



VIA: USPS Certified Mail
Shipping Event: 1st

May 21, 2012

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MC Cargo Group, Inc.
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Los Angeles, CA 90021

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Los Angeles, CA 90021

SETTLEMENT AGREEMENT

CITATION AND NOTIFICATION OF PENALTY

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

Date of Violation: February 8, 2008

9 C.F.R. § 2.25(a) Registration requirements and procedures.

Any person or entity operating or intending to operate as an intermediate handler must have a valid registration.

MC Cargo Group, Inc. (MCCG) operated as an intermediate handler by transporting twenty-five nonhuman primates in commerce from American Airlines to China Southern Airlines. The nonhuman primates originated from Georgetown, Guyana with an intended final destination of Bangkok, Thailand (Air Waybill 784-10556895).

Date of Violation: February 8, 2008

9 C.F.R. § 3.86(c) Consignments to carriers.

Carriers and intermediate handlers must not accept nonhuman primates for transport in commerce unless the consignor certified in writing that the nonhuman primate was offered food and water during the four hours before delivery to the carrier or intermediate handler. The certification must include specific instructions for the next feeding(s) and watering(s) for a 24-hour period and be securely attached to the enclosure.

MCCG transported nonhuman primates without certification that the animals were offered food and water at least four hours prior to acceptance and without specific instructions for feeding and watering attached to the enclosure (Air Waybill 784-10556895).



Date of Violation: February 8, 2008

9 C.F.R. § 3.87(c) Ventilation.

Ventilation openings located on two opposite walls must be at least 16 percent of the total surface area of each wall and be located above the midline of the enclosure. Unless the primary enclosure is permanently affixed to the conveyance, projecting rims or similar devices must be located on the exterior of each enclosure wall to prevent obstruction of the openings.

MCCG transported nonhuman primates in enclosures with ventilation holes that fell below the midline of the enclosures, and in non-permanently affixed enclosures without projecting rims or similar devices to prevent ventilation obstructions (Air Waybill 784-10556895).

Date of Violation: February 8, 2008

9 C.F.R. § 3.89 Food and water requirements.

Food and water receptacles must be securely attached inside the primary enclosure and placed so that the receptacles can be filled from outside of the enclosure without opening the door.

MCCG transported nonhuman primates in enclosures with food and water receptacles that could not be filled without opening the enclosures (Air Waybill 784-10556895).

Date of Violation: February 8, 2008

9 C.F.R. § 3.90(a) Care in Transit.

Any person subject to the AWA regulations transporting nonhuman primates in commerce must observe the nonhuman primates as often as circumstances allow, but not less than once every 4 hours to determine whether any of the nonhuman primates are in obvious physical distress. The regulated person transporting the nonhuman primates must ensure that the operator or the person accompanying the operator determines whether any of the nonhuman primates are in obvious physical distress, and obtains any veterinary care needed for the nonhuman primates at the closest available veterinary facility.

MCCG knowingly transported a shipment containing a nonhuman primate that was dead, injured, and/or ill (Air Waybill (784-10556895).

“The penalty amount for the alleged violations above is \$1,018.”