

TESTIMONY OF
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Concerning the
Captive Primate Safety Act
H.R. 2964

Before the
Subcommittee on Fisheries, Wildlife and Oceans of the
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Testimony of Dr. Sian Evans,
Director of the DuMond Conservancy for Primates and Tropical Forests,
on the Captive Primate Safety Act

Madam Chairwoman, and Members of the Subcommittee, I am Dr. Sian Evans, a scientist whose 30-year professional career has involved the study and captive management of nonhuman primates. I appreciate this opportunity to testify today in opposition to H.R. 2964, the Captive Primate Safety Act.

I am a member of and represent a national organization - Uniting a Proactive Primate and Exotic Animal League (UAPPEAL) - an organization that educates people who are interested in sharing their life with nonhuman primates by making them aware of a primate's special needs, giving them realistic expectations, and making sure they are willing and able to make a lifelong commitment to the nonhuman primates in their care. UAPPEAL discourages the casual acquisition of any animals and supports fair regulation of animals in regard to animal welfare and public safety issues. For many reasons, which I will outline for you today, UAPPEAL opposes the Captive Primate Safety Act.

I received B.S., M.S., and Ph.D. degrees in the United Kingdom and belong to the following professional organizations; the International Primatological Society (IPS), the American Society of Primatologists (ASP) the Primate Society of Great Britain and the Association for the Study of Animal Behavior. I am the Director of the DuMond Conservancy for Primates and Tropical Forests, a not-for-profit organization located in Miami, Florida, whose mission is to study, improve the captive welfare and preserve nonhuman primates and their habitats. In addition to behavioral research, I also have a strong interest in education and teach a university course in Primate Biology (which includes lectures on nonhuman primate conservation). I was Vice President for Education of the International Primatological Society from 1996-2000 and served for many years on the Education Committee of the American Society of Primatologists.

There are over two hundred species of non-human primate and over eighty percent of them live in tropical rainforests. Thirty per cent of primate species are endangered and international authorities consider all primate species to be threatened and/or vulnerable. Thus, there is every reason to try and protect these magnificent, intelligent near relatives. H.R. 2964 would amend the Lacey Act to extend the list of “prohibited wildlife species” to include all nonhuman primates. The bill declares it a prohibited act, for any person, with some exceptions, to import, export, transport, sell, receive, acquire or purchase in interstate commerce nonhuman primates. The Lacey Act is a federal wildlife law that combats the illegal commercial exploitation of wildlife and rare plants and allows the federal government to help states, tribes and countries around the world safeguard their wildlife resources. However, the intent of this bill is an attempt to limit private ownership of primates.

As the geographical range of nonhuman primates does not include the United States and the importation of primates as pets is prohibited under a U.S. Public Health Service quarantine regulation adopted in 1975, all nonhuman primate pets are required by law to be captive born. Furthermore, the interstate movement of any endangered nonhuman primate species is already federally regulated by the US Department of the Interior and so, the restrictions created by this bill appears to be duplicative for those nonhuman primates in greatest need of protection. It is an undisputable fact that this bill serves no conservation purpose whatsoever.

Because my own academic research and subsequent behavioral studies of nonhuman primates have required the management of monkey colonies, I have a great deal of experience with primates that require intensive individual care (for health or behavioral reasons) and in hand-raising infants rejected by their parents. Consequently, nonhuman primate owners often consult me with questions regarding health and husbandry. While I am not an advocate of primate pet ownership, I do not support the enactment of legislation that would create unnecessary burdens for pet owners or make it harder for them to care for their pets. My own life has been enormously enriched by the close contact I have experienced with most of the common monkey species. In fact, I have learned a great deal about some aspects of primate behavior available only to those private owners who chose to live in close contact with them in the private sector.

The justifications that have been proposed in this bill to include all nonhuman primate species as prohibited are that they are a threat to both public safety and public health and require standards of captive care beyond the ability of private owners. However, there is no documentation or scientific evidence to support these claims and in my experience.

The claim that primates are a threat to public health is of especial concern to me. Public health decisions should be based on the highest quality of scientific data, openly and objectively derived. Pet primates are not a documented source of disease to humans. Some of this absence of zoonotic (animal to human) disease risk has been attributed to the frequent practice of removal of pet primates from their species shortly after birth and having been bred in captivity for many years (and many generations). In fact, it is the pet primates themselves that are documented to be susceptible to some human diseases. As a

result, some veterinarians suggest common childhood immunization, occasional tuberculin skin tests and even rabies vaccination (although few, if any, pet primates are ever potentially exposed to the bites of rabid vectors).

The disease that is frequently cited as a public health threat by opponents of pet primates is infection with a herpes virus, B-virus or *Herpes simiae*. This virus may be found in macaque monkeys and while, much like the human cold sore virus, it does not cause any significant disease in infected macaques, if it is transmitted to humans it can cause fatal encephalitis. However, those that cite this potential disease risk from pet primates overlook several well-documented facts. This disease is extremely hard to transmit and transmission has only occurred in laboratory settings when imported research monkeys are stressed and much more likely to be infectious. Also, the practice of removing infant macaques from their mothers shortly after birth, almost certainly eliminates the possibility that these infant monkeys can acquire the virus. The overwhelming majorities of pet macaques are screened for and are negative for B-virus. Finally, and most importantly, there has never been a case of Herpes B virus transmission from a pet macaque. My strong objection to describing primates as a public health risk is that it does a great disservice to these wonderful animals and can discourage their study and conservation. My efforts to correct this misconception include organizing a roundtable discussion on Primates and Public Health at the 23rd meeting of the American Society of Primatologists (ASP) in Boulder, Colorado in June 2000 and I was subsequently successful in lobbying the ASP to retract their description of primates as a public health threat in their position statement on the private ownership of primates.

The issue of animal welfare is frequently raised as justification that private individuals should not own nonhuman primates. I have visited the homes of many primate pet owners, attended their social events and spoken at conventions where the owners bring their pets, and I have been impressed by how responsible and informed the primate pet owners are. The housing that primate pet owners provide can equal and sometimes surpass that at zoos and is far superior to conditions in any research laboratory that I have visited. In my experience, primate pet owners are compassionate, dedicated individuals that make a serious social commitment to the lifelong care of their primate pets. These pet primates depend on their owners for social contact and typically travel with their owners frequently crossing state lines. Primate pet owners are well informed about the regulations in the different states they may travel to and through and are conscientious about obtaining the health certificate required for entry into each state. Restricting the movement of nonhuman pet primates with their owners is inhumane as it causes anxiety in such bonded pets as a result of social separation. Furthermore, primate pet owners of my acquaintance provide the best veterinary care possible and frequently cross state lines to obtain the quality and specialized care that they seek for their pets. It is ironic that the most likely outcome of the passage of this bill would only compromise the health and emotional well being of pet primates and the ability of their owners to provide the best care for their pets. Nonhuman primates are not only pets in the private sector, but, many are service animals aiding physically challenged individuals. There is no reason why private owners should not be allowed to cross state lines in accordance with existing state

laws be it for health care, travel, relocating, or placing an animal in the best qualified place in the event of the owner's death or life change.

It is my opinion that this bill is based on false premises with the intent of interfering with the constitutional right of law-abiding citizens to own a primate. It will do nothing to protect public health and safety or improve animal welfare. It seems regrettable that nonscientific interests have taken the time and resources of this important subcommittee in an effort to control an undocumented problem and an insignificant issue.

In conclusion, I would like to ask this committee, on behalf of UAPPEAL, to please consider the negative consequences of this unnecessary legislation. This legislation will be a burden to responsible nonhuman primate owners who want to provide the necessary care for their pet's needs by meeting their social, welfare and health care needs which are not always available within their state of residence. These owners have the right to provide their pets with a lifetime of quality care without regulations that tie their hands in the process.