtained a July 16, 2023, U.S. Department of Agriculture (USDA) inspection report, which is attached, that documents that 336 cynomolgus macaques (long-tailed macaque monkeys) were caged in transport enclosures on pallet trailers on the ATL tarmac in direct sunlight for up to an hour and a half. The monkeys arrived on an Ethiopian Airlines flight and were awaiting transfer onto ground transportation with JKL. The monkeys were unloaded from the plane at 10:30 a.m., and JKL did not fully load them onto ground transportation until 12:05 p.m. During this span of time, the temperature was 86 to 87 degrees Fahrenheit. JKL provided the monkeys no shade.

The USDA inspector noted that exposure to direct sunlight and temperatures over 85 degrees for more than 45 minutes could cause monkeys to become overheated, “which could have a detrimental impact on their health and well-being.”

The inspection report does not indicate that the monkeys were provided with any water during this time in the heat, and it notes that an employee suffered the effects of the heat during loading and had to take breaks.

Additionally, according to the inspection report, the transport enclosures—i.e., wooden crates containing four monkeys each—were handled incorrectly, which causes suffering to monkeys. Rather than having an employee on each end of a crate to keep it level, employees began handling crates alone. They grabbed one end of the crate, dragged the crate across the pallet trailer while tilting it, and then let the dragging end of the crate drop onto the ground transport trailer. The USDA inspector noted that tilting and dragging the crates can “cause physical

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

harm or distress” to the monkeys as they are bounced around in the crates. Young long-tailed macaques typically weigh no more than 3.5 pounds, so rough handling of crates could result in injuries, including bruising, and in severe cases, potential bone fractures or breaks.

Georgia law provides:

A person commits the offense of cruelty to animals when he or she: (1) Causes physical pain, suffering, or death to an animal by any unjustifiable act or omission; or (2) Having intentionally exercised custody, control, possession, or ownership of an animal, fails to provide to such animal adequate food, water, sanitary conditions, or ventilation that is consistent with what a reasonable person of ordinary knowledge would believe is the normal requirement and feeding habit for such animal’s size, species, breed, age, and physical condition.

Ga. Code § 16-12-4(b).

In this incident, JKL apparently caused physical pain and suffering to 336 monkeys by leaving the monkeys in direct sunlight in hot temperatures on the ATL tarmac, as well as by dragging and dropping the transport enclosures that caged the monkeys. As a “USDA and US DOT licensed ground transporter with over 15 years of experience in transportation and laboratory animal science,”<sup>1</sup> JKL’s actions are thoroughly unjustifiable, as it should certainly be aware of proper transport and handling procedures. Additionally, Atlanta is known to have hot summer weather, so the exposure to direct sunlight and high temperatures were conditions for which JKL, especially given its lengthy experience transporting animals for experimentation, should have been prepared. Furthermore, if it did not do so, JKL should have provided the monkeys with water given the detrimental impact of sitting in direct sunlight on a tarmac in temperatures of 86 to 87 degrees for as long as 95 minutes.

Further, this incident does not fall within any of the exemptions to the cruelty statute. JKL’s documented action in leaving monkeys exposed to direct sunlight in high temperatures on an airport tarmac during transport and handling them in a manner that can result in harm does not receive the protections granted to “scientific research” under Ga. Code § 16-12-4(g): such conduct is not scientific research and is not “otherwise permitted” under federal law considering that the USDA found that JKL’s conduct violated the federal Animal Welfare Act (AWA).

Additionally, the USDA inspection report citations under the AWA do not insulate JKL from liability under state law because the AWA expressly does not preempt the field.<sup>2</sup> Moreover, the enforcement of state law for the protection of animals is crucial given that the AWA provides only minimal protections—and even those have been routinely found by the USDA’s own internal watchdog to be inadequately enforced (JKL itself is a repeat violator of the AWA), and the conduct here appears to fall within the prohibitions of Georgia’s laws.

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<sup>1</sup>JKL Secure Freight, AALAS Laboratory Animal Science Buyers Guide; <https://laboratoryanimalsciencebuyersguide.com/Listing/Company/1185422>.

<sup>2</sup>7 U.S.C. §§ 2143(a)(8), 2145(b); *see also* USDA OIG, CONTROLS OVER APHIS LICENSING OF ANIMAL EXHIBITORS, AUDIT REP. 33601-10-Ch, at 4 (June 2010), [https://www.rexano.org/RegAgency/OIG\\_Audit\\_USDA\\_Exhibitors2010.pdf](https://www.rexano.org/RegAgency/OIG_Audit_USDA_Exhibitors2010.pdf) (stating that “[t]he AWA does not supersede State and local authorities or restrict them in any way when their laws are more stringent than the AWA”).

Thank you for your attention to this important matter regarding JKL's apparently causing physical pain and suffering to 336 monkeys by leaving them exposed to direct sunlight in high temperatures on the tarmac at ATL. Please do not hesitate to contact me with any questions at [AmandaSc@peta.org](mailto:AmandaSc@peta.org). I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amanda Schemkes', written in a cursive style.

Amanda Schemkes, J.D., M.S.  
Laboratory Oversight Specialist  
Laboratory Investigations Department



### Inspection Report

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LR Transport LLC  
P.O. Box 18950  
GALENA, NV 89511

Customer ID: **331674**  
Certificate: **88-T-0010**  
Site: 001  
L R TRANSPORT LLC

Type: ROUTINE INSPECTION  
Date: 16-JUL-2023

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#### 3.92(a)(1)

##### Handling.

The ambient temperature around 336 cynomolgus macaques contained in transport enclosures while sitting on pallet trailers on the ATL tarmac, under direct sunlight, awaiting transfer from Ethiopian Airlines (Flight ET518) AWB 645-00126534 onto ground transportation trailers on July 16, 2023, was greater than 85 degrees for a period of 95 minutes. The animals were offloaded from the plane at 10:30 AM onto a pallet trailer and then completely loaded onto the ground transportation trailers by 12:05 PM without any shade provided. The ambient temperature was 86 degrees Fahrenheit at 10:30 AM and rose to 87 degrees Fahrenheit by the time they were fully loaded onto the ground transport at 12:05 PM. In fact, during the loading process, one of the employees suffered from the effects of the heat and had to take breaks to continue loading the enclosures.

Failure to provide protection from the direct rays of the sun as well as exposure to temperatures above 85 degrees Fahrenheit for more than 45 minutes could cause the nonhuman primates to become overheated, which could have a detrimental impact on their health and well-being.

The registrant must ensure that all nonhuman primates have sufficient shade as protection from the direct rays of the sun and not to expose them to ambient temperatures above 85 degrees Fahrenheit for a period of more than 45 minutes while being moved to or from a primary conveyance to a terminal facility in order to support their health and well-being.

#### 3.92(b)(2)

##### Handling.

On July 16, 2023, a shipment of 336 nonhuman primates arrived on Ethiopian Airlines (Flight ET518) AWB 645-00126534 at ATL and were handled incorrectly upon transfer to their ground transport conveyance trailer. The transport enclosures were wooden crates, individually housing 4 nonhuman primates per crate, with handles located on each end. In the beginning of the transfer, two employees utilized both ends of the transport enclosure to simultaneously lift each end of the enclosure together (one employee at each end), keeping the enclosure level to load them onto the ground transport trailer. During the course of transferring the transport enclosures from the pallet trailer to the ground transport conveyance trailer, the attendants began to work individually to grab only one end of the transport enclosure and drag it across the pallet trailer. The pallet trailer was lower in height by approximately 10-12 inches than the ground transportation trailer's floor, so then, when working individually, the handlers began dragging and tilting the transport enclosures from the lower

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**Prepared By:** LISA EKMAN  
USDA, APHIS, Animal Care

**Date:**  
09-AUG-2023

**Title:** VETERINARY MEDICAL  
OFFICER

**Received by Title:** Facility Representative

**Date:**  
09-AUG-2023



## Inspection Report

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pallet trailer up into the ground transport trailer, and dropping the end being dragged onto the floor of the ground transport trailer.

Any person handling a primary enclosure containing a nonhuman primate must use care and avoid excessively tilting or dragging their enclosures which may cause physical harm or distress to the nonhuman primates.

Proper handling procedures must be followed when handling primary enclosures containing nonhuman primates so they must not be dropped or needlessly tilted and must not be stacked in a manner that may reasonably be expected to result in its falling. It must also be handled and positioned in the manner that written instructions and arrows on the outside of the primary enclosure indicate.

This inspection and exit interview were conducted with a facility representative.

Additional Inspectors:

CHAD MOORE, Transportation Field Specialist

GWENDALYN MAGINNIS, Nonhuman Primate Field Specialist

TANESHA WILKINS, SACS

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USDA, APHIS, Animal Care

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### Species Inspected

Cust No	Cert No	Site	Site Name	Inspection
331674	88-T-0010	001	L R TRANSPORT LLC	16-JUL-2023

Count	Scientific Name	Common Name
000336	<i>Macaca fascicularis</i>	CRAB-EATING MACAQUE / CYNOMOLGUS MONKEY
000336	<b>Total</b>	