

**Q:** Can't unwanted primates just be placed in wildlife sanctuaries?

As much good as they do, sanctuaries are not the answer. Born Free USA owns and operates the Born Free USA Primate Sanctuary, located in Texas, which is refuge to a number of former pets who were abandoned by their owners because of disturbed and aggressive behavior. However, it is one of only a few primate sanctuaries in the United States in which the majority of residents live in free-ranging natural enclosures of several acres, and resources for this (and all other sanctuaries) are limited. There are limits on how many primates each facility can care for, and it is unfeasible to continue transferring unwanted "pets" there indefinitely.

**Q:** Does this mean we won't be able to see primates in zoos anymore?

No. The bill would prohibit interstate commerce in primates for the exotic "pet" trade. Facilities such as those zoos accredited by the Association of Zoos and Aquariums are exempt and therefore can still transport primates to their location. This bill has been crafted to target the owners of primates who do not have the necessary resources or knowledge to care for them—not the large owners governed by strict and standardized safeguards for proper care and sheltering.

**Q:** Aren't primates raised in captivity just like domesticated pets?

No. Although monkeys, particularly baby ones, are cute and cuddly, the fact is that these are wild animals. They cannot be, and should not be, kept in a domestic environment. Companion animals, such as dogs and cats, have been selectively bred over the ages for physical and behavioral characteristics that enable them to cope with life among people—but this process has not happened to primates. People who keep primates find themselves unable to contain their monkeys' increasingly erratic behaviors as they grow older and stronger. Primates will always retain their natural instincts; a wild animal will always be a wild animal.

**Q:** What do other primate experts have to say about this bill?

The American Veterinary Medical Association, the American Society of Primatologists, and the National Association of State Public Health Veterinarians oppose the private possession of primates, as do many animal welfare and public safety experts.



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The following organizations endorse federal legislation to ban the trade in primates as pets: American Society for the Prevention of Cruelty to Animals, Animals Asia Foundation (Hong Kong), Animal Conservation Welfare Foundation (Europe), Campaigns Against the Cruelty to Animals (Canada), Chimps Inc., Humane Society of the United States, Humane Society International/UK (United Kingdom), International Fund for Animal Welfare, International Primate Protection League, Lilongwe Wildlife Trust (Malawi), North American Primate Sanctuary Alliance, Orangutan Appeal UK (United Kingdom), Orangutan Foundation (United Kingdom), Performing Animal Welfare Society, Primate Rescue Center, Inc., Pro Wildlife (Germany), The Royal Society for the Prevention of Cruelty to Animals (United Kingdom), World Society for the Protection of Animals, and Zoocheck Inc.

Born Free USA is a nationally recognized leader on the issue of nonhuman primates and other wild and exotic animals kept as pets, and offers legislators our assistance and experience in addressing this important animal welfare and human health and safety issue. Born Free USA is especially familiar with the harm that can come from private possession of primates, as it runs the Born Free USA Primate Sanctuary in Texas.

For more information visit, [www.bornfreeusa.org](http://www.bornfreeusa.org), [www.bornfreeusa.org/primates](http://www.bornfreeusa.org/primates) or [www.bornfreeusa.org/sanctuary](http://www.bornfreeusa.org/sanctuary). Or contact: [legislation@bornfreeusa.org](mailto:legislation@bornfreeusa.org).

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# THE CAPTIVE PRIMATE SAFETY ACT H.R. 2856 and S. 1463

This is not monkey business – this is humane, commonsense change for primates and people around the country.

**The Captive Primate Safety Act (H.R.2856/S.1463)** has been reintroduced in the United States House of Representatives by Representatives Michael G. Fitzpatrick (R-PA) and Earl Blumenauer (D-OR) and in the United States Senate by Senators Barbara Boxer (D-CA) and David Vitter (R-LA). The bills amend the Lacey Act to prohibit interstate commerce in monkeys, apes, and other primates for the exotic pet trade. It passed the House by an overwhelming majority in 2009 and passed the Senate Committee on Environment and Public Works in 2012.

*Born Free USA urges all legislators to support the Captive Primate Safety Act and work toward its enactment without delay.*

## What would the bill do?

- It would add "nonhuman primate" to the list of animals that are prohibited from importation, exportation, transportation, and sale, receipt, acquisition, or purchase under the Lacey Act Amendments of 1981.
- It is narrowly crafted to target the commerce in and private possession of primates, and would not impact zoos, universities, or wildlife sanctuaries.
- Captive primates who outlive their owners could only go to institutions that are already exempt under the Lacey Act (such as an accredited sanctuary or zoo).
- It would limit the exemption for USDA-licensed facilities to places that do not allow public contact with the primates, so that no private owner can take advantage of this clause.

## Exemptions

The CPSA does *not* apply to –

- A person transporting a "helper monkey" solely for the purpose of assisting a permanently disabled individual, as long as the animal is transported in accordance with regulations.
- Someone who is licensed or registered, and inspected, by the Animal and Plant Health Inspection Service or any other Federal agency.
- A State college, university, or agency, or State-licensed veterinarian.
- An accredited wildlife sanctuary that cares for prohibited wildlife species and does not breed, commercially trade, or allow direct public contact with the animals.

This bill is crucial for four main reasons. The interstate trade in primates threatens animal welfare and has grave implications for public safety, community resources, and global conservation efforts.

## Animal Welfare

Infant monkeys used for the pet trade are usually forcibly removed from their mothers shortly after birth, causing psychological distress in a species that prioritizes familial ties. As they grow, they become extremely active, messy, and destructive, and have a tendency to bite and scratch. Frustrated “pet” owners become weary of the resulting attacks and destruction, and relegate the monkeys to a life of increasing isolation, loneliness, frustration, and neglect. Primates kept in captivity endure abusive conditions that may include small cages, tethering, and tooth and fingernail extraction to “tame” them. Even without these appalling methods of restraint, most private citizens cannot provide the special care, housing, diet, socialization, and maintenance that exotic animals require.

## Public Safety

According to Born Free USA’s exotic animal incidents database ([www.bornfreeusa.org/database](http://www.bornfreeusa.org/database)), since 1990, more than 270 people — including 86 children — have been injured by primates in the U.S. Often bought as cute infants, primates tend to exhibit unpredictable behavior after the age of 2. As they reach sexual maturity, they become larger and more aggressive, and will bite to defend themselves and to establish dominance. One well-known tragedy occurred in 2009, when a pet chimpanzee mauled a woman nearly to death in Connecticut. A sample of other incidents includes:

- A 6-year-old boy was bitten on his forearm by a pet primate when the boy tried to pet the primate’s companion dog at a dog event. (St. Louis, MO)
- A Javan macaque, kept illegally as a pet, bit a woman caring for the animal, causing severe injuries on her arm and finger. The macaque was kept in a small dog crate inside her trailer and was being fed Frosted Flakes. (Paso Robles, CA)
- Authorities shot and killed a pet monkey after the animal escaped and attacked a woman and a sheriff’s deputy. The woman had to be hospitalized for her injuries. Four other monkeys—2 Javan macaques and 2 Rhesus macaques—were found living in deplorable conditions in the owner’s home. (Shelbyville, TN)
- A 9-year-old macaque, owned as a pet, escaped from the home. When his owner tried to catch him with a net, the macaque attacked, biting him in the rear end and thigh and tearing apart his right hand, severing tendons. The owner’s friend shot and killed the macaque to stop the attack. (Okeechobee, FL)



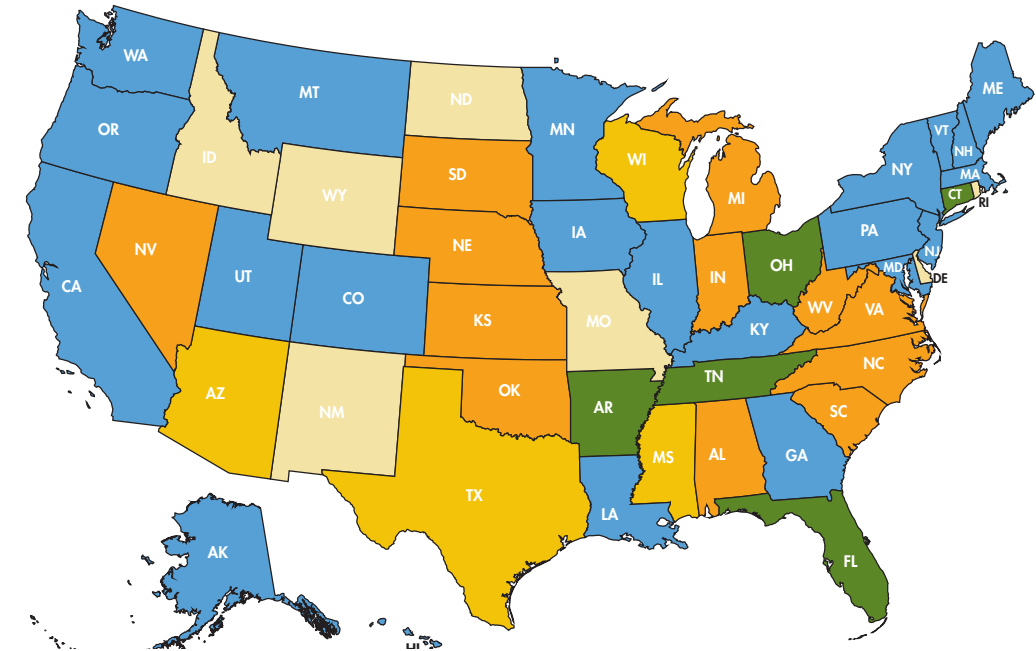
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Compounding the risk of physical injury to the public, primates of all sizes can potentially transmit to humans dangerous viral diseases such as yellow fever, monkey pox, Ebola and Marburg virus, viral hepatitis, measles, Herpes simian (Herpes B), and Simian Immunodeficiency Virus (SIV), the primate form of HIV.

## Community Resources

Private ownership of primates not only threatens public safety, but can also strain the resources of the community and of rescue organizations. When animals escape or are abandoned by their owners, other people have to deal with the consequences. Often, local police departments, who are poorly equipped to respond to wild animals, are forced to make difficult decisions about how to handle unpredictable situations. One high-profile instance occurred in Zanesville, Ohio, when a man released 56 exotic animals from his private farm. These included 3 primates, of which 1 baboon was killed and the other 2 trapped. The incident cost the department \$8,000 in overtime and was deeply traumatic for the police officers and the local citizens. Nonprofits, such as Born Free USA, must also deal with the consequences of primate ownership, because sanctuaries become the dumping grounds for unwanted animals. With limited resources, sanctuaries are strained further by each new animal that has nowhere else to go. Reducing private ownership of primates would greatly reduce the negative community impact of these “pets.”

## Summary of State Laws Relating to the Private Possession of Primates



- **22 states** have a ban on private ownership of non-human primates: Alaska, California, Colorado, Georgia, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Montana, New Hampshire, New Jersey, New York, Oregon, Pennsylvania, Utah, Vermont, Washington
- **4 states** have a partial ban on private ownership of some non-human primates: Arkansas, Connecticut, Florida, Ohio, Tennessee
- **7 states** require a permit or registration to possess non-human primates as pets: Delaware, Idaho, Missouri, New Mexico, North Dakota, Rhode Island, Wyoming
- **4 states** require a permit to possess some non-human primates as pets, while allowing others without a permit: Arizona, Mississippi, Texas, Wisconsin
- **12 states** allow non-human primates as pets: Alabama, Indiana, Kansas, Michigan, Nebraska, Nevada, North Carolina, Oklahoma, South Carolina, South Dakota, Virginia, West Virginia,

## Global Conservation

Private possession and breeding of primates contributes to the interstate traffic in those species and may contribute to illegal international wildlife trade. Demand for live primates or their parts in the U.S. increases the capture and sale of those species abroad, many of which are threatened or endangered in the wild. There is no way to know how many U.S.-born primates are disposed of by private owners, or when their parts are illegally sold into black market trade.

## FAQ

**Q:** Why is this a federal issue?

- This bill seeks to ban interstate commerce rather than targeting private ownership directly, placing it within the jurisdiction of the U.S. Congress.
- Currently, there is a patchwork of state laws regarding “pet” primates. Twenty-two states ban private possession of primates and 3 states have a partial ban. Eleven states require a license or permit for some or all primates, and 14 states allow primates as pets, with virtually no oversight. However, primates are easily obtained via the Internet and through out-of-state dealers and auctions, making federal legislation necessary to support the efforts of state law enforcement.
- There is a precedent of federal legislation to regulate the interstate trade of exotic animals. In 2003, President George W. Bush signed the Captive Wildlife Safety Act into law to prohibit interstate commerce of lions, tigers, and other big cats as pets. Primates face similar inhumane treatment and pose similar threats to public health and safety, and so should be added to the list of species prohibited in commercial trade.