



March 30, 2026

Lex Corteguera
Senior Investigator
Florida Fish and Wildlife Commission
Southern Region A, Collier County

Via e-mail: lex.corteguera@myfwc.com

Dear Officer Corteguera:

On behalf of People for the Ethical Treatment of Animals and our more than 400,000 supporters in Florida, we would like to thank you for investigating the recent incident that took place at Bioculture US, LLC (BC US) and pressing charges against the BC US's license holder, Mark Moshe Bushmitz. The discarding of a live monkey, one of roughly 300 animals in a shipment from BC Mauritius, confined in a multi-compartment wooden transport crate, into a biohazard dumpster where he went undiscovered for five days until he eventually escaped at the Stericycle facility in Miami, demonstrates a pattern of noncompliance with the statutes and Commission rules that govern the care, containment, and oversight responsibilities inherent in an Exhibitor/Seller/Broker (ESB) permit. Given the egregious nature of this and other recent incidents that have taken place at BC US, we respectfully urge the FWC to consider revoking their ESB authorization.

Noncompliance with Requirements Applicable to ESB Permit Holders

As documented in your inspection report, BC US failed to comply with Rules 68A-6.009(1)(f) and 68A-6.018(7), F.A.C. Notably, this escape was not reported to FWC immediately, as required by 68A-6.018(2)(a). Instead, FWC was contacted via email by Dr. Wendeline Wagner on February 2, 2026, at 8:45pm, after the monkey had already escaped, been recaptured, and transported to another FWC-permitted facility. Dr. Wagner also indicated in her email that she is no longer employed by BC US, raising concerns as to why the escape was reported by a former employee rather than an individual currently responsible for compliance on behalf of the ESB permit holder. Dr. Wagner further stated that she did "not know for sure" whether any members of the public were injured during this escape. BC US, which is responsible for importing and caring for thousands of monkeys annually, did not identify that a newly imported monkey was missing until the escape was reported to them by Stericycle, five days after the monkey was thrown into the biohazard container. This reflects a systemic failure in record-keeping, monitoring, and basic animal care oversight, with direct implications for public safety and regulatory compliance.

This incident is also in violation of Rule 68A-6.009(1)(a-d) F.A.C. This monkey was maintained in unsafe, unsanitary conditions, posed a risk to public safety, and was completely neglected while confined in a closed, regulated biohazard container for five days, in the dark, with temperatures dropping to 30 degrees Fahrenheit and without access to clean food and water. During this time, he would have been in direct contact with contaminated biomedical waste and would have had to search for scraps of food from other transport containers after a 28-hour shipment, which was comingled with feces and other waste. These conditions are inconsistent with the caging requirements set forth in Rule 68A-6.009(2), as well as the sanitation and nutritional requirements under Rule 68A-6.009(3).

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This incident constitutes a serious biosecurity failure with potential public health consequences. The monkey had just arrived from Mauritius and had not yet begun the CDC-mandated 31-day quarantine; its subsequent escape from a biohazard waste container at the Stericycle facility in Miami potentially exposed Stericycle employees, those involved in recapture efforts, and others at the site to various pathogens. Primates imported for use in experimentation are known to arrive infected with pathogens of public health concern, including tuberculosis (TB), hepatitis A, malaria, shigella, salmonella, campylobacter, measles, simian hemorrhagic fever virus, Burkholderia pseudomallei, simian retroviruses, and more. The Mauritius farm that BC US imports monkeys from, Bioculture LTD, has had recent outbreaks of TB. Additionally, transport-related stress can increase shedding of pathogens in monkey saliva, feces, urine, and blood.

The public expects that licensed captive wildlife facilities comply with state regulations designed to safeguard animal welfare and protect public health. The above outlined incident represents a significant failure by BC US to contain Class II wildlife, constituting a direct violation of Rule 68A-6.009, F.A.C.

Violations of Florida’s Animal-Cruelty Statutes

As described above, the circumstances of this incident meet the statutory elements of animal cruelty under Florida law. The prolonged confinement of a live monkey inside a closed biohazard container without adequate food, water, ventilation, or proper shelter from the cold constitutes deprivation of necessary sustenance and confinement in a cruel and inhumane manner, in violation of § 828.12, Cruelty to animals, F.S.:

- (1) A person who unnecessarily overloads, overdrives, torments, deprives of necessary sustenance or shelter, or unnecessarily mutilates, or kills any animal, or causes the same to be done, or carries in or upon any vehicle, or otherwise, any animal in a cruel or inhumane manner, commits animal cruelty, a misdemeanor of the first degree, punishable as provided in s. 775.082 or by a fine of not more than \$5,000, or both.
- (2) A person who intentionally commits an act to any animal, or a person who owns or has the custody or control of any animal and fails to act, which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done, commits aggravated animal cruelty, a felony of the third degree, punishable as provided in s. 775.082 or by a fine of not more than \$10,000, or both.

Additionally, the failure to provide food, water, exercise, or adequate conditions during confinement, as well as the abandonment of the animal under circumstances that exposed him to injury or malnutrition, falls squarely within the conduct prohibited by § 828.13, Confinement of animals without sufficient food, water, or exercise; abandonment of animals, F.S.:

- (2) Whoever:
 - (a) Impounds or confines any animal in any place and fails to supply the animal during such confinement with a sufficient quantity of good and wholesome food and water
 - (b) Keeps any animals in any enclosure without wholesome exercise and change of air is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or by a fine of not more than \$5,000, or by both imprisonment and a fine.

Recent USDA-Documented Critical Violation Involving Animal Deaths

In addition to the recent incident that you investigated, BC US was recently cited by the U.S. Department of Agriculture for a [critical violation](#) following the deaths of two recently imported long-tailed macaques after the temperatures in the “CDC quarantine conditions” observation room where they were confined reached 104 degrees Fahrenheit. Documents received from a Freedom of Information Act (FOIA) request

submitted by PETA indicate that their water source and the walls of the room were also hot at the time of the incident, underscoring the severity of the conditions that led to the deaths of these monkeys.

The facility's [Corrective Action and Preventative Action \(CAPA\)](#) report identified multiple systemic deficiencies, including the absence of a cold weather response procedure to safeguard animal wellbeing; a lack of a clearly designated person to facilitate and plan for cold weather events; an unclear reaction plan to temperature excursions within primate housings; and a limited communication protocol to plan and execute cold weather events pertaining to animal welfare.

This USDA-documented incident, which resulted in the deaths of two recently imported monkeys due to hyperthermia, underscores serious deficiencies in the facility's ability to meet basic animal care and environmental control obligations. Considered alongside the other recent violations described above, it reflects a pattern of systemic failure that calls into question BC US's fitness to continue holding authorization to possess 26 or more Class II animals.

Request: Revoke ESB License for Mark Moshe Bushmitz/BC US

Taken together, the incidents outlined above, including repeated failures to comply with Commission rules governing containment and care, violations of Florida's animal-cruelty statutes, and a recent USDA-documented critical violation resulting in animal deaths, demonstrate a troubling pattern of noncompliance and systemic deficiencies at BC US. These failures implicate both animal welfare and public health and call into question the facility's ability to meet the responsibilities inherent in authorization to possess 26 or more Class II animals.

For these reasons, we respectfully urge the Florida Fish and Wildlife Conservation Commission to exercise its authority to revoke, or decline to renew, Mark Moshe Bushmitz and BC US's ESB authorization. Doing so would be consistent with the Commission's mandate to protect animals, safeguard public safety, and uphold public confidence in Florida's captive-wildlife regulatory framework. We appreciate your continued attention to this matter and are available to provide any additional information that may assist with your review.

Sincerely,



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