



Animal Welfare Institute

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October 6, 2023

Sent Electronically to ssc@iucn.org

Re: **Formal complaint regarding NABR petition challenging “endangered” classification of long-tailed macaques**

Dear IUCN Species Survival Commission (SSC) Chair’s Office:

Long-tailed macaques (LTMs) face unprecedented threats to their survival, driven in significant part by accelerating demand for their use in biomedical research. IUCN’s listing of LTMs as “endangered” is based on powerful, peer-reviewed evidence. By contrast, AWI believes that the Petition challenging IUCN’s listing of LTMs as “endangered”, filed by the National Association for Biomedical Research (NABR), lacks a credible and objective scientific basis. We strongly object to NABR’s challenge of IUCN’s “endangered” classification for LTMs. Pursuant to the “Special Cases” provision of IUCN’s “Procedure for Handling of Petitions against Current Listings on the IUCN Red List of Threatened Species,” please consider this a formal complaint regarding that Petition. Given the evidence and analysis set forth below, we believe IUCN will conclude that NABR’s petition is influenced by impermissible economic factors more than scientific data, and that their formal petition should **not** be accepted by IUCN.¹

The March 2022 IUCN assessment, which was peer-reviewed, found that research demand was a significant cause of the risk to LTMs.² Indeed, NABR acknowledges that “long-tailed macaques are the most widely used non-rodent species” in research.³ They are so widely used, in fact, that according to a U.S. government official’s public statement in August 2022, vendors in Asia are purchasing nonhuman primates as “futures” before they are even born.⁴ This problem is exacerbated by the smuggling and “laundering” of wild-caught LTMs as captive-born, as alleged in a federal criminal indictment filed by the U.S. Department of Justice, for which employees of Inotiv’s self-professed “principal supplier” of nonhuman primates have been charged.⁵ It is hard to imagine a clearer way to express the pressure the population of LTMs is under from the research industry than the idea of buying “futures” in yet-to-be-born animals. It also makes clear that these primates are critical to the financial interests of the research industry that funds NABR, which AWI will discuss herein.

AWI believes it is important to highlight the peer-reviewed nature of the original scientific assessment on which the IUCN status of LTMs was determined (as well as the recently published paper in the *American Journal of Primatology* that provides further evidence supporting it). The March 2022 assessment had 18 coauthors from a variety of disciplines and universities, including IUCN’s Species Survival Commission Primate Specialist

Group. The lead author, Malene Hansen of Princeton, has coauthored multiple peer-reviewed scientific papers related to LTMs specifically,⁶ including research into population⁷ and the monetary value⁸ of these nonhuman primates.

NABR's formal petition, on the other hand, does not appear to be peer-reviewed. While NABR has stated that it worked with "recognized, independent scientists"⁹ on the informal petition, it names just one in its press release announcing the formal petition: Ray Hilborn, whom NABR states is a "world-renowned scientist" and member of its "scientific review team." However, Dr. Hilborn is a professor of aquatic and fisheries sciences, and has published almost exclusively on fish and ocean-related issues.¹⁰ There is no indication that he is an expert in primates of any species, let alone LTMs. Dr. Hilborn has also received negative press coverage from NPR for "undisclosed seafood industry funding;" Hilborn has allegedly received over \$3.56 million from "dozens of fishing and seafood industry groups" and "failed to disclose those affiliations in published scientific papers."¹¹ NPR reported that, consistent with fish industry views, he is also known to challenge studies that show declines in fish populations¹²—something that is particularly relevant to his support of NABR's petition disputing LTM population declines. Furthermore, Hilborn's employer, the University of Washington, is associated with NABR's alleged project to "protect" LTMs—which it announced 17 months after the IUCN assessment. The project also includes CRL, Inotiv and other suppliers and users of LTMs in experiments.¹³ The University of Washington has also been repeatedly fined by the USDA under the U.S. Animal Welfare Act, with the latest in November 2022 following multiple USDA inspections documenting nonhuman primate deaths.¹⁴

AWI also believes it is imperative when evaluating NABR's formal petition for IUCN to consider the extent to which NABR is an industry-funded pro-animal research lobbying group, receiving over \$1.3 million in revenue from "member dues" in 2022.¹⁵ (All "Benefactors"—the highest donor tier of \$50,000 to \$100,000—of its sister organization, the Foundation for Biomedical Research, have supplied or experimented on nonhuman primates.)¹⁶ More broadly, the research industry—which the IUCN LTM assessment states "needs to become accountable"—makes significant amounts of money from the trade in LTMs. In 2021, according to data from the U.S. Department of Agriculture (USDA), "more than 42 percent of labs that used or held primates were for-profit entities."¹⁷ Inotiv, a for-profit company that advertises itself as the world's largest and most trusted supplier of nonhuman primates, listed \$140 million in 2022—a quarter of all company revenue—from the sale of Cambodian monkeys,¹⁸ and the company's stock reportedly lost half its value after the DOJ indictment filed against employees of its self-professed principal supplier.¹⁹ A stock analyst estimated that a pause on monkey shipments from Cambodia could cost the for-profit company Charles River Laboratories (CRL)—by far the largest user of monkeys for experimentation in the U.S. (as well as a dealer)—between \$80 million and \$160 million in sales.²⁰ The company's shares reportedly fell 10% after it received a grand jury subpoena related to Cambodia monkeys from the same U.S. Department of Justice office that issued the indictment.²¹ In fact, both Inotiv and CRL have reported federal grand jury subpoenas from the U.S. Department of Justice related to monkey imports, and in May the SEC launched civil investigations of both companies regarding primate imports.^{22, 23} As a result of the current supply crunch, research analysts estimate that CRL will raise its non-human primate price to \$33,000 from \$22,000 last year and \$2,500 in 2019.²⁴ From 2020 until very recently, CRL's vice-

president for global procurement sat on NABR's Board of Directors. Currently, the chief strategy officer for Inotiv sits on the same Board.²⁵ These are all strong economic considerations, and IUCN clearly states that economic factors cannot be used to change IUCN listings.²⁶

It is important to note that the timing of NABR's petition—especially its actions prior to filing it—highlights the economic factors that seem to motivate NABR's request—and by extension, the industry's.

The original IUCN peer-reviewed assessment was released in March 2022. On November 16, 2022, the U.S. Department of Justice unsealed an indictment related to an international smuggling ring allegedly “laundering” thousands of wild-caught macaques as captive-born into the U.S.,²⁷ with one unindicted co-conspirator located in Alice, Texas. According to the USDA, the only dealers licensed under the U.S. Animal Welfare Act located in Alice, Texas are Envigo Global Services, Inc and Orient BioResource Center (now known as Inotiv LAMS West Inc.); both are owned by Inotiv.²⁸ One day after the indictment was unsealed, Inotiv informed the U.S. Securities and Exchange Commission (SEC) that employees of its principal supplier had been indicted. On November 23, *Science* magazine reported that Inotiv had received allegedly laundered monkeys implicated in the indictment.²⁹ It thus became clear that Inotiv's supply of LTMs was at risk.

Meanwhile, on February 13, 2023, the U.S. Fish and Wildlife Service (USFWS)—which spearheaded the criminal investigation that led to the indictment—rejected a request by a U.S. company (whose name was redacted in a letter posted by STAT News) to allow a shipment of LTMs because, after over two months of review, the department could not confirm that the monkeys were captive-born. In its rejection letter, USFWS cited the heightened scrutiny from the indictment as well as the classification of LTMs by the Convention on International Trade in Endangered Species, which is influenced by IUCN assessments like the one that is the very subject of NABR's formal petition. Four days later, on February 17, CRL received a subpoena from the DOJ related to Cambodian monkeys.³⁰ Ten days after that, on February 27, NABR issued a “crisis action alert” alleging a “fundamental change” in USFWS primate import policies that was threatening the research supply of LTMs.³¹ Completely undercutting this claim, *Science* reported in May that while “some groups have claimed that the U.S. Fish and Wildlife Service is blocking monkey imports,” USFWS told *Science* that it “has not implemented **any** new policies banning the importation” of non-human primates. (*Emphasis in original*)³² Instead, as AWI has documented, the USFWS had rejected a specific, questionable shipment.

It was not until June 15, after NABR's pressure campaign had failed to sway the USFWS to change nonhuman primate import policy, that NABR filed the initial informal petition with IUCN. This was a full *15 months* after IUCN issued the “endangered” classification for LTMs. On September 4, 2023, the *American Journal of Primatology* published a peer-reviewed paper co-authored by Malene Hansen that supported the classification of LTMs as endangered—and undercut NABR's claims.⁶ Six days later, on September 10, NABR filed the formal petition at issue, with a press release following on September 14.³³ AWI

believes that economic factors seemed to motivate NABR to file both the informal and formal petitions—after their “crisis action alert” was unsuccessful in swaying USFWS.

The IUCN petition procedure clearly states that economic factors cannot be used to justify a change in status. Absent strong, peer-reviewed scientific evidence, AWI believes that LTMs should continue to be classified as endangered. The clear scientific evidence from the peer-reviewed March 2022 IUCN assessment is further buttressed by subsequent developments—e.g., the smuggling and laundering of LTMs alleged in the U.S. DOJ indictment; the U.S. government official’s statement that monkeys in Asia are being purchased as “futures” before they are even born; and the peer-reviewed *American Journal of Primatology* paper published in September 2023. All these considerations support a conclusion that the NABR petition was largely driven by financial incentives, rather than credible scientific evidence. AWI believes that these all indicate that LTMs should remain on the IUCN “endangered” list, as an essential means to protect the species.

Thank you in advance for your attention to the issues surrounding long-tailed macaques. We look forward to hearing back from you soon on the status of the NABR petition.

Sincerely,



Joanna Makowska, PhD
Director & Senior Scientist, Applied Animal Behavior
Animals in Laboratories Program

¹ See <https://www.iucnredlist.org/resources/petitions>

² Reuter, K. E. et al. (2022) Impact of COVID-19 Pandemic on primate research and conservation. *Animals*. 12(9), pg 1214. Retrieved from <https://doi.org/10.3390/ani12091214>

³ See <https://www.nabr.org/about-nabr/news/nabr-files-formal-petition-challenging-reclassification-long-tailed-macaques#:~:text=WASHINGTON%20%E2%80%93%20The%20National%20Association%20for,Endange red.%E2%80%9D%20Filing%20of%20the%20formal>

⁴ Gamalo, L. E. et al. (2023) Removal from the wild endangers the once widespread long-tailed macaque. *American Journal of Primatology*. See <https://doi.org/10.1002/ajp.23547>

⁵ Animal Welfare Institute (2022) AWI Urges US Government to Stop Using Abused or Illegally Trafficked Animals in Taxpayer-Funded Research. *AWI Quarterly*. Retrieved from: <https://awionline.org/press-releases/awi-urges-us-government-stop-using-abused-or-illegally-trafficked-animals-taxpayer>

⁶ See <https://scholar.google.com/citations?user=gohbNjoAAAAJ&hl=da>

⁷ Hanson, M.F. (2019) Estimating densities and spatial distribution of a commensal primate species, the long-tailed macaque. *Conservation Science and Practice*. 1 (9) pg e88. Retrieved from <https://conbio.onlinelibrary.wiley.com/doi/full/10.1111/csp2.88>

⁸ Hansen, M. F. (2022) Monetary value of live trade in a commonly traded primary, the long-tailed macaque, based on global trade statistics. *Frontiers in Conservation Science*. 3. Retrieved from: https://www.frontiersin.org/articles/10.3389/fcosc.2022.839131/full?utm_source=Email_to_authors_&utm_medium=Email&utm_content=T1_11.5e1_author&utm_campaign=Email_publication&field=&journalName=Frontiers_in_Conservation_Science&id=839131

⁹ See <https://www.nabr.org/about-nabr/news/nabr-files-petition-challenging-listing-long-tailed-macaque-iucn>

¹⁰ See <https://fish.uw.edu/faculty/ray-hilborn/>

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- ¹¹ Leschin-Hoar, C. (2016) Fisheries scientist under fire for undisclosed seafood industry funding. *NPR*. Retrieved from <https://www.npr.org/sections/thesalt/2016/05/12/477827180/fisheries-scientist-becomes-latest-target-of-activist-s-records-requests#:~:text=of%20New%20England,-,Greenpeace%20says%20Ray%20Hilborn%2C%20a%20prominent%20fisheries%20scientist%20known%20for,some%20of%20his%20scientific%20papers>.
- ¹² Leschin-Hoar, C. (2016) Fisheries scientist under fire for undisclosed seafood industry funding. *NPR*. Retrieved from <https://www.npr.org/sections/thesalt/2016/05/12/477827180/fisheries-scientist-becomes-latest-target-of-activist-s-records-requests#:~:text=of%20New%20England,-,Greenpeace%20says%20Ray%20Hilborn%2C%20a%20prominent%20fisheries%20scientist%20known%20for,some%20of%20his%20scientific%20papers>.
- ¹³ See https://fbr-cms-bucket.s3.us-west-1.amazonaws.com/Long_Tailed_Macaque_Statement_8_1_2023_518bfe740c.pdf?updated_at=2023-07-31T21:18:12.000Z
- ¹⁴ Animal Welfare Institute (2019) Incredible: USDA Secretly curtails oversight of AAALAC-Accredited laboratories. *AWI Quarterly*. Retrieved from: <https://awionline.org/awi-quarterly/fall-2019/incredible-usda-secretly-curtails-oversight-aaalac-accredited-laboratories>
- ¹⁵ See ProPublica: <https://projects.propublica.org/nonprofits/organizations/42688181>
- ¹⁶ See FBR 2022 Annual Report: <https://www.flipsnack.com/fbresearch/fbr-2022-annual-report.html>
- ¹⁷ Animal Welfare Institute (2023) In Lucrative Primate Trade, Enforcing the Law Makes Industry Cry Foul. *AWI Quarterly*. Retrieved from: <https://awionline.org/awi-quarterly/fall-2023/lucrative-primate-trade-enforcing-law-makes-industry-cry-foul>
- ¹⁸ Johnson, C. Y. & Gilbert, D. (2023) How a Cambodian monkey-smuggling ring could worsen US lab shortages. *Washington Post*. Retrieved from <https://www.washingtonpost.com/science/2023/03/01/monkeys-cambodia-research/>
- ¹⁹ *Ibid*
- ²⁰ Gatlin, A. (2023) Charles River Tumbles as DOJ, PETA zero in on monkey shipments. *Investors.com*. Retrieved from: <https://www.investors.com/news/technology/crl-stock-tumbles-as-monkey-investigation-hamstrings-2023-outlook/>
- ²¹ Johnson, C. Y. & Gilbert, D. (2023) How a Cambodian monkey-smuggling ring could worsen US lab shortages. *Washington Post*. Retrieved from <https://www.washingtonpost.com/science/2023/03/01/monkeys-cambodia-research/>
- ²² See CRL Quarterly Report: <https://www.sec.gov/Archives/edgar/data/1100682/000110068223000018/crl-20230701.htm>
- ²³ See Inotiv Quarterly Report: <https://www.sec.gov/Archives/edgar/data/720154/000162828023029076/notv-20230630.htm>
- ²⁴ *Ibid*
- ²⁵ See <https://www.nabr.org/about-nabr/board-directors>
- ²⁶ <https://www.iucnredlist.org/resources/petitions>
- ²⁷ See DOJ press release: <https://www.justice.gov/usao-sdfl/pr/cambodian-officials-and-six-co-conspirators-indicted-taking-part-primate-smuggling-0>
- ²⁸ Animal Welfare Institute (2022) AWI Urges US Government to Stop Using Abused or Illegally Trafficked Animals in Taxpayer-Funded Research. *AWI Quarterly*. Retrieved from: <https://awionline.org/press-releases/awi-urges-us-government-stop-using-abused-or-illegally-trafficked-animals-taxpayer>
- ²⁹ Grimm, D. (2022) Indictment of monkey importers could disrupt US drug and vaccine research. *Science*. Retrieved from <https://www.science.org/content/article/indictment-monkey-importers-could-disrupt-u-s-drug-and-vaccine-research>
- ³⁰ *Ibid*.
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- ³² Grimm S. (2023) Supply of monkeys for research is at a crisis point, US government report concludes. *Science*. Retrieved from: <https://www.science.org/content/article/supply-monkeys-research-crisis-point-u-s-government-report-concludes>
- ³³ See <https://www.nabr.org/about-nabr/news/nabr-files-formal-petition-challenging-reclassification-long-tailed-macaques#:~:text=WASHINGTON%20%E2%80%93%20The%20National%20Association%20for,Endange red.%E2%80%9D%20Filing%20of%20the%20formal>