



May 28, 2025

Sarah Helming
Deputy Administrator, Animal Care
Animal and Plant Health Inspection Service
U.S. Department of Agriculture

Doug Ault
Assistant Director
Office of Law Enforcement
U.S. Fish & Wildlife Service

Via e-mail: sarah.j.helming@usda.gov; doug_ault@fws.gov

Dear Ms. Helming and Mr. Ault:

We're writing on behalf of People for the Ethical Treatment of Animals (PETA), Abolición Vivisección, Action for Primates, Cheshire Animal Rights Campaigns, Monkey Massacre in Mauritius, and One Voice, to request that the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) and U.S. Fish & Wildlife Service (FWS) Office of Law enforcement (OLE) investigate whistleblower allegations about the inhumane treatment of monkeys during transport by SmartLynx (SmartLynx Airlines Malta Ltd.; USDA Certificate No. 10-T-0028). This matter is urgent, as the airline has another shipment of monkeys scheduled to be exported from Vietnam on June 2 to the U.S., and another from Mauritius on June 10.

PETA received information from anonymous whistleblowers about a shipment of long-tailed macaques exported from Mauritius and transported by SmartLynx that arrived in Miami on May 15. The whistleblowers alleged that SmartLynx failed to provide water for monkeys during air transport as often as required under the Animal Welfare Act (AWA) and the associated Animal Welfare Regulations (AWR). In addition, the shipment of live macaques was not accompanied by the required paperwork documenting the history of food and water provided during transport.

On May 13, SmartLynx aircraft, tail number 9H-CGN, departed from Mauritius, reportedly transporting 800 long-tailed macaques. The A321 aircraft made a total of seven stops after departing from Mauritius: Addis Ababa, Ethiopia; Chania, Greece; Paris, France; Keflavik, Iceland; Boston; New York; and finally Miami. The total flight time for this shipment of macaques lasted over 43 hours. This does not include the initial and final loading and unloading times. This is not the most direct and quickest route, as required by International Air Transport Association (IATA) guidelines. According to reports PETA received, the monkeys were not provided with water after departing from Paris, and there was no food and water log present when the aircraft arrived in New York. The food and water log should be attached to the shipping crates for easy reference.

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If the allegations that SmartLynx failed to provide monkeys with water during air transport are accurate, we believe the airline is in violation of the federal Animal Welfare Act (AWA) and the associated Animal Welfare Regulations (AWR) as well as the Code of Federal Regulations (CFR) Title 50. Specifically, the allegations indicate that SmartLynx failed to meet water requirements for monkeys, as well as certification and instructions for providing food and water for the monkeys while in their care.

1. SmartLynx is failing to meet water requirements for monkeys.

Under Section 3.89 of the AWR, “Each nonhuman primate must be offered potable water at least once every 12 hours. ... These time periods apply to carriers and intermediate handlers.”

Under Section 14.108 of 50 CFR, “A mammal or bird requiring drinking water shall have uncontaminated water suitable for drinking made available to it at all times prior to commencement of transport to the United States, during intermediate stopovers, and upon arrival in the United States, or as directed by the shipper's written instructions.”

Therefore, a total transport time of 43 hours for a SmartLynx shipment of monkeys requires that the airline offer water at least three times during transport. The monkeys were in transit for 18.5 hours after departing Paris. If true, the whistleblowers’ allegations—that SmartLynx didn’t offer any water to monkeys after departing Paris—would mean that the airline violated animal welfare requirements at least once *per monkey*.

2. SmartLynx failed to meet food and water instruction requirements for monkeys.

Under Section 3.86 of the AWR, “The certification must be securely attached to the outside of the primary enclosure in a manner that makes it easily noticed and read. ... The certification must include... The time and date the animal was last fed and watered and the specific instructions for the next feeding(s) and watering(s) for a 24-hour period.”

Under Section 14.108 of 50 CFR, “No carrier shall accept any wild mammal or bird for transport to the United States unless written instructions from the shipper concerning the animal's food and water requirements are securely affixed to the outside of its primary enclosure. Such instructions shall be consistent with professionally accepted standards of care and include specifically the quantity of water required, the amount and type of food required, and the frequency of feeding and watering necessary to ensure that the animal is transported humanely and healthfully.”

Further, section 14.103 of CFR states, “Unless the requirements of this subpart are fully satisfied and all other legal requirements are met, it is unlawful for any person to transport to the United States, cause to be transported to the United States, or allow to be transported to the United States any live wild mammal or bird. It shall be unlawful for any person to import, to transport, or to cause or permit to be transported to the United States any wild mammal or bird under inhumane or unhealthful conditions or in violation of this subpart J.”

Whistleblowers allege that when the shipment arrived at JFK airport, no documentation was attached to the crates documenting when the monkeys were fed and watered. The anonymous whistleblower stated that they overheard a discussion about *creating* the paperwork after it was requested, if it couldn’t be found.

In conclusion, we urge the USDA to investigate the allegations against SmartLynx summarized in this letter and, if they're substantiated, to take swift, decisive action, including citing the airline for violations of the AWA and AWR.

We urge FWS OLE, charged with enforcing violations of the Endangered Species Act and CITES, to fully investigate these allegations and, if they're substantiated, issue violation notices to the carrier and invalidate the CITES import certificates for the monkeys in this shipment, as authorized under CFR section 23.13.

Thank you for your consideration of this important matter.

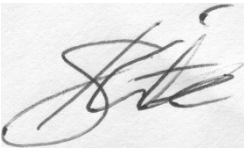
Sincerely,



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