



Animal Welfare Institute

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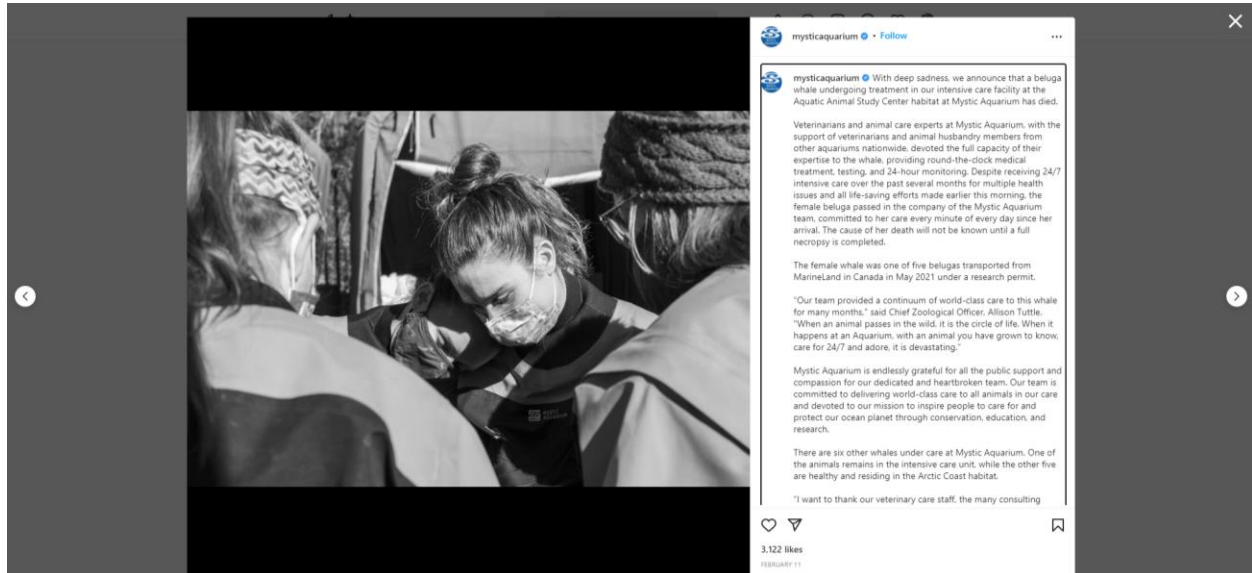
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RE: Mystic Aquarium, Permit No. 22629

Dear Ms. Harrison, Dr. McKinnie, and Dr. Cogliano:

On behalf of the Animal Welfare Institute's (AWI) members and constituents, we are writing in reference to recent events at Mystic Aquarium in Connecticut that are associated with the importation of five beluga whales (*Delphinapterus leucas*) to this facility from MarineLand in Canada on May 14, 2021. This letter is focused primarily on understanding the sequence of events at the border, where certain regulatory steps are intended to ensure the status of animals crossing into the United States. While we advised against the issuance of this permit from the outset, our present concerns stem from Mystic's need to replace three of the original whales proposed for importation with substitutes that Mystic stated would be healthy. We believe our concerns were, most unfortunately, validated by the August 6 death of Havok, a young male beluga who was a substitute for original whale Frankie; the serious illness of Jetta, reported on August 26, a young female beluga who was a substitute for original whale Qila; and then the February 11 death of a second female beluga, later confirmed to be Havana (an original whale). Upon Havana's death, Mystic notified the public that one whale has been in "intensive care over the past several months for multiple health issues." Based on her prior illness, we presume the

whale in intensive care is/was Jetta, but have yet to see official public confirmation of this assumption.



AWI appreciates the National Marine Fisheries Service’s (NMFS) prior confirmation that it is investigating the circumstances surrounding this importation and the belugas’ illnesses and deaths, in part because we remain confused and concerned about what actually transpired during the May 2021 importation. See Attachment A, NMFS Response to IMMP et al. We have reviewed Havok’s preliminary necropsy report and incident report, submitted last fall; the inspection report prepared by USDA’s Animal and Plant Health Inspection Service (APHIS), dated September 29, 2021, made available on February 7; Havok’s histopathology report made available on February 28; his preliminary and final marine mammal data sheets; and Havana’s preliminary necropsy report and incident report, made available on March 22. Frankly, we are quite disturbed by the impression these documents give; in particular, it is apparent that Havok suffered for a prolonged period before his death. Despite the availability of these documents, several things remain unclear, including why *any* whales with preexisting conditions were moved in the first instance, and whether the transport itself exacerbated any preexisting conditions.

Regardless of the results of an in-depth investigation, however, we believe the time has come for one or more of your agencies to engage in a rulemaking to address these and related issues, and we would welcome the opportunity to discuss this possibility at your earliest convenience.

I. Existing Legal Structure

A number of laws and regulations, as well as an international treaty, govern the passage of animals, particularly wildlife (including marine mammals), into the United States – the Marine Mammal Protection Act (MMPA) and/or the Endangered Species Act (ESA), the Animal Welfare Act (AWA), the Lacey Act (and the 2007 Captive Wildlife Safety Act (CWSA), 117 Stat. 2871, which amended the Lacey Act Amendments of 1981, 16 U.S.C. 3371-3378, by adding paragraphs 2(g), 3(a)(2)(C), and 3(e) (16 U.S.C. 3371, 3372)), the Migratory Bird Treaty

Act (MBTA), the Eagle Protection Act, the African Elephant Conservation Act, the Rhinoceros and Tiger Conservation Act, the Wild Bird Conservation Act, the Whaling Convention Act, and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).¹ For the purpose of this letter, we are primarily concerned with the legal and regulatory provisions that pertain to border crossings of live marine mammals and will briefly cover those provisions herein. All species of marine mammals are protected under the MMPA, and depending on their conservation status, some are also protected under the ESA, CITES, and other laws.²

a. Marine Mammal Protection Act

The MMPA places a moratorium on the take of marine mammals and a ban on the importation into the United States of marine mammals and marine mammal products. 16 U.S.C. § 1371(a); 16 U.S.C. § 1362(8). Section 104 provides exceptions to the moratorium on take, for scientific research, public display, photography for educational or commercial purposes, or enhancing the survival or recovery of a species or stock, or for importation of polar bear parts (other than internal organs) taken in sport hunts in Canada. 16 U.S.C. § 1374. Under the MMPA, to “take” means to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal. 16 U.S.C. § 1362. Interested persons are required to submit an application to either NMFS or the U.S. Fish and Wildlife Service (FWS), depending on the species involved, in accordance with the MMPA and its implementing regulations at 50 C.F.R. part 216, subpart D and/or 50 C.F.R. Part 18, subpart D.

In addition, the MMPA, at 16 U.S.C. §§ 1382(d)–(e), provides partial authority for FWS regulations for the importation, exportation, and transportation of wildlife at 50 C.F.R. Part 14. See 45 Fed. Reg. 56,673 (Aug. 25, 1980). Such importations must be declared and cleared through an FWS port designated for wildlife (50 C.F.R. § 14.12, although see *id.* at § 14.14) and a Wildlife Declaration Form 3-177 (Declaration for Importation or Exportation of Fish or Wildlife) must be filed with the FWS inspector at the time of importation. FWS Office of Law Enforcement officers are physically present at designated ports of entry and inspect importations of wildlife and wildlife parts and products. 50 C.F.R. § 14.12.

The belugas subject to this permit descended from the depleted Sakhalin Bay-Nikolaya Bay-Amur River (Sakhalin-Amur) stock. Members of this stock may not be imported into the United States for the purpose of public display. 50 C.F.R. Part 216, 81 Fed. Reg. 74,711 (Oct. 27, 2016). This importation prohibition extends to the vast majority of the belugas at MarineLand, including the five original and three replacement whales, because they are progeny of the depleted Russian stock. The fact that this MMPA special exception permit was for research purposes was the basis for NMFS’s approval of the MMPA permit. See NMFS Permit No. 22629, Appendix 1, and Recommendation Memo for Permit No. 22629.

¹ See U.S. Fish and Wildlife Service Office of Law Enforcement, Importing and Exporting Your Commercial Wildlife Shipment, <https://www.fws.gov/le/commercial-wildlife-shipment.html>.

² See U.S. Fish and Wildlife Service, International Affairs, Marine Mammals, <https://www.fws.gov/international/animals/marine-mammals.html>.

b. Endangered Species Act

The ESA is a key statute for both domestic and international conservation. Jointly administered by the Secretaries of Commerce and the Interior, it aims to provide a framework to conserve and protect endangered and threatened species and their habitats. By providing states with financial assistance and incentives to develop and maintain conservation programs, the ESA serves to meet U.S. responsibilities to treaties and conventions such as CITES and the Western Hemisphere Convention.³ The multinational species conservation agreements function as amendments to the ESA and grant the Division of Management Authority (within the FWS) the authority to provide funding for projects that aim to conserve and protect these species.

For federal actions that could adversely affect species listed under the ESA, Section 7 of the law establishes a duty to consult and avoid jeopardizing the continued existence of the species, meaning that federal agencies engage in an interagency consultation process. 16 U.S.C. § 1536(a)(2). For nonfederal actions that could independently affect species listed under the ESA, Section 9 of the law established a prohibition on the take of threatened and endangered species, *Id.* at §§ 1538(a)(1)(B), 1538(c), with take being defined as “to harass, harm, pursue, hunt shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” 16 U.S.C. § 1532(19).

Under Section 10(a)(1)(A) of the ESA, however, persons may be authorized to take threatened and endangered species for purposes of scientific purposes or enhancing the survival of the species, among other exceptions. 16 U.S.C. § 1539(a)(1)(A). Interested persons are required to submit an application in accordance with the ESA and NMFS’s implementing regulations for threatened and endangered marine species, at 50 C.F.R. Part 222. For threatened and endangered wildlife under the jurisdiction of the FWS, 50 C.F.R. Part 17 applies. In addition, the ESA, at 16 U.S.C. §§ 1538(d)-(f) (Prohibited acts), 1540(f) (ESA Penalties and enforcement), provides partial authority for FWS regulations for the importation, exportation, and transportation of wildlife at 50 C.F.R. Part 14, described above. See 45 Fed. Reg. 56,673.

c. Convention on International Trade in Endangered Species of Wild Fauna and Flora

CITES, 27 U.S.T. 1087 (1973), is a multilateral treaty to protect endangered plants and animals in international trade. It was drafted as a result of a resolution adopted in 1963 at a meeting of members of the International Union for Conservation of Nature. CITES was opened for signature in 1973 and entered into force on July 1, 1975.⁴ At present, there are 184 parties to CITES. All importation, exportation, re-exportation and introduction from the sea of species covered by CITES must be authorized through a permitting system. Each Party must designate one or more Management Authorities responsible for administering that permitting system and one or more Scientific Authorities to advise them on the effects of trade on the status of the species.⁵ The FWS fills these roles for the United States. In addition, most Parties have promulgated domestic

³ U.S. Fish and Wildlife Service, International Affairs, Conservation Laws, Endangered Species Act, <https://www.fws.gov/international/laws-treaties-agreements/us-conservation-laws/endangered-species-act.html>.

⁴ See CITES, About CITES, What Is CITES?, <https://cites.org/eng/disc/what.php>.

⁵ See CITES, About CITES, How CITES works, <https://cites.org/eng/disc/how.php>.

regulations to implement CITES. In the United States, those regulations are found at 50 C.F.R. Parts 10, 13, 17, and 23. 72 Fed. Reg. 48,402 (Aug. 23, 2007).

CITES established four different categories of species:⁶

- Appendix I: “all species threatened with extinction which are or may be affected by trade;”⁷
- Appendix II(a): “all species which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation to avoid utilization incompatible with their survival;”⁸
- Appendix II(b): “other species which must be subject to regulation in order that trade in specimens of certain species... may be brought under effective control”⁹
- Appendix III: “all species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the cooperation of the other Parties in the control of trade.”¹⁰

Most cetaceans, including belugas, are listed on CITES Appendix II. As such, they may not be imported into the United States without the required CITES documentation. CITES Article IV requires export permits for any specimen of a species included in Appendix II. An export permit shall only be granted when the Scientific Authority of the State of exportation has advised that such exportation will not be detrimental to the survival of that species; a Management Authority of the State of exportation is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and a Management Authority of the State of exportation is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health, or cruel treatment.

Article IV further requires that the Scientific Authority for each Party shall monitor both the export permits granted by that State for specimens of species included in Appendix II, and the actual exports of such specimens. Whenever the Scientific Authority determines that the exportation of specimens of any such species should be limited in order to maintain that species at a sustainable level throughout its range and within its ecosystem, the Scientific Authority shall advise the appropriate Management Authority of measures to be taken to limit the granting of export permits for specimens of that species.

Article IV also requires that the importation of any specimen of a species included in Appendix II shall require the prior presentation of either an export permit or a re-export certificate. Similarly, the re-exportation of any specimen of a species included in Appendix II requires a re-export certificate, which shall only be granted when a Management Authority of the State of re-exportation is satisfied that the specimen was imported in accordance with CITES and that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to

⁶ See CITES Documents, Convention text, <https://cites.org/eng/disc/text.php#II>.

⁷ Art. II, para. 1.

⁸ Art. II, para. 2(a).

⁹ Art. II, para. 2(b), also known informally as the “look-alike” provision.

¹⁰ Art. II, para. 3.

health, or cruel treatment. In addition, as mentioned above, in the case of wildlife importations into the United States, the FWS regulations implementing CITES apply. 50 C.F.R. Part 23.

d. Lacey Act

The Lacey Act, 16 U.S.C. §§ 3371-3378, protects both wildlife and plants by creating civil and criminal penalties for a wide array of violations. Most notably, the Lacey Act makes it a federal crime to break the wildlife laws of any state, tribe, or foreign country, and then move or trade the wildlife across U.S. borders, including between states.¹¹

To enforce the Lacey Act, wildlife investigators, including special agents of the FWS and NMFS, track controlled deliveries of contraband wildlife and use anticipatory warrants to collect evidence against consumers of illegal wildlife and develop cases against international suppliers. Due to the sheer size of most marine mammals, in combination with the requirements of, e.g., the MMPA, enforcement of the Lacey Act vis-à-vis marine mammals is typically related to parts and products rather than whole marine mammals (living or dead).

The Lacey Act provides partial authority for FWS regulations for the importation, exportation, and transportation of wildlife, at 50 C.F.R. Part 14, described above.¹² 45 Fed. Reg. 56,673.

e. Animal Welfare Act

The AWA was signed into law in 1966. 7 U.S.C. § 2131 et seq. It is the only federal law in the United States that regulates the treatment of animals in research, exhibition, transport, and by dealers.¹³ It sets minimum standards of care that must be provided for animals—including housing, handling, sanitation, food, water, veterinary care and protection from weather extremes. USDA Animal Care, a unit within APHIS, administers the AWA.¹⁴

Importation of live animals into the United States requires a live animal importation permit issued by USDA APHIS Veterinary Services.¹⁵ Per USDA regulations, the animals to be imported must undergo a veterinary examination within 10 days of transport. 9 C.F.R. § 3.112.¹⁶ APHIS has a presence at ports of entry into the United States, and collaborates with U.S. Customs and Border Protection to inspect plant and animal (e.g., agricultural and wildlife) products.¹⁷ With regard to importations and exportations, APHIS's website states:

¹¹ U.S. Department of Justice, Prosecution of Federal Wildlife Crimes, <https://www.justice.gov/enrd/prosecution-federal-wildlife-crimes>.

¹² Related authority for 50 C.F.R. Part 14 is found at 18 U.S.C. § 42 (Criminal code as applicable to animals, birds, fish and plants) and 31 U.S.C. 9701 (Money and finance code).

¹³ USDA National Agricultural Library, Animal Welfare Act, <https://www.nal.usda.gov/legacy/awic/animal-welfare-act>.

¹⁴ USDA APHIS, Animal Welfare Act, https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/sa_awa.

¹⁵ See <https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-and-animal-product-import-information/live-animal-imports/import-live-animals>.

¹⁶ A list of APHIS veterinary forms for the purpose of animal importations is available at: USDA APHIS VS Forms, https://www.aphis.usda.gov/aphis/resources/forms/ct_vs_forms.

¹⁷ USDA APHIS, How to Declare Agricultural Items, <https://www.aphis.usda.gov/aphis/resources/traveler/declare-agriculture-items>.

APHIS plays a vital role in ensuring the free flow of agricultural trade by keeping U.S. agricultural industries free from pests and diseases and certifying that the millions of U.S. agricultural and food products shipped to markets abroad meet the importing countries' entry requirements. APHIS makes sure that all imported agricultural products shipped to the United States from abroad meet the Agency's entry requirements to exclude pests and diseases of agriculture.¹⁸

Specific to importations of animals and animal products, APHIS's website states:

USDA-APHIS is charged with several critical tasks relating to Imports and Exports, including:

- Facilitating international trade
- *Monitoring the health of animals' [sic] presented at the border*
- Regulating the import and export of animals, animal products, and biologics.¹⁹

In addition, we choose to note here that the Agricultural Improvement Act of 2018, Pub. L. 115-334, 132 Stat. 4490, "An act to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes," provides for partial authority of FWS regulations at 50 CFR Part 14, described above.

f. State laws regarding the importation of certain species

In addition to the above, many states have specific laws or regulations governing the importation of certain species.²⁰ Importers can check the APHIS website to determine whether their importation may be regulated by particular state laws and/or regulations.

II. At Least Three Whales with Preexisting Conditions Were Imported to Mystic Aquarium

On May 7, 2021, the Niagara Falls Animal Medical Centre purportedly examined Havok, Jetta, Sahara, Havana, and Kharabali. See Attachment B, Health Certificates (May 7, 2021). The reports identify various vaccines that each whale had received in the recent past, and list the tests conducted at the border: 1) CBC/Chem.; 2) Gastric/Fecal Analysis; 3) Chuff Analysis, and 4) Marine Virology PCR. For each of the five whales, the results of the first three tests were "within normal limits," and for the fourth test, the results for each whale were "negative."

¹⁸ USDA APHIS, Imports and Exports, <https://www.aphis.usda.gov/aphis/ourfocus/importexport>.

¹⁹ USDA APHIS, Imports: Animals and Animal Products, <https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-and-animal-product-import-information/animal-and-animal-products-imports> (emphasis added).

²⁰ USDA APHIS, State Regulations for Importing Animals, <https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-and-animal-product-import-information/entry-requirements/us-state-and-territory-animal-import-regulations>.

a. Havok

Despite the fact that Havok’s gastric/fecal analysis was noted as “within normal limits” at the time of his importation, following his death only three months later, Mystic Aquarium publicly claimed that Havok had a pre-existing gastrointestinal condition. See, e.g., Mystic Aquarium’s Instagram post from August 6, 2021, below.

Indeed, it is clear from the August 2021 incident report for Havok’s death that he suffered from stomach ulcers during his time at MarineLand.²¹ In summary, the report states that “in the months following the move, the animal experienced a reversion and worsening of the pre-existing gastric condition identified medically at his former facility.” In more detail, the incident report states:



The Marineland medical history for this animal included a history of gastric ulcers and associated bleeding, anemia, and inappetence. Once these were identified by the ML veterinarian, Dr. June Mergl, the 3 veterinarians at Mystic Aquarium who are boarded as specialists by the American College of Zoological Medicine, guided the care and treatment of this whale at Marineland and the ulcers healed and the animal resumed normal appetite. The transport was postponed on several occasions to ensure that the gastric ulcers had healed, and that the animal was doing well prior to transport. Preshipment diagnostics and transport planning conducted by Marineland veterinarian, Dr. June Mergl, and overseen by the Canadian Food Inspection Agency, a Canadian science-based regulator with a mandate encompassing food safety, and animal and plant health, included bloodwork indicative of stable condition, negative for all infectious diseases tested, and gastric sample and respiratory sample testing that were normal.

²¹ All required reports are available on NMFS’s dedicated webpage for this permit. See Permit Application to Import 5 Beluga Whales for Scientific Research (File No. 22629, Mystic Aquarium), at <https://www.fisheries.noaa.gov/action/permit-application-import-5-beluga-whales-scientific-research-file-no-22629-mystic-aquarium>.

Despite normal gastric samples prior to transport, the animal was given gastric medications prior to the transport as additional protection.

While the transport occurred “without incident or complication,” Havok “was administered gastrointestinal medications as well as supportive antibiotics and antifungal medications as a precaution,” and although he “did well initially” despite an “inconsistent appetite for the first couple of weeks,” he “then declined towards the end of June 2021.”

Havok’s preliminary necropsy report, dated August 9, 2021, also notes a “history of gastritis/gastric ulceration, responsive to medical management,” and that “in the second compartment of the stomach, there were multiple and discrete, black ulcers.” The histopathology report (the final necropsy report) confirms the primary cause of death as lymphoplasmacytic enteritis (a form of inflammatory bowel disease), as well as, *inter alia*, numerous marked and severe skin, throat, and stomach ulcers.

Despite the numerous admissions of Havok’s preexisting condition, the preliminary necropsy report paradoxically states that “this case was an unpredictable health issue in an animal that had been cleared by qualified veterinarians in Canada to transport.” Once again, it is evident that if the transport had to be postponed on multiple occasions, recurrence was entirely predictable, particularly given the stress caused by transport and a move into a novel environment²² and the fact that gastric ulcers are aggravated by stress.

Nothing in documentation received from a request under the Canadian Access to Information and Privacy (ATIP) statutes suggests that Havok had a recurrence just prior to the transport, see Attachments B and C (Canadian ATIP documents), and yet it is clear that he was not, in any common understanding of the term, healthy.

In addition, the APHIS inspection report, dated September 29, 2021 (Attachment D), cited as a critical violation that:

During the eight hours prior to [Havok’s] death, the staff members conducting the overnight watch documented multiple observations of abnormal behavior and did not alert the Attending Veterinarian... This increased frequency of abnormal behaviors constitutes a problem; can indicate rapid deterioration of the animal’s health and may result in prolonged distress. Although staff members were recording their observations of Havok’s behaviors, the veterinarian was not contacted during this eight-hour timeframe until Havok’s death at 0550 hours.²³

This violation directly contradicts Mystic’s claim (see above) that its staff provided “world-class healthcare” to this animal. It begs the question as to whether Mystic Aquarium had sufficient expertise among its staff to deal with a beluga with preexisting gastrointestinal conditions such as those affecting Havok. **Moreover, it means Mystic is in violation of its MMPA permit conditions, which, at section III.B.6.c., state:**

²² Spoon, T.R. and Romano, T.A. (2012). Neuroimmunological response of beluga whales (*Delphinapterus leucas*) to translocation and a novel social environment. *Brain, Behavior, and Immunity* 26: 122–131.

²³ 9 C.F.R. § 2.40(b)(2), Attending veterinarian and adequate veterinary care.

The Permit Holder must transport and maintain marine mammals used in captive research in U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) registered research facilities and/or licensed public display facilities; and, marine mammals must be held and transported in compliance with the provisions of the Animal Welfare Act and its implementing regulations ‘Specifications for the Humane Handling, Care, Treatment, and Transportation of Marine Mammals’ (9 CFR Part 3, Subpart E).

This fact alone must compel NMFS to consider exercising its options under the permit.

b. Jetta

On August 26, 2021, Mystic Aquarium reported to NMFS that a second of the imported whales, Jetta, was “seriously ill.” See Attachment D, FOIA Doc. No. 07122010220. The attending veterinarian’s diagnosis was as follows: “The whale has a low white blood cell count and gastrointestinal issues which appear to be improving, and is not eating. The whale is being treated with a variety of medications and being provided nutritional support.”

On August 30, Mystic Aquarium stated publicly that “a beluga whale who recently became critically ill is now in stable, but guarded condition.” See Attachment E, FOIA Doc. No. 07122010289. Then, on September 21, Mystic reported that Jetta was critically ill again.²⁴ Jetta’s condition as of the date of this letter is unconfirmed, but based on the foregoing, AWI presumes that she is the whale that Mystic reported to be in intensive care as of February 11, 2022 (see below).

c. Havana

While Mystic Aquarium publicized at least some of the news regarding Havok’s illness and death and Jetta’s illness, it did not report news of Havana’s health status until her death on February 11, 2022. Havana was one of the five whales originally proposed for importation, apparently never considered for substitution. However, Canadian ATIP documentation indicated that Havana experienced a health challenge prior to transport. An email thread regarding Havana’s complete blood count (CBC) and therapeutic regimen indicates that she was being treated for an infection of bacterial and/or fungal origin prior to transport. See Attachment C at Bates Nos. 000054-62, 74, 106. Based on a veterinary review of this documentation, we believe the CBC showed indications of infection, but the organism was apparently never isolated. For this reason, MarineLand’s veterinarian(s) may have opted to treat for both types of pathogens. It is also possible that there was concern about co-infection, with one of the drugs being administered prophylactically.

The CBC readings indicate that whatever illness Havana was experiencing in the days prior to the transfer had improved, but the documentation does not specifically state that the issue had

²⁴ Amber Diaz, *Mystic Aquarium: Female beluga in critical condition after setback*, NEWS 8 WTNH (Aug. 25, 2021, updated Sept. 21, 2021) <https://www.wtnh.com/news/animals-and-wildlife/female-beluga-whale-at-mystic-aquarium-ill-failing/>.

been resolved prior to the transfer. Based on the documentation currently at our disposal, we cannot be certain about Havana's state of health on the day of transport.

As to the more recent past, Mystic Aquarium clearly stated that in the months leading up to her death, Havana was treated, including in intensive care, for multiple health issues. In its public announcement captured in the above screenshot (pg. 2), Mystic stated that "a beluga whale undergoing treatment in [its] intensive care facility at the Aquatic Animal Study Center habitat... died. Veterinarians and animal care experts at Mystic Aquarium, with the support of veterinarians and animal husbandry members from other aquariums nationwide, devoted the full capacity of their expertise to the whale, providing round-the-clock medical treatment, testing, and 24-hour monitoring. Despite receiving 24/7 intensive care *over the past several months* for multiple health issues and all life-saving efforts made [on the morning of February 11], the female beluga passed in the company of the Mystic Aquarium team" (emphasis added).

On March 22, Havana's preliminary necropsy report and incident report were posted on the NMFS web page for Permit No. 22629. The incident report noted that, while she was reportedly healthy on the day of transport, within two weeks her bloodwork was showing a systemic inflammatory response and so she was given antimicrobials as treatment. Generally, it appears her health status oscillated between healthy and mildly ill in the following months (the longest period of good health was apparently approximately 8 weeks). She was first diagnosed with hemorrhagic gastritis on September 7; between November 2021 and February 2022, this condition reappeared regularly and she also periodically showed abnormal swimming behaviors (see below) and inappetence.

Despite what seems to be an intensive effort by Mystic veterinarians and outside consultants to provide a more detailed and specific diagnosis and treatment regime, Havana's health status remained of concern continuously after November. A mere two days before she died, ultrasound indicated pulmonary abnormalities; her treatment was then changed, but to no avail. The preliminary necropsy report is inconclusive and her cause of death must await the histopathology report. However, a veterinary review of the preliminary necropsy and incident reports noted her death was particularly unusual due to her reported neurological symptoms (swimming abnormalities, sinking, and disorientation) with no apparent neurological lesions identified on necropsy. While her episodes of disorientation were reportedly "short" (a relative term with no specifics provided), it seems they became more frequent over the course of her last three months of life. It may be that these neurological symptoms were implicated in her death, as she died immediately following one of these episodes.

Regardless, we are concerned that, unlike with Havok and Jetta, Mystic was not transparent about Havana's health status during this prolonged period. We have no doubt this situation with the imported belugas has become a significant public relations concern for Mystic Aquarium, but this does not absolve the facility of the obligation to inform the public of the status of these whales, given its own intense publicity surrounding their importation. Good news and bad, the aquarium is obligated to keep the public informed (it is a public, non-profit institution, after all). We certainly hope management there informed the agencies of these developments as they unfolded.

III. Discussion

a. Existing legal requirements are insufficient to prevent importation of unhealthy marine mammals

During the aftermath of Havok’s death and Jetta’s illness, Mystic Aquarium expressed to the media its belief that all of MarineLand’s belugas were likely at less than full health at the time of transport. Dr. Tracy Romano stated, “When you look at the animals at MarineLand and the conditions that they’re living under, I would say that all those animals have some kind of pre-existing condition.”²⁵ Similarly, Mystic Aquarium’s interim director of public relations stated to the press, “I don’t think you could say that any of the whales there were in perfect condition or ideal condition in terms of their health.”²⁶ These statements are completely at odds with Mystic’s written commitment to transport only healthy whales.²⁷

We do recognize that, technically, it is possible for multiple truths to co-exist. For example, Havok could have had a preexisting condition, even one that had temporarily improved in the days or weeks prior to transport, and, *based on the existing requirements*, technically could have been cleared for transport. Perhaps the same could be said for Jetta and Havana. At the same time, we firmly believe the evidence shows that Mystic Aquarium knew in the weeks before the transport about multiple preexisting conditions among the whales it was considering for importation, and could have and should have known better than to transport whales with such conditions, regardless of any temporary improvements they were experiencing. While the whales may have been *stable*, they were not *healthy*, and clearly Mystic’s confidence in its veterinary and animal handling expertise was misplaced—one critically ill and two dead whales, well shy of a year after transport, confirm this (and see also the APHIS inspection report from September 29, 2021, which clearly indicates problematic veterinary and animal handling expertise).

²⁵ See R.J. Heim, *Beluga whale sick but stable after another died at Mystic Aquarium*, NBC NEWS 10 (Aug. 25, 2021), <https://turnto10.com/news/local/one-beluga-whale-is-sick-but-stable-after-another-died-this-month-at-mystic-aquarium>.

²⁶ Cate Hewitt and Gregory Stroud, *As Second Whale Falls Ill, Mystic Scientists Offer Impassioned Defense of their Work*, THE CONNECTICUT EXAMINER (Aug. 26, 2021), <https://ctexaminer.com/2021/08/26/as-second-whale-falls-ill-mystic-scientists-offer-impassioned-defense-of-their-work/>.

²⁷ As we flagged in our letter dated August 20, 2021, we again note that Mystic Aquarium specifically stated, in its application for a “minor” amendment to Permit No. 22629, that “If belugas are not found to be healthy for transport, transport cannot occur,” “it is important these whales be replaced with three belugas that are of healthy status,” and “If...belugas are not found to be healthy for transport, transport would not occur and an alternate animal would be selected.” See e.g., [Mystic’s submitted \[Breeding Prevention\] Plan and Amendment Request](#), included with all documentation related to Permit Application to Import 5 Beluga Whales for Scientific Research (File No. 22629, Mystic Aquarium), at <https://www.fisheries.noaa.gov/action/permit-application-import-5-beluga-whales-scientific-research-file-no-22629-mystic-aquarium>. See also Attachment F, FOIA Doc. No. 07122020456, wherein Mystic Aquarium states its desire for NMFS to move forward with approving the replacement of Qila with Jetta, Mira with Sahara, and Frankie with Havana, “as quickly as possible” so that Mystic could “move forward with the import of healthy whales.”

We also feel obligated to flag the fact that Mystic Aquarium pushed back against NMFS for requiring a plan to prevent reproduction among the imported whales, based on a number of rationales that NMFS, in turn, rejected. See Attachments G (FOIA Doc. 07122010090-000001), H (FOIA Doc. 07122010122-000001), I (FOIA Doc. 07122010137-000001).

Under the circumstances described in the reports, we surmise that *none* of the whales were actually healthy in the weeks and possibly days prior to the transport. Moreover, after postponing the transport multiple times and having already substituted three whales, Mystic Aquarium apparently felt it could no longer wait, nor make another request for a permit amendment. We further surmise that this resulted in an entirely artificial feeling of urgency and led to the rash decision to move Havok and the other four whales before they were truly robust enough to withstand the stress of transport (of which Mystic Aquarium, of all facilities, is well aware, given the research done there). We firmly believe Mystic was wrong to do so.

The health certificates required by APHIS are too limited to distinguish the nuanced (but clear) difference between stable and healthy. As noted above, the health certificates dated May 7, 2021, showed that all test results were “within normal limits” or “negative”. There was no indication whatsoever that there were any ongoing health concerns with these animals, at least two of which apparently had preexisting conditions related to gastrointestinal abnormalities (e.g., gastric ulcers). Again, infectious pathogens were ruled out by these tests, but these tests were insufficient to determine whether the animals were healthy overall. Importing healthy animals only was a necessity for the research permitted by NMFS and a written commitment made by Mystic Aquarium. It is clear that the overall health status of these animals *could not be determined* based solely on the health certificates provided.

Also of note, the five health certificates released under ATIP statutes by the Canadian government, three of which were dated April 10, 2021 and two of which were dated April 29, 2021 (all of which would have expired before the actual transport on May 14, 2021), had all identifying features for the belugas and the actual tests performed (and their results) completely redacted.²⁸ As these redactions seemed to be profoundly arbitrary (especially given that the U.S. FOIA release did not redact the same information), our NGO colleagues in Canada have filed a complaint. Frankly, we feel this further speaks to the inadequacy and unreliability of health certificates issued by the exporting facility (or a veterinarian associated with that facility).

The root of the problem, as we see it, is that the federal agencies involved, particularly NMFS, APHIS, and the FWS, the last due to its presence at the border and shared responsibility for implementing the MMPA, should have been able to prevent Havok’s and Havana’s deaths, and possibly Jetta’s illness, at Mystic Aquarium. The outcome for the whales *may* have been the same had they remained in Canada, but they *surely* fell ill and died in the United States. The agencies share a glaring problem: the required health certificates have proven insufficient to alert

²⁸ See Attachment C. Multiple Canadian ATIP responses, primarily containing documentation from the Canadian Food Inspection Agency, revealed that there was a fair amount of confusion and/or uncertainty within this agency with respect to the documentation and certifications required for exportation. See Attachment C at Bates Nos. 000052-54, 82-85, 88-93, 112-147. This confusion appeared to be somewhat related to the new laws in Canada, following the passage of Bill S-203 in 2019. See First Session, Forty-second Parliament, 64-65-66-67-68 Elizabeth II, 2015-2016-2017-2018-2019, Statutes of Canada 2019, Chapter 11, An Act to amend the Criminal Code and other Acts (ending the captivity of whales and dolphins), Assented to June 21, 2019, BILL S-203, <https://www.parl.ca/DocumentViewer/en/42-1/bill/S-203/royal-assent>. It is our understanding that the regulatory framework for implementing the new laws is still in flux. However, this confusion extended to the Canadian officials’ familiarity (or lack thereof) with the American agencies routinely involved in monitoring animal border crossings and their responsibilities. AWI is especially concerned that these Canadian officials do not appear to have an established understanding of American oversight processes at the border. This leads us to believe that international, interagency communications may be flawed or otherwise inadequate and should be improved.

the relevant government officials of known preexisting conditions that should be taken into account before an animal is imported into the United States, especially when the importation is in fact meant to be of healthy animals (in this instance, due to the research purposes of the importation and the written commitment from the permit holder). AWA-related procedures for preventing infectious disease from entering the country do not, and indeed cannot, ensure all health requirements and expectations under an MMPA importation permit are met.

Given this conundrum, it seems timely to recommend a proposed rulemaking to address this deficiency. It seems likely that not just NMFS and APHIS, but the FWS as well, should contemplate such a rulemaking. The goal of such a rulemaking would be to ensure the health documentation required at the border is sufficiently detailed to exclude not only infectious pathogens but also to verify that any animals who are required to be healthy for transport are in fact healthy. This letter is not meant to be a petition for rulemaking in and of itself, but rather a discussion document for further consideration.

b. CITES export permits used incorrect purpose codes

As mentioned above, beluga whales are on Appendix II of CITES, and thus can be traded internationally for commercial purposes as long as certain criteria, such as sustainability, are met. The fact that the Sakhalin-Amur belugas have a special conservation status in the United States does not automatically restrict their commercial trade under CITES, because this particular stock has not yet been “uplisted” to Appendix I.

In this case, the Canadian Management Authority was the Party responsible for issuing the CITES export permit. ATIP responses show multiple sets of CITES export permits with differing dates, with a new set being issued when an old set expired. We note that on these documents, the purpose checked on these earlier permits was for zoological display (“Z”) rather than scientific research (“S”). This was of course in error, as the purpose was for scientific research under the MMPA. See Attachment J.

CITES Parties have observed for many years the lack of consistent understanding or agreement on the use of the purpose-of-transaction codes.²⁹ For example, exporters and importers regularly cite different purposes for the same transaction. Nevertheless, we want to take this opportunity to point out that Canada’s use of the “Z” purpose code for this particular importation runs directly contrary to U.S. law, as well as Canadian law; the former in this particular instance (due to the depleted designation of these individual whales) and the latter in all instances of cetacean trade, as exportation was prohibited for zoo/public display purposes by Bill S-203, with certain limited exceptions.

We understand that while the Department of Fisheries and Oceans in Canada is responsible for implementing portions of the amendments arising from Bill S-203, Environment Canada, as the agency responsible for implementing CITES in Canada, issued the permits, and may not have been aware of the legislative changes arising from Bill S-203. Nonetheless, this type of scenario, where the governmental right hand fails to talk to the left, is disconcerting and has real-world

²⁹ See Purpose Codes on CITES Permits and Certificates, Report of the Working Group, SC74 Doc. 43 (Mar. 2022), <https://cites.org/sites/default/files/eng/com/sc/74/E-SC74-43.pdf>.

consequences.

From a U.S. importation perspective, if the U.S. inspector at the port of importation for these belugas was aware of the actual purpose of this importation or the applicable U.S. and/or Canadian laws, he or she could have (and should have) flagged the CITES permit for additional scrutiny. Under the U.S. regulations implementing CITES, if such a mistake is made on a permit, the FWS Office of Management Authority can simply reissue the permit with the correct code as soon as the mistake is identified. Since the U.S. inspectors did not flag that the wrong code was used in this instance, we assume the Canadian authorities were unaware of the error.

These belugas are on incidental public display and, in this sense, we can understand why those who processed this paperwork might have assumed that the purpose of the whales' exportation was zoological display. However, if the code is meant to identify the *primary* purpose of the exportation, then the code that should have been used is "S," for scientific research. While a minor point relative to CITES, these incorrect codes suggest officials at the border were insufficiently informed about the purpose of this exportation and that these codes were in fact inconsistent with the U.S. MMPA and Canadian Fisheries Act permits issued for this transfer.

IV. AWI Recommendations

a. Recommendations to NMFS concerning the MMPA and agency jurisdiction at the border

This importation was allowed under an MMPA exemption and was highly regulated—the scientific research permit issued was very detailed. The scrutiny it received at the border should have been equally detailed and strict and clearly was not.

While an MMPA permit is required in order for parties to import marine mammals into the United States, only one of the two federal agencies responsible for administering the MMPA—the FWS—actually has a presence at U.S. border crossings. We do not think it is logical for NMFS, as the agency that processes MMPA/ESA importation permits for most marine mammal species, to not have a presence at border crossings when it knows a marine mammal importation over which it has direct jurisdiction will occur. We contend that when a relevant marine mammal importation is to occur under either the MMPA or the ESA, NMFS should both directly oversee the events leading up to the physical transfer *and* be present at the border when the animals arrive there. Since it is relatively rare for live marine mammals to be imported into the United States, we presume having a presence at the border on an as-needed basis would not be overly burdensome for NMFS. While it is up to NMFS to determine the best way to make this happen, one idea is to utilize NOAA/NMFS special agents, like those described in the Lacey Act section of this letter, at the border when needed.

The Mystic Aquarium importation situation clearly indicates that the agencies relying on the due diligence of the exporting and importing entities is insufficient. These entities have a conflict of interest in providing transparent and accurate information, at least under certain circumstances, and the agencies simply cannot accept at face value the information they provide on the animals

and the permit conditions at the border crossing (or points of departure or arrival at airports, as applicable).

In addition, when a research permit concerns a depleted stock, in order of preference, either 1) NMFS should send a veterinarian or 2) APHIS should send a veterinarian, in addition to the receiving (U.S.) facility sending one. It should not be up to the exporting facility, which is almost certainly making a profit from the transfer, to have final veterinary approval on the animals' health status before transfer.

The aforementioned Canadian ATIP documents include numerous internal agency communications. We reiterate that, based on our review of this material, the present situation in Canada with respect to the exportation of live marine mammals, and cetaceans in particular, appears uncertain. See Attachment C at Bates Nos. 0000127, 131. The very agency officials who are responsible for implementing the relevant Canadian laws appear confused about process under these new laws and even about established process within the U.S. agencies. It is evident that the onus falls heavily on the U.S. government to ensure that all appropriate precautions are taken. Therefore, we contend that NMFS's literal absence at the border, when a NMFS permit is involved, is unacceptable and must be corrected.

b. Recommendations to the FWS concerning CITES

As sister agencies responsible for implementing the MMPA, but with only the FWS holding a constant presence at the border, we believe NMFS and the FWS should be engaging in frequent, thorough communication during the lead up to, and at the time of, any importations permitted under the MMPA. Since the FWS is the agency solely responsible for a host of other regulations concerning the entry of wildlife into the United States, we view the FWS as a vitally important player at the border. In this instance, NMFS should have conveyed to the FWS the importance of keeping a close eye on the transfer of these five belugas, given the complexities related to the importation permit, rather than the FWS simply checking the boxes on its required forms.

Going forward, the FWS could play an important role in both helping NMFS to establish a presence at the border and engaging its own special agents to cover transfers of marine mammals, particularly those of a controversial nature.

c. Recommendations to APHIS concerning AWA implementation

We are aware that APHIS is likely to propose a new rule for updating §§ 3.102, 3.103, 3.104, 3.106, and 3.111 of 9 C.F.R. Part 3, Subpart E, as the previous proposed rule (81 Fed. Reg. 5,629 (Feb. 3, 2016) was withdrawn in 2021. 86 Fed. Reg. 41,172 (July 30, 2021). We strongly recommend that the new proposed rule include a section or sections that address the deficits in health certifications required for crossing the U.S. border. Communicable diseases and conditions should not be the only criteria assessed at the border; if animals should be healthy per the purposes or conditions of their importation permit (under the MMPA or any other statute), then whatever veterinary procedures are undertaken prior to crossing the border should ensure such a condition is met.

Further, we wish to emphasize that relying on health assessments performed by the veterinarians of origin or destination facilities is *insufficient*. These veterinarians have a conflict of interest when it comes to certifying the health status of animals in transit or trade.

V. Conclusion

Following the deaths of two belugas (40 percent of the cohort imported), and the ongoing illness of a third, it is apparent to us that something went very wrong with this importation. With so many contradictory statements and claims regarding the deaths and illnesses of these whales, as well as the commitments Mystic Aquarium made prior to the transfer, it is difficult to discern exactly what went wrong. Regardless, it has become apparent that the existing legal requirements for a wildlife border crossing proved insufficient to prevent such tragic results. The analysis and recommendations included herein are not meant to be exhaustive, but rather a starting point for the government's initial consideration and with an eye towards a potential rulemaking. Please contact us with any questions or concerns. We hope to continue this discussion in the near future.

Sincerely,



Georgia Hancock
Of Counsel and Acting Co-Director
Marine Life Program



Naomi A. Rose, Ph.D.
Marine Mammal Scientist

Cc: Secretary Antony Blinken, U.S. Department of State
Commissioner Chris Magnus, U.S. Customs and Border Protection
Peter Thomas, Ph.D., Executive Director, Marine Mammal Commission

The Honorable Maria Cantwell, Chairwoman, Senate Committee on Commerce, Science and Transportation

The Honorable Tom Carper, Chairman, Senate Committee on Environment and Public Works

The Honorable Debbie Stabenow, Chairwoman, Senate Committee on Agriculture, Nutrition, and Forestry

The Honorable Raúl M. Grijalva, Chairman, House Committee on Natural Resources

The Honorable David Scott, Chairman, House Committee on Agriculture

The Honorable Richard Blumenthal, Senator, Connecticut
The Honorable Chris Murphy, Senator, Connecticut
The Honorable Joe Courtney, Representative, 2nd District, Connecticut

Attachments List

Attachment A, NMFS Response to IMMP et al.

Attachment B, Health Certificates (May 7, 2021)

Attachment C, Canadian ATIP Documents

Attachment D, FOIA Doc. No. 07122010220

Attachment E, FOIA Doc. No. 07122010289

Attachment F, FOIA Doc. No. 07122020456

Attachment G, FOIA Doc. No. 07122010090-000001

Attachment H, FOIA Doc. No. 07122010122-000001

Attachment I, FOIA Doc. No. 07122010137-000001

Attachment J, CITES Export Permits

Attachment A
NMFS Response to IMMP et al.

October 21, 2021



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

Mr. David Phillips
Executive Director
International Marine Mammal Project
Earth Island Institute
The David Brower Center
2150 Allston Way, Suite 460
Berkeley, CA 94704

Mr. Mark J. Palmer
Associate Director
International Marine Mammal Project
Earth Island Institute
The David Brower Center
2150 Allston Way, Suite 460
Berkeley, CA 94704

Dear Mr. Phillips and Mr. Palmer:

Thank you for your co-signed letter on behalf of 11 organizations requesting that the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) not issue any new import permits to Mystic Aquarium until a thorough investigation into the death of the beluga whale known as "Havok" and the subsequent illness of the female beluga known as "Jetta," both imported from Canada in May 2021 under Permit No. 22629, can be conducted and reviewed.

We are reviewing the circumstances of the death of "Havok" and illness of "Jetta" in coordination with the U.S. Department of Agriculture's Animal and Plant Health Inspection Service. In accordance with Permit Condition A.2, research activities are currently suspended.

Mystic Aquarium has not submitted a request to import additional beluga whales. Should a new request be submitted for import, it would be processed in accordance with the Marine Mammal Protection Act and NMFS implementing regulations, including publication of a notice of receipt in the *Federal Register* and a public comment period.

I appreciate your interest in the beluga whales associated with Permit No. 22629. If you have any questions, please contact Kimberly Damon-Randall, Director of NMFS' Office of Protected Resources, at Kimberly.damon-randall@noaa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet Coit".

Janet Coit
Assistant Administrator
for Fisheries



Attachment B
Health Certificates (May 7, 2021)



NIAGARA FALLS

ANIMAL MEDICAL CENTRE

Since 1974

6838 Morrison St, Niagara Falls, Ontario L2E 6Z8
905-354-3827

(b) (6), (b) (7)(C) @bellnet.ca

www.nifanimalmedicalcentre.com

1. TYPE OF ANIMAL SHIPPED:

Beluga Whale (*Delphinapterus leucas*)

2. NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER (CONSIGNOR):

Marineland of Canada

7885 Stanley Avenue South

Niagara Falls, Ontario L2G 0C7

3. NAME, ADDRESS AND TELEPHONE NUMBER OF RECIPIENT AT DESTINATION (COSIGNEE):

Mystic Aquarium

55 Coogan Boulevard

Mystic, Connecticut 06355 USA

6. REMARKS OR ADDITIONAL CERTIFICATION STATEMENTS:

NAME, ADDRESS AND TELEPHONE NUMBER OF ISSUING VETERINARIAN (b) (6), (b) (7)(C)

Niagara Falls Animal Medical Centre

6838 Morrison Street

Niagara Falls, Ontario L2E-6Z8 CANADA

905-354-3827; 905-351-1833

21-05919_000001

4. ANIMAL IDENTIFICATION:

NAME: HAVOK ID NUMBER: BW-01-02-215

Date of Birth: AUG. 10, 2015 SEX: MALE (INTACT)

IDENTIFICATION FEATURES (markings, facial shape, etc):

Indents or dots at Rostrum/Melon interface;
Notch on dorsal peduncle (tail stem)

5. VACCINATION, TREATMENT AND/OR TEST RESULTS:

VACCINE DATE	VACCINE TYPE	PRODUCT TYPE AND/OR RESULTS
<u>April 1, 2021</u> <u>(annual)</u>	<u>Erysipelothrix</u>	<u>Pfizer; ERBac Plus</u>
Other Tests (if pertinent)	Date performed	Results
<u>CBC/Chem</u>	<u>05/04/2021</u>	<u>Within Normal Limits</u>
<u>Gastric/Fecal Analysis</u>	<u>07/12/2021</u>	<u>" " "</u>
<u>CHOP Analysis</u>	<u>03/20/2021</u>	<u>" " "</u>
<u>Marine Virology PCR</u>	<u>11/27/2020</u>	<u>NEGATIVE</u>

7. VETERINARY CERTIFICATION: I certify that the animals described in box 4 have been examined by me this date, that the information in box 8 is true and accurate to the best of my knowledge, and that the following findings have been made ("X" applicable statements):



I certify that the animal described above and on continuation sheet(s), if applicable, have been inspected by me on this date and appear to be free of any infectious or contagious diseases and to the best of my knowledge, exposure thereto, which would endanger the animal or other animals or would endanger public health



To my knowledge, the animal described above and on continuation sheet(s) if applicable, originated from an area not quarantined for rabies and has/have not been exposed to rabies

LICENSE # AND PROVINCE (Canada):

License (b) (6), (b) (7)(C) Ontario

SIGNATURE OF ISSUING VETERINARIAN:

(b) (6), (b) (7)(C)

DATE:

May 7,
2021


NIAGARA FALLS
ANIMAL MEDICAL CENTRE
 Since 1974

6838 Morrison St, Niagara Falls, Ontario L2E 6Z8

905-354-3827

(b) (6), (b) (7)(C)@bellnet.ca

www.nfanimalmedicalcentre.com

1. TYPE OF ANIMAL SHIPPED:

Beluga Whale (*Delphinapterus leucas*)

2. NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER (CONSIGNOR):

Marineland of Canada

7885 Stanley Avenue South

Niagara Falls, Ontario L2G 0C7

3. NAME, ADDRESS AND TELEPHONE NUMBER OF RECIPIENT AT DESTINATION (COSIGNEE):

Mystic Aquarium

55 Coogan Boulevard

Mystic, Connecticut 06355 USA

6. REMARKS OR ADDITIONAL CERTIFICATION STATEMENTS:

NAME, ADDRESS AND TELEPHONE NUMBER OF ISSUING VETERINARIAN (b) (6), (b) (7)(C)

Niagara Falls Animal Medical Centre

6838 Morrison Street

Niagara Falls, Ontario L2E-6Z8 CANADA

905-354-3827; 905-351-1833

4. ANIMAL IDENTIFICATION:

NAME: JETTA ID NUMBER: BW-02-02-2014

Date of Birth: July 17, 2014 SEX: FEMALE (INTACT)

IDENTIFICATION FEATURES (markings, facial shape, etc):

Flattened area on the end of upper rostrum

5. VACCINATION, TREATMENT AND/OR TEST RESULTS:

VACCINE DATE	VACCINE TYPE	PRODUCT TYPE AND/OR RESULTS
Nov 25, 2020 (annual)	Erysipelothrix	Pfizer; ERBac Plus
Other Tests (if pertinent)	Date performed	Results
CBC / Chemistries	04/28/2021	Within Normal Results
Gastric & Fecal Analysis	04/04/2021	Within Normal Limits
CHUFF Analysis	03/28/2021	" " "
Marine Virology PCR	11/27/2020	Negative

7. VETERINARY CERTIFICATION: I certify that the animals described in box 4 have been examined by me this date, that the information in box 8 is true and accurate to the best of my knowledge, and that the following findings have been made ("X" applicable statements):



I certify that the animal described above and on continuation sheet(s), if applicable, have been inspected by me on this date and appear to be free of any infectious or contagious diseases and to the best of my knowledge, exposure thereto, which would endanger the animal or other animals or would endanger public health



To my knowledge, the animal described above and on continuation sheet(s) if applicable, originated from an area not quarantined for rabies and has/have not been exposed to rabies

LICENSE # AND PROVINCE (Canada):

License# (b) (6), (b) (7)(C) Ontario

SIGNATURE OF ISSUING VETERINARIAN:

(b) (6), (b) (7)(C)

DATE:

MAY 7,
2021


NIAGARA FALLS
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 Since 1974

6838 Morrison St, Niagara Falls, Ontario L2E 6Z8
 905-354-3827
 (b) (6), (b) (7)(C) @bellnet.ca
 www.nfallanimalmedicalcentre.com

1. TYPE OF ANIMAL SHIPPED:

Beluga Whale (*Delphinapterus leucas*)

2. NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER (CONSIGNOR):

Marineland of Canada
 7885 Stanley Avenue South
 Niagara Falls, Ontario L2G 0C7

3. NAME, ADDRESS AND TELEPHONE NUMBER OF RECIPIENT AT DESTINATION (COSIGNEE):

Mystic Aquarium
 55 Coogan Boulevard
 Mystic, Connecticut 06355 USA

6. REMARKS OR ADDITIONAL CERTIFICATION STATEMENTS:

NAME, ADDRESS AND TELEPHONE NUMBER OF ISSUING VETERINARIAN (b) (6), (b) (7)(C)

Niagara Falls Animal Medical Centre
 6838 Morrison Street
 Niagara Falls, Ontario L2E-6Z8 CANADA
 905-354-3827; 905-351-1833

4. ANIMAL IDENTIFICATION:

NAME: SAHARA ID NUMBER: BW-02-02-414

Date of Birth: July 23, 2014 SEX: FEMALE (INTACT)

IDENTIFICATION FEATURES (markings, facial shape, etc):

White spot behind right eye, Notch on upper rostrum (right side)

5. VACCINATION, TREATMENT AND/OR TEST RESULTS:

VACCINE DATE	VACCINE TYPE	PRODUCT TYPE AND/OR RESULTS
APRIL 1, 2020	Erysipelothrix	Pfizer; ERBac Plus
Other Tests (if pertinent)	Date performed	Results
CBC/CHEM	2021/04/28	Within normal limits
Gastric & Fecal Analy	2021/03/13	" " "
CHOLE ANALYSIS	2021/03/13	" " "
MARINE VIROLOGY	2020/11/27	NEGATIVE

7. VETERINARY CERTIFICATION: I certify that the animals described in box 4 have been examined by me this date, that the information in box 8 is true and accurate to the best of my knowledge, and that the following findings have been made ("X" applicable statements):

I certify that the animal described above and on continuation sheet(s), if applicable, have been inspected by me on this date and appear to be free of any infectious or contagious diseases and to the best of my knowledge, exposure thereto, which would endanger the animal or other animals or would endanger public health

To my knowledge, the animal described above and on continuation sheet(s) if applicable, originated from an area not quarantined for rabies and has/have not been exposed to rabies

LICENSE # AND PROVINCE (Canada):

License# (b) (6), (b) (7)(C) Ontario

SIGNATURE OF ISSUING VETERINARIAN:

(b) (6), (b) (7)(C)

DATE:

MAY 7, 2021

6838 Morrison St, Niagara Falls, Ontario L2E 6Z8
905-354-3827

(b) (6), (b) (7)(C) @bellnet.ca
 www.nfanimalmedicalcentre.com

1. TYPE OF ANIMAL SHIPPED:

BELUGA WHALE (DELFHINAPTERUS LUCAS)

2. NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER (CONSIGNOR):

MARINELAND OF CANADA
7885 STANLEY AVENUE SOUTH
NIAGARA FALLS, ONT L2G 0C7
CANADA 905-356-8250

3. NAME, ADDRESS AND TELEPHONE NUMBER OF RECIPIENT AT DESTINATION (COSIGNEE):

MYSTIC AQUARIUM
55 COOGAN BOULEVARD
MYSTIC, CONNECTICUT 06355
USA (860) 572-5955

6. REMARKS OR ADDITIONAL CERTIFICATION STATEMENTS:

NAME, ADDRESS AND TELEPHONE NUMBER OF ISSUING VETERINARIAN

(b) (6), (b) (7)(C)
NIAGARA FALLS ANIMAL MED. CENTRE
6838 MORRISON ST
NIAGARA FALLS, ONT L2E-6Z8
CANADA 905-354-3827
 21-95919 000004
 905-357-1833

4. ANIMAL IDENTIFICATION:

NAME: HAVANA **ID NUMBER:** K3.07222015

Date of Birth: JULY 22, 2015 **SEX:** FEMALE (INTACT)

IDENTIFICATION FEATURES (markings, facial shape, etc):

WHITE "MUSTACH" ALONG UPPER ROSTRUM; WHITE
DOT ON DORSAL RIDGE

5. VACCINATION, TREATMENT AND/OR TEST RESULTS:

VACCINE DATE	VACCINE TYPE	PRODUCT TYPE AND/OR RESULTS
APRIL 2, 2021	PRYSIPELOTHRIX	FRBAC Plus PRER
Other Tests		
CBC/CHEM	2021/04/28	WITHIN NORMAL LIMITS
GASTRIC + FECAL ANAL.	2021/03/19	" " "
CHIEF ANALYSIS	2021/03/19	" " "
MARINE VIROLOGY PCR	2020/11/16	NEGATIVE

7. VETERINARY CERTIFICATION: I certify that the animals described in box 4 have been examined by me this date, that the information in box 8 is true and accurate to the best of my knowledge, and that the following findings have been made ("X" applicable statements):

- I certify that the animal described above and on continuation sheet(s), if applicable, have been inspected by me on this date and appear to be free of any infectious or contagious diseases and to the best of my knowledge, exposure thereto, which would endanger the animal or other animals or would endanger public health
- To my knowledge, the animal described above and on continuation sheet(s) if applicable, originated from an area not quarantined for rabies and has/have not been exposed to rabies

LICENSE # AND PROVINCE (Canada):

LICENSE # (b) (6), (b) (7)(C)
ONTARIO (CANADA)

SIGNATURE OF ISSUING VETERINARIAN:

(b) (6), (b) (7)(C)

DATE:

MAY 7, 2021

NIAGARA FALLS
AMC ANIMAL MEDICAL CENTRE
 Since 1974

6838 Morrison St, Niagara Falls, Ontario L2E 6Z8

905-354-3827

@bellnet.ca

www.nfanimalmedicalcentre.com

1. TYPE OF ANIMAL SHIPPED:

BELUGA WHALE (DELPHINAPTERAUS LEUCAS)

2. NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER (CONSIGNOR):

MARINELAND OF CANADA
7885 STANLEY AVENUE SOUTH
NIAGARA FALLS, ONT L2G 0C7
CANADA 905-356-8250

3. NAME, ADDRESS AND TELEPHONE NUMBER OF RECIPIENT AT DESTINATION (COSIGNEE):

MYSTIC AQUARIUM
55 COOGAN BOULEVARD
MYSTIC, CONNECTICUT 06355
USA (860) 572-5955

6. REMARKS OR ADDITIONAL CERTIFICATION STATEMENTS:

NAME, ADDRESS AND TELEPHONE NUMBER OF ISSUING VETERINARIAN

NIAGARA FALLS ANIMAL MEDICAL CENTRE
6838 MORRISON ST
NIAGARA FALLS, ONT L2E-6Z8
CANADA 905-354-3827
 21-05919_000005 905-357-1833

4. ANIMAL IDENTIFICATION:

NAME: KHARABALI **ID NUMBER:** AU1.07202014

Date of Birth: JUNE 20, 2004 **SEX:** FEMALE, INTACT

IDENTIFICATION FEATURES (markings, facial shape, etc):

DARKER GREY, NARROW ROSTRUM

5. VACCINATION, TREATMENT AND/OR TEST RESULTS:

VACCINE DATE	VACCINE TYPE	PRODUCT TYPE AND/OR RESULTS
<u>DEC. 11, 2020</u>	<u>ERYSIPELOTHRIX</u>	<u>PFIZER, ERBAC PLUS</u>
Other Tests	DATE PERFORMED	RESULTS
<u>CBC / Chem</u>	<u>01/28/2021</u>	<u>Within Normal Limits</u>
<u>Gastric / Fecal Analy.</u>	<u>03/19/2021</u>	<u>" " "</u>
<u>Chuff Analysis</u>	<u>03/19/2021</u>	<u>" " "</u>
<u>Marine Virology PCR</u>	<u>12/16/2021</u>	<u>Negative *</u>

7. VETERINARY CERTIFICATION: I certify that the animals described in box 4 have been examined by me this date, that the information in box 8 is true and accurate to the best of my knowledge, and that the following findings have been made ("X" applicable statements):

- I certify that the animal described above and on continuation sheet(s), if applicable, have been inspected by me on this date and appear to be free of any infectious or contagious diseases and to the best of my knowledge, exposure thereto, which would endanger the animal or other animals or would endanger public health
- To my knowledge, the animal described above and on continuation sheet(s) if applicable, originated from an area not quarantined for rabies and has/have not been exposed to rabies

LICENSE # AND PROVINCE

(Canada): (b) (6), (b) (7)(C)
LICENSE # (b) (6), (b) (7)(C)
ONTARIO
(Canada)

SIGNATURE OF ISSUING VETERINARIAN:

(b) (6), (b) (7)(C)

DATE:

May 7,
2021

Attachment C
Canadian ATIP Documents

s.19(1)

s.20(1)(b)

AMC ANIMAL MEDICAL CENTRE
Since 1974

6838 Morrison St, Niagara Falls, Ontario L2E 6Z8
905-354-3827
drmergl@bellnet.ca
www.nfanimalmedicalcentre.com

1. TYPE OF ANIMAL SHIPPED:

Beluga Whale (Delphinapterus leucas)

2. NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER (CONSIGNOR):

Marie Holer
Marineland of Canada
7885 Stanley Avenue South
NIAGARA FALLS, ONT L2G 0C7
CANADA (905) 356-8250

3. NAME, ADDRESS AND TELEPHONE NUMBER OF RECIPIENT AT DESTINATION (COSIGNEE):

Alison D Tuttle
MYSTIC AQUARIUM
55 Coogan Boulevard
MYSTIC, Connecticut 06355
USA (860) 572-5955

6. REMARKS OR ADDITIONAL CERTIFICATION STATEMENTS:

NAME, ADDRESS AND TELEPHONE NUMBER OF ISSUING VETERINARIAN

DR JUNE MERGL
NIAGARA FALLS ANIMAL MEDICAL CENTRE
6838 MORRISON STREET
NIAGARA FALLS, ONT. L2E-6Z8
CANADA (905) 354-3827

4. ANIMAL IDENTIFICATION:

NAME: HAVANA ID NUMBER: [REDACTED]

Date of Birth: JULY 22, 2015 SEX: FEMALE (INTACT)

IDENTIFICATION FEATURES (markings, facial shape, etc):

5. VACCINATION, TREATMENT AND/OR TEST RESULTS:

VACCINE DATE	VACCINE TYPE	PRODUCT TYPE
[REDACTED]	[REDACTED]	[REDACTED]
Other Tests (if pertinent)	Date performed	Results
[REDACTED]	[REDACTED]	[REDACTED]

7. VETERINARY CERTIFICATION: I certify that the animals described in box 4 have been examined by me this date, that the information in box 8 is true and accurate to the best of my knowledge, and that the following findings have been made ("X" applicable statements):

I certify that the animal described above and on continuation sheet(s), if applicable, have been inspected by me on this date and appear to be free of any infectious or contagious diseases and to the best of my knowledge, exposure thereto, which would endanger the animal or other animals or would endanger public health

To my knowledge, the animal described above and on continuation sheet(s) if applicable, originated from an area not quarantined for rabies and has/have not been exposed to rabies

LICENSE # AND PROVINCE (Canada):

LICENSE # [REDACTED]
ONTARIO

SIGNATURE OF ISSUING VETERINARIAN:

[REDACTED]

DATE:

April 10,
2021

This certificate is valid for 30 days after issuance

s.19(1)
s.20(1)(b)

AMC ANIMAL MEDICAL CENTRE
Since 1974

6838 Morrison St, Niagara Falls, Ontario L2E 6Z8
905-354-3827
drmergl@bellnet.ca
www.nfanimalmedicalcentre.com

1. TYPE OF ANIMAL SHIPPED:
Beluga whale (*Delphinapterus leucas*)

2. NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER (CONSIGNOR): MARIE HOLER
MARINELAND OF CANADA
7885 STANLEY AVENUE SOUTH
NIAGARA FALLS, ONT. L2G 0C7
CANADA

3. NAME, ADDRESS AND TELEPHONE NUMBER OF RECIPIENT AT DESTINATION (COSIGNEE): ALLISON D. TUTTLE
MYSTIC AQUARIUM
55 COOGAN BOULEVARD
MYSTIC, CONNECTICUT
06355 U.S.A.

6. REMARKS OR ADDITIONAL CERTIFICATION STATEMENTS:

NAME, ADDRESS AND TELEPHONE NUMBER OF ISSUING VETERINARIAN: DR JUNE MERGL
NIAGARA FALLS ANIMAL MED. CENTRE
6838 MORRISON STREET
NIAGARA FALLS, ONT L2E 6Z8
CANADA

4. ANIMAL IDENTIFICATION:
NAME: JETTA ID NUMBER: [REDACTED]
Date of Birth: July 17, 2014 SEX: Female (intact)
IDENTIFICATION FEATURES (markings, facial shape, etc):
[REDACTED]

5. VACCINATION, TREATMENT AND/OR TEST RESULTS:

VACCINE DATE	VACCINE TYPE	PRODUCT TYPE
[REDACTED]	[REDACTED]	[REDACTED]
Other Tests (if pertinent)	Date performed	Results
[REDACTED]	[REDACTED]	[REDACTED]

7. VETERINARY CERTIFICATION: I certify that the animals described in box 4 have been examined by me this date, that the information in box 8 is true and accurate to the best of my knowledge, and that the following findings have been made ("X" applicable statements):

I certify that the animal described above and on continuation sheet(s), if applicable, have been inspected by me on this date and appear to be free of any infectious or contagious diseases and to the best of my knowledge, exposure thereto, which would endanger the animal or other animals or would endanger public health

To my knowledge, the animal described above and on continuation sheet(s) if applicable, originated from an area not quarantined for rabies and has/have not been exposed to rabies

LICENSE # AND PROVINCE (Canada):
License # [REDACTED]
ONTARIO

SIGNATURE OF ISSUING VETERINARIAN:
[REDACTED]

DATE:
April 19, 2021

This certificate is valid for 30 days after issuance

s.19(1)

s.20(1)(b)

AMC ANIMAL MEDICAL CENTRE

Since 1974

6838 Morrison St, Niagara Falls, Ontario L2E 6Z8
905-354-3827
drmergl@bellnet.ca
www.nfanimalmedicalcentre.com

1. TYPE OF ANIMAL SHIPPED:

Beluga whale (*Delphinapterus leucas*)

2. NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER (CONSIGNOR):

Marie Holer
Mainland of Canada
7885 Stanley Avenue South
Niagara Falls, ONT L2G 0C9
CANADA

3. NAME, ADDRESS AND TELEPHONE NUMBER OF RECIPIENT AT DESTINATION (COSIGNEE):

Allison D. Tuttle ; MYSTIC AQ.
55 Coogan Boulevard
Mystic, Connecticut 06355
USA

6. REMARKS OR ADDITIONAL CERTIFICATION STATEMENTS:

NAME, ADDRESS AND TELEPHONE NUMBER OF ISSUING VETERINARIAN

DR. JUNE MERGL
Niagara Falls Animal Medical Centre
6838 Morrison Street
Niagara Falls, ONT L2E 6Z8
CANADA

4. ANIMAL IDENTIFICATION:

NAME: KHARABALI ID NUMBER: [REDACTED]

Date of Birth: June 20, 2014 SEX: FEMALE (INTACT)

IDENTIFICATION FEATURES (markings, facial shape, etc):

5. VACCINATION, TREATMENT AND/OR TEST RESULTS:

VACCINE DATE	VACCINE TYPE	PRODUCT TYPE
[REDACTED]	[REDACTED]	[REDACTED]
Other Tests (if pertinent)	Date performed	Results
[REDACTED]	[REDACTED]	[REDACTED]

7. VETERINARY CERTIFICATION: I certify that the animals described in box 4 have been examined by me this date, that the information in box 8 is true and accurate to the best of my knowledge, and that the following findings have been made ("X" applicable statements):

I certify that the animal described above and on continuation sheet(s), if applicable, have been inspected by me on this date and appear to be free of any infectious or contagious diseases and to the best of my knowledge, exposure thereto, which would endanger the animal or other animals or would endanger public health

To my knowledge, the animal described above and on continuation sheet(s) if applicable, originated from an area not quarantined for rabies and has/have not been exposed to rabies

LICENSE # AND PROVINCE (Canada):

License # [REDACTED]
ONTARIO

SIGNATURE OF ISSUING VETERINARIAN:

[REDACTED SIGNATURE]

DATE:

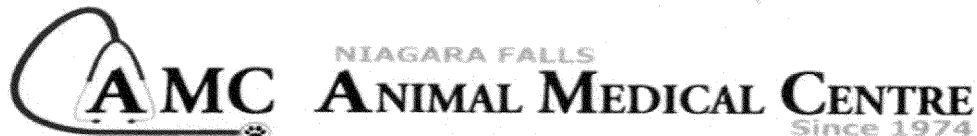
April 10, 2021

This certificate is valid for 30 days after issuance

000003

s.19(1)

s.20(1)(b)



6838 Morrison St, Niagara Falls, Ontario L2E 6Z8

905-354-3827

drmergl@bellnet.ca

www.nfanimalmedicalcentre.com

1. TYPE OF ANIMAL SHIPPED:

Beluga Whale (Delphinapterus leucas)

2. NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER (CONSIGNOR):

Marine Land of Canada
c/o Marie Haler
7885 Stanley Avenue South
Niagara Falls, ON L2G-0C7
Canada (905) 356-8250

3. NAME, ADDRESS AND TELEPHONE NUMBER OF RECIPIENT AT DESTINATION (COSIGNEE):

Allison D Tuttle
Mystic Aquarium
55 Coogan Boulevard
Mystic, Connecticut 06355
USA (860) 572-5955

6. REMARKS OR ADDITIONAL CERTIFICATION STATEMENTS:

NAME, ADDRESS AND TELEPHONE NUMBER OF ISSUING VETERINARIAN

Dr. June Mergl
Niagara Falls Animal Medical Centre
6838 Morrison Street
Niagara Falls, ON L2E 6Z8
Canada (905) 354-3827

4. ANIMAL IDENTIFICATION:

NAME: SAHARA ID NUMBER: [REDACTED]

Date of Birth: July 23, 2014 SEX: FEMALE (INTACT)

IDENTIFICATION FEATURES (markings, facial shape, etc):

[REDACTED]

5. VACCINATION, TREATMENT AND/OR TEST RESULTS:

VACCINE DATE	VACCINE TYPE	PRODUCT TYPE
[REDACTED]	[REDACTED]	[REDACTED]
Other Tests (if pertinent)	Date performed	Results
[REDACTED]	[REDACTED]	[REDACTED]

7. VETERINARY CERTIFICATION: I certify that the animals described in box 4 have been examined by me this date, that the information in box 8 is true and accurate to the best of my knowledge, and that the following findings have been made ("X" applicable statements):

I certify that the animal described above and on continuation sheet(s), if applicable, have been inspected by me on this date and appear to be free of any infectious or contagious diseases and to the best of my knowledge, exposure thereto, which would endanger the animal or other animals or would endanger public health

To my knowledge, the animal described above and on continuation sheet(s) if applicable, originated from an area not quarantined for rabies and has/have not been exposed to rabies

LICENSE # AND PROVINCE (Canada):

LICENSE # [REDACTED]
ONTARIO

SIGNATURE OF ISSUING VETERINARIAN:

[REDACTED]

DATE:

April 29, 2021

This certificate is valid for 30 days after issuance

s.19(1)

s.20(1)(b)



6838 Morrison St, Niagara Falls, Ontario L2E 6Z8
 905-354-3827
 drmergl@bellnet.ca
 www.nfanimalmedicalcentre.com

1. TYPE OF ANIMAL SHIPPED:
Beluga Whale (Delphinapterus leucas)

2. NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER (CONSIGNOR): Marineland of Canada
c/o Marie Heler
7885 Stanley Avenue South
Niagara Falls, ON L2G 0C7
Canada (905) 356-8250

3. NAME, ADDRESS AND TELEPHONE NUMBER OF RECIPIENT AT DESTINATION (COSIGNEE): Allison D Tuttle
Mystic Aquarium
55 Coogan Boulevard
Mystic, Connecticut 06355
USA (860) 572-5955

6. REMARKS OR ADDITIONAL CERTIFICATION STATEMENTS:

NAME, ADDRESS AND TELEPHONE NUMBER OF ISSUING VETERINARIAN Niagara Falls Anim Med Centre
DR JUNE MERGL
6838 MORRISON ST
NIAGARA FALLS, ONT L2E6Z8
905-354-3827

4. ANIMAL IDENTIFICATION:
NAME: HAVOK **ID NUMBER:** [REDACTED]
Date of Birth: August 10, 2015 **SEX:** MALE (INTACT)
IDENTIFICATION FEATURES (markings, facial shape, etc):
 [REDACTED]

5. VACCINATION, TREATMENT AND/OR TEST RESULTS:

VACCINE DATE	VACCINE TYPE	PRODUCT TYPE
[REDACTED]	[REDACTED]	[REDACTED]
Other Tests (if pertinent)	Date performed	Results
[REDACTED]	[REDACTED]	[REDACTED]

7. VETERINARY CERTIFICATION: I certify that the animals described in box 4 have been examined by me this date, that the information in box 8 is true and accurate to the best of my knowledge, and that the following findings have been made ("X" applicable statements):

I certify that the animal described above and on continuation sheet(s), if applicable, have been inspected by me on this date and appear to be free of any infectious or contagious diseases and to the best of my knowledge, exposure thereto, which would endanger the animal or other animals or would endanger public health

To my knowledge, the animal described above and on continuation sheet(s) if applicable, originated from an area not quarantined for rabies and has/have not been exposed to rabies

LICENSE # AND PROVINCE (Canada):
 LICENSE # [REDACTED]
 ONTARIO

SIGNATURE OF ISSUING VETERINARIAN:
 [REDACTED]

DATE:
April 29,
2021

This certificate is valid for 30 days after issuance

From: Wood, Heather
Sent: Wednesday, April 14, 2021 1:07 PM
To: Nadeau, Simon (NCR)
Cc: Labbé, Adèle; Solasse, Marie-Anne
Subject: FW: Health Certificates
Attachments: Health Certificate - HAVANA.pdf; Health Certificate - JETTA.pdf; Health Certificate - KHARABALI.pdf

Hi Simon,

As follow up to our discussion earlier today and the request for supplemental information from Marineland, we have been informed that three of the whales will be moved first for logistical reasons. The health attestations for those 3 whales are attached. They do not specifically address our request for confirmation that the whales are not pregnant. I will send that attestation in a separate email.

The remaining information regarding the family ties is forthcoming. Please let me know if you have any additional questions.

Thanks,

Heather

From: Waddell, Mark <Mark.Waddell@dfo-mpo.gc.ca>
Sent: Wednesday, April 14, 2021 11:52 AM
To: Wood, Heather <Heather.Wood@dfo-mpo.gc.ca>
Subject: FW: Health Certificates

From: Andrew Burns <aburns@huntlegal.com>
Sent: Wednesday, April 14, 2021 11:50 AM
To: Waddell, Mark <Mark.Waddell@dfo-mpo.gc.ca>
Subject: Fwd: Health Certificates


Begin forwarded message:

From: Allison Tuttle <atuttle@mysticaquarium.org>
Date: April 14, 2021 at 11:47:15 AM EDT
To: Andrew Burns <aburns@huntlegal.com>
Subject: FW: Health Certificates

Health Certificates attached.

**Pages 7 to / à 9
are duplicates
sont des duplicatas**

s.19(1)

From: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Sent: 2021-03-29 2:33 PM
To: Gavicherla, Balramakrishna (CFIA/ACIA)
Subject: 5 belguas to USA

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Dr Kris

5 belguas are schedule to be exported to the USA- previous information on this export- that it does not fall under USDA and CFIA endorsement of export cert was not identified as a requirement by the importer/exporter.

Apparently in the USA- there was some communication/lobbying challenges and now the USDA is involved- however it appears that USA Vets are seeking endorse a VS 17-6. Which is a USDA document for small animals. I have indicated that we (Canadian vets/ private or federal) do not endorse USDA documents for health certification. Other events where the USA required a Canadian licensed private veterinary attestation- not federal vet- it is done on clinic letter head (one example is the health attestation for pets to Mexico).

If that is all that is required- private Licensed vet health attestation- do they need to inform and collaborate with CFIA on Humane transport?

Routing will be Marineland- Hamilton airport- Buffalo- Connecticut

Date is not clear between April end of May.

After legal challenge on the pregnant walrus where export endorsement was refused/declined- indicated / committed to timely engagement with CFIA.

The pregnant walrus has a male baby - that struggled however, he is doing well now.

Patricia Pentney HBSc DVM MSc

Veterinary Inspector
Niagara Escarpment Animal Health Office
Canadian Food Inspection Agency
350 Ontario St, Unit 13, PO Box 9
St Catharines, Ontario, L2R 5L8
Telephone: 905-937-9147 (St Catharines Office)/ 905-262-5331 (Queenston)
Cellular: 905-321-2727
Fax: 905-937-8020 (St Catharines)/ 905-262-5580 (Queenston)
Email: Pat.Pentney@canada.ca

Inspecteur vétérinaire,
Bureau de santé animale de l'escarpement du Niagara
Agence canadienne d'inspection des aliments
350 rue Ontario , Unité 13, cp 9
St. Catharines, Ontario L2R 5L8
Tél: 905- 937-9147 (St Catharines Office)/ 905-262-5331 (Queenston)

Tél. Cell.: 905-321-2727

Télécopieur: 905-937-8020 (St Catharines)/ 905-262-5580 (Queenston)

Courriel: Pat.Pentney@canada.ca



Government of Canada
Gouvernement du Canada

s.15(1)

s.19(1)

From: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Sent: 2021-03-30 7:54 AM
To: Gavicherla, Balramakrishna (CFIA/ACIA)
Subject: 5 belguas to USA

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

From:
Sent: 2021-03-29 4:13 PM
To: Pentney, Pat (CFIA/ACIA)
Subject: Fwd: Diagnostic Result for HAVANA

All good,
sent the USDA one as a template only. They are not involved. See emails below

----- Forwarded message -----

From:
Date: Mon, Mar 29, 2021 at 3:54 PM
Subject: RE: Diagnostic Result for HAVANA
To:
Cc:

Hi

Sorry for any confusion, yes that USDA health cert was provided as a template but you can feel free to utilize your Health Certification Statement instead, as long as all key components are there.

Hope this info is helpful, let me know if you have any other questions,
Thanks again!

55 Coogan Boulevard
Mystic, Connecticut 06355
Office: 860-572-5955 x
Cell:
www.mysticaquarium.org



MYSTIC
AQUARIUM

From:
Sent: Monday, March 29, 2021 3:45 PM
To:
Cc:

Subject: Re: Diagnostic Result for HAVANA

EXTERNAL: This email originated outside of Mystic Aquarium. **USE CAUTION** when clicking on links or attachments unless the sender is known and the content is anticipated.

Hi

As a I cannot use an American form for health certification for export from Canada, especially a USDA one for small animals. I thought the USDA was not involved? They are involved? Are they requiring this small animal health certificate to be filled out by a Canadian veterinarian? Ethically I am not allowed to sign it as I am not licensed in any of the States in the US. and the animals are located in Canada.

If the USDA is requiring this form, our counterpart, Canadian Food and Inspection Agency will likely have to get involved.

If the USDA is not involved, I would just issue a "Health Certification Statement" on my veterinary hospital letterhead and do a written attestation with a listing of the 5 belugas, breed, age, sex, color or distinctive marks, and any vaccines received, that they have been examined by me on this date and appear to be free of diseases...etc. and not exposed to rabies, etc etc. And sign it and put my Provincial license number and so on. These health certificates suffice for most animals imported out of Canada to the US, unless the USDA has other requirements.

Can you look into that? I don't want this to bog you guys down.
Thanks so much!

On Mon, Mar 29, 2021 at 9:00 AM

wrote:

Hi

Thanks for sending the results – this CBC is looking much better. Yes I agree I would recommend stopping the Clavamox as well as the iron (if you haven't stopped it already). I think 7-10 additional days on the Nystatin and then discontinue should be fine, especially if you feel it is making her gassy.

Also – the IDEXX results were attached but not Havana's the medical records, can you resend?

For the veterinary physicals, the health certificates are valid for 30 days after issuance, so we will need to receive a copy a 2 weeks in advance of the transport (whenever transport dates are finalized). I've reattached the necessary health certificate above that will need filled out and sent back to me for each of the 5 whales.

Thanks again!

55 Coogan Boulevard
Mystic, Connecticut 06355
Office: 860-572-5955 x
Cell:

www.mysticaquarium.org



MYSTIC
AQUARIUM

From:

Sent: Monday, March 29, 2021 12:58 AM

To:

Subject: Fwd: Diagnostic Result for HAVANA

EXTERNAL: This email originated outside of Mystic Aquarium. **USE CAUTION** when clicking on links or attachments unless the sender is known and the content is anticipated.



Health
Canada

Santé
Canada

Address Locator 0300B
Ottawa ON K1A 0K9

2021-04-28

21-107338-605
HC6-53-137-2

MarineLand
7657 Portage Rd
Niagara Falls ON L2E 6X8

Dear

This letter amends and replaces the exemption letter dated April 26, 2021. Pursuant to subsection 56(1) of the *Controlled Drugs and Substances Act* (CDSA), you are exempted for medical purposes, subject to the terms and conditions set out below, from the application of subsections 4(1), 5(1), 5(2), 6(1) and 6(2) of the CDSA with respect to the controlled substances listed below that might be used in Canada to treat five whales being transported from MarineLand in Canada to the United States of America.

This exemption effectively allows you to import into Canada on or about May 7, 2021, as well as on or about May 14, 2021. This exemption also effectively allows you to possess, provide or administer to treat whales, transport in Canada and export from Canada on or about May 14, 2021, the controlled substances listed below. In order to import or export the controlled substances, they must be in your possession at the time of entry into Canada and of exit from Canada.

The exemption herein is only applicable if you comply with the following terms and conditions:

Activities

You may only import, possess, provide, administer, transport and export the following controlled substances and/or precursors in a quantity and strength that do not exceed the one indicated below:

Midazolam 5 mg/mL	70 mL (350 mg)
Diazepam 5 mg/mL	20 mL (100 mg)

You are only authorized to perform the following activities with the controlled substances listed above:

.../2

Canada

- 2 -

- importation into Fort Erie, Ontario, Canada;
- importation into Hamilton, Ontario, Canada;
- possession, transportation, provision or, administration in Canada to treat five whales being transported from MarineLand in Canada; and
- exportation from Hamilton, Ontario, Canada as per the travel arrangements supplied in your application.

Any change in your itinerary must be communicated to the Exemptions Section, Office of Controlled Substances, by e-mail: hc.exemption.sc@canada.ca within 48 hours.

The controlled substances are for professional use by you. You are responsible for any portion of the controlled substances listed above, which are provided or administered by you. Any unused controlled substances must be exported on or about May 14, 2021.

Access

You must restrict access while in Canada to all imported controlled substances to yourself.

You must take all necessary steps to protect the controlled substances against loss or theft and report any loss or theft to a member of a law enforcement agency within 72 hours of its discovery and to the Compliance and Monitoring Division, Office of Controlled Substances, within 48 hours of its discovery, by e-mail: hc.ocs.reporting-rapporteur.bsc.sc@canada.ca.

Record Keeping

You are required to keep the following:

- (a) records of the name, quantity, strength and dosage form of any controlled substance imported, the name of the person who imported the controlled substance and the date the controlled substance was imported;
- (b) records of the name, quantity, strength and dosage form of controlled substances, and the location and storage of these products at all times during their possession;

.../3

-3-

- (c) records of use, indicating particulars of the use of the controlled substance (date of provision or administration, name of substance, strength, dosage, quantity, patient name, your name as authorizing the use of the substance, etc.); and

You shall make such records available to the Minister, a Health Canada inspector, or a Canadian Border Services Agency (CBSA) officer, and you shall permit access to such records. Records should be kept for a minimum period of two years after the end of your trip and must be kept in a manner which would enable an audit to be conducted at any time.

The Chief Clinical Veterinarian, at the site entered by an inspector for the purpose of ensuring compliance with the exemption shall give the inspector all reasonable assistance and furnish the inspector with such information as the inspector may reasonably require for the purpose of the inspection, including any documents, records and other information which relates to the use of the controlled substances covered by this exemption.

Responsibilities

The exemption letter must be in your possession when importing or exporting the controlled substances as they can only be imported and exported once.

This exemption must be produced upon request to Health Canada inspectors, CBSA officers and law enforcement officers.

This exemption is only valid for the period of May 7, 2021 to May 14, 2021, and expires upon your return to the United States of America on or around May 14, 2021.

This exemption expires on the earliest of the following dates:

- once all unused controlled substances listed above have been exported;
- the date on which the quantity of controlled substances authorized under this exemption have been entirely used;
- the date on which this exemption is replaced by another exemption;
- the date on which this exemption is revoked.

.../4

You are responsible to ensure that the activities authorized pursuant to this exemption are conducted in compliance with all other applicable federal, provincial and municipal legislation in Canada.

Please note that it would be a criminal offence in Canada to perform activities with controlled substances which are not authorized pursuant to the CDSA and its regulations or this exemption. **Failure to comply with the terms and conditions of this exemption may, among other things, result in its immediate suspension, and ultimately, in its revocation.**

Yours sincerely,



Digitally signed by Barber,
Kim
DN: C=CA, O=GC,
OU=HC-SC, CN="Barber,
Kim"
Reason: I am approving this
document with my legally
binding signature
Location: Ottawa
Date: 2021.04.28 07:12:
32-04'00'
Foxit PhantomPDF Version
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Kim Barber
Acting Manager
Exemptions Section
Office of Controlled Substances
Health Canada

Therapeutic Product Importation Acknowledgement Letter

Dear Chief Medical Officer (CMO) / Chief Veterinary Officer (CVO):

Internal Control #: BIU-2021-001

This is to confirm that we have reviewed the **Declaration of Importation of Therapeutic Products Form for the transportation of 5 Beluga Whales from Marineland to Mystic Aquarium** submitted by you for the import of therapeutic products, controlled substances, and/or precursors.

This letter is to confirm that Health Canada does not object to the importation of the therapeutic products listed on the submitted declaration form. The section 56 exemption letter for controlled substances and/or precursors will confirm that Health Canada does not object to the importation of the controlled substances and/or precursors listed on the letter.

The therapeutic products, controlled substances, and/or precursors imported into Canada must be shipped/carried in one of the following:

- o Hospital or pharmacy dispensed packaging;
- o Original retail packaging; or
- o Have the original label affixed to it which clearly indicates what the health product is and what it contains.

While in Canada, all products should remain under the control of the medical team and should only be distributed to members of the Mystic Aquarium.

Importing therapeutic products by sea, air and land freight

1. To facilitate the import, it is recommended to include the internal control number referenced above on the outer surface of your shipment, the shipping labels, and all shipping documents.
2. A copy of the signed declaration form and a copy of this letter should be attached to the shipment.

Please be advised that products containing controlled substances and/or precursors cannot be shipped by freight, mail, courier or other means, and must accompany the CMO or the Medical Team member(s) at the time of import and export.

Importing therapeutic products in person

1. To facilitate the import, the CMO/CVO or a designated member of the medical team should possess a copy of the signed declaration form and a copy of this letter for customs clearance.
2. For the import of controlled substances and/or precursors (if applicable): only the CMO/CVO or a member of the medical team listed in section 3 of the signed declaration form is authorized to import, on their person, the approved quantities of controlled substances and/or precursors. **They must have the section 56 exemption letter and a copy of the signed declaration form in hand.**

Therapeutic Product Importation Acknowledgement Letter

For further information on your declaration form, please contact the Health Product Border Compliance Program:

- Telephone: +1-613-946-5090
- Email: hc.hpbc-pcpsf.sc@canada.ca

For further information on controlled substances and/or precursors, please contact the Office of Controlled Substances:

- Telephone: +1-613-952-2177
- Email: exemption@hc-sc.gc.ca

Regards,

Health Product Border Compliance Program | Unité de la conformité des produits de santé à la frontière

Health Product Compliance and Risk Management | Conformité des produits de santé et gestion du risque

Regulatory Operations and Enforcement Branch | Direction générale des opérations réglementaires et de l'application de la loi

Health Canada | Santé Canada

200 Eglantine Dr., Ottawa, ON, K1A 0K9

Address Locator/Index: 1914D

Fax/Télécopieur : (613)-960-2156



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Internal Control # (for office use only): RII1-2021-00

**Declaration of Importation of Therapeutic Products Form for Group Event
Beluga Whale Export from Canada and Import into the US**

1. PLEASE TYPE OR PRINT TO ENSURE LEGIBILITY.
2. Please ensure to fill in the relevant appendices attached.
3. If it is identified that you are importing a precursor chemical or a controlled substance, these forms will be used as the basis for issuance of a section 56 exemption.
4. For instructions on completing these forms, please refer to the document entitled "Instructions for Completing the Declaration of Importation of Therapeutic Products Form for Group Event". Please read the instructions thoroughly before completing the form.

GENERAL INFORMATION			
Section 1: Chief Medical Officer (CMO) / Chief Veterinary Officer (CVO) Information			
Representative of which country, team/group? <u>United States</u>			
Name of CMO / CVO: _____			
E-mail: _____			
Name and address of Medical / Veterinary regulatory authority			
Website of Medical / Veterinary regulatory authority:			
E-mail of Medical / Veterinary regulatory authority:			
CMO / CVO Home office mailing address: <u>Mystic Aquarium 55 Coogan Blvd, Mystic CT 06355</u>	CMO / CVO Canadian mailing address: <u>Marineland</u> <u>7885 Stanley Ave. S., Niagara Falls, ON</u>		
Tel. (Office): <u>860-572-5955 X</u>	Tel. (while in Canada): _____		
Fax (Office): _____	Fax (while in Canada): _____		
Section 2: Importation/Exportation			
Mode of transportation (please provide a detailed copy of the CMO / CVO itinerary with your request including airlines, flight numbers, hours of departures and arrivals for the import/export of controlled substances and/or precursor chemicals): <p style="text-align: center;">will be driving to Mystic Aquarium in a Mystic Aquarium vehicle.</p>	Date of entry of CMO/CVO: <u>2021 / 05 / 10</u> yy mm dd	Date of exit of CMO/CVO: <u>2021 / 05 / 14</u> yy mm dd	
	Port of entry into Canada of CMO/CVO: <u>Peace Bridge</u>	Port of exit from Canada of CMO/CVO: <u>Peace Bridge</u>	
	Date of entry of therapeutic products (if different from above): <u>2021 / 05 / 10</u> yy mm dd	Date of export of therapeutic products (if different from above): <u>2021 / 05 / 14</u> yy mm dd	
	Port of entry into Canada of therapeutic products (if different from above): <u>Peace Bridge</u>	Port of exit from Canada of therapeutic products (if different from above): <u>Peace Bridge</u>	
Equipment enters at <u>Peace Bridge</u> on <u>5/10</u> Equipment exits at <u>Peace Bridge</u> on <u>5/14</u>			
Products containing controlled substances and/or precursors must accompany the CMO / CVO or the Medical / Veterinary Team member(s) authorized on the section 56 exemption letter at the time of import and export.			
Section 3: Medical / Veterinary Team Information			



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List name and title of all persons who will conduct activities with products containing controlled substances and/or precursors in the space provided below (attach additional sheet(s) if extra space is required & identify each sheet with the country name). Activities are possess, provide, and administer.

Name: _____ Title: _____ Activity(ies): ___ Sample collection, processing at ML and transport (return) of samples to US.

Name: _____ Title: _____ Activity(ies): _____

Name: _____ Title: _____ Activity(ies): _____

Section 4: Signature of CMO / CVO

Date of Signature:

5/6/2021

Regulatory Operations and Enforcement Branch

- Authorized:
- Authorized with condition(s), see attached

Office of Controlled Substances

- Section 56 exemption issued, see attached for list of substances and terms and conditions of exemption
- Section 56 exemption denied
- No controlled substances in the application

By: fancy shawn
Date: (yy/mm/dd)

Signature of the CMO / CVO
I am the author of this document
I have signed the original
I have signed the copy
I have signed the copy
I have signed the copy

By:
Date (yy/mm/dd):



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**Human Drugs and Natural Health Products List
Beluga Whale Export from Canada and Import into the US
PLEASE TYPE OR PRINT TO ENSURE LEGIBILITY**

Importation - Signature of CMO:	Exportation - Signature of CMO:
Date of Signature:	Date of Signature:

Brand / Commercial Name	Active Ingredient(s)	Strength / Concentration	Dosage Form	Category / Description (e.g. analgesic, supplement)	Package Size (specify) (e.g. 50 tablets/bottle)	Total Quantity Imported	Total Quantity Exported
Commercial Name		(e.g. diagnostic/monitoring)		(e.g. injection, blood glucose meter)	Imported	Exported	
N/A							

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Privacy Notice Statement:

The personal information you provide us is collected for the purposes of processing your request for an exemption to import a controlled substance or a chemical precursor under section 56 of the Controlled Drugs and Substances Act and verifying the compliance of the importation of health products with the Controlled Drugs and Substances Act and the Food and Drugs Act. Upon entry into Canada, your personal information may be used for verification purposes as well as compliance and enforcement purposes. Failure to provide the requested information will prevent the processing of your declaration form.

This personal information collection is described in Info Source, available online at the [Info Sources Web site](#). Refer to the Health Canada chapter (see Personal Information Bank(s) - HC PPU 405, 406, 407, and 408).

In addition to the protection of personal information, the Privacy Act gives individuals the right to request access to and correction of their personal information. For more information about these rights, or about our privacy practices, please contact the Health Canada / PHAC Director, Privacy Management at 613-954-9165 or privacy-vie.privee@hc-sc.gc.ca. You also have the right to file a complaint with the Privacy Commissioner of Canada if you think your personal information has been handled improperly. You may contact the Privacy Commissioner of Canada at the following address: notification@priv.gc.ca.

TN 10827231258373



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Internal Control # (for office use only): RIIJ-2021-00

Declaration of Importation of Therapeutic Products Form for Group Event
Beluga Whale Export from Canada and Import into the US

- 1. PLEASE TYPE OR PRINT TO ENSURE LEGIBILITY.
2. Please ensure to fill in the relevant appendices attached.
3. If it is identified that you are importing a precursor chemical or a controlled substance, these forms will be used as the basis for issuance of a section 56 exemption.
4. For instructions on completing these forms, please refer to the document entitled "Instructions for Completing the Declaration of Importation of Therapeutic Products Form for Group Event". Please read the instructions thoroughly before completing the form.

GENERAL INFORMATION
Section 1: Chief Medical Officer (CMO) / Chief Veterinary Officer (CVO) Information
Section 2: Importation/Exportation
Section 3: Medical / Veterinary Team Information

HCGH 10827231258373



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List name and title of all persons who will conduct activities with products containing controlled substances and/or precursors in the space provided below (attach additional sheet(s) if extra space is required & identify each sheet with the country name). Activities are possess, provide, and administer.

Name: _____ Title: _____ Activity(ies): _____ All _____

Name: _____ Title: _____ Activity(ies): _____

Name: _____ Title: _____ Activity(ies): _____

Section 4: Signature of CMO / CVO

Signature of CMO / CVO: _____ Date of Signature: **4/29/21**

Verification and Decision – for office use only

Regulatory Operations and Enforcement Branch	Office of Controlled Substances
<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Authorized with condition(s), see attached	<input checked="" type="checkbox"/> Section 56 exemption issued, see attached for list of substances and terms and conditions of exemption <input type="checkbox"/> Section 56 exemption denied <input type="checkbox"/> No controlled substances in the application
By: fancy, shawn Date (yy/mm/dd)	By: _____ Date (yy/mm/dd)

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Appendix B

Internal Control #: _____

Human Drugs and Natural Health Products List
Beluga Whale Export from Canada and Import into the US
PLEASE TYPE OR PRINT TO ENSURE LEGIBILITY

Importation - Signature of CMO:	Exportation - Signature of CMO:
Date of Signature:	Date of Signature:

Brand / Commercial Name	Active Ingredient(s)	Strength / Concentration	Dosage Form	Category / Description (e.g. analgesic, supplement)	Package Size (specify) (e.g. 50 tablets/bottle)	Total Quantity Imported	Total Quantity Exported
N/A							



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Internal Control #: _____

Appendix C

Medical Devices List
Beluga Whale Export from Canada and Import into the US
PLEASE TYPE OR PRINT TO ENSURE LEGIBILITY

Importation - Signature of CMO:

Date of Signature: 4/29/20

Exportation - Signature of CMO:

Date of Signature: 4/29/20

Brand / Commercial Name	Model number	Type of Device (e.g. diagnostic/monitoring)	Modality / Function (e.g. injection, blood glucose meter)	Total Quantity Imported	Total Quantity Exported
Mayo, Iris, Bandage	n/a	Scissors	Cutting gauze, tubing	1	1
Mosquito & Kelly	n/a	Hemostats (straight & curved)	Clamping	1	1
Brown-Adson, Standard, Rattooth	n/a	Forceps	Clamping	1	1
n/a	n/a	Blade handle	Cutting	1	1
n/a	n/a	Needle driver	Suturing	1	1
Heska EPOC	CAT-5400	Blood gas analyzer	Blood meter	1	1
Heska cartridges	n/a	Cartridges	Blood meter accessory	10	10
Butterfly	iQ Vet	Portable ultrasound	Ultrasound	1	1
Covetrus	n/a	Latex gloves	Protection	18 pair	18 pair
Jorgensen	JA86A	Sharps container	Protection	1	1
Litman	n/a	Stethoscope	Monitoring	1	1
Patterson	n/a	4x4 gauze	Miscellaneous use	2 pks	2 pks
Kendall	3142C	Bandage tape	Miscellaneous use	3	3
Phoenix/Vedco	5098933129/57319614	Isopropyl/chlorhex	Antiseptic	1	1
Henry Schein	1169568321	Eye ointment	Lubricant	3	3
Hemablock	n/a	Hemablock	Anticoagulant	3	3
Grafco	1590	Silver nitrate	Anticoagulant	1 tub	1 tub
n/a	078473588	Tongue depressors	Miscellaneous use	10	10
n/a	n/a	Triple antibiotic oint.	Antiseptic	2	2
Ascend Lab	6787712446	SSD oint.	Antiseptic	1	1
3M	vetwrap, 2" roll	Bandage wrap	Miscellaneous use	4	4



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Human Drugs and Natural Health Products List
Beluga Whale Export from Canada and Import into the US
PLEASE TYPE OR PRINT TO ENSURE LEGIBILITY

Importation - Signature of CMO:
 Date of Signature: 4/29/21

Exportation - Signature of CMC
 Date of Signature: 4/29/21

Brand / Commercial Name	Active Ingredient(s)	Strength / Concentration	Dosage Form	Category / Description (e.g. analgesic, supplement)	Package Size (specify) (e.g. 50 tablets/bottle)	Total Quantity Imported	Total Quantity Exported
Brand / Commercial Name	Model number	Type of Device (e.g. diagnostic/monitoring)	Modality / Function (e.g. injection, blood glucose meter)	Total Quantity Imported	Total Quantity Exported		
MEDICAL DEVICES Cont.							
Jorvet	n/a	#10 & #15 blades	Cutting	2 each	2each		
Webmax	078910066	Suture material	Suturing	6	6		
Smith's Medical	40618351A	26mm ET tube + Poster Case	Miscellaneous use	1 ground, 1 air	1 ground, 1 air		
n/a	n/a	Oxygen tubing with adapter	Miscellaneous use	1 roll	1 roll		
Monject	n/a	Assorted syringes	Miscellaneous use	53	53		
Monject	n/a	Assorted syringe needles and IV sets	Miscellaneous use	84	84		
BD	n/a	Vacutainer adapter & holder	Miscellaneous use	12	12		
n/a	1267228	IV drip, extension	Miscellaneous use	16	16		
Jorvet	J462	3-way stopcock	Miscellaneous use	4	4		
Monject	8881311149	EDTA Blood collectin tubes	Blood draw	5	5		
BD	367880	Green Blood collectin tubes	Blood draw	5	5		
Corvac	8881302015	Tiger top Blood collectin tubes	Blood draw	5	5		



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Appendix E

Internal Control #: _____

Drugs for Veterinary Use List
Beluga Whale Export from Canada and Import into the US
PLEASE TYPE OR PRINT TO ENSURE LEGIBILITY

Importation - Signature of CVO:

Date of Signature: 4/29/21

Exportation - Signature of CVO:

Date of Signature: 4/29/21

Brand / Commercial Name	Active Ingredient(s)	Strength / Concentration	Dosage Form	Category / Description (e.g. analgesic, supplement)	Package Size (specify) (e.g. 30 tablets/bottle)	Total Quantity Imported	Total Quantity Exported
Methylprednisolone	methylprednisolone	62.5 mg/ml	liquid	Corticosteroid, glucocorticoid, emergency medication	8 ml	10	10
Atropine (SA)	atropine	0.54 mg/ml	liquid	Anticholinergic; muscarinic antagonist; emergency medication	100 ml	1	1
Calcium Gluconate	calcium gluconate	230 mg/ml	liquid	Minderal; phosphate binder; emergency medication	500 ml	1	1
Dexamethasone (SP)	dexamethasone	10 mg/ml	liquid	Corticosteroid, glucocorticoid, emergency medication	10 ml	10	10
Doxapram HCl	doxapram hydrochloride	20 mg/ml	liquid	Respiratory stimulant emergency medication	20 ml	5	5
Epinephrine	epinephrine	1 mg/ml	liquid	Catecholamine, beta adrenergic agonist emergency medication	30 ml	3	3
Flumazenil	flumazenil	0.1 mg/ml	liquid	Benzodiazepine receptor antagonist (reversal agent)	5 ml	25	25
Dextrose (50%)	Dextrose in water	500 mg/ml	liquid	Fluids supplementation	500 ml	3	3
Furosemide	Furosemide	50 mg/ml	liquid	Loop Diuretic and emergency medication	50 ml	2	2
Lidocaine	Lidocaine hydrochloride	20 mg/ml	liquid	Local anesthetic and emergency medication	100 ml	2	2



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Drugs for Veterinary Use List
Beluga Whale Export from Canada and Import into the US
PLEASE TYPE OR PRINT TO ENSURE LEGIBILITY

Importation - Signature of CVO:

Date of Signature: 4/29/2

Exportation - Signature of CVO:

Date of Signature: 4/29/2

Brand / Commercial Name	Active Ingredient(s)	Strength / Concentration	Dosage Form	Category / Description (e.g. analgesic, supplement)	Package Size (specify) (e.g. 50 tablets/bottle)	Total Quantity Imported	Total Quantity Exported
Sodium Bicarbonate	sodium bicarbonate	1 mEq/ml	liquid	pH buffer- emergency medication	100 ml	7	7
Excede	ceftiofur crystalline	200 mg/ml	liquid	Cephalosporin antibiotic	100 ml	1	1
Yunnan Baiyao	notoginseng	0.25 g	tablet	Herbal medicine	16 caps / pk	4 boxes	4 boxes



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Privacy Notice Statement:

The personal information you provide us is collected for the purposes of processing your request for an exemption to import a controlled substance or a chemical precursor under section 56 of the Controlled Drugs and Substances Act and verifying the compliance of the importation of health products with the Controlled Drugs and Substances Act and the Food and Drugs Act. Upon entry into Canada, your personal information may be used for verification purposes as well as compliance and enforcement purposes. Failure to provide the requested information will prevent the processing of your declaration form.

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Pat Pentney

From:
Sent: 2020-09-22 4:13 PM
To: Pentney, Pat (CFIA/ACIA)
Cc: Gagnon, Avery (CFIA/ACIA); Bains, Sukhmandar (CFIA/ACIA)
Subject: Re: Beluga Health Certificate for export to USA

Hi Dr.Pat,

Yes the email is a bit vague. Obviously a health certificate is only required, but why would I use a USDA/APHIS one? It appears the attached one is used to export from the US to elsewhere, not to the USA. I would think we'd need a Canadian one, but I could be incorrect.

It is a relief that only a health certificate, and no particular blood and so forth, are required.

I will ask _____ to clarify and I will read the fine print tomorrow on the health certificate that was sent, if that is what it is.

Yes, could you ask your local USFWS. that would be great.
Thank you,

On Tue, Sep 22, 2020 at 3:17 PM Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca> wrote:

Hi

So if I understand correctly you do not require federal -CFIA vet endorsement to export to the USA ?

The way the email is written below it suggests that USFWS service will accept the standard health certification however, it does not really specify from a licensed veterinarian only without Federal Vet endorsement?

I am feeling that is the assumption just like NHP to the USA not covered by USDA only CDC so no federal endorsement

Should we check to be sure?- it is only licensed Vet on the standard health cert.

If you want I can send a note to our local USFWS just to make sure ?

The challenge is the health certificate attached is a USDA certificate-- it is not a Canadian certificate// if federal involvement is not required and they will accept the use of the American document endorsed by a Canadian licensed Vet., I am not sure if that creates any issues...

If federal Vet endorsement is required—we need to endorse an approved Canadian Export Health certificate to support the export.

pat

Patricia Pentney HBSc DVM MSc

Veterinary Inspector,

Niagara Escarpment Animal Health Office,

Canadian Food Inspection Agency

350 Ontario St, Unit 13, PO Box 9

St Catharines, Ontario, L2R 5L8

Telephone: 905-937-9147 (St Catharines Office)/ 905-262 5331 (Queenston)

Cellular: 905-321-2727

Fax: 905-937-8020 (St Catharines)/ 905-262-5580 (Queenston)

Email: Pat.Pentney@Canada.ca

Inspecteur vétérinaire,

Bureau de santé animale de l'escarpement du Niagara,

Agence canadienne d'inspection des aliments

350 rue Ontario , unité 13, cp 9

St. Catharines, Ontario L2R 5L8

s.15(1)

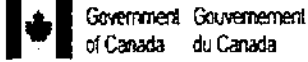
s.19(1)

Tél: 905-937-9147 (St Catharines)/ 905-262-5331 (Queenston)

Tél. Cell.: 905-321-2727

Télécopieur: 905-937-8020 (St Catharines)/ 905-262-5580 (Queenston)

Courriel: Pat.Pentney@Canada.ca



From:
Sent: 2020-09-22 1:36 PM
To: Pentney, Pat (CFIA/ACIA)
Subject: Fwd: Beluga Health Certificate for Importation

----- Forwarded message -----

From:
Date: Tue, Sep 22, 2020 at 9:10 AM
Subject: Beluga Health Certificate for Importation
To:
Cc:

Hi

Hoe you are doing well! Attached is the USDA health certificate that can be utilized for the 5 incoming belugas.

These health certificates are valid for 30 days after issuance, so we will need to receive a copy a 2-3 weeks in advance of the transport (whenever transport dates are finalized).

Thank you for your help!

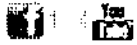
Mystic Aquarium, a division of Sea Research Foundation

860-572-5955 x

www.mysticaquarium.org



MYSTIC
AQUARIUM



--

"I can be changed by what happens to me, but I refuse to be reduced by it."

----Maya Lou

--

"I can be changed by what happens to me, but I refuse to be reduced by it."

----Maya Lou

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control numbers for this information collection are 0579-0020 and 0579-0036. The time required to complete this information collection is estimated to average .13 to .25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

No dog, cat, nonhuman primate, or additional kinds or classes of animals designated by USDA regulations shall be delivered to any intermediate handler or carrier for transportation in commerce unless accompanied by a health certificate executed and issued by a licensed veterinarian (7 U.S.C. 21.43.9, CFR, Subchapter A, Part 2).

OMB APPROVED
 0579-0020
 0579-0036

UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE UNITED STATES INTERSTATE AND INTERNATIONAL CERTIFICATE OF HEALTH EXAMINATION FOR SMALL ANIMALS	WARNING: Anyone who makes a false, fictitious, or fraudulent statement on this document, or uses such document knowing it to be false, fictitious, or fraudulent may be subject to a fine of not more than \$10,000 or imprisonment of not more than 5 years or both (18 U.S.C. 1001).	1. TYPE OF ANIMAL SHIPPED (select one only) <input type="checkbox"/> Dog <input type="checkbox"/> Cat <input type="checkbox"/> Other _____ <input type="checkbox"/> Nonhuman Primate <input type="checkbox"/> Ferret <input type="checkbox"/> Rodent	2. CERTIFICATE NUMBER - OFFICIAL USE ONLY
		3. TOTAL NUMBER OF ANIMALS	4. PAGE

5. NAME, ADDRESS, AND TELEPHONE NUMBER OF OWNER (CONSIGNOR) USDA License/or Registration Number (if applicable)	6. NAME, ADDRESS, AND TELEPHONE NUMBER OF RECIPIENT AT DESTINATION (CONSIGNEE)
---	---

7. ANIMAL IDENTIFICATION					8. PERTINENT VACCINATION, TREATMENT, AND TESTING HISTORY			
NAME, AND/OR TATTOO NUMBER OR OTHER IDENTIFICATION	BREED - COMMON OR SCIENTIFIC NAME	AGE	SEX	COLOR OR DISTINCTIVE MARKS OR MICROCHIP	RABIES VACCINATION		OTHER VACCINATIONS TREATMENT, AND/OR TESTS AND RESULTS	
					<input type="checkbox"/> 1 YEAR	<input type="checkbox"/> 2 YEARS	<input type="checkbox"/> 3 YEARS	Date
1)					Vaccination Date	Product	Date	Product Type and/or Results
2)								
3)								
4)								
5)								
6)								

9. REMARKS OR ADDITIONAL CERTIFICATION STATEMENTS (WHEN REQUIRED)	VETERINARY CERTIFICATION: I certify that the animals described in box 7 have been examined by me this date, that the information provided in box 8 is true and accurate to the best of my knowledge, and that the following findings have been made ("X" applicable statements). <input type="checkbox"/> I have verified the presence of the microchip, if a microchip is listed in box 7. <input type="checkbox"/> I certify that the animal(s) described above and on continuation sheet(s), if applicable, have been inspected by me on this date and appear to be free of any infectious or contagious diseases and to the best of my knowledge, exposure thereto, which would endanger the animal or other animals or would endanger public health. <input type="checkbox"/> To my knowledge, the animal(s) described above and on continuation sheet(s) if applicable, originated from an area not quarantined for rabies and has/have not been exposed to rabies.
--	---

ENDORSEMENT FOR INTERNATIONAL EXPORT (IF NEEDED) PRINTED NAME OF USDA VETERINARIAN	NAME, ADDRESS, AND TELEPHONE NUMBER OF ISSUING VETERINARIAN	LICENSE NUMBER AND STATE Accredited <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please complete below NATIONAL ACCREDITATION NUMBER
--	--	---

SIGNATURE OF USDA VETERINARIAN <i>Apply USDA Seal or Stamp here</i>	DATE	SIGNATURE OF ISSUING VETERINARIAN	DATE
---	------	-----------------------------------	------

Pat Pentney

From: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Sent: 2021-04-20 4:00 PM
To: Elshikh, Baha (CFIA/ACIA); Bains, Sukhmandar (CFIA/ACIA)
Cc: Phillips, Janice (CFIA/ACIA)
Subject: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Importance: High

Hi

In Spring 2020- Marine land identified 5 beluga whales to USA. Follow up Oct 2020- no date set: indication the USA only required a health certificate from the Canadian Vet. No CFIA endorsed health certificate.

Three weeks ago I was informed that the belugas export was still in motion they would fly out of Hamilton—I did sent a Note to Dr Kris and asked if we need to involved for the HT, may have gotten lost in the volume of emails- I did not mark it urgent or of high importance at the time- since I was not aware of any date of departure..

Just now I am informed that they will leaving next week Monday or Tuesday. Marineland as such or any other employees/ have not communicated with CFIA on this export—the communication via tele has come from my established relationship with

This is a high visibility file/ export. Please communicate internally to whom has to know about this movement scheduled for early next week.

Advise if CFIA local staff has any formal role in HT and welfare- recognizing USA/USDA/USFWS does not require an official CFIA endorsed HC to support this export.

Pat
 Veterinary Inspector, Animal Health, Niagara Escarpment District Canadian Food Inspection Agency / Government of Canada Pat.Pentney@Canada.ca / Cell: 905-321-2727

Inspecteur vétérinaire, santé animale, district de l'escarpement du Niagara Agence canadienne d'inspection des aliments / Gouvernement du Canada Pat.Pentney@Canada.ca / Cellulaire: 905-321-2727

Pat Pentney

From:
Sent: 2021-05-13 11:13 AM
To: Pentney, Pat (CFIA/ACIA)
Cc: Gavicherla, Balramakrishna (CFIA/ACIA)
Subject: Re: MA Plan 2021 5 YHM to GON.docx

Thank you

In response:

- 1) Primary route - Lyons Road - QEW direct - Hamilton Airport
- 2) Secondary - at the full discretion and command of police authorities, diversion as required by the police. All possible exits from QEW are considered viable - No further info can be supplied as it is entirely subject to traffic obstructions, if any.
- 3) Temperature in cradles, breath rates, skin colour and condition, stress indicators, eyes, and sound;
- 4) To follow, still to be finally determined for each move.

Regards

Sent from my iPhone

On May 13, 2021, at 8:04 AM, Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca> wrote:

Good Morning

To finalize my afternoon briefing, I really require specific details

- 1) Primary routing/ secondary routing (hwy- roads etc)
- 2) Monitoring- what is being monitored frequency and corrective action (could one of your vets share a summary)
- 3) Name of Vet licensed in Ontario and cellular
- 4) Your Veterinary team can brief me in the morning on the decision tree in the event of injury.

I know it is a significant undertaking and there is a lot you are looking after- the goal is that this collaboration is supportive.

I am just entering inspection of 250 cattle—will be back in the office 1200-1pm- to provide the final briefing to management

Logistic tomorrow:

I plan to be at the gate around 7 am—who should I call when I get there?

What are the onsite COVID protocols? I am vaccinated- have not travelled outside the Niagara region- no signs symptoms related to respiratory viruses, no contact with a positive person – that I am aware of.

I will arrive donning a mask and have the capacity for mask changes, hand sanitizer and donning gloves—if the Marineland team prefers I am double masked- then I will arrive at the gate double masked.

I will leave Marineland at 10 am- provide an update to Dr Kris Galvicherla- he will be at the airport and can be reach via 705-715-3756// when on site in the morning I will provide someone with a card with his direct cellular number on it. Dr Kris will be Marineland point of CFIA contact once the conveyances leave Marineland- since I will be unavailable in cattle inspection till 14:00- 2 pm. In the event there is an injury and Marineland requires CFIA consultation to ensure compliance under the humane transportation act and reg. we are ensuring a CFIA Vet is readily available throughout the transportation events.

pat

From:

Sent: 2021-05-13 7:07 AM

To: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>

Cc:

Gavicherla, Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>

Subject: Re: MA Plan 2021 5 YHM to GON.docx

Of course.

You have been most considerate.

A full transport review occurred yesterday, including the police escort, the responsible team leaders, and the actual drivers.

The convoy will include at least four marked police, undercover cars, an advance scout car and other resources as needed. The cyber crime unit is monitoring for plans for any illegal disruption.

The move is being coordinated with the NFPS, Hamilton police, CBSA, RCMP and FBI.

The Whales are bring transported on enclosed flat bed trailers. They will have a personal attendant monitoring them at all times. They are moving in containers containing water at their normal environmental temperature. ice is available to control temperature, which is monitored.

The convoy also includes a spare flat bed truck and the crane. The full transport team will accompany the whales to the Airport.

Direct and alternative routes and all contingencies were discussed and agreed. Issues of gradient, traffic, stop signs, lights, speed restrictions, weather, disruption were all evaluated.

The chain of command was confirmed.

At least one Canadian vet will be with the animals in Canada at all times during transport. American vets, a full team of all the handlers will accompany the whales throughout.

I trust the foregoing is of assistance.

Thank you for your helpful assistance and professional and courteous support.

Regards

Sent from my iPhone

On May 12, 2021, at 11:57 PM, Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca> wrote:

Mr

Thank you for the brief discussion I do still require a follow up email on contingencies routing and alternative route I apologize if I was not clear in our conversation I recognize how complex the transport event is and did not want you feel that I required it by 4 pm since I had other obligations as well

I am obligated to provide a briefing to management by early afternoon thursday with the details

Pat

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: "Pentney, Pat (CFIA/ACIA)" <pat.pentney@canada.ca>

Date: 2021-05-11 2:21 p.m. (GMT-05:00)

To:

Cc:

"Gavicherla, Balramakrishna (CFIA/ACIA)"

<balramakrishna.gavicherla@canada.ca>

Subject: RE: MA Plan 2021 5 YHM to GON.docx

Thank you for the timely sharing of the logistical transportation plan. In reviewing the logistical plan it is evident significant effort has been made to minimize the time in transit and consider welfare during transport.

As mentioned CFIA engagement or mandate is humane transport/ welfare for the transportation that occurs in Canada, so I am limiting my review to ground transportation from loading at Marineland ground transportation to Hamilton airport and loading till departure.

Is it possible to get some clarity on a couple of areas:

Licenses and permits:

I noted in the check list Canadian export permit and Canada export inspection DFO are checked- was requirement for a DFO transfer license discussed- for movement within the province (section 56 under fishery regulation; 2013) ? I am thinking (do not know though/ certainly not advising) it is perhaps not required since the marine mammals are not transferring to facility within the province. However, for some terrestrial species they require movement licenses for any transport within a province even when going to the airport. Could you provide some insight- whether the need for such a transfer license during the movement within the province was investigated?

Routing (MA to YHM)

The ground transport routing must be described in detail with identification of an alternative route in the event of unforeseen delays/ or road closures

Contingency planning:

- A) One area I am required to evaluate in the review, if the transportation plan has clearly identified veterinary support in the event of the medical emergency during transport. Marine Mammal medicine/ emergency medical treatment is such a specialty area of veterinary medicine- The logistical plan provided identifies the chief clinical veterinarian, a Veterinary Specialist from the USA fully responsible for the animals during transport (page 3 of 16). Is she licensed to engage in the practice of veterinary medicine and transport veterinary pharmaceuticals in Canada or more specifically the province of Ontario? For example: has she received permission under the College of Veterinarian of Ontario (CVO) or a work VISA or designated under the Minister of Agriculture/ Prime Minister to engage in the delivery of Veterinary medicine in the event of an animal medical emergency in Canada? It is recognized that under the code of practice for transportation of marine mammals the animal attendant does not necessarily have to be a licensed Veterinarian; however, in the province of Ontario, some emergency pharmaceuticals can only be administered by a licensed Veterinarian or under the direct supervision of a licensed Veterinarian, in this case, must be licensed or have a "permission/ designation" to practice veterinary medicine in the province of Ontario.

B) Monitoring during transport:

What specifically is the monitoring plan: (page 6 of 16- environment: constant air / water monitoring does not indicate it will be recorded; Animal temperature and respiratory rate) what is being monitored, what is the acceptable upper and lower limit for the vital/ environment consideration being monitored; how frequent (continuous monitoring? Automative? Manual? Frequency every 5 minutes? 10 minutes? 30 minutes) and what is the corrective action while on route to the Hamilton airport and during the time before the plane departs if an deviation event occurs, ie, where a reading outside of acceptable limits occurs? Is the equipment/supplies directly accessible ie in transit with the mammal to immediately implement corrective action to ensure ongoing the welfare of the mammal throughout the transportation event.

(I have an idea however, I cannot make any assumption in my review- I must have the details from the client). I have noted three extra large containers with ice if required to manage water temperature during transport- if that one container per beluga transport environment? Only for my own interest I would be interested in the temperature conversion over time given the size of the mammal and the amount of water and temperature in the surrounding environment in the shipping containers.

C) Injury during ground transport or at the Hamilton airport (includes loading into shipping containers and movement of shipping container between conveyances): If a beluga is injured while in transit, what is this the plan? Pending the nature of the injury (assessment by Veterinary specialist) and decision to continue transport must respect the humane transport Act and regulations – does your contingency plan include consultation with CFIA? In general-What does that decision tree look like? What is the contingency plan in the event of injury?

D) Conveyance breakdown or accident involving the conveyance while on route: Does the contingency identify alternative conveyances and availability of equipment to transfer the shipping containers to another conveyance? What is the estimated timeframe of availability?

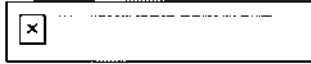
The containers will be loaded on the flatbed trucks; " attendants will be safely secured via harness for monitoring" (page 5 of 16). What is not clear to me when reading the plan — is there a protective shell over the flatbed and/or screening or covering over the open area of the shipping containers while in transport on the flat beds to protect the Belugas from any potential projectile debris?

Once I receive some feedback/ input on the items above- I will close out the Transportation plan review and present my review findings to my supervisor, CFIA management may identify other areas where more information or clarity is required. After management briefing local CFIA staff will be advised if there is a desire for CFIA on site at Marineland and /or the airport. If there is a desire for CFIA presence- we will work with you, onsite contact, COVID protocols, etc.. contact from your transport team for CFIA airport team- etc..

Thank you again for this collaboration
Dr Pat Pentney

Veterinary Inspector, Animal Health, Niagara Escarpment District Canadian Food
Inspection Agency / Government of Canada Pat.Pentney@Canada.ca / Cell: 905-321-
2727

Inspecteur vétérinaire, santé animale, district de l'escarpement du Niagara Agence
canadienne d'inspection des aliments / Gouvernement du Canada
Pat.Pentney@Canada.ca / Cellulaire: 905-321-2727



From:
Sent: 2021-05-11 10:06 AM
To: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Cc:

Subject: MA Plan 2021 5 YHM to GON.docx

Dear Pat

As discussed, please find attached the current Transport Plan.

Please call if you have any questions.

Regards

Sent from my iPhone



TRANSPORTATION -- Q1-b

MARINE MAMMAL TRANSPORT PLAN

Updated: May 7, 2021

Date of transport: *May 14, 2021 – May 15, 2021*

Animals: *Delphinapterus leucas, 5*

Name	Studbook #	House ID
Havana	SB#204	XDL11
Havok	SB#205	YDL09
Kharabali	SB#200	XDL10
Jetta	SB#199	XDL08
Sahara	SB#202	XDL09

Origination: *Marineland, Niagara Falls, Ontario, Canada*

Destination: *Mystic Aquarium, Mystic, CT USA*

Airline:

- Lynden Air Cargo

Aircraft:

- C130/L-382 Hercules aircraft
- Pressurized at or below 4,000 ft
- Cargo hold temperature maintained between 50-60° Fahrenheit
- 2 animal attendants

Flight # 537 (Flight #1)

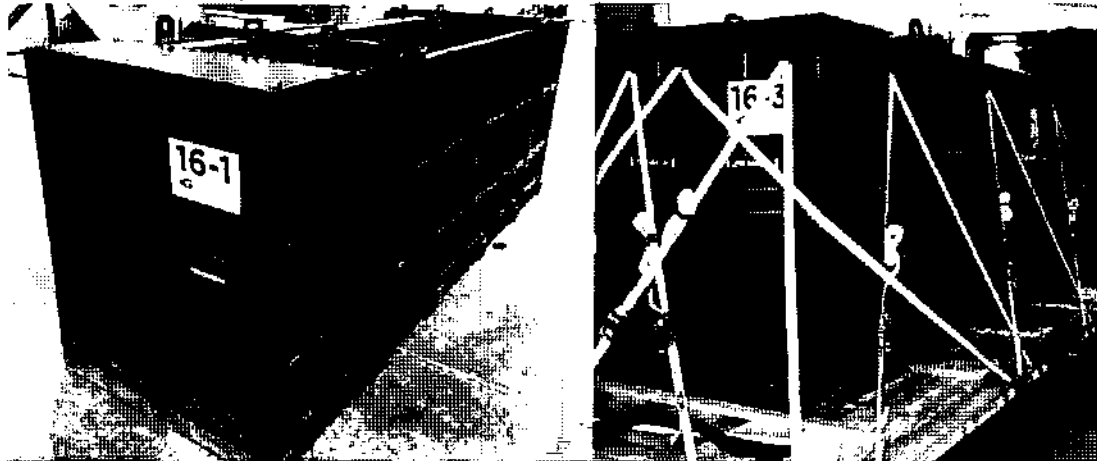
Flight # 538 (Flight #2)

Flight Schedule:

Leg	Flight #	Action	Date	Time (EST)	Animals	In Air Estimate
1	537	Depart YHM	14May21	1400	Havana, Kharabali, Jetta	
		Arrive GON		1545		1:45
2		Depart GON		1745		
		Arrive YHM		1930	1:45	
3	538	Depart YHM	14May21	2230	Havok, Sahara	
		Arrive GON		0015		1:45



TRANSPORTATION – Q1-b



Beluga Transport Cradle Specifications	Exterior (inches)			~ Weight Dry (lbs.)	~ Weight animal/ Stretcher/straps/water (lbs.)
	L	W	H		
16'	192	60	71	3114	~12,500

- Steel Reinforced, fiberglass construction, beluga whale transport unit
- Interior of box gel coated, lined with 1" "closed cell" foam padding and covered with 30 ml custom beaded vinyl liner, filled with fresh water to approximately ~ 24 inches
- Steel cross braces with 1-ton chain falls for suspending stretcher poles
- Box placed on rollers (provided by Lynden Air Cargo) and winched into plane

Transport Unit Mass Summary per Animal per transport:

1st Transport (Flight # 537):

	Havana	Kharabali	Jetta	3 Totes (lb.)
Whale Wt. (lb.)	924	818	762	
Whale Length (ft.in.)	10'3.6"	10'7.6"	10'2.8"	
Water Depth (in)	24	24	24	
Water Volume (gal)	856	856	856	
Water Mass (lb.)	7,136	7,136	7,136	
Transport Cradle (lb.)	3,114	3,114	3,114	
Stretcher/Poles (lb.)	150	150	150	
Total (lb.)	11,324	11,218	11,162	~750
Total Weight (lb.)	34,454			



**MYSTIC
AQUARIUM**

**TRANSPORTATION – Q1-b
2nd Transport (Flight # 538):**

	Havok	Sahara	3 Totes (lb.)
Whale Wt. (lb.)	1,192	1,028	
Whale Length (ft.in.)	11'4.2"	11'1"	
Water Depth (in)	24	24	
Water Volume (gal)	856	856	
Water Mass (lb.)	7,136	7,136	
Transport Cradle (lb.)	3,114	3,114	
Stretcher/Poles (lb.)	150	150	
Total (lb.)	11,592	11,428	~750
Total Weight (lb.)	23,770		

Mode of transportation: The animals will be placed into the transport cradles approximately 30-60 minutes prior to departure from Marineland, Ontario, Canada. The carriers and animals will be transported via flatbed truck to Hamilton Airport (YHM) where they will be loaded on board a chartered C130/L-382 Hercules aircraft for the flight from YHM to Groton/New London Airport (GON). Upon arrival in CT the cradles and animals will be transferred to a flatbed truck for transport to Mystic Aquarium. Animal care staff will accompany the animals throughout the transport.

Transport Vehicles - Flatbed trucks used in Canada and Connecticut under contract from commercial trucking companies will be used to transfer the animal between each aquarium and its respective airport. Each cradle will be secured to the truck beds via web strapping. Attendants will be safely secured via safety harnesses on the back of the truck to monitor the animal during transit. Support vehicles will be used on either end to carry additional staff and equipment as needed.

Airline: Lynden Air Cargo

Aircraft: A configured C130/L-382 Hercules pressurized cargo aircraft will fly the animals from YHM to GON. Attendants from Mystic Aquarium will tend to the animals during each leg of the transport. There will be easy access to all support equipment throughout the transport.

Monitoring animals: The animals are in good health and have been under the care of the staff at Marineland. The attending veterinarian from Mystic Aquarium has determined that the animals are healthy and suitable for transport. A medical health certificate for each animal will be signed by _____ (Marineland). Mystic Aquarium's _____ will accompany the animals on the trip from Ontario, Canada to Connecticut. A letter acknowledging and approving importation has been issued by National Marine Fisheries Service.

an experienced _____ will be with the animals for the duration of the trip from Ontario, Canada to Groton to make all veterinary decisions for the animals. _____ is _____ at Mystic Aquarium and is familiar with the history of all 5 animals. She has prepared a veterinary kit that will accompany staff on the transport.

Care during transport –

_____ and _____ have extensive marine mammal transport experience and will be responsible for the care of the animals throughout the transport.



**MYSTIC
AQUARIUM**

TRANSPORTATION – Q1-b

The general routine will be as follows:

- Feeding not anticipated during transport
- Constant air and water temperature monitoring
- The attendants will keep the animals' backs moist, adjusting positioning in stretchers and logging data.
- Temperature and respiration rates will be monitored and logged throughout the transport.
- Please see list of transport supplies (Attachment 1)

Emergency and Veterinary Care – who has extensive experience with cetaceans will accompany the transport and be responsible for all veterinary decisions. She is prepared to intervene in case of an emergency. She will be in communication with the veterinary team at Mystic Aquarium and Marineland. A veterinary kit has been prepared; please see attached list of veterinary kit supplies.

COMMUNICATION PLAN

1. A text group will be created to provide updates to primary Mystic Aquarium contacts at Marineland, JFK, and Mystic Aquarium on the status of transport events and timelines. Primary contacts will be responsible for making further communications to staff at each area for the coordination and mobilization of teams at each event point.
2. The following individuals will be the primary points of contact:
 - a. – send all communications to
 - i.
 - ii. Mystic Aquarium –
 - iii. JFK –
 - b. – communicate to
 - i. Lynden Air Charter
 - ii. All Canadian ground equipment contacts
 - c. – communicate to
 - i. All CT ground equipment contacts and Mystic Aquarium staff
 - d. – communicate to
 - i. Marineland and Mystic Aquarium Animal Care Staff

Contacts List:

Mystic Aquarium Flight

Ground Canada:

Ground USA-CT



**MYSTIC
AQUARIUM**

TRANSPORTATION - Q1-b

Marineland Ground

Lynden Air Charter

Canada Equipment

YHM: CONTACT INFO

YHM Airside Access ----- #1: 905-679-4127
----- #2: 905-981-7019

CONTACT INFO Broker, Customs/Immigration, USFWS

Mersant International (Port #4701) -----
US Customs & Border Protection (Port#4701) ----- Pho: 718-656-2891

GON: CONTACT INFO

CONNECTICUT Vendors:



MYSTIC
AQUARIUM

TRANSPORTATION – Q1-b

_____ Date _____

_____ Date _____

_____ Date _____



TRANSPORTATION – Q1-b

Supply List for Equipment Pallet

ITEM #	ITEM	QTY	BIN #
	Storage Containers		
✓	Bulk Container Tote/Fish Tote	3	1, 2, 3
	Animal Monitoring/Maintenance		
✓	Air Thermometers	5	
✓	X-Large Coolers w/ Ice	3	
✓	5 Gallon Collapsible Jugs	4	
✓	Water Sprayer	3	
	General Items		
✓	Work Gloves	5	
✓	First Aid Kit	2	
✓	Hand Sanitizer	2	
✓	Roll Large Black Trash Bags	2	
✓	Markers, Pens, Scissors	5	
✓	Food Grade Silicone	2	
✓	Respiration/Animal logs TABLETS	5	
✓	Flashlights (3 Handheld, 2 Lantern)	5	
✓	Headlamps	3	
✓	Hard Hats w/ Headlamps	15	
✓	Batteries for flashlights (D, AA, 9v)	4	
✓	Batteries, AAA (for headlamps)	16+	
✓	Batteries, C	10	
✓	Cable Ties	30	
✓	Gorilla/Duct Tape	5	
✓	Alcohol Spray bottles	2	
✓	Safety Harnesses (6 in CAN; 6 at MA)	12	
✓	N-95 Masks (boxes)	2	
✓	2-way Handheld Radios and batteries (9 in CAN; 9 in US)	18	
	Rope		
✓	Twine	3	
✓	Line, 100 ft.	2	
✓	Soft Rope, 50 ft.	2	
✓	Guide Ropes, 100 ft.	4	
✓	Clips for guide ropes	4	
	LIFTING EQUIPMENT		
✓	Lifting Straps 2', purple choker	8	
✓	10' Cargo Lifting Straps (have 4 LM office)	4	
✓	12' Cargo Lifting Straps (Grainger)	4	
✓	¾" Lifting Shackles (have 2 LM office, Grainger)	12	
✓	Chain Hoist 1 Ton (LM Office)	1	
✓	Chain Hoist 3 Ton (LM Office)	1	
✓	Cable Come Along	1	
✓	Chain w Snap hooks	4	



TRANSPORTATION – Q1-b

✓	Ratchet Straps, Medium	10	
✓	Ratchet Straps, Small (6 ACPNW, Grainger)	10	
✓	Heavy Duty Ratchet Straps	10	
	Pool Supplies		
✓	Chlorine Test Kit	1	
✓	Spare 16' box liner	1	
✓	Sump Pump	1	
✓	Garden Hose, 50 ft.	1	
✓	Hose Nozzle	1	
✓	Cam Lock, male threaded	1	
✓	Spare Cam Lock, female	2	
✓	Spare Cam Lock, male	2	
✓	18" Pry Bar	1	
✓	Pool Thermometer	7	
✓	Vinyl Repair Kit & Vinyl Patch	3	
✓	Pool Hose (vacuum hose)	1	
✓	Liner Loc Roll	5	
	Tools & Maintenance Items		
✓	Cordless Drill	2	
✓	Tool Kit (Vice Grips, Screw Drivers, Drill bit set)	1	
✓	Strap Wrench	1	
✓	Clamps	7	
✓	C- Clamps	8	
✓	Rubber Mallet	1	
✓	Utility Knife	2	
✓	Channel Locks	2	
✓	Box of Bungee Cords	1	
✓	Caulk 795/DAP	4	
✓	Caulking Gun	1	
✓	Electrical Tape	3	
✓	Extension Cord, 25 ft.	2	
	Diving Items		
✓	Mask, Scuba	3	
✓	Dry Suits	5	
✓	Neoprene Waders	3	
✓	Weight Belt Straps for Poles	10	
✓	Submersible Flashlight	1	
✓	Towels	10	
	Foam		
✓	½" Weather Stripping Roll	1	
✓	Gasket Roll (Pieces)	1	
✓	4" Open Cell Foam -24"x72" white	1	
✓	2" Open Cell Foam-24"x72" white	1	
✓	4" Open Cell Foam-36"x36" white	5	
✓	Closed Foam Pieces, Roll and pads	2	



TRANSPORTATION – Q1-b

Beluga Whale Transport Equipment List

Animal Name: ML
 Belugas

Drug Name	Concentration	Volume	Quantity
Methylprednisolone	62.5mg/ml	8ml	10
Atropine (LA)	15 mg/ml	100ml	1
Calcium Gluconate	230 mg/ml	600ml	1
Dexamethasone (SP)	10 mg/ml	10ml	10
Doxapram HCL	20 mg/ml	20ml	5
Epinephrine	1 mg/ml	30ml	3
Fiumazetil	0.1 mg/ml	10 ml	15
Dextrose (50%)	500mg/ml	500ml	3
Furosemide	50 mg/ml	50ml	2
Lidocaine	20 mg/ml	100ml	2
Sodium Bicarbonate	1mEq/ml	100ml	7
Excede	200mg/mL	100ml	1

Controlled Drug	Concentration	Volume	Quantity
Diazepam	5 mg/ml	10 ml	2
Midazolam	5 mg/ml	10 ml	7

Fluid Therapy	Concentration	Volume	Quantity
Dextrose	5%	1L	1L
Sodium Chloride	0.9%	1L	5L
LRS		1L	5L

Wound Pack	Instrument Name	Quantity
scissors	Mayo, Ins, Bandage	1/each
hemostats	Straight & Curved-Mosquito & Kelly	1/each
forceps	Brown-Arson, Standard, Rattooth	1/each
blade handle		1
needle driver		1

Diagnostic Tools	Quantity	Note
J-Sat Analyzer	1	
CG4+ cartridges	5	
CG8+ cartridges	5	
Portable O2 Analyzer	1	

General Supplies	Amount
latex gloves (S, M, L)	6 pairs of each (Avr)
notepad/ clipboard	1/each
pen / pencil / sharpie	1/each
pen light / calculator	1/each
sharps container	1
stethoscope	1

Wound Care	Amount
4x4 gauze	2 packs
1" bandage tape	2
2" bandage tape	1
isopropylchlorhex	1
lubricating eye oint.	3
Hemalock	3
silver nitrate	1 tub
longue depressors	10
triple antibiotic oint.	2
SSD oint.	1
vetwrap, 2" roll	4
#10 blades	2
suture (2-0 PDSII)	2
suture (3-0 PDSII)	2
suture (2-0 nylon)	2
#15 blades	2
Yunnan Baiyao	4 boxes

Respiratory Support
Demand valve w/ hose (ground transport only)
O2 tank w/ regulator (ground transport only)
26mm ET tube + Poster Case (1 ground, 1 air)
Emergency Crash Kit (ground transport only)
Oxygen tubing with adapter (air)

Needles & IV Sets	Amount
19g x 3	5
18g x 4	1
17g x 4	1
18g x 1 1/2	min 10
20g x 1 1/2	min 10
22g x 1 1/2	min 10
19g butterfly	10
vacutainer adaptor	10
vacutainer holder	2
large bore IV dnp set	4
extension set	4
3-ways stopcock	4
18g x 3"	12
18g x 3.5"	12
18g x 6"	13
injection ports	4

Syringes	Amount
1cc	10
3cc	10
6cc	10
12cc	10
20cc	10
60cc luer slip & cath lip	3/each

Collection Tubes	Amount
EDTA (purple)	5
SST Tiger (sm/lg)	5ea
LiH (green) (sm/lg)	5ea



TRANSPORTATION – Q1-b

Cetacean Emergency Drug Doses									
Species: Beluga Whale									
Accession #:									
House Name: HAVANA									
Weight (kg): 415									
updated 3/30/2021									
Emergency Drugs:									
Drug Name	Trade Name	Dosage	Units	Conc.	Units of Conc.	Route	Dose (mg)	Comment	Dose (mL) based on body wt (kg)
EMERGENCY MEDS:									
Atropine (LA)		0.01	mg/kg	15	mg/mL	IV, IM, IT	4.2	Anticholinergic. ↑HR. Double for IT 0.1 mg/kg - bradycardia 0.2 mg/kg - critical	0.28
Epinephrine		0.02	mg/kg	1	mg/mL	IV, IM, IT	8.3	CPR, Bradycardia, Double for IT 0.02 mg/kg - acute arrest 0.2mg/kg - prolonged arrest	8.30
Doxapram	Dopram-V	1	mg/kg	20	mg/mL	IV, IM, IT, Sublingual	415.0	Resp. depression	20.75
Sodium Bicarbonate		0.5	mEq/kg	1	mEq/mL	IV	207.5	This dose for every 5-10 min of arrest	207.50
Lidocaine 2%		2	mg/kg	20	mg/mL	IV	830.0	Anti-arrhythmic	41.50
Dextrose (50%)		1	mL/kg	1	mL/mL	IV (slowly)	415.0	TX for hypoglycemia	415.00
Calcium Gluconate		50	mg/kg	230	mg/mL	IV (slowly)	20750.0	TX for hypocalcemia, IV slowly over 15-30min	90.22
STEROIDS:									
Dexamethasone Sodium Phosphate (High Conc)		0.5	mg/kg	10	mg/mL	IM, IV	207.5	Tx for head trauma, shock, hyperthermia, 0.1mg/kg - inflammation 0.5-1mg/kg - ER crisis	20.75
Methylprednisolone Sodium Succinate		3	mg/kg	62.5	mg/mL	IV, IM	1245.0	1-2mg/kg - inflammation 3-4mg/kg - ER crisis (long acting)	19.92
DIURETICS:									
Furosemide	Lasix	3.5	mg/kg	50	mg/mL	IV, IM, SQ, PO	1452.5	Pulmonary congestion, ascites	29.05
FLUIDS:									
LRS or NaCL		60	mL/kg	1	mL/mL	IV, SQ	24900.0	Dehydration, Shock	24900.00
Dextrose (5%)	D5W	1.25	mL/kg	1	mL/mL	IV (slowly)	518.8	TX for hypoglycemia	518.75
SEDATIVES/ANALGESICS									
Diazepam	Valium	0.1	mg/mg	5	mg/mL	IV	41.5	TX for seizures, can triple dose PRN	8.30
Midazolam: Low		0.05	mg/kg	5	mg/mL	IM	20.8	Sedative	4.15
Midazolam: High		0.1	mg/kg	5	mg/mL	IM	41.5	Sedative	8.30
REVERSALS									
Flumazenil	Romazicon	0.01	mg/kg	0.1	mg/mL	IV, IM	4.2	Benzodiazepine antagonist, give in 5mg increments	41.50
ANTIBIOTICS									
Ceftiofur Crystalline Free Acid	Excede	6.6	mg/kg	200	mg/mL	IM, SQ	2739.0	Antibiotic	13.70



TRANSPORTATION -- Q1-b

Cetacean Emergency Drug Doses									
Species: Beluga Whale									
Accession #:									
House Name: HAVOC									
Weight (kg): 541									
updated 3/30/2021									
Emergency Drugs:									
Drug Name	Trade Name	Dosage	Units	Conc.	Units of Conc.	Route	Dose (mg)	Comment	Dose (mL) based on body wt (kg)
EMERGENCY MEDS:									
Atropine (LA)		0.01	mg/kg	15	mg/mL	IV, IM, IT	5.4	Anticholinergic, ↑HR, Double for IT 0.1 mg/kg - bradycardia 0.2 mg/kg - critical	0.36
Epinephrine		0.02	mg/kg	1	mg/mL	IV, IM, IT	10.8	CPR, Bradycardia, Double for IT 0.02 mg/kg - acute arrest 0.2mg/kg - prolonged arrest	10.82
Doxapram	Dopram-V	1	mg/kg	20	mg/mL	IV, IM, IT, Sublingual	541.0	Resp. depression	27.05
Sodium Bicarbonate		0.5	mEq/kg	1	mEq/mL	IV	270.5	This dose for every 5-10 min of arrest	270.50
Lidocaine 2%		2	mg/kg	20	mg/mL	IV	1082.0	Anti-arrhythmic	54.10
Dextrose (50%)		1	mL/kg	1	mL/mL	IV (slowly)	541.0	TX for hypoglycemia	541.00
Calcium Gluconate		50	mg/kg	230	mg/mL	IV (slowly)	27050.0	TX for hypocalcemia, IV slowly over 15-30min	117.61
STEROIDS:									
Dexamethasone Sodium Phosphate (High Conc)		0.5	mg/kg	10	mg/mL	IM, IV	270.5	Tx for head trauma, shock, hyperthermia, 0.1mg/kg - inflammation 0.5-1mg/kg - ER crisis	27.05
Methylprednisolone Sodium Succinate		3	mg/kg	62.5	mg/mL	IV, IM	1623.0	1-2mg/kg - inflammation 3-4mg/kg - ER crisis (long acting)	25.97
DIURETICS:									
Furosemide	Lasix	3.5	mg/kg	50	mg/mL	IV, IM, SQ, PO	1893.5	Pulmonary congestion, ascites	37.87
FLUIDS:									
LRS or NaCL		60	mL/kg	1	mL/mL	IV, SQ	32460.0	Dehydration, Shock	32460.00
Dextrose (5%)	D5W	1.25	mL/kg	1	mL/mL	IV (slowly)	676.3	TX for hypoglycemia	676.25
SEDATIVES/ANALGESICS									
Diazepam	Valium	0.1	mg/mg	5	mg/mL	IV	54.1	TX for seizures, can triple dose PRN	10.82
Midazolam: Low		0.05	mg/kg	5	mg/mL	IM	27.1	Sedative	5.41
Midazolam: High		0.1	mg/kg	5	mg/mL	IM	54.1	Sedative	10.82
REVERSALS									
Flumazenil	Romazicon	0.01	mg/kg	0.1	mg/mL	IV, IM	5.4	Benzodiazepine antagonist, give in 5mg increments	54.10
ANTIBIOTICS									
Ceftiofur Crystalline Free Acid	Excede	6.6	mg/kg	200	mg/mL	IM, SQ	3570.6	Antibiotic	17.85



TRANSPORTATION – Q1-b

Cetacean Emergency Drug Doses									
Species: Beluga Whale									
Accession #:									
House Name: JETTA									
Weight (kg): 346									
updated 3/30/2021									
Emergency Drugs:									
Drug Name	Trade Name	Dosage	Units	Conc.	Units of Conc.	Route	Dose (mg)	Comment	Dose (mL) based on body wt (kg)
EMERGENCY MEDS:									
Atropine (LA)		0.01	mg/kg	15	mg/mL	IV, IM, IT	3.5	Anticholinergic, 1HR. Double for IT 0.1 mg/kg - bradycardia 0.2 mg/kg - critical	0.23
Epinephrine		0.02	mg/kg	1	mg/mL	IV, IM, IT	6.9	CPR, Bradycardia, Double for IT 0.02 mg/kg - acute arrest 0.2mg/kg - prolonged arrest	6.92
Doxapram	Dopram-V	1	mg/kg	20	mg/mL	IV, IM, IT, Sublingual	346.0	Resp. depression	17.30
Sodium Bicarbonate		0.5	mEq/kg	1	L	IV	173.0	This dose for every 5-10 min of arrest	173.00
Lidocaine 2%		2	mg/kg	20	mg/ml	IV	692.0	Anti-arrhythmic	34.60
Dextrose (50%)		1	mL/kg	1	mL/mL	IV (slowly)	346.0	TX for hypoglycemia	346.00
Calcium Gluconate		50	mg/kg	230	mg/mL	IV (slowly)	17300.0	TX for hypocalcemia. IV slowly over 15-30min	75.22
STEROIDS:									
Dexamethasone Sodium Phosphate (High Conc)		0.5	mg/kg	10	mg/mL	IM, IV	173.0	Tx for head trauma, shock, hyperthermia. 0.1mg/kg - inflammation 0.5-1mg/kg - ER crisis	17.30
Methylprednisolone Sodium Succinate		3	mg/kg	62.5	mg/mL	IV, IM	1038.0	1-2mg/kg - inflammation 3-4mg/kg - ER crisis (long acting)	16.61
DIURETICS:									
Furosemide	Lasix	3.5	mg/kg	50	mg/mL	IV, IM, SQ, PO	1211.0	Pulmonary congestion, ascites	24.22
FLUIDS:									
LRS or NaCL		60	mL/kg	1	mL/mL	IV, SQ	20760.0	Dehydration, Shock	20760.00
Dextrose (5%)	D5W	1.25	mL/kg	1	mL/mL	IV (slowly)	432.5	TX for hypoglycemia	432.50
SEDATIVES/ANALGESICS									
Diazepam	Valium	0.1	mg/mg	5	mg/mL	IV	34.6	TX for seizures, can triple dose PRN	6.92
Midazolam: Low		0.05	mg/kg	5	mg/mL	IM	17.3	Sedative	3.46
Midazolam: High		0.1	mg/kg	5	mg/mL	IM	34.6	Sedative	6.92
REVERSALS									
Flumazenil	Romazicon	0.01	mg/kg	0.1	mg/mL	IV, IM	3.5	Benzodiazepine antagonist, give in 5mg increments	34.60
ANTIBIOTICS									
Ceftiofur Crystalline Free Acid	Excede	6.6	mg/kg	200	mg/mL	IM, SQ	2283.6	Antibiotic	11.42



TRANSPORTATION – Q1-b

Species: Beluga Whale									
Accession #:									
House Name: KHARABALI									
Weight (kg): 372									
updated 3/30/2021									
Emergency Drugs:									
Drug Name	Trade Name	Dosage	Units	Conc.	Units of Conc.	Route	Dose (mg)	Comment	Dose (mL) based on body wt (kg)
EMERGENCY MEDS:									
Atropine (LA)		0.01	mg/kg	15	mg/mL	IV, IM, IT	3.7	Anticholinergic, †HR, Double for IT 0.1 mg/kg - bradycardia 0.2 mg/kg - critical	0.25
Epinephrine		0.02	mg/kg	1	mg/mL	IV, IM, IT	7.4	CPR, Bradycardia, Double for IT 0.02 mg/kg - acute arrest 0.2mg/kg - prolonged arrest	7.44
Doxapram	Dopram-V	1	mg/kg	20	mg/mL	IV, IM, IT, Sublingual	372.0	Resp. depression	18.60
Sodium Bicarbonate		0.5	mEq/kg	1	mEq/mL	IV	186.0	This dose for every 5-10 min of arrest	186.00
Lidocaine 2%		2	mg/kg	20	mg/mL	IV	744.0	Anti-arrhythmic	37.20
Dextrose (50%)		1	mL/kg	1	mL/mL	IV (slowly)	372.0	TX for hypoglycemia	372.00
Calcium Gluconate		50	mg/kg	230	mg/mL	IV (slowly)	18600.0	TX for hypocalcemia, IV slowly over 15-30min	80.87
STEROIDS:									
Dexamethasone Sodium Phosphate (High Conc)		0.5	mg/kg	10	mg/mL	IM, IV	186.0	Tx for head trauma, shock, hyperthermia. 0.1 mg/kg - inflammation 0.5-1mg/kg - ER crisis	18.60
Methylprednisolone Sodium Succinate		3	mg/kg	62.5	mg/mL	IV, IM	1116.0	1-2mg/kg - inflammation 3-4mg/kg - ER crisis (long acting)	17.86
DIURETICS:									
Furosemide	Lasix	3.5	mg/kg	50	mg/mL	IV, IM, SQ, PO	1302.0	Pulmonary congestion, ascites	26.04
FLUIDS:									
LRS or NaCL		60	mL/kg	1	mL/mL	IV, SQ	22320.0	Dehydration, Shock	22320.00
Dextrose (5%)	D5W	1.25	mL/kg	1	mL/mL	IV (slowly)	465.0	TX for hypoglycemia	465.00
SEDATIVES/ANALGESICS									
Diazepam	Valium	0.1	mg/mg	5	mg/mL	IV	37.2	TX for seizures, can triple dose PRN	7.44
Midazolam: Low		0.05	mg/kg	5	mg/mL	IM	18.6	Sedative	3.72
Midazolam: High		0.1	mg/kg	5	mg/mL	IM	37.2	Sedative	7.44
REVERSALS									
Flumazenil	Romazicon	0.01	mg/kg	0.1	mg/mL	IV, IM	3.7	Benzodiazepine antagonist, give in 5mg increments	37.20
ANTIBIOTICS									
Ceftiofur Crystalline Free Acid	Excede	6.6	mg/kg	200	mg/mL	IM, SQ	2455.2	Antibiotic	12.28



TRANSPORTATION – Q1-b

Cetacean Emergency Drug Doses									
Species: Beluga Whale									
Accession #:									
House Name: SAHARA									
Weight (kg): 467									
updated 3/30/2021									
Emergency Drugs:									
Drug Name	Trade Name	Dosage	Units	Conc.	Conc.	Route	Dose (mg)	Comment	Dose (mL) based on body wt (kg)
EMERGENCY MEDS:									
Atropine (LA)		0.01	mg/kg	15	mg/mL	IV, IM, IT	4.7	Anticholinergic. ↑HR. Double for IT 0.1 mg/kg - bradycardia 0.2 mg/kg - critical	0.31
Epinephrine		0.02	mg/kg	1	mg/mL	IV, IM, IT	9.3	CPR, Bradycardia. Double for IT 0.02 mg/kg - acute arrest 0.2mg/kg - prolonged arrest	9.34
Doxapram	Dopram-V	1	mg/kg	20	mg/mL	IV, IM, IT, Sublingual	467.0	Resp. depression	23.35
Sodium Bicarbonate		0.5	mEq/kg	1	mEq/mL	IV	233.5	This dose for every 5-10 min of arrest	233.50
Lidocaine 2%		2	mg/kg	20	mg/mL	IV	934.0	Anti-arrhythmic	46.70
Dextrose (50%)		1	mL/kg	1	mL/mL	IV (slowly)	467.0	TX for hypoglycemia	467.00
Calcium Gluconate		50	mg/kg	230	mg/mL	IV (slowly)	23350.0	TX for hypocalcemia, IV slowly over 15-30min	101.52
STEROIDS:									
Dexamethasone Sodium Phosphate (High Conc)		0.5	mg/kg	10	mg/mL	IM, IV	233.5	Tx for head trauma, shock, hyperthermia, 0.1mg/kg - inflammation 0.5-1mg/kg - ER crisis	23.35
Methylprednisolone Sodium Succinate		3	mg/kg	62.5	mg/mL	IV, IM	1401.0	1-2mg/kg - inflammation 3-4mg/kg - ER crisis (long acting)	22.42
DIURETICS:									
Furosemide	Lasix	3.5	mg/kg	50	mg/mL	IV, IM, SQ, PO	1634.5	Pulmonary congestion, ascites	32.69
FLUIDS:									
LRS or NaCL		60	mL/kg	1	mL/mL	IV, SQ	28020.0	Dehydration, Shock	28020.00
Dextrose (5%)	D5W	1.25	mL/kg	1	mL/mL	IV (slowly)	583.8	TX for hypoglycemia	583.75
SEDATIVES/ANALGESICS									
Diazepam	Valium	0.1	mg/mg	5	mg/mL	IV	46.7	TX for seizures, can triple dose PRN	9.34
Midazolam: Low		0.05	mg/kg	5	mg/mL	IM	23.4	Sedative	4.67
Midazolam: High		0.1	mg/kg	5	mg/mL	IM	46.7	Sedative	9.34
REVERSALS									
Flumazenil	Romazicon	0.01	mg/kg	0.1	mg/mL	IV, IM	4.7	Benzodiazepine antagonist, give in 5mg increments	46.70
ANTIBIOTICS									
Cefiofur Crystalline Free Acid	Excede	6.6	mg/kg	200	mg/mL	IM, SQ	3082.2	Antibiotic	15.41

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**is withheld pursuant to sections
est retenue en vertu des articles**

19(1), 21(1)(a), 13(1)(c), 21(1)(b)

**of the Access to Information
de la Loi sur l'accès à l'information**

From: Gavicherla, Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>
Sent: 2021-05-11 4:02 PM
To: Gagnon, Avery (CFIA/ACIA)
Cc: Elshikh, Baha (CFIA/ACIA)
Subject: FW: Belugas

FYI

KG

From: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Sent: 2021-05-11 3:58 PM
To: Gavicherla, Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>
Cc: Phillips, Janice (CFIA/ACIA) <janice.phillips@canada.ca>
Subject: RE: Belugas

Yes

I am still working on the getting specific of the contingency planning- should have it all by early tomorrow afternoon

First transport event (3 belugas) starts at 7:15 Friday morning- loading at 8- leaving marine land by 1030- arriving Hamilton airport 12:00- plane departs at 2 pm

Second transport event (2 belugas) starts at 15:45- catching at 17:00- leaving marine land by 19:00 – arriving Hamilton airport 20:30- plane depart 22:30

pat

From: Gavicherla, Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>
Sent: 2021-05-11 3:51 PM
To: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Subject: Belugas

Hi Doc,

What's the itinerary for the Belugas? Are the both shipments leaving this Friday?

Thanks,
Kris G

From: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Sent: 2021-05-11 3:47 PM
To: Phillips, Janice (CFIA/ACIA) <janice.phillips@canada.ca>
Cc: Gavicherla, Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>
Subject: RE: Inspection appointments

s.19(1)

s.20(1)(c)

s.20(1)(d)

Good question

Depends if I have to be at Marineland for loading of the first three belugas catching is a 8 am with loading onto the flatbeds leaving at 1030 for the airport. has requested my presence in conversation today.

DR Baha so it is just Dr Avery and Kris in Hamilton- one may have to go Hamilton airport, if management desired CFIA presence

For a contingency any chance could set arrival for 11 am and I could be back to Queenston – in the event we need presence at Marineland for loading. The second transport event is not till 4 pm

pat

From: Phillips, Janice (CFIA/ACIA) <janice.phillips@canada.ca>

Sent: 2021-05-11 3:35 PM

To: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>

Subject: FW: Inspection appointments

Hi Dr Pat,

Are you able to assist with cattle inspection Friday @ 8 am. Two loads for Jason is not available-

Janice

From:

Sent: 2021-05-11 3:11 PM

To: Phillips, Janice (CFIA/ACIA) <janice.phillips@canada.ca>; Phillips, Janice (CFIA/ACIA) <janice.phillips@canada.ca>

Subject: Inspection appointments

Good afternoon Dr. Philips,

I have received word on the other 2 loads of feeder steers. Would it be possible to cross both loads of feeder steers on Friday May 14/21 at 8:00 am. Let me know if this will work for you.

Thanks

From: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Sent: 2021-05-11 3:12 PM
To: Gavicherla, Balramakrishna (CFIA/ACIA)
Cc: Phillips, Janice (CFIA/ACIA)
Subject: FW: MA Plan 2021 5 YHM to GON.docx-- follow up

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Dr Kris

called right after I sent the email and has answered some of questions (in red). They are meeting tomorrow with the police escort to identify alternative routes- since the grade on some road of the escarpment will not be appropriate // he hopes to answer the remaining question by tomorrow early afternoon.

I should be able to brief you by the end of day tomorrow for this transportation event

pat

From: Pentney, Pat (CFIA/ACIA)
Sent: 2021-05-11 2:21 PM
To:
Cc: Gavicherla,
 Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>
Subject: RE: MA Plan 2021 5 YHM to GON.docx

Thank you for the timely sharing of the logistical transportation plan. In reviewing the logistical plan it is evident significant effort has been made to minimize the time in transit and consider welfare during transport.

As mentioned CFIA engagement or mandate is humane transport/ welfare for the transportation that occurs in Canada, so I am limiting my review to ground transportation from loading at Marineland ground transportation to Hamilton airport and loading till departure.

Is it possible to get some clarity on a couple of areas:

Licenses and permits:

I noted in the check list Canadian export permit and Canada export inspection DFO are checked- was requirement for a DFO transfer license discussed- for movement within the province (section 56 under fishery regulation; 2013) ? I am thinking (do not know though/ certainly not advising) it is perhaps not required since the marine mammals are not transferring to facility within the province. However, for some terrestrial species they require movement licenses for any transport within a province even when going to the airport. Could you provide some insight- whether the need for such a transfer license during the movement within the province was investigated? **CITES from EC//Mystic NOAA permit- custody at pool side//letter from DFO covering section 23.2 fisheries act for the export.**

Routing (MA to YHM)

The ground transport routing must be described in detail with identification of an alternative route in the event

of unforeseen delays/ or road closures. **Grade of alternative route is a consideration- since water level on all aspects of the beluga must be maintained consistently.**

Contingency planning:

- A) One area I am required to evaluate in the review, if the transportation plan has clearly identified veterinary support in the event of the medical emergency during transport. Marine Mammal medicine/ emergency medical treatment is such a specialty area of veterinary medicine- The logistical plan provided identifies _____ a Veterinary Specialist from the USA fully responsible for the animals during transport (page 3 of 16). Is she licensed to engage in the practice of veterinary medicine and transport veterinary pharmaceuticals in Canada or more specifically the province of Ontario? For example: has she received permission under the College of Veterinarian of Ontario (CVO) or a work VISA or designated under the Minister of Agriculture/ Prime Minister to engage in the delivery of Veterinary medicine in the event of an animal medical emergency in Canada? It is recognized that under the code of practice for transportation of marine mammals the animal attendant does not necessarily have to be a licensed Veterinarian; however, in the province of Ontario, some emergency pharmaceuticals can only be administered by a licensed Veterinarian or under the direct supervision of a licensed Veterinarian, in this case, must be licensed or have a “permission/ designation” to practice veterinary medicine in the province of Ontario. **Ontario licensed vet will be available on route during the transport in both events**

B) Monitoring during transport:

What specifically is the monitoring plan: (page 6 of 16- environment: constant air / water monitoring does not indicate it will be recorded; Animal temperature and respiratory rate) what is being monitored, what is the acceptable upper and lower limit for the vital/ environment consideration being monitored; how frequent (continuous monitoring? Automative? Manual? Frequency every 5 minutes? 10 minutes? 30 minutes) and what is the corrective action while on route to the Hamilton airport and during the time before the plane departs if an deviation event occurs, ie, where an reading outside of acceptable limits occurs? Is the equipment/supplies directly accessible ie in transit with the mammal to immediately implement corrective action to ensure ongoing the welfare of the mammal throughout the transportation event.

(I have an idea however, I cannot make any assumption in my review- I must have the details from the client). I have noted three extra large containers with ice if required to manage water temperature during transport- if that one container per beluga transport environment? Only for my own interest I would be interested in the temperature conversion over time given the size of the mammal and the amount of water and temperature in the surrounding environment in the shipping containers.

C) Injury during ground transport or at the Hamilton airport (includes loading into shipping containers and movement of shipping container between conveyances):

If a beluga is injured while in transit, what is this the plan? Pending the nature of the injury (assessment by Veterinary specialist) and decision to continue transport must respect the humane transport Act and regulations – does your contingency plan include consultation with CFIA? In general-What does that decision tree look like? What is the contingency plan in the event of injury?

- D) Conveyance breakdown or accident involving the conveyance while on route:** Does the contingency identify alternative conveyances and availability of equipment to transfer the shipping containers to another conveyance? What is the estimated timeframe of availability? **Crane transported with each transportation event.**

The containers will be loaded on the flatbed trucks; “ attendants will be safely secured via harness for monitoring” (page 5 of 16). What is not clear to me when reading the plan — is there a protective shell over the

flatbed and/or screening or covering over the open area of the shipping containers while in transport on the flat beds to protect the Belugas from any potential projectile debris? **Flat beds are Covered**

Once I receive some feedback/ input on the items above- I will close out the Transportation plan review and present my review findings to my supervisor, CFIA management may identify other areas where more information or clarity is required. After management briefing local CFIA staff will be advised if there is a desire for CFIA on site at Marineland and /or the airport. If there is a desire for CFIA presence- we will work with you, onsite contact, COVID protocols, etc.. contact from your transport team for CFIA airport team- etc..

Thank you again for this collaboration
Dr Pat Pentney

Veterinary Inspector, Animal Health, Niagara Escarpment District Canadian Food Inspection Agency /
Government of Canada Pat.Pentney@Canada.ca / Cell: 905-321-2727

Inspecteur vétérinaire, santé animale, district de l'escarpement du Niagara Agence canadienne d'inspection des
aliments / Gouvernement du Canada Pat.Pentney@Canada.ca / Cellulaire: 905-321-2727

-
From:
Sent: 2021-05-11 10:06 AM
To: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Cc:
Subject: MA Plan 2021 5 YHM to GON.docx

Dear Pat

As discussed, please find attached the current Transport Plan.

Please call if you have any questions.

Regards

Sent from my iPhone

From: Gavicherla, Balramakrishna (CFIA/ACIA)
<balramakrishna.gavicherla@canada.ca>
Sent: 2021-05-14 7:24 AM
To: Pentney, Pat (CFIA/ACIA)
Subject: FW: Marine land- transport of Belugas

Fyi

KG

Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

From: "Meinen, Kristy (CFIA/ACIA)" <kristy.meinen@canada.ca>
Date: 2021-05-13 4:27 PM (GMT-05:00)
To: "Gavicherla, Balramakrishna (CFIA/ACIA)" <balramakrishna.gavicherla@canada.ca>
Subject: RE: Marine land- transport of Belugas

Sorry, just seeing this now – you can share with your staff and I'll get this over to Communications, Kristy

From: Gavicherla, Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>
Sent: 2021-05-13 2:02 PM
To: Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>; Meinen, Kristy (CFIA/ACIA) <kristy.meinen@canada.ca>
Cc: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>
Subject: FW: Marine land- transport of Belugas

Good Afternoon Dr. Bains/Kristy,

Further to update on topic specified in the subject line. Attached the list of critical contacts for the transport event. CFIA direct contact is

I would recommend to share media lines/communication channels with frontline staff. As we all know it's a high visibility issues and we came to know there are several media articles over the past 24 hours. Click on the link for more details:

<https://www.nationalobserver.com/2021/05/12/news/marineland-sending-5-beluga-whales-us-aquarium>

<https://www.globenewswire.com/en/news-release/2021/04/13/2209596/24012/en/Stop-the-Beluga-Whale-Export-from-Marineland-Canada-to-Mystic-Aquarium-in-U-S.html>

<https://www.globenewswire.com/news-release/2021/05/12/2228788/0/en/Last-Chance-for-Animals-is-Outraged-the-Trudeau-Government-has-Approved-the-Export-of-3-Beluga-Whales-from-Canada.html>

Kristy : Do you want to send a separate email or shall I share the following information with my staff?

s.19(1)

Contact Media Relations

Media line: 613-773-6600

Email: cfia.media.acia@canada.ca

Let me know if you have any questions.

Thanks,
Kris G

From: Gavicherla, Balramakrishna (CFIA/ACIA)

Sent: 2021-05-13 12:27 PM

To: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>; Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>

Cc: Gagnon, Avery (CFIA/ACIA) <avery.gagnon@canada.ca>; Carpenter, Jan (CFIA/ACIA) <jan.carpenter@canada.ca>; Elshikh, Baha (CFIA/ACIA) <baha.elshikh@canada.ca>

Subject: Marine land- transport of Belugas

FYI

KG

From:

Sent: 2021-05-13 11:13 AM

To: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>

Cc:

Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>

Subject: Re: MA Plan 2021 5 YHM to GON.docx

Gavicherla,

Thank you

In response:

- 1) Primary route - Lyons Road - QEW direct - Hamilton Airport
- 2) Secondary - at the full discretion and command of police authorities, diversion as required by the police. All possible exits from QEW are considered viable - No further info can be supplied as it is entirely subject to traffic obstructions, if any.
- 3) Temperature in cradles, breath rates, skin colour and condition, stress indicators, eyes, and sound;
- 4) To follow, still to be finally determined for each move.

Regards

Sent from my iPhone

On May 13, 2021, at 8:04 AM, Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca> wrote:

Good Morning

To finalize my afternoon briefing, I really require specific details

- 1) Primary routing/ secondary routing (hwy- roads etc)
- 2) Monitoring- what is being monitored frequency and corrective action (could one of your vets share a summary)
- 3) Name of Vet licensed in Ontario and cellular
- 4) Your Veterinary team can brief me in the morning on the decision tree in the event of injury.

I know it is a significant undertaking and there is a lot you are looking after- the goal is that this collaboration is supportive.

I am just entering inspection of 250 cattle—will be back in the office 1200-1pm- to provide the final briefing to management

Logistic tomorrow:

I plan to be at the gate around 7 am—who should I call when I get there?

What are the onsite COVID protocols? I am vaccinated- have not travelled outside the Niagara region- no signs symptoms related to respiratory viruses, no contact with a positive person – that I am aware of.

I will arrive donning a mask and have the capacity for mask changes, hand sanitizer and donning gloves—if the Marineland team prefers I am double masked- then I will arrive at the gate double masked.

I will leave Marineland at 10 am- provide an update to Dr Kris Galvicherla- he will be at the airport and can be reach via 705-715-3756// when on site in the morning I will provide someone with a card with his direct cellular number on it. Dr Kris will be Marineland point of CFIA contact once the conveyances leave Marineland- since I will be unavailable in cattle inspection till 14:00- 2 pm. In the event there is an injury and Marineland requires CFIA consultation to ensure compliance under the humane transportation act and reg. we are ensuring a CFIA Vet is readily available throughout the transportation events.

pat

From:

Sent: 2021-05-13 7:07 AM

To: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>

Cc:

Gavicherla, Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>

Subject: Re: MA Plan 2021 5 YHM to GON.docx

Of course.

You have been most considerate.

A full transport review occurred yesterday, including the police escort, the responsible team leaders, and the actual drivers.

The convoy will include at least four marked police, undercover cars, an advance scout car and other resources as needed. The cyber crime unit is monitoring for plans for any illegal disruption.

The move is being coordinated with the NFPS, Hamilton police, CBSA, RCMP and FBI.

The Whales are being transported on enclosed flat bed trailers. They will have a personal attendant monitoring them at all times. They are moving in containers containing water at their normal environmental temperature. Ice is available to control temperature, which is monitored.

The convoy also includes a spare flat bed truck and the crane. The full transport team will accompany the whales to the Airport.

Direct and alternative routes and all contingencies were discussed and agreed. Issues of gradient, traffic, stop signs, lights, speed restrictions, weather, disruption were all evaluated.

The chain of command was confirmed.

At least one Canadian vet will be with the animals in Canada at all times during transport. American vets, a full team of all the handlers will accompany the whales throughout.

I trust the foregoing is of assistance.

Thank you for your helpful assistance and professional and courteous support.

Regards

Sent from my iPhone

On May 12, 2021, at 11:57 PM, Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca> wrote:

Thank you for the brief discussion I do still require a follow up email on contingencies routing and alternative route I apologize if I was not clear in our conversation I recognize how complex the transport event is and did not want you feel that I required it by 4 pm since I had other obligations as well

I am obligated to provide a briefing to management by early afternoon thursday with the details

Pat

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: "Pentney, Pat (CFIA/ACIA)" <pat.pentney@canada.ca>

Date: 2021-05-11 2:21 p.m. (GMT-05:00)

To:

Cc:

"Gavicherla, Balramakrishna (CFIA/ACIA)"

<balramakrishna.gavicherla@canada.ca>

Subject: RE: MA Plan 2021 5 YHM to GON.docx

Thank you for the timely sharing of the logistical transportation plan. In reviewing the logistical plan it is evident significant effort has been made to minimize the time in transit and consider welfare during transport.

As mentioned CFIA engagement or mandate is humane transport/ welfare for the transportation that occurs in Canada, so I am limiting my review to ground transportation from loading at Marineland ground transportation to Hamilton airport and loading till departure.

Is it possible to get some clarity on a couple of areas:

Licenses and permits:

I noted in the check list Canadian export permit and Canada export inspection DFO are checked- was requirement for a DFO transfer license discussed- for movement within the province (section 56 under fishery regulation; 2013) ? I am thinking (do not know though/ certainly not advising) it is perhaps not required since the marine mammals are not transferring to facility within the province. However, for some terrestrial species they require movement licenses for any transport within a province even when going to the airport. Could you provide some insight- whether the need for such a transfer license during the movement within the province was

investigated?

Routing (MA to YHM)

The ground transport routing must be described in detail with identification of an alternative route in the event of unforeseen delays/ or road closures

Contingency planning:

- A) One area I am required to evaluate in the review, if the transportation plan has clearly identified veterinary support in the event of the medical emergency during transport. Marine Mammal medicine/ emergency medical treatment is such a specialty area of veterinary medicine- The logistical plan provided identifies a Veterinary Specialist from the USA fully responsible for the animals during transport (page 3 of 16). Is she licensed to engage in the practice of veterinary medicine and transport veterinary pharmaceuticals in Canada or more specifically the province of Ontario? For example: has she received permission under the College of Veterinarian of Ontario (CVO) or a work VISA or designated under the Minister of Agriculture/ Prime Minister to engage in the delivery of Veterinary medicine in the event of an animal medical emergency in Canada? It is recognized that under the code of practice for transportation of marine mammals the animal attendant does not necessarily have to be a licensed Veterinarian; however, in the province of Ontario, some emergency pharmaceuticals can only be administered by a licensed Veterinarian or under the direct supervision of a licensed Veterinarian, in this case, must be licensed or have a "permission/ designation" to practice veterinary medicine in the province of Ontario.

B) Monitoring during transport:

What specifically is the monitoring plan: (page 6 of 16- environment: constant air / water monitoring does not indicate it will be recorded; Animal temperature and respiratory rate) what is being monitored, what is the acceptable upper and lower limit for the vital/ environment consideration being monitored; how frequent (continuous monitoring? Automative? Manual? Frequency every 5 minutes? 10 minutes? 30 minutes) and what is the corrective action while on route to the Hamilton airport and during the time before the plane departs if an deviation event occurs, ie, where an reading outside of acceptable limits occurs? Is the equipment/supplies directly accessible ie in transit with the mammal to immediately implement corrective action to ensure ongoing the welfare of the mammal throughout the transportation event.

(I have an idea however, I cannot make any assumption in my review- I must have the details from the client). I have noted three extra large containers with ice if required to manage water temperature during transport- if that one container per beluga transport environment? Only for my own interest I would be interested in the temperature conversion over time given the size of the mammal and the amount of water and temperature in the surrounding environment in the shipping containers.

- C) **Injury during ground transport or at the Hamilton airport (includes loading into shipping containers and movement of shipping container between conveyances):** If a beluga is injured while in transit, what is this the plan?

Pending the nature of the injury (assessment by Veterinary specialist) and decision to continue transport must respect the humane transport Act and regulations – does your contingency plan include consultation with CFIA? In general-What does that decision tree look like? What is the contingency plan in the event of injury?

D) **Conveyance breakdown or accident involving the conveyance while on route:** Does the contingency identify alternative conveyances and availability of equipment to transfer the shipping containers to another conveyance? What is the estimated timeframe of availability?


The containers will be loaded on the flatbed trucks; “ attendants will be safely secured via harness for monitoring” (page 5 of 16). What is not clear to me when reading the plan -- is there a protective shell over the flatbed and/or screening or covering over the open area of the shipping containers while in transport on the flat beds to protect the Belugas from any potential projectile debris?

Once I receive some feedback/ input on the items above- I will close out the Transportation plan review and present my review findings to my supervisor, CFIA management may identify other areas where more information or clarity is required. After management briefing local CFIA staff will be advised if there is a desire for CFIA on site at Marineland and /or the airport. If there is a desire for CFIA presence- we will work with you, onsite contact, COVID protocols, etc.. contact from your transport team for CFIA airport team- etc..

Thank you again for this collaboration
Dr Pat Pentney

Veterinary Inspector, Animal Health, Niagara Escarpment District Canadian Food Inspection Agency / Government of Canada Pat.Pentney@Canada.ca / Cell: 905-321-2727

Inspecteur vétérinaire, santé animale, district de l'escarpement du Niagara Agence canadienne d'inspection des aliments / Gouvernement du Canada
Pat.Pentney@Canada.ca / Cellulaire: 905-321-2727

 cid:C:\Users\Pentne

From:
Sent: 2021-05-11 10:06 AM
To: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Cc:

Subject: MA Plan 2021 5 YHM to GON.docx

Dear Pat

As discussed, please find attached the current Transport Plan.

Please call if you have any questions.

Regards

Sent from my iPhone

From: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Sent: 2021-05-12 9:47 AM
To: Gavicherla, Balramakrishna (CFIA/ACIA)
Cc: Elshikh, Baha (CFIA/ACIA); Gagnon, Avery (CFIA/ACIA); Phillips, Janice (CFIA/ACIA); Carpenter, Jan (CFIA/ACIA); McDougall, Jason (CFIA/ACIA)
Subject: Interim briefing: confidential transport event May 14, 2021
Attachments: CFIA_ACIA - #15084925 - v1 - Points to Register; Transport May 14, 2021.DOCX

Follow Up Flag: Follow up
Flag Status: Flagged

FYI- I have provided this awareness to the whole team since it is a once in a career event. The attached is for the supervisor to provide an interim brief upwards if call upon—I hope to clear up the gaps on contingencies by end of day or midday tomorrow

Veterinary Inspector, Animal Health, Niagara Escarpment District Canadian Food Inspection Agency /
Government of Canada Pat.Pentney@Canada.ca / Cell: 905-321-2727

Inspecteur vétérinaire, santé animale, district de l'escarpement du Niagara Agence canadienne d'inspection des
aliments / Gouvernement du Canada Pat.Pentney@Canada.ca / Cellulaire: 905-321-2727

Points to Register: Transport Event May 14, 2021: Niagara- Hamilton

- **Five (5) beluga whales will be transport from Marineland to Hamilton Airport May 14, 2021. Final destination Connecticut USA**
- **The transport will occur in two separate transport events with police escort. Police will be present and engaged throughout the transportation events to manage any lobbyist or media intervention.**
- **Marineland has acquired the necessary permits and licenses: CITES from EC, AONN- where Mystic Aquariums retains legal custody at pool side- DFO Letter covering section 23 of the fisheries Act. CFIA has not requested the documents for review.**
- **Transportation plan has been shared with CFIA Niagara staff evaluated and lacks contingency planning. Specific areas were identified yesterday and response to these concerns are anticipated by end of Day Tuesday May 12, 2021**
- **Transport events as follows:**
 - **Movement of 3 belugas commencing at Marineland with catching at 8 am- transport will leave by 1030- arrival at Hamilton airport 12:00- departure 14:00**
 - **Movement of 2 belugas commencing at marine land with catching at 17:00- transport will leave by 19:00- arrival at Hamilton airport by 20:30- departure 22:30**
- **Communication between CFIA and Marineland is conducted via and he has been responsive corporative and collaborative. Yesterday offer a verbal invitation and has requested CFIA onsite**

From: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>
Sent: 2021-04-23 8:56 AM
To: Hebda, Meidrym (CFIA/ACIA); Howe, Shannon (CFIA/ACIA)
Cc: Griffith, Nancy (CFIA/ACIA); Wylie, Erica (CFIA/ACIA)
Subject: RE: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Thanks Meidrym

For clarity - by not "regulated under our legislation" – do you mean they are not regulated under Pary XVI – Aquatic Animals –

Sean

From: Hebda, Meidrym (CFIA/ACIA) <meidrym.hebda@canada.ca>
Sent: 2021-04-23 8:36 AM
To: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>; Howe, Shannon (CFIA/ACIA) <shannon.howe@canada.ca>
Cc: Griffith, Nancy (CFIA/ACIA) <nancy.griffith@canada.ca>; Wylie, Erica (CFIA/ACIA) <erica.wylie@canada.ca>
Subject: RE: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

My understanding is that cetaceans (and marine mammals generally) aren't considered regulated animals under our legislation, so aquatics really doesn't have anything to add from that side of things. Has there been any contact with DFO?

I've had some zoo animal movement experience but nothing aquatic. Not really much that can be added to the discussion without more details.

Meidrym

From: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>
Sent: 2021-04-23 7:55 AM
To: Hebda, Meidrym (CFIA/ACIA) <meidrym.hebda@canada.ca>; Howe, Shannon (CFIA/ACIA) <shannon.howe@canada.ca>
Cc: Griffith, Nancy (CFIA/ACIA) <nancy.griffith@canada.ca>; Wylie, Erica (CFIA/ACIA) <erica.wylie@canada.ca>
Subject: FW: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Hi All

Just FYI and an update as Shannon and I talked about this briefly the other day from the AT standpoint.

Meidrym – you know anything about whale transport in case people have questions? – not too sure how they fit into the aquatics program...LOL

Sean

From: Martin, Jennifer (CFIA/ACIA) <jennifer.martin@canada.ca>

Sent: 2021-04-22 4:47 PM

To: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>; Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>

Cc: Meinen, Kristy (CFIA/ACIA) <kristy.meinen@canada.ca>

Subject: RE: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Hi Dr. Bains & Marshall,

I spoke with Pamela MacDonald briefly about this today, and given the possibility of high-visibility we are supportive of CFIA representation at the airport, if it can be achieved with the appropriate guidance and resources. So a couple of points;

- It sounds like the intel about date/time is not coming through an official source, so while we do appreciate the information, we should consider confirming and obtaining additional details through someone other than the private veterinarian, which I think Dr. Pentney has addressed via her email as well.
- Date/Time/Duration. If we can find out when the export is taking place, can you please share back an estimate of the time commitment involved? I can't imagine that moving 5 whales is a speedy endeavor, and if the bulk of it is happening outside of normal working hours we could consider alternate inspection tools. For example, contacting Marineland directly and asking for their HT plans.
- Selection of staff & clear communication about purpose of inspection. Going back to the elephant transport issue, there were strong opinions about that transport that may have been absolutely valid, but may also have gone beyond the extent of our mandate. So if we do have staff attend we do need to do some prep work to understand the goals and limitations that may be at play.
- Program Guidance – as Sean has mentioned, we should arm the staff attending with as much education as possible prior to the event.

Depending upon the media coverage we may also want to brief up with a radar, hence my cc of Kristy,
Thanks,
Jen

From: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>

Sent: 2021-04-22 3:50 PM

To: Martin, Jennifer (CFIA/ACIA) <jennifer.martin@canada.ca>

Subject: FW: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Importance: High

Hi Jenn

This is the email from Niagara about the upcoming whale shipment that I was referring to. I have already informed the area (via a conference call with Baha and Shannon Howe) that the transport is occurring.

There is no particular AT program mandate for us to be there that I (or Shannon) are aware of, it would be more of an “optics” thing if we wanted to have presence or not.

I've highlighted a few of the pertinent details.

Obviously – it would be difficult to come across many staff with experience in the transport of whales, but certainly there are staff with experience dealing with aquatics that could potentially be utilized if it was felt

necessary.

Sean

From: Elshikh, Baha (CFIA/ACIA) <baha.elshikh@canada.ca>
Sent: 2021-04-21 9:59 AM
To: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>
Subject: FW: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)
Importance: High

Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

From: "Pentney, Pat (CFIA/ACIA)" <pat.pentney@canada.ca>
Date: 2021-04-20 4:00 p.m. (GMT-05:00)
To: "Elshikh, Baha (CFIA/ACIA)" <baha.elshikh@canada.ca>, "Bains, Sukhmandar (CFIA/ACIA)" <sukhmandar.bains@canada.ca>
Cc: "Phillips, Janice (CFIA/ACIA)" <janice.phillips@canada.ca>
Subject: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Hi

In Spring 2020- Marine land identified 5 beluga whales to USA. Follow up Oct 2020- no date set: indication the USA only required a health certificate from the Canadian Vet. No CFIA endorsed health certificate.

Three weeks ago I was informed that the belugas export was still in motion they would fly out of Hamilton—I did sent a Note to Dr Kris and asked if we need to involved for the HT, may have gotten lost in the volume of emails- I did not mark it urgent or of high importance at the time- since I was not aware of any date of departure..

Just now I am informed that they will leaving next week Monday or Tuesday. Marineland as such or any other employees, have not communicated with CFIA on this export—the communication via tele has come from my established relationship with

This is a high visibility file/ export. Please communicate internally to whom has to know about this movement scheduled for early next week.

Advise if CFIA local staff has any formal role in HT and welfare- recognizing USA/USDA/USFWS does not require an official CFIA endorsed HC to support this export.

Pat

Veterinary Inspector, Animal Health, Niagara Escarpment District Canadian Food Inspection Agency / Government of Canada Pat.Pentney@Canada.ca / Cell: 905-321-2727

Inspecteur vétérinaire, santé animale, district de l'escarpement du Niagara Agence canadienne d'inspection des
aliments / Gouvernement du Canada Pat.Pentney@Canada.ca / Cellulaire: 905-321-2727

From: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>
Sent: 2021-04-23 3:53 PM
To: Martin, Jennifer (CFIA/ACIA)
Cc: Meinen, Kristy (CFIA/ACIA); Bains, Sukhmandar (CFIA/ACIA)
Subject: RE: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Hi Jenn and Dr. Bains

A couple of updates on this issue

- Apparently the shipment has been delayed until May 14th.
- Baha was checking with Magda (based on her experience in Niagara and aquatic animals), and apparently the movement of whales such as this is not that uncommon (I have no knowledge either way).
- Confirmed whales are not regulated under the aquatic regulations (still assuming general animal transport regs would apply).

Regards

Sean

P.S. If we are going to have a presence, I asked Baha to try to verify the route as described in the title above as at first look, it doesn't seem to make a lot of sense: Drive from Niagara to Hamilton, then fly to Buffalo ? (pretty short flight...) before continuing on to Connecticut - but there could be a variety of logistical or other reasons.

From: Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>
Sent: 2021-04-23 7:49 AM
To: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>
Cc: Meinen, Kristy (CFIA/ACIA) <kristy.meinen@canada.ca>; Martin, Jennifer (CFIA/ACIA) <jennifer.martin@canada.ca>
Subject: RE: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Sure Doc,

Regards,
Dr Sukhmandar Bains

Inspection Manager, Central Region, Animal Health Zone 5
Canadian Food Inspection Agency / Government of Canada
Sukhmandar.Bains@canada.ca / Tel: [289-247-4022](tel:289-247-4022) / Cell: [905-928-1600](tel:905-928-1600)

Gestionnaire d'inspection, région centrale, zone 5, santé des animaux
Agence canadienne d'inspection des aliments / Gouvernement du Canada
Sukhmandar.Bains@canada.ca / Tel: [289-247-4022](tel:289-247-4022) / Cell: [905-928-1600](tel:905-928-1600)

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Cc: "Meinen, Kristy (CFIA/ACIA)" <kristy.meinen@canada.ca>, "Martin, Jennifer (CFIA/ACIA)" <jennifer.martin@canada.ca>
Subject: RE: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Good morning Doc.

I will let you discuss with Baha to determine how you would like to best deal with this operationally given the niche nature of this, and the potential optics.

If anyone has any questions, as always feel free to reach out.

Cheers

Sean

From: Martin, Jennifer (CFIA/ACIA) <jennifer.martin@canada.ca>
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To: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>
Subject: FW: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)
Importance: High

Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

From: "Pentney, Pat (CFIA/ACIA)" <pat.pentney@canada.ca>
Date: 2021-04-20 4:00 p.m. (GMT-05:00)
To: "Elshikh, Baha (CFIA/ACIA)" <baha.elshikh@canada.ca>, "Bains, Sukhmandar (CFIA/ACIA)" <sukhmandar.bains@canada.ca>
Cc: "Phillips, Janice (CFIA/ACIA)" <janice.phillips@canada.ca>
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Pat

Veterinary Inspector, Animal Health, Niagara Escarpment District Canadian Food Inspection Agency /
Government of Canada Pat.Pentney@Canada.ca / Cell: 905-321-2727

Inspecteur vétérinaire, santé animale, district de l'escarpement du Niagara Agence canadienne d'inspection des
aliments / Gouvernement du Canada Pat.Pentney@Canada.ca / Cellulaire: 905-321-2727

From: Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>
Sent: 2020-09-03 2:58 PM
To: Pentney, Pat (CFIA/ACIA); Gagnon, Avery (CFIA/ACIA)
Cc: Phillips, Janice (CFIA/ACIA)
Subject: RE: 5 belugas to the USA

Greetings Doc,

Thanks. I wonder how CBC got hold of this and we haven't been approached.

Regards,
Dr Sukhmandar Bains

Inspection Manager, Central Region, Animal Health Zone 5
Canadian Food Inspection Agency / Government of Canada
Sukhmandar.Bains@canada.ca / Tel: 289-247-4022 / Cell: 905-928-1600

Gestionnaire d'inspection, région centrale, zone 5, santé des animaux
Agence canadienne d'inspection des aliments / Gouvernement du Canada
Sukhmandar.Bains@canada.ca / Tel: 289-247-4022 / Cell: 905-928-1600

From: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Sent: 2020-09-03 2:49 PM
To: Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>; Gagnon, Avery (CFIA/ACIA) <avery.gagnon@canada.ca>
Cc: Phillips, Janice (CFIA/ACIA) <janice.phillips@canada.ca>
Subject: 5 belugas to the USA

FYI
<https://www.cbc.ca/news/canada/hamilton/marineland-belugas-1.5710530>

mentioned this to me- last year when we were working on the 2 belugas to Spain-- I have not as of yet had Marineland contact me either directly or indirectly through a veterinarian- on the export of these 5 belugas to the USA.

As you are aware we engaged the CFIA regional legal team- with the Marineland - on the potential export of a pregnant walrus. At that time there was a commitment on behalf of Marineland to work with CFIA in a timely manner for pre-export preparations.

Patricia Pentney HBSc DVM MSc
Veterinary Inspector
Niagara Escarpment Animal Health Office
Canadian Food Inspection Agency
350 Ontario St, Unit 13, PO Box 9
St Catharines, Ontario, L2R 5L8

Telephone: 905-937-9147 (St Catharines Office)/ 905-262-5331 (Queenston)
Cellular: 905-321-2727
Fax: 905-937-8020 (St Catharines)/ 905-262-5580 (Queenston)
Email: Pat.Pentney@canada.ca

Inspecteur vétérinaire,
Bureau de santé animale de l'escarpement du Niagara
Agence canadienne d'inspection des aliments
350 rue Ontario , Unité 13, cp 9
St. Catharines, Ontario L2R 5L8
Tél: 905- 937-9147 (St Catharines Office)/ 905-262-5331 (Queenston)
Tél. Cell.: 905-321-2727
Télécopieur: 905-937-8020 (St Catharines)/ 905-262-5580 (Queenston)
Courriel: Pat.Pentney@canada.ca



Government / Gouvernement
of Canada / du Canada

From: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>
Sent: 2021-05-13 9:08 AM
To: Meinen, Kristy (CFIA/ACIA); Gavicherla, Balramakrishna (CFIA/ACIA)
Cc: Bains, Sukhmandar (CFIA/ACIA)
Subject: RE: draft radar - Belugas to USA

I'm not super aware of the finer details – but from what I do know this is great – I would suggest maybe the last sentence of the “ISSUE:” be worded as “.....Although there are no CFIA certifications required for this export, the Health of Animals regulations for animal transportation are applicable.”

From: Meinen, Kristy (CFIA/ACIA) <kristy.meinen@canada.ca>
Sent: 2021-05-12 4:39 PM
To: Gavicherla, Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>; Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>
Cc: Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>
Subject: draft radar - Belugas to USA

Hello Drs,

Please review the draft radar below and let me know by Thursday at 1:30, of any changes. Thank you.

Beluga Whale Export

ISSUE: On May 14, 2021, Marineland, a zoo/amusement park in Niagara Falls, plans to export 5 beluga whales to the USA. The whales will be trucked to Hamilton, and then fly to the USA. They will be sent in two batches: the first three animals will be transported to the airport, and depart on one flight, then the next two will be transported to the airport and take a later flight. The exporter has arranged police escort for the road transport. Although there are no CFIA certifications required for this export, the CFIA’s animal transportation mandate is applicable.

IMPLICATIONS: Movement of marine mammals is rare and may attract media attention and animal rights activists, who are opposed to having cetaceans in captivity.

ACTION: The CFIA will be present to monitor animal transport compliance.

Regards / Cordialement,
Kristy Meinen

Regional Operations Coordinator, Operations Branch, Central Region
Canadian Food Inspection Agency / Government of Canada
Kristy.Meinen@canada.ca / Tel: 519-803-4348 / TTY: 613-773-2600

Coordinatrice régionale des opérations, Opérations, région centrale
Agence canadienne d'inspection des aliments / Gouvernement du Canada
Kristy.Meinen@canada.ca / Tél. : 519-803-4348 / ATS : 613-773-2600

From: Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>
Sent: 2021-05-12 12:42 PM
To: Meinen, Kristy (CFIA/ACIA) <kristy.meinen@canada.ca>
Cc: Martin, Jennifer (CFIA/ACIA) <jennifer.martin@canada.ca>
Subject: FW: Marine land Belugas Transport Event May 14, 2021: Niagara- Hamilton airport

Greetings Ms. Kristy,

We were working behind scenes and finally Belugas are being transported this Friday. We have reviewed their plan and staff will be onsite to verify HT compliance.

Regards,

Dr Sukhmandar Bains

Inspection Manager, Central Region, Animal Health Zone 5
Canadian Food Inspection Agency / Government of Canada
Sukhmandar.Bains@canada.ca / Tel: [289-247-4022](tel:289-247-4022) / Cell: [905-928-1600](tel:905-928-1600)

Gestionnaire d'inspection, région centrale, zone 5, santé des animaux
Agence canadienne d'inspection des aliments / Gouvernement du Canada
Sukhmandar.Bains@canada.ca / Tel: [289-247-4022](tel:289-247-4022) / Cell: [905-928-1600](tel:905-928-1600)

From: Gavicherla, Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>
Sent: 2021-05-12 10:16 AM
To: Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>
Subject: Marine land Belugas Transport Event May 14, 2021: Niagara- Hamilton airport

Good Morning Doc,

Here is the quick overview on Marine land Belugas transport that's happening this Friday i.e May 14, 2021.

Five (5) beluga whales will be transported from Marine land to Hamilton Airport May 14, 2021. Final destination Connecticut USA (direct flight)

The transport will occur in two separate transport events with police escort. Police will be present and engaged throughout the transportation events to manage any lobbyist or media intervention.

Marine land has acquired the necessary permits and licenses: CITES from EC, AONN- where Mystic Aquariums retains legal custody at pool side- DFO Letter covering section 23 of the fisheries Act. CFIA has not requested the documents for review.

Transportation plan has been shared with CFIA Niagara staff evaluated and at this point some gaps are identified in the contingency planning. Gaps were notified to Marine land yesterday and response to these concerns are anticipated by end of Day Tuesday May 12, 2021

Transport events as follows:

- o Movement of 3 belugas commencing at Marine land with catching at 8 am- transport will leave by 1030- arrival at Hamilton airport 12:00- departure 14:00
- o Movement of 2 belugas commencing at marine land with catching at 17:00- transport will leave by 19:00- arrival at Hamilton airport by 20:30- departure 22:30

Communication between CFIA and Marine land is conducted via Marline land and he has been responsive corporative and collaborative. Yesterday offer a verbal invitation and has requested CFIA onsite

Time commitment – Guesstimate 3 hrs per event involving an EG/VM or 2 VM's at Hamilton & 2 hrs per event involving one VM at Niagara (Marine land)

Please let us know management expectations as it does not fall under our mandate and my team has limited experience in aquatics.

I will keep you posted on further developments.

Thanks,

Kris G

From: Gavicherla, Balramakrishna (CFIA/ACIA)

Sent: 2021-05-10 7:07 PM

To: Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>

Cc: Elshikh, Baha (CFIA/ACIA) <baha.elshikh@canada.ca>; Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>; Gagnon, Avery (CFIA/ACIA) <avery.gagnon@canada.ca>

Subject: RE: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Good Evening Dr Bains,

This afternoon we discussed with involved in the shipping of Belugas to the United States. During the call, he agreed to share the transportation plan, logistics and potential contingencies.

FYI, a total of 5 belugas are shipped in 2 batches from Hamilton airport to Connecticut USA (direct flight). 1st shipment of 3 belugas will be leaving this Friday from Hamilton.

Dr. Pat awaiting to receive their SOP's and will review them at the earliest.

Stay tuned for more details.

Regards,
Kris G

From: Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>
Sent: 2021-04-23 8:52 AM
To: Elshikh, Baha (CFIA/ACIA) <baha.elshikh@canada.ca>
Cc: Gavicherla, Balramakrishna (CFIA/ACIA) <balramakrishna.gavicherla@canada.ca>
Subject: FW: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Greetings Doc,

I will call you to discuss.

Regards.

Dr Sukhmandar Bains

Inspection Manager, Central Region, Animal Health Zone 5
Canadian Food Inspection Agency / Government of Canada
Sukhmandar.Bains@canada.ca / Tel: [289-247-4022](tel:289-247-4022) / Cell: [905-928-1600](tel:905-928-1600)

Gestionnaire d'inspection, région centrale, zone 5, santé des animaux
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Sukhmandar.Bains@canada.ca / Tel: [289-247-4022](tel:289-247-4022) / Cell: [905-928-1600](tel:905-928-1600)

From: Marshall, Sean (CFIA/ACIA) <sean_marshall@canada.ca>
Sent: 2021-04-23 7:47 AM
To: Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>
Cc: Meinen, Kristy (CFIA/ACIA) <kristy.meinen@canada.ca>; Martin, Jennifer (CFIA/ACIA) <jennifer.martin@canada.ca>
Subject: RE: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Good morning Doc.

I will let you discuss with Baha to determine how you would like to best deal with this operationally given the niche nature of this, and the potential optics.

If anyone has any questions, as always feel free to reach out.

Cheers

Sean

From: Martin, Jennifer (CFIA/ACIA) <jennifer.martin@canada.ca>
Sent: 2021-04-22 4:47 PM
To: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>; Bains, Sukhmandar (CFIA/ACIA) <sukhmandar.bains@canada.ca>
Cc: Meinen, Kristy (CFIA/ACIA) <kristy.meinen@canada.ca>
Subject: RE: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Hi Dr. Bains & Marshall,

I spoke with Pamela MacDonald briefly about this today, and given the possibility of high-visibility we are supportive of CFIA representation at the airport, if it can be achieved with the appropriate guidance and resources. So a couple of points;

- It sounds like the intel about date/time is not coming through an official source, so while we do appreciate the information, we should consider confirming and obtaining additional details through someone other than the private veterinarian, which I think Dr. Pentney has addressed via her email as well.
- Date/Time/Duration. If we can find out when the export is taking place, can you please share back an estimate of the time commitment involved? I can't imagine that moving 5 whales is a speedy endeavor, and if the bulk of it is happening outside of normal working hours we could consider alternate inspection tools. For example, contacting Marineland directly and asking for their HT plans.
- Selection of staff & clear communication about purpose of inspection. Going back to the elephant transport issue, there were strong opinions about that transport that may have been absolutely valid, but may also have gone beyond the extent of our mandate. So if we do have staff attend we do need to do some prep work to understand the goals and limitations that may be at play.
- Program Guidance – as Sean has mentioned, we should arm the staff attending with as much education as possible prior to the event.

Depending upon the media coverage we may also want to brief up with a radar, hence my cc of Kristy,

Thanks,

Jen

From: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>
Sent: 2021-04-22 3:50 PM
To: Martin, Jennifer (CFIA/ACIA) <jennifer.martin@canada.ca>
Subject: FW: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)
Importance: High

Hi Jenn

This is the email from Niagara about the upcoming whale shipment that I was referring to. I have already informed the area (via a conference call with Baha and Shannon Howe) that the transport is occurring.

There is no particular AT program mandate for us to be there that I (or Shannon) are aware of, it would be more of an “optics” thing if we wanted to have presence or not.

I've highlighted a few of the pertinent details.

Obviously – it would be difficult to come across many staff with experience in the transport of whales, but certainly there are staff with experience dealing with aquatics that could potentially be utilized if it was felt necessary.

Sean

From: Elshikh, Baha (CFIA/ACIA) <baha.elshikh@canada.ca>
Sent: 2021-04-21 9:59 AM
To: Marshall, Sean (CFIA/ACIA) <sean.marshall@canada.ca>
Subject: FW: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)
Importance: High

Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

From: "Pentney, Pat (CFIA/ACIA)" <pat.pentney@canada.ca>
Date: 2021-04-20 4:00 p.m. (GMT-05:00)
To: "Elshikh, Baha (CFIA/ACIA)" <baha.elshikh@canada.ca>, "Bains, Sukhmandar (CFIA/ACIA)" <sukhmandar.bains@canada.ca>
Cc: "Phillips, Janice (CFIA/ACIA)" <janice.phillips@canada.ca>
Subject: 3 beluga whales to USA -Hamilton airport- to buffalo (USFWS check) then onto Connecticut (next week April26 or 27)

Hi

In Spring 2020- Marine land identified 5 beluga whales to USA. Follow up Oct 2020- no date set: indication the USA only required a health certificate from the Canadian Vet. No CFIA endorsed health certificate.

Three weeks ago I was informed that the belugas export was still in motion they would fly out of Hamilton—I did sent a Note to Dr Kris and asked if we need to involved for the HT, may have gotten lost in the volume of emails- I did not mark it urgent or of high importance at the time- since I was not aware of any date of departure..

Just now I am informed that they will leaving next week Monday or Tuesday. Marineland as such or any other employees/ have not communicated with CFIA on this export—the communication via tele has come from my established relationship with

This is a high visibility file/ export. Please communicate internally to whom has to know about this movement

scheduled for early next week.

Advise if CFIA local staff has any formal role in HT and welfare- recognizing USA/USDA/USFWS does not require an official CFIA endorsed HC to support this export.

Pat

Veterinary Inspector, Animal Health, Niagara Escarpment District Canadian Food Inspection Agency /
Government of Canada Pat.Pentney@Canada.ca / Cell: 905-321-2727

Inspecteur vétérinaire, santé animale, district de l'escarpement du Niagara Agence canadienne d'inspection des
aliments / Gouvernement du Canada Pat.Pentney@Canada.ca / Cellulaire: 905-321-2727

From: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Sent: 2021-05-13 1:32 PM
To: Gavicherla, Balramakrishna (CFIA/ACIA)
Subject: Transport Event Briefing
Attachments: CFIA_ACIA - #15091445 - v1 - Transport event May 14 Contact List.DOCX

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Dr Kris

Attached contact list for this transport event—highlighted CFIA direct contact and likely

Note there has been several media articles over the past 24 hours

<https://www.nationalobserver.com/2021/05/12/news/marineland-sending-5-beluga-whales-us-aquarium>

if am approach by media- Please verify that the number and web-link for CFIA Media relations that I will be providing is still;

613-773-6600

cfia.media.acia @ Canada.ca

Next steps: and I have a call planned for 2 pm and I will be on premises at Marineland 7 am tomorrow morning, unless directed otherwise

Pat

Veterinary Inspector, Animal Health, Niagara Escarpment District Canadian Food Inspection Agency /
Government of Canada Pat.Pentney@Canada.ca / Cell: 905-321-2727

Inspecteur vétérinaire, santé animale, district de l'escarpement du Niagara Agence canadienne d'inspection des
aliments / Gouvernement du Canada Pat.Pentney@Canada.ca / Cellulaire: 905-321-2727

Contacts List:

Mystic Aquarium Flight

Ground Canada:

Ground USA-CT

Marineland Ground

Lynden Air Charter

Canada Equipment

YHM: CONTACT INFO

YHM Airside Access ----- #1: 905-679-4127
----- #2: 905-981-7019

CONTACT INFO Broker, Customs/Immigration, USFWS

Mersant International (Port #4701) -----
US Customs & Border Protection (Port#4701) ----- Pho: 718-656-2891

GON: CONTACT INFO

CONNECTICUT Vendors:

s.19(1)

From: Pentney, Pat (CFIA/ACIA) <pat.pentney@canada.ca>
Sent: 2021-05-05 1:53 PM
To: Gavicherla, Balramakrishna (CFIA/ACIA)
Subject: update transport belguas

Hi

I have reached out to [redacted] who prefers I work directly with Marineland to identify the transportation logistics - all 5 belugas are now scheduled to be transported from Marineland to Hamilton airport- over to Buffalo NY, USA for USFWS inspection- still anticipated May 14/15

I have placed a call and left a message with [redacted] @ Marineland requesting they call me to discuss.

Veterinary Inspector, Animal Health, Niagara Escarpment District Canadian Food Inspection Agency /
Government of Canada Pat.Pentney@Canada.ca / Cell: 905-321-2727

Inspecteur vétérinaire, santé animale, district de l'escarpement du Niagara Agence canadienne d'inspection des
aliments / Gouvernement du Canada Pat.Pentney@Canada.ca / Cellulaire: 905-321-2727

Attachment D
APHIS Inspection Report 9/29/2021
and
FOIA Doc. No. 07122010220



Inspection Report

SEA RESEARCH FOUNDATION INC
55 COOGAN BLVD.
MYSTIC, CT 06355

Customer ID: **56**
Certificate: **16-C-0025**
Site: 001
MYSTIC MARINE LIFE
AQUARIUM

Type: FOCUSED INSPECTION
Date: 29-SEP-2021

2.40(b)(2) Critical

Attending veterinarian and adequate veterinary care (dealers and exhibitors).

The USDA reviewed the facility's records for the 5-year-old whale, Havok, during the time he was on 24-hour watch. During the eight hours prior to his death, the staff members conducting the overnight watch documented multiple observations of abnormal behavior and did not alert the Attending Veterinarian. The frequency of these abnormal behaviors markedly increased during this time compared to what had been observed previously.

From 0000-2150 on the day prior to Havok's death, about 40 instances of a combination of "logging," shaking of pectoral flippers, "ventral up" and rolling behaviors were noted at the facility in various time intervals. Comparatively, during Havok's last eight hours 2151-0550, the facility's records noted at least 40 instances of 360 rolling, with one instance of four rolling behaviors noted at 0049 hours and five rolling behaviors noted at 0146 hours. Other abnormal behaviors noted to increase in frequency were at least 15 instances of "ventral up" (most of note was the instance of ventral up for 15 seconds at 0101 hours), 3 instances of "gasp" respirations beginning at 0413 hours, and 7 instances of water seen coming from his blowhole beginning at 0416 hours. There were also 10 instances of "active bleeding" from Havok's rostrum recorded during the two hours prior to his death.

Prepared By: PAULA GLADUE
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL OFFICER

Date:
07-FEB-2022

Received by Title: Attending Veterinarian

Date:
07-FEB-2022



Inspection Report

This increased frequency of abnormal behaviors constitutes a problem; can indicate rapid deterioration of the animal's health and may result in prolonged distress. Although staff members were recording their observations of Havok's behaviors, the veterinarian was not contacted during this eight-hour timeframe until Havok's death at 0550 hours.

The facility failed to provide adequate veterinary care by not using appropriate methods to prevent, control, diagnose and treat diseases during Havok's last eight hours.

Correct from this date 10/15/21 forward.

2.131(b)(1) Critical

Handling of animals.

The new whales were first given access to the older resident whales and the main pool in the habitat on 6/18/21. Facility records indicated that the five-year-old whale named Havok had been receiving treatment for over two weeks for an ocular condition that resulted in compromised vision. On 6/20/21, the gates between the three interconnecting pools were open allowing the eight whales access to all pools. A visitor dropped a foreign object in the main pool, which according to facility employees, is not unexpected when there are a lot of visitors present at the exhibits.

According to facility employees, in response to the foreign object, they closed the gate to the holding pool. The facility stationed other whales, but not Havok. A facility employee attempted to retrieve the object with a net. Per the facility, Havok was startled by the net in the main pool and then swam towards the holding pool after the gate was shut. Although the facility has applied dark hatch markings on the clear acrylic gate, Havok swam straight into the gate. According to facility records, Havok was "shut on main (pool), rammed gate to holding pool, re-opened rostrum wounds and new wound on upper left mandible." Results of the veterinarians' examination noted trauma sustained when he hit the gate

Prepared By: PAULA GLADUE
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL OFFICER

Date:
07-FEB-2022

Received by Title: Attending Veterinarian

Date:
07-FEB-2022



Inspection Report

included the presence of lacerations on the maxillary palate and the pre-existing wound on his rostrum re-opened and expanded.

Handling of all animals shall be done in a manner that does not cause physical harm. Foreign objects falling into exhibits from members of the public is an anticipated occurrence. The handling of the whales during the response to the foreign object falling into the pool was not done as carefully as possible to ensure the safety of all the animals, including Havok who had known vision impairment, a history of swimming into habitat walls, and a disposition for being “spooked,” per his behavioral records and previous facility’s medical records.

Correct from this date 10/15/21 forward.

3.101(a)(1) Critical
Facilities, general.

The USDA reviewed the facility’s records for the 5-year-old whale named Havok which contained multiple entries documenting injuries the animal sustained on the surfaces of the primary enclosure housing him. On 6/23/21 he injured himself on an area in the medical pool where the posts for the hydraulic mechanism are located. This incident resulted in a 4”x 4” round full thickness wound to the right caudal peduncle that required ongoing treatment. On 7/12/21 “staff note that whale appears to have reduced vision, often colliding with habitat wall and sustained rostral and fluke abrasions”.

Indoor and outdoor housing facilities for marine mammals must be structurally sound and must be maintained in good repair to protect the animals from injury.

Correct from this date 10/15/21 forward.

Prepared By: PAULA GLADUE
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL OFFICER

Date:
07-FEB-2022

Received by Title: Attending Veterinarian

Date:
07-FEB-2022



Inspection Report

3.103(b)

Facilities, outdoor.

The USDA inspectors were at the holding pool inspecting where 3 belugas are currently being housed. The USDA noted that there are times during the day when the holding pool lacked sufficient shelter to protect the animals from direct sunlight. Although the building adjacent to the holding pool provides shade to parts of the pool at varying times during the day, there was no natural or artificial shelter available that provided the animals a consistent source of shade. Records maintained by the facility for the 5 new whales contained entries for the application of sunscreen from 6/11/21 through 9/28/21. Havok’s medical record included an entry on 7/12/21 that described the presence of solar dermatitis with skin ulceration surrounding the blowhole and solar dermatitis on his melon and cranial dorsum. Records also document that the five whales have eye issues which can be exacerbated by direct sunlight. These conditions can be painful for the animals and may require treatment.

Per this Section of the Regulations, marine mammals that are kept outdoors shall be provided protection from the weather or from direct sunlight. Exposure to direct sunlight can adversely affect the animals’ health resulting in eye or skin damage.

Correct by 12/15/21

3.106(a)

Water quality.

From 7/31/21 to 8/27/21 the recorded levels of ORP (Oxidative Reduction Potential), a measure of ozone in the water where the animals live, ranged between 476 and 715mV which is above the levels generally considered to be acceptable for marine mammals. There were eight consecutive days during this time period when the level ranged from 553 to 606.

Prepared By: PAULA GLADUE
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL OFFICER

Date:
07-FEB-2022

Received by Title: Attending Veterinarian

Date:
07-FEB-2022



Inspection Report

ORP levels that exceed 500mV can suggest that animals may be exposed to high oxidant levels in their pool and require immediate attention by marine mammal facilities. Elevated levels of oxidants in the water, such as ozone, are harmful to marine mammals and may cause irritation to eyes, skin, and the respiratory system. Per this Section of the Regulations the primary enclosure shall not contain water which would be detrimental to the health of the marine mammal contained therein.

This item was addressed by the facility prior to the inspection.

This inspection was conducted with facility representatives and NOAA personnel on 9/29/21 and 9/30/21.

The exit briefing was held 10/12/21 with facility representatives.

Additional Inspectors:

Tonya Hadjis, Supervisory Animal Care Specialist

Carolyn McKinnie, Senior Veterinary Medical Officer - Marine Mammals and Exotics

Prepared By: PAULA GLADUE
USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL
OFFICER

Date:
07-FEB-2022

Received by Title: Attending Veterinarian

Date:
07-FEB-2022



Species Inspected

Cust No	Cert No	Site	Site Name	Inspection
56	16-C-0025	001	MYSTIC MARINE LIFE AQUARIUM	29-SEP-2021

Count	Scientific Name	Common Name
000004	<i>Delphinapterus leucas</i>	BELUGA WHALE
000004	Total	

From: Amy Sloan - NOAA Federal
Subject: Re: Mystic Aquarium Beluga Whales Update
To: Mary O'Brien
Cc: Courtney Smith - NOAA Affiliate; Jennifer Skidmore
Sent: August 26, 2021 4:33 PM (UTC-04:00)

Attorney-Client Privilege

Hi Mary,

[REDACTED] (b)(5)
[REDACTED] (b)(5)
[REDACTED] (b)(5)

Thanks,
Amy

On Thu, Aug 26, 2021 at 2:53 PM Amy Sloan - NOAA Federal <amy.sloan@noaa.gov> wrote:

FYI

----- Forwarded message -----

From: Steve Coan <scoan@mysticaquarium.org>

Date: Thu, Aug 26, 2021 at 2:35 PM

Subject: Mystic Aquarium Beluga Whales Update

To: Betty.J.Goldentyer@usda.gov <Betty.J.Goldentyer@usda.gov>, Amy Sloan (Amy.Sloan@noaa.gov) <amy.sloan@noaa.gov>, Carolyn.j.mckinnie@usda.gov <Carolyn.j.mckinnie@usda.gov>

Cc: Allison Tuttle <atuttle@mysticaquarium.org>, Tracy Romano <tromano@mysticaquarium.org>, animalcare@usda.gov <animalcare@usda.gov>

To: Dr. Elizabeth Goldentyer

Deputy Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture

-

Amy Sloan, National Marine Fisheries Service, National Oceanic and Atmospheric Administration

Carolyn McKinnie, Animal and Health Inspection Service, United States Department of Agriculture

From: Stephen M. Coan, PhD, President and CEO, Mystic Aquarium

Copy: Dr. Tracy Romano, Chief Scientist, Vice President of Research, Mystic Aquarium

Dr. Allison Tuttle, Chief Veterinary and Zoological Officer, Mystic Aquarium

We are writing to inform and confirm that the female beluga whale, known as Jetta, transported to Mystic Aquarium under National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS), Permit #22629, is seriously ill. The diagnosis by our board certified, attending veterinarians, is as follows: The whale has a low white blood cell count and gastrointestinal issues which appear to be improving, and is not eating. The whale is being treated with a variety of medications and being provided nutritional support. The attending veterinarians have assembled a team of experts from around the nation as consulting veterinarians to further diagnose and to manage the animal's care.

Mystic Aquarium provided the United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA), with detailed information about the health and treatment of the female under care. Mystic Aquarium also provided health records, and other information to USDA regarding the male beluga, known as Havok, that died at Mystic Aquarium on August 6, 2021 after extensive treatment by Mystic Aquarium veterinarians.

As previously provided to National Marine Fisheries Service, please find attached a copy of the preliminary necropsy report from the University of Connecticut and a copy of the incident report filed with National Marine Fisheries Service on August 17, 2021.

At this juncture, Mystic Aquarium has provided all records on the beluga whales to USDA. Furthermore, Mystic Aquarium will keep USDA and NMSF updated on the condition of the female beluga whale that is ill as new information becomes available.

Stephen M. Coan, PhD

President and CEO

55 Coogan Boulevard

Mystic, Connecticut 06355

Office: 860-572-5955 x605

Cell: 860-625-2101

www.mysticaquarium.org



Attachment E

FOIA Doc. No. 07122010289

From: Amy Sloan - NOAA Federal
Subject: Fwd: BELUGA WHALE FROM CANADA IN STABLE, BUT GUARDED CONDITION
To: Deborah Fauquier - NOAA Federal
Cc: Courtney Smith - NOAA Affiliate; Jennifer Skidmore
Sent: September 10, 2021 4:21 PM (UTC-04:00)

Hi Deb,

In addition to the updates APHIS has provided, below is the most recent update we have from Mystic on Jetta's condition.

----- Forwarded message -----

From: **Steve Coan** <scoan@mysticaquarium.org>
Date: Mon, Aug 30, 2021 at 8:55 PM
Subject: BELUGA WHALE FROM CANADA IN STABLE, BUT GUARDED CONDITION
To: Amy Sloan (Amy.Sloan@noaa.gov) <amy.sloan@noaa.gov>
Cc: Allison Tuttle <atuttle@mysticaquarium.org>, Tracy Romano <tromano@mysticaquarium.org>, Gayle Sirpenski <gsirpenski@mysticaquarium.org>

Dear Amy,

Please see our statement below regarding the status of the female beluga whale that is ill.

Steve

FOR IMMEDIATE RELEASE

Media Contact:

Daniel Pesquera

617-304-8846

dpesquera@mysticaquarium.org

BELUGA WHALE FROM CANADA IN STABLE, BUT GUARDED CONDITION

MYSTIC, CT, August 30 – A beluga who recently became critically ill is now in stable, but guarded condition, Mystic Aquarium said Monday in an update. The female is one of five beluga whales transferred in May from challenging circumstances at a Canadian facility.

“While it is too early to be optimistic, there have been incremental

improvements in the whale's white blood count, overall gastric health, appetite, and stabilization of her weight. We are by no means out of the woods and we have a long way to go before we can say there has been a significant recovery," said Dr. Stephen M. Coan, President and CEO of Mystic Aquarium.

"We have flown in beluga and cetacean experts from around the country to assist our veterinary staff, and our team continues to make every possible effort to improve the whale's condition," said Coan.

The beluga was one of five whales imported from Marineland in Canada as part of a research initiative to help save endangered populations of beluga whales from extinction. One of the five, a male beluga with a preexisting gastrointestinal condition, died earlier this month.

A preliminary report from the necropsy has revealed extensive underlying health complications present in the male beluga. Those conditions include a deformed heart. The health issues outlined in the report would have been undetectable by attending veterinarians at the time of the transport and following his arrival at Mystic Aquarium. The cause of death has yet to be determined.

Aquarium scientists and the veterinarian team emphasized that the situation with the deceased male and the ill female are very different, and health assessments have not revealed any indication of a transmissible illness or direct link between their conditions. All of the other belugas at the habitat are in good health.

Mystic Aquarium has proactively contacted American Humane to visit the habitat for a full review of the situation involving the beluga whales. Aquarium officials have also provided complete records to two federal agencies in regards to this matter.

"The health and well-being of the beluga whales remains our first and most important priority, and we will continue to dedicate the full extent of our resources and our energy to helping this beluga make a full recovery," stated Coan. "We thank the members of our community for their ongoing support of the tireless efforts of our veterinarians and animal care staff."

Attachment F

FOIA Doc. No. 07122020456

From: Steve Coan
Subject: RE: NMFS Comments on Breeding Prevention Plan and Amendment to Permit 22629
To: Amy Sloan - NOAA Federal; Allison Tuttle
Cc: donna.wieting@noaa.gov; Greg Schildwachter
Sent: November 25, 2020 2:37 PM (UTC-05:00)

Amy:

Thank you for the response. We are gathering information for response to the questions and will be back to you no later than next Monday.

In the meantime, best wishes for a wonderful Thanksgiving. We appreciate and value all that you and others in NOAA do for our nation.

Steve

Stephen M. Coan, PhD
President and CEO
Mystic Aquarium
55 Coogan Boulevard
Mystic, Connecticut 06355
Office: 860-572-5955 x313
Cell: 860-625-2101
Email: scoan@mysticaquarium.org



From: Amy Sloan - NOAA Federal <amy.sloan@noaa.gov>
Sent: Wednesday, November 25, 2020 2:01 PM
To: Steve Coan <scoan@mysticaquarium.org>; Allison Tuttle <atuttle@mysticaquarium.org>
Cc: donna.wieting@noaa.gov; Greg Schildwachter <greg@watershedresults.com>
Subject: NMFS Comments on Breeding Prevention Plan and Amendment to Permit 22629

EXTERNAL: This email originated outside of Mystic Aquarium. **USE CAUTION** when clicking on links or attachments unless the sender is known and the content is anticipated.

Corrected subject line

Dear Drs. Coan and Tuttle,

Thank you for submitting the plan to prevent breeding by and among five beluga whales you propose to import under Permit No. 22629. In order to evaluate the safety and efficacy of your breeding prevention plan, we will need additional information, as detailed in the attachment to this email. In addition, on the call we had with you on November 20, 2020, you introduced for the first time Mystic Aquarium's plan to substitute three of the five permitted whales with different animals. We need additional information on this request, also included in the attachment. Please revise the breeding prevention plan and the amendment request to incorporate the information requested.

Before you resubmit the breeding prevention plan and request to amend Permit No. 22629, please sign

and date the signature page of the permit (p. 15) in accordance with 50 CFR § 216.33(e)(3), and return an electronic copy by email to me at Amy.Sloan@noaa.gov.

To facilitate timely review, we recommend the plan and amendment request be submitted to Ms. Wieting by email, with a cc to me, in the following format:

- (1) A cover letter signed by Dr. Coan;
- (2) The breeding prevention plan, as modified and supplemented in accordance with the attachment to this email; and
- (3) The amendment request to substitute three of the whales in your permit, also as modified and supplemented in accordance with the attachment to this email.

We will review the plan and process your request for an amendment concurrently.

Please let us know if you have questions.

Sincerely,

Amy

Amy Sloan

Deputy Chief, Permits and Conservation Division

Office of Protected Resources

NOAA Fisheries

Office: 301-427-8432

Mobile: 301-310-1062

<https://www.fisheries.noaa.gov/permits-and-forms#protected-resources>



On Fri, Nov 20, 2020 at 5:34 PM Allison Tuttle <atuttle@mysticaquarium.org> wrote:

Dear Amy and Donna,

Thank you so much for taking time this afternoon for our discussion and for all your many efforts on our permit.

As mentioned on the call, 3 of the 5 belugas intended for import per our permit have been diagnosed with health issues. As we detailed in our permit that only healthy whales would be transported, it is important we replace these 3 belugas with 3 that are of healthy status.

The three whales with specific conditions as detailed on the call that should not be transported are Frankie, Mira, and Qila.

I propose the below substitutions of whales with the same background and sexes as those approved in the permit which should simplify the process.

Havok (in lieu of Frankie)

DOB: August 10, 2015

Dam: Secord

Origin of Dam: Wild - Imported from Russia 12/06/2008

Potential Sires: Tuktoyaktuk, Orion

Origin of Sires: Wild - Both Imported from Russia 06/25/2005

Sahara (in lieu of Mira)

DOB: July 23, 2014

Dam: Acadia

Origin of Dam: Wild - Imported from Russia 12/06/2008

Potential Sires: Andre, Kodiak, Orion

Origin of Sires: Wild - Imported from Russia 10/02/1999 (Andre), 06/25/2005 (Kodiak/Orion)

Jetta (in lieu of Qila)

DOB: July 17, 2014

Dam: Skyla

Origin of Dam: Wild, imported from Russia 6/23/2005

Potential Sires: Andre, Kodiak, Orion, Tuktoyaktuk

Origin of Sires: Wild - Imported from Russia 10/02/1999 (Andre), 06/25/2005 (Kodiak/Orion/Tuktoyaktuk)

Please let me know what is needed so we can include these healthy whales in our permit. This is important for the welfare of the whales that have been deemed not suitable for transport, as well as the research.

As expressed on the call, it is imperative that we accomplish this as quickly as possible to be able to move forward with the import of healthy whales for this project.

Again, I thank you for your time, energy, and expertise throughout the entire process. I am looking forward to working through these final steps so we can make our plans to import the whales and commence the research.

I am available as needed for follow-up discussions and look forward to hearing from you soon!

Best Regards,

Allison

Allison D. Tuttle, DVM, Diplomate ACZM
Senior Vice President of Zoological Operations
860.572.5955 X101; fax 860.572.5972
www.mysticaquarium.org/



MYSTIC
AQUARIUM



Please consider the environment before printing this email.

Attachment G

FOIA Doc. No. 07122010090-000001



September 25, 2020

OFFICE OF THE PRESIDENT

Donna Wieting
Director
Office of Protected Resources
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
Via Email: donna.wieting@noaa.gov

Dear Ms. Wieting:

In preparing to submit a plan to prevent reproduction among imported whales as required by condition III.B.6.e of Permit 22629, we have found the quality of the scientific information provided to be unhelpful and contradictory to our attempts to comply. We believe we understand how the condition is intended to support NMFS policy, but the supporting information disseminated for the condition is at odds with science, professional expertise, ethics, and legal requirements.

Facing these difficulties, we are not yet able to submit a plan and obtain the additional authorization to proceed with importing the whales. We hope that an administrative correction of the information provided will resolve the problem and seek a discussion with you to resolve this matter.

The relevant details from our initial attempts to comply follow. These are preliminary as we continue to work and pending consultation with you.

Citation: The information reviewed includes:

Permit to Import and Take Protected Species for Scientific Purposes, Permit No. 22629, 27 Aug 2020.

The recommendation memorandum "Report on the Application for a Scientific Research Permit [File No. 22629]: Recommendation for Issuance" (Harrison, 27 August 2020).

Environmental Assessment, "Issuance of Marine Mammal Protection Act Scientific Research Permit to Mystic Aquarium for the Importation and Take of Captive Beluga Whales (*Delphinapterus leucas*)", August 2020.

Finding of No Significant Impact for Issuance of Scientific Research Permit to Mystic Aquarium for the Importation and Take of Captive Beluga Whales (*Delphinapterus leucas*), 27 Aug 2020.

National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce. Notice; issuance of permit. (85 FR 56219, 11 Sep 2020).

We also refer to:

Animal Welfare Act (AWA - 7 U.S.C. 2131)

Animal Medicinal Drug Use Clarification Act (AMDUCA - Pub. L. 103-396, 108 Stat. 4153)

Effect on Mystic Aquarium: Acting on the information provided, Mystic Aquarium would be required to disregard science, professional expertise, and law in attempting to comply with permit condition III.B.6.e, which states:

This permit does not authorize breeding of the five subject beluga whales. Prior to importation, the Permit Holder must submit a plan to provide safe and effective contraception or other means to prevent breeding of the five subject beluga whales, for approval by the Office Director. Any contraceptive plan must be developed in consultation with the licensed attending veterinarian(s) and other specialists experienced in beluga whale reproductive husbandry.

Summary of Needs for Administrative Correction:

The information is not useful to us in complying with the III.B.6.e requirement to submit a plan to prevent reproduction, which is required to obtain an additional authorization to proceed with importing the whales. The documents assert we can comply either by physically separating the whales or using contraceptives. The representation in the Recommendation Memo (pp. 9, 13) that because “Mystic acknowledged in their application ... that physical separation was possible in their facility” therefore “Physical separation (e.g., isolating males and females into discrete social groupings) is an alternative to use of contraceptives” is taken out of context and inconsistent with a complete understanding about the facilities at Mystic. The representation of contraception as “relatively safe, effective, widely obtainable, easy to administer, and ... used extensively” (EA, p. 37) is contrary to veterinary practice and expert opinion, including that of specialists experienced in beluga whale reproductive husbandry cited by NMFS.

The information is subject to misuse. The availability of this information to the public confuses issues raised during the public comment period and may lead to misrepresentations in the courts, where a lawsuit has already been filed and where more may follow. Any resulting delay or court action based on unfounded information

will impede Mystic's ability to exercise the rights and responsibilities conveyed by the permit per 16 U.S.C. 1374(c)(2)(C).

The information is inaccurate and unreliable. Subject matter experts cited as sources for the information, as well as our own licensed veterinarians, dispute its accuracy and reliability. The characterization of contraception as "safe, effective, etc." is at odds with actual practice and the requirements of the Animal Welfare Act (AWA) and the Animal Medicinal Drug Use Clarification Act (AMDUCA), making it an unreliable guide to us in attempting to comply.

Supplementary Details:

- 1) "Breeding", "Prevention", and harm: The most basic clarifications we seek are that: (1) Mystic has represented in its application and publicly that it will take no action to induce reproduction; therefore, at issue here is the "prevention of reproduction" not that of purposeful "breeding"; (2) prevention cannot be guaranteed, as NMFS notes regarding bottlenose dolphins and killer whales on contraceptives (EA p. 37) and as cases of conception through separation gates have shown; and, (3) physically separating whales and administering contraceptives are both forms of take under MMPA that increases the level of take or risk of adverse impact.
- 2) Permanent Physical Separation
 - a) NMFS represented that "Mystic Aquarium has the capability to separate animals into different holding pools" (Recommendation Memo, p. 13). This general statement is taken out of the context of husbandry or medical needs under the direction of the attending veterinarian and fails to acknowledge the design features of the facility and its consistency with AWA regulations for holding facilities.
 - The Mystic Aquarium facility is configured to manage a single population of animals among a main pool, a medium-sized holding pool, and a small medical pool. In routine operations, all pools are open to the belugas for most of the time to allow for choice and voluntary separation as required for optimal animal welfare. For husbandry training for voluntary participation in veterinary procedures, the holding pool can be separated from the main pool with a gate. For medical treatments, whales can be moved to the medical pool, which also can be gated, which minimizes stress when health is monitored or during periods of illness.
 - The Mystic Aquarium beluga habitat cannot accommodate 2 separate populations as would be required to separate males and females to prevent reproduction. The holding pool, while ideal for holding animals outside the main habitat for short periods (e.g. to manage dives, or short term social or medical issues), does not provide a suitable environment for long-term holding of belugas, as it does not allow visual or physical separation of

inhabitants (see below). The medical pool is noncompliant for animal holding under AWA and is utilized only under directives from the attending veterinarian for medical management, as authorized under 9 CFR 3.104(a). That same authority may be used to extend the time that whales are confined under an approved variance, but only under the same direction by the attending veterinarian that justifies the initial separation. To violate these requirements to satisfy a policy directive would compromise animal welfare for the animals held there. The holding habitat was designed and certified as an enhancement feature of the overall habitat augmenting animal management options, and for temporary holding, not to be used in and of itself as a long-term animal habitat.

- b) Requirements for housing and grouping marine mammals also prevent the use of these facilities for separation required by a policy directive. To prevent reproduction by physical separation, Mystic would need to move both the imported male beluga and the resident male to the holding pool. This would be poor for animal welfare reasons because the voluntary opportunity for the whales to separate physically or visually could not be possible. Confining two males together, particularly during breeding season, poses the risk of aggression between them. The medical pool cannot be used to resolve this eventuality. Confining a single male in a pool would violate the AWA requirement that marine mammals “known to be primarily social in the wild, must be housed in their primary enclosure with at least one compatible animal of the same or biologically related species” (9 CFR §3.109). This problem could also arise if the resident male, which is not owned by Mystic, is transferred out of the population.
- c) There are increasing reports that show a higher prevalence of uterine pathology in non-contracepted females of many species that do not reproduce regularly, suggesting that separation may not be a safe alternative to contraception or allowing reproduction to occur (Agnew et al 2004; Asa et al 2015; Asa et al 2013; Crosier et al 2011; Hermes et al 2006; Hermes et al 2004).

3) Contraception

- a) NMFS represented this option as “relatively safe, effective, widely obtainable, easy to administer, and ... used extensively” (EA, p. 37). This statement fails to acknowledge that experience with contraception in whales is limited to short-term, medically directed use.
- b) There are no FDA-labeled contraceptive medications for use in cetacean species. Without the tests and trials necessary to obtain a labeled use, it is unreliable to describe a contraceptive as safe or effective. Professional opinion of its relative safety is based on short-term use for medical purposes. Regumate, a synthetic

progesterin which is labeled for use in horses, has been administered off-label to cetaceans, but only under the strict conditions of AMDUCA. It is unreliable to describe its use as extensive.

- c) Long-term continuous use of synthetic progestins in cetaceans has not been performed because long-term continuous usage of the medication has been shown to cause multiple reproductive pathologies in multiple species which ultimately have led to systemic disease (Anderson et al, 1965; Brodey et al, 1966; Capel-Edwards et al, 1973; Eigenmann et al, 1983; Goyings et al 1977; Moresco et al, 2009; Robeck et al, 2018; Selman et al, 1997; Ververidis et al, 2003). Therefore, the effects of long-term continuous use of progestins in cetaceans are unknown. Administering this medication long-term would, at best, be considered experimental if such an experiment were authorized.

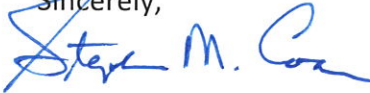
4) Law and Ethics

- a. NMFS bases the III.B.6.3 condition on 50 CFR 216.36 (Recommendation Memo, p. 27), but without reference to other applicable provisions of law, which in this case include the authorities of the US Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) under AWA and the Food and Drug Administration (FDA) under AMDUCA.
- b. Under NMFS authority, 50 CFR 216.36 requires “specific conditions” and “other conditions” for permits. As one of the “other conditions”, III.B.6.e is authorized as “any other permit conditions deemed appropriate” (50 CFR 216.36(b)). NMFS represents that the propriety of the condition is in addressing the policy issue raised by the Marine Mammal Commission that other countries may attempt to evade the prohibition on importing whales descended from a Depleted stock. (We note that this policy objective is not achieved by preventing reproduction among whales already imported.)
- c. However appropriate III.B.6.e may or may not be, its imposition is discretionary under NMFS authority, but conflicts with non-discretionary requirements of AWA and AMDUCA.
- d. The off-label use of a medication “is limited to treatment modalities when the health of an animal is threatened or suffering, or death may result from failure to treat” (21 CFR §530.2). The “treatment modality” under a policy requirement to prevent reproduction does not meet the AMDUCA exception, making such use illegal. In fact, since continuous long-term use could cause deleterious health effects, this would make it contraindicated.
- e. AWA relies on the judgment and findings of the attending veterinarian to justify decisions and exceptions on matters of medication, breeding, holding

facilities, and transportation for animals under their care using their best medical expertise. A policy requirement in conflict with this authority would force highly trained board-certified veterinarians to act against their best judgment and circumvent the supervision and approvals required of the Institutional Animal Use and Care Committee charged with evaluating the care, treatment, housing, and use of animals, and for certifying compliance with the AWA.

- f. For this reason, the American Veterinary Medical Association policy on preventing reproduction (and prohibiting transport) opposes:
- “blanket prohibitions on the breeding and transportation of animals in zoos and aquaria that may have negative consequences for the health and welfare of the animals”. The following points establish the basis for this AVMA position:
- Breeding/transportation bans may circumvent the veterinarian's expertise and medical judgment.
 - AWA identifies the veterinarian as responsible for the provision of veterinary care, as well as for oversight of the adequacy of other aspects of animal care and use for animals kept in zoos and aquaria.
 - Breeding/transportation bans can result in the need to house animals in suboptimal facilities and/or social groupings.
 - Breeding/transportation bans may require the long-term use of contraceptives. The use of pharmaceuticals for contraception may adversely affect animal behavior and health. Determinations as to the appropriateness and conditions of their use must remain at the discretion of the veterinarian providing oversight for care.
 - Breeding/transportation bans may significantly impede data collection from animals under professional care that otherwise would result in information that directly benefits care and conservation of those species in captivity and in the wild.”

Thank you for your consideration of this matter and the close attention and hard work already invested in issuing the permit. We hope to confer with you immediately and clear the way for us to proceed under the permit.

Sincerely,

Stephen M. Coan, PhD
President and CEO

References:

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Copy to:

Mr. Robert Blair: rblair@doc.gov

Ms. Virginia Boney: vboney@doc.gov

Mr. Craig Woolcott: cwoolcott@doc.gov

Ms. Mary O'Brien: mary.obrien@noaa.gov

Ms. Kristen Gustafson: kristen.i.gustafson@noaa.gov

Attachment H

FOIA Doc. No. 07122010122-000001



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

November 13, 2020

Stephen M. Coan, Ph.D.
President and CEO
Mystic Aquarium
55 Coogan Boulevard
Mystic, CT 06355

Dear Dr. Coan:

Thank you for your letter dated September 25, 2020, in which you expressed concerns regarding Condition III.B.6.e in Marine Mammal Protection Act (MMPA) Permit No. 22629 (hereafter, 'Permit'). This condition requires Mystic Aquarium to submit a plan to provide safe and effective contraception or other means to prevent breeding of the five subject beluga whales for approval prior to importation under the Permit. We appreciate your willingness to consult with our office to find a way to comply with this condition. We are confident that based on Mystic Aquarium's expertise, facilities, and resources, you will be able to successfully carry out the permitted research while maintaining compliance with Condition III.B.6.e and all applicable Federal laws.

Your concerns seem to be based, at least in part, on a perceived conflict between the Permit condition and other laws or authorities applicable to your facility, particularly the Animal Welfare Act (AWA). While the AWA does have its own requirements, and does give the attending veterinarian authority regarding the veterinary care and welfare of the animals under his/her care, this does not authorize the veterinarian or licensee to circumvent the requirements of other Federal, State, or local laws or regulations¹, including the requirements of the MMPA and its implementing regulations. Similarly, the Permit does not relieve the Permit Holder of the responsibility to obtain any other permits, or comply with any other Federal, State, local, or international laws or regulations². Thus, it is the responsibility of the licensee to comply with the AWA while at the same time adhering to the conditions of the Permit under the MMPA. We do not see this as an irreconcilable conflict.

You applied for, and were issued, a scientific research permit under 16 U.S.C. 1374(c)(3). Therefore, your rights and responsibilities under your Permit derive from the provisions of the MMPA and its implementing regulations governing scientific research, not public display. Thus, your concern about "Mystic Aquarium's ability to exercise the rights and responsibilities conveyed by the permit per 16 U.S.C. 1374(c)(2)(C)," is misplaced because the Permit was not issued under 16 U.S.C. 1374(c)(2), which applies solely to public display.

¹See 9 CFR §2.11(a)(5) and (6).

²See Condition III.J.1.c of the Permit.



The prevention and control of breeding for captive animal management, including captive management of marine mammals, is certainly not novel. A requirement to prevent breeding of marine mammals as a condition of holding marine mammals in captivity under the MMPA is not novel either. Prior to issuance of the Permit, we consulted with the U.S. Fish and Wildlife Service (Service). The Service regularly includes such restrictions in Letters of Authorizations (LOAs) under Section 109(h) and 112(c) of the MMPA³ for stranded manatees⁴, sea otters, and polar bears. The conditions included in the Permit are consistent with conditions included in authorizations issued by the Service, for the same reasons applicable here: such decisions are based on recommendations (or lack thereof) in species' conservation or recovery plans, as developed under the requirements of the MMPA and ESA, respectively. We determined that Study 7 does not currently meet the regulatory issuance criteria for research on depleted marine mammals, and thus, Study 7 including the proposal to allow breeding, could not be authorized at this time.

Below we respond to the specific concerns raised in your letter.

Breeding, Prevention, and Harm

Mystic's permit application stated that the specific purpose of Study 7 (Behavioral and reproduction studies) was "[t]o provide information on breeding, pregnancy, successful birth and calf rearing, and the critical early life stages from belugas in an aquarium setting under controlled conditions that may engage in reproduction as part of their natural behaviors ..."⁵ The permit application also stated that "[w]hile beluga whale reproduction is not the purpose of the proposed research, breeding is a natural behavior and will be allowed to occur"⁶. In response to public comments, Mystic stated that whales *would not be allowed to breed indiscriminately*, and that "[b]reeding opportunities at Mystic Aquarium occur only pursuant to genetic analysis and input and approval from the Association of Zoos and Aquariums' Marine Mammal Taxon Advisory Group according to accepted population management criteria"⁷. As mentioned above, NMFS determined the proposed Study 7 did not meet the regulatory issuance criteria, and thus, Study 7 could not be approved. Given that Mystic represents that it is capable of preventing "indiscriminate" breeding, it follows that Mystic also has the capability to develop and submit a plan to provide safe and effective contraception or other means to prevent breeding of the five subject beluga whales.

³And also under the Endangered Species Act.

⁴E.g., USFWS Letter of Authorization for Cooperators issued to Mystic Aquarium for manatee (LOAFC770191-5).

⁵See permit application made available for public comment, p. 11.

⁶See permit application made available for public comment, p. 12.

⁷See *Mystic Responses – Issuance Criteria*, response to Comment 6(b), p. 30; and Recommendation Memorandum, p. 8.

You also express concerns that prevention (of breeding) cannot be guaranteed. As you know, we acknowledged in the Environmental Assessment⁸ that no form of contraception is foolproof. But methods to prevent pregnancy can be, and are, in practice, effective in cetaceans (Robeck et al. 2018). As to the possibility of conception occurring between gates, the sliding acrylic gates at your facility can be made watertight with sectional bulkheads, so it appears highly unlikely that conception through those separation gates would be possible. In sum, the possibility that breeding prevention might fail does not negate our requirement that Mystic utilize effective methods to try to prevent breeding.

Finally, you asked for clarification that physical separation and administering contraceptives are forms of take under the MMPA that increase the level of take or risk of adverse impact. Both physical separation and contraceptive use are authorized under the Permit as part of captive maintenance, which includes husbandry, health assessments, medical sampling, and treatments as warranted by the attending veterinarian⁹. The impacts of their use were analyzed in the Environmental Assessment prepared for the Permit¹⁰. We address each method in turn below.

Physical Separation

Your letter, which refers to “permanent” physical separation, indicates that you may have misconstrued one of our suggestions. We did not say that physical separation for purposes of preventing breeding would necessarily be permanent. The permit decision referred to the use of seasonal, not permanent, separation:

“Also, because captive beluga whales are seasonal breeders, with periods of peak fertility typically between February and May (Glabicky et al. 2010; O'Brien et al. 2008; Richard et al. 2017; Robeck et al. 2018; Steinman et al. 2012) separating males from females during these seasonal reproductive windows, rather than year-round, may aid in preventing breeding without significant disruption to social groups. As described in the permit application, Mystic has the capability to separate animals into different holding pools.”¹¹

As to your concerns that your facility cannot accommodate two separate populations due to space limitations, we believe they are unfounded. We consulted with the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) regarding the available space in the beluga whale habitat at your facility. APHIS determined that Mystic Aquarium’s beluga whale habitat, including holding pools, could indeed accommodate two separate populations in compliance with the Animal Welfare Act (AWA) and its implementing regulations.

In addition to the larger rectangular pool, which meets space requirements as a primary enclosure for at least eight beluga whales, the circular 40-foot diameter holding pool meets space

⁸See Section 3.2.3.1 *Direct Impacts of Alternative 2*, p. 37.

⁹See Appendix 1, Table 1 of the Permit.

¹⁰See footnote 9.

¹¹See Recommendation Memorandum, p. 13.

requirements as a primary enclosure for up to five beluga whales. The medical pool meets space requirements as a primary enclosure for one to two beluga whales. As described in the permit application¹², these pools are connected via “a series of three sliding acrylic gates that can be open or closed as desired for animal management. An additional sliding acrylic gate connects the holding pool to the medical pool for animal management.” APHIS has confirmed that two of the three pools could be used for long-term holding of the allowable number of animals at any given time while still maintaining compliance with 9 C.F.R. Section 3.110(b), which requires that holding facilities must be in place and available to meet the needs for isolation, separation, medical treatment and medical training for marine mammals. This would allow you to separate the males from the females during the breeding season or longer, if warranted, while maintaining an additional pool for isolation, separation, medical treatment and medical training.

While it is possible that housing two males together¹³ during the breeding season could lead to behavioral aggression, male-male interactions in beluga whales is important in beluga socialization, appearing early in the juvenile years and solidifying as the males age (Glabicky et al. 2010; Hill et al. 2018; Hill et al. 2015; Hill and Nollens 2019; Mazikowski et al. 2018). Thus, housing males together may serve as a positive interaction that could foster stronger relationships in adult beluga whales (Lilley et al. 2020). However, as stated above, the medical pool and circular holding pool would be available to temporarily separate animals. Based on Mystic’s expertise, facilities, and resources, as well as the social nature of beluga whales, we believe such behavioral management is possible and should be considered either with or without limited, strategic contraception.

In the event the males are permanently non-compatible or the resident male, which is not owned by Mystic, is transferred out of the population, Mystic could temporarily separate the lone male from the females during the breeding season, and if required, seek a variance from APHIS for such separation. During temporary separation, external stimulation, such as increased interactions with trainers and additional environmental enrichment, can be used to compensate for solitary holding (e.g., Goldblatt 1993).

Finally, you expressed concern about “increasing reports” of a “higher prevalence of uterine pathology in non-contracepted females of many species that do not reproduce regularly suggesting that separation may not be a safe alternative to contraception or allowing reproduction to occur.” The studies you provided pertain to terrestrial mammals, and we are unaware of such cases in marine mammals. Furthermore, even if non-contracepted beluga females who do not reproduce regularly were to experience a higher prevalence of uterine pathologies, it is unclear that such uterine pathologies would disproportionately risk female beluga health when compared to health risks from pregnancy, birthing, and associated events.

¹²See permit application made available for public comment, p. 65.

¹³E.g., SeaWorld of Florida’s beluga whale population consists of only two adult males (NOA0006414 and NOA0006410).

Contraception

As with our suggestions about physical separation, we did not mean to imply that contraceptive use would be full-time or permanent. In our decision documents¹⁴ we stated:

“Contraceptive use in cetaceans is relatively safe, effective, widely obtainable, easy to administer, and has been used extensively over the last two decades to synchronize estrus and prevent pregnancy in female cetaceans (Robeck et al. 2018). For seasonally breeding species, such as beluga whales, contraception can be achieved through limited intervention at the onset of, or during, the reproductive season; strategic administration can minimize adverse effects associated with contraceptive use (Calle 2005). Less is known of male contraceptives, but GnRH (gonadotropin releasing hormone) agonists have been used to manage fertility and aggression in males (Robeck et al. 2018).”

According to Asa (2019), progestin-based contraceptive methods have been shown to be safe and effective in most species for decades; this includes cetaceans (Robeck et al. 2018). A common concern in facilities housing marine mammals is the control of fertility in a captive setting (O’Brien and Robeck 2010; Robeck et al. 2001) and that part of fulfilling AZA breeding recommendations entails not only the production of offspring, but also preventing reproduction among those that have not received a breeding recommendation, which may not occur for many years (Asa 2019). Thus, contraception is an important tool for the population management of species in zoos and aquariums and is used both to prevent and enhance breeding (Asa and Porton 2005; O’Brien et al. 2008; Robeck et al. 2018; Robeck et al. 2010; Robeck et al. 2007). For example, for more than twenty years the AZA-recommended synthetic progestin Altrenogest (Regu-mate®) has been the primary contraceptive for breeding management of captive cetaceans, including beluga whales (O’Brien et al. 2008; Robeck et al. 2018; Robeck et al. 2004; Robeck et al. 2010; Robeck et al. 2007). It is the responsibility of the subject facility to ensure compliance with all applicable laws and regulations when conducting population management or enhancing reproduction through the use of contraceptives. Again, we are confident that Mystic’s expertise, facilities and resources will allow it to develop an acceptable plan to prevent breeding in order to comply with the permit condition.

Law and Ethics

The policy established by the American Veterinary Medical Association on preventing breeding (and prohibiting transport) of animals in zoos and aquariums is not applicable to the Permit, which was issued pursuant to the MMPA and its implementing regulations.

Conclusion

Condition III.B.6.e of the Permit requires Mystic Aquarium to “submit a plan to provide safe and effective contraception *or other means* [emphasis added] to prevent breeding of the five subject beluga whales.” We hope this letter clarifies that we did not present a binary choice of full-time contraceptive use or full-time physical separation. We firmly believe that Mystic has the capability to prevent breeding and can do so in accordance with all applicable laws.

¹⁴See Recommendation Memorandum, p. 13; and Environmental Assessment, p. 37.

If Mystic Aquarium still does not believe it will be able to successfully carry out the permitted research and comply with Condition III.B.6.e of the Permit with the use of physical separation and/or contraceptives, we are open to considering “other means” such as potentially establishing a single-sex (i.e., all-female) collection of beluga whales at Mystic Aquarium for the purposes of scientific research. This would require transporting the resident male at Mystic (Juno; NOA0006368) to another facility and replacing the male to be imported (Frankie; NOA0010674) with another female from Marineland of Canada. We discussed this scenario with APHIS to confirm that it is acceptable under the AWA. If this option is something you have considered, or would like to consider, we would be happy to provide additional guidance.

Thank you again for seeking our assistance. We appreciate your continued commitment to the research and conservation of marine protected species, including efforts aiding the recovery of endangered and depleted beluga whales.

Sincerely,

Donna S. Wieting
Director, Office of Protected
Resources

Enclosure

cc: Barbara Kohn, DVM (APHIS)
Anna Barry (USFWS)
Peter Thomas, Ph.D. (MMC)

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Attachment I

FOIA Doc. No. 07122010137-000001



MYSTIC AQUARIUM

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W mysticaquarium.org

OFFICE OF THE PRESIDENT

November 24, 2020

Ms. Donna Wieting
Director
Office of Protected Resources
National Marine Fisheries Service
National Ocean and Atmospheric Administration
Via electronic mail: donna.wieting@noaa.gov

Dear Ms. Wieting:

Thank you for clarifying and amplifying Condition III.B.6.e in Marine Mammal Protection Act (MMPA) Permit No. 22629. On this basis we can comply with the condition and submit the following plan “to provide safe and effective contraception or other means to prevent breeding of the five subject beluga whales.” This letter formally presents Mystic Aquarium’s plan to prevent breeding by and among the five subject animals.

We continue to have questions and concerns regarding the policy rationale and implications of various aspects of the Condition. However, your clarifications and acknowledgements of the constraints imposed on us point to a clear path to compliance with the condition, even while uncertainties about its purpose remain.

With your acknowledgment that it is the responsibility of the licensee to comply with the Animal Welfare Act while at the same time adhering to the conditions of the Permit under MMPA, we will continue to direct our attending veterinarians to always act in the best interest of the health and well-being of individual animals.

As stated in our Permit Application, Mystic Aquarium adheres to the highest standards of veterinary practice and animal husbandry. This commitment has raised our practices for animal wellbeing and care above the minimums required by law and to the higher level necessary to maintain accreditations with the Association of Zoos and Aquariums, Association of Marine Mammal Parks and Aquariums, and American Humane. This commitment – which extends from the purposes of the MMPA, Animal Welfare Act, Animal Medicinal Drug Use and Clarification Act, and State Veterinary Practice Act and other laws governing veterinary medicine in the State of Connecticut – requires us to carry out Condition III.B.6.e within all legal and practical methods available to us, according to federal and state law, with the attending veterinarian, as stipulated under federal law, reserving the right to final judgment with regard to the best care of any one animal at any time with regard to their health and safety.

As our application amply demonstrates, and as NMFS has acknowledged, our scientific program is also defined by rigorous standards. Accordingly, to complete the permitted research and publish reliable results as required by MMPA requires that our compliance with the permit condition not interfere with the approved studies.

Under these commitments and with our new understanding that compliance does not require full-time contraceptive use or full-time physical separation, we propose a breeding prevention plan based on seasonal physical separation.

Respecting our mutual agreement that the social nature of beluga whales allows them to thrive in group settings, we will limit separation to peak reproductive readiness of female belugas in the population as determined by ultrasound analyses explained further below. Mystic Aquarium agrees to secure the acrylic gates throughout the separate tanks in the beluga habitat to prevent breeding amongst separated animals.

Veterinarians will conduct biannual physicals on the animals and utilize ultrasound to monitor follicular growth in females of reproductive age during the breeding season. Once a follicle approaches ovulatory size, male and female belugas will be physically separated until the observed follicle ovulates or resorbs, at which point they will rejoin the social group. Detailed health records and reports from physical examinations and ultrasound monitoring shall be kept in the Mystic Aquarium zoological care database.

Should the need arise to supplement this plan with contraceptives, we will do so on a seasonal basis to the extent that use is deemed by the attending veterinarian to be legal, ethical, consistent with best practices for care and research methods, and in the best interest of any animal. Further, Mystic Aquarium will log all contraceptive use and continue to consult other specialists experienced in beluga whale reproductive husbandry.

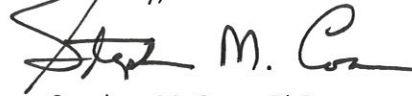
Mystic Aquarium shall establish a Beluga Health Committee reporting to the Institutional Animal Care and Use Committee. The Beluga Health Committee shall review, annually by January 1st of every year, the breeding prevention plan in place for the five beluga whales referenced in the permit, and, incorporating the latest scientific literature and developments in law with regard to this issue, make recommendations to the Institutional Animal Care and Use Committee for the prevention of breeding. The Beluga Health Committee shall consist of at least two marine mammal veterinarians board certified by the American College of Zoological Medicine, one representative of the general public, and shall be chaired by a member of the Institutional Animal Care and Use Committee.

Standard operating procedures regarding prevention of breeding shall be overseen and monitored continuously by the attending veterinarian. Staff will be sufficiently trained to assist in the breeding prevention plan and animal care supervisors shall be trained and authorized to take appropriate steps to prevent breeding in the case of an emergency until a veterinarian arrives. In all cases veterinary and animal care decisions shall be based on informed opinions and expertise of veterinarians practicing marine mammal medicine.

Mystic Aquarium agrees to maintain accreditation by the Association of Zoos and Aquariums (AZA) and to adhere to standards for Cetacean Care and Welfare set by the AZA. Mystic Aquarium also agrees to maintain accreditation by the Alliance of Marine Mammal Parks and Aquariums regarding standards of care for cetaceans. Mystic Aquarium's required annual reports to NOAA NMFS will detail (1) medical condition of the beluga whales; (2) learnings from and effectiveness of breeding prevention (3) research progress and findings related to the beluga whales.

We are grateful for the guidance provided by you and NMSF on the Permit Condition. We submit this plan with renewed commitment to the importance of bringing this cohort of beluga whales to Mystic Aquarium for advancement of conservation and research.

Sincerely,

A handwritten signature in black ink that reads "Stephen M. Coan". The signature is stylized, with the first name "Stephen" written in a cursive script and the last name "Coan" in a more formal, slightly cursive font. The initials "M." are written between the first and last names.

Stephen M. Coan, PhD
President and CEO

Attachment J
CITES Export Permits



Environment Canada / Environnement Canada



Convention on International Trade in Endangered Species of Wild Fauna and Flora / Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction				EXPORT PERMIT PERMIS D'EXPORTATION									
6. Permittee / Détenteur Marineland of Canada c/o Marie Holer 7885 Stanley Avenue South Niagara Falls, ON L2G 0C7 CANADA Tel: [REDACTED] Fax: [REDACTED]				1. Permit/Certificate No. / N° du permis/certificat: 20CA00076FONHQ		3. Valid until / Valable jusqu'au: 2020/12/26 (y-a/m/d-j)							
				2. Date of issue / Date de délivrance: 2020/06/26 (y-a/m/d-j)		4. Purpose of the transaction / But de la transaction: Z							
				5. Special conditions and other information / Conditions particulières et autres renseignements To import or export a living cetacean or sperm, an egg or an embryo of a cetacean, the permit holder must present, with this permit, a letter signed by the Minister of Fisheries and Oceans Canada authorizing such import or export under Section 23.2 (2) (a) of the Fisheries Act. Renewal for permit 19CA00140FONHQ with expiration date 2020/04/15. This permit is valid only if the transport conditions conform to the CITES Guidelines for transport or in the case of air transport, to the IATA Live Animals Regulations. Endorsement by Customs compulsory / Validation par les douanes									
7. Consignee or supplier / Destinataire ou fournisseur Mystic Aquarium c/o Allison D. Tuttle 55 Coogan Boulevard Mystic, CT 06355 UNITED STATES Tel: 860.572.5955 ext [REDACTED] Fax: 860.572.5972				8/9. Scientific name (genus and species) and common name / Nom scientifique (genre et espèce) et nom commun 8/9. <i>Delphinapterus leucas</i> Beluga whale		10. Description of specimens, including marks (age/sex, if live) / Description des spécimens, y compris les marques (âge/sex, si vivant) 10. Live: Female, ~ 4 years old, Animal identification number K3.07222015, white edge around rostrum, white dot on dorsal ridge, named "Havana"		11. Appendix / Annexe II	12. Source / Source F	13. Quantity (incl unit) / Quantité (et unité) 1	14. Exported-Quota / Exporté-Quota N/A		
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Stamp / Estampille		Signature of Inspecting Officer / Signature de l'agent inspecteur Management Authority Stamp / Estampille de l'organe de gestion									




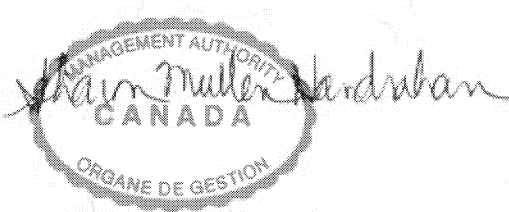
s.19(1)

Convention on International Trade in Endangered Species of Wild Fauna and Flora / Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction		EXPORT PERMIT PERMIS D'EXPORTATION												
6. Permittee / Détenanteur Marineland of Canada c/o Marie Holer 7885 Stanley Avenue South Niagara Falls, ON L2G 0C7 CANADA Tel: [REDACTED] Fax: [REDACTED]		1. Permit/Certificate No. / N° du permis/certificat: 21CA00009FONHQ <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; vertical-align: top;"> 2. Date of issue / Date de délivrance 2021/01/18 (y-a/m/d-j) </td> <td style="width:50%; vertical-align: top;"> 3. Valid until / Valable jusqu'au: 2021/07/18 (y-a/m/d-j) </td> </tr> </table> 4. Purpose of the transaction / But de la transaction: Z		2. Date of issue / Date de délivrance 2021/01/18 (y-a/m/d-j)	3. Valid until / Valable jusqu'au: 2021/07/18 (y-a/m/d-j)									
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7. Consignee or supplier / Destinataire ou fournisseur Mystic Aquarium c/o Allison D. Tuttle 55 Coogan Boulevard Mystic, CT 06355 UNITED STATES Tel: 860.572.5955 ext [REDACTED] Fax: 860.572.5972		5. Special conditions and other information / Conditions particulières et autres renseignements To import or export a living cetacean or sperm, an egg or an embryo of a cetacean, the permit holder must present, with this permit, a letter signed by the Minister of Fisheries and Oceans Canada authorizing such import or export under Section 23.2 (2) (a) or Section 23.2 (2) (b) of the Fisheries Act. Renewal for permit 20CA00076FONHQ with expiration date 2020/12/26. This permit is valid only if the transport conditions conform to the CITES Guidelines for transport or in the case of air transport, to the IATA Live Animals Regulations. Endorsement by Customs compulsory / Validation par les douanes obligatoires.												
8/9. Scientific name (genus and species) and common name / Nom scientifique (genre et espèce) et nom commun 8/9. <i>Delphinapterus leucas</i> A Beluga whale	10. Description of specimens, including marks (age/sex, if live) / Description des spécimens, y compris les marques (âge/sex, si vivant) 10. Live: Female, ~ 4 years old. Animal identification number K3.07222015, white edge around rostrum, white dot on dorsal ridge, named "Havana"	11. Appendix / Annexe 11. II	12. Source / Source 12. F	13. Quantity (incl unit) / Quantité (et unité) 13. 1	14. Exported-Quota / Exporté-Quota 14. N/A									
15a. Country of origin / Pays d'origine Canada	Permit No. / N° de permis 21CA00009FONHQ	Date (y-a/m/d-j) 2021/01/18	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / d'acquisition N/A								
 B 8/9. 10. 11. 12. 13. 14. 15a. Country of origin / Pays d'origine Permit No. / N° de permis Date (y-a/m/d-j) 15b. Country of last re-export / Pays de provenance Certificate No. / N° de certificat Date (y-a/m/d-j) 16. Pre-Convention date / d'acquisition 														
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Block / Section	Quantity / Quantité													
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 Convention on International Trade in Endangered Species of Wild Fauna and Flora / Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction		EXPORT PERMIT PERMIS D'EXPORTATION											
6. Permittee / Détenteur Marineland of Canada c/o Marie Holer 7885 Stanley Avenue South Niagara Falls, ON L2G 0C7 CANADA Tel: [redacted] Fax: [redacted]		1. Permit/Certificate No. / N° du permis/certificat: 21CA00012FONHQ		2. Date of issue / Date de délivrance: 2021/01/18 (y-a/m/d-j)		3. Valid until / Valable jusqu'au: 2021/07/18 (y-a/m/d-j)							
7. Consignee or supplier / Destinataire ou fournisseur Mystic Aquarium c/o Allison D. Tuttle 55 Coogan Boulevard Mystic, CT 06355 UNITED STATES Tel: 860.572.5955 ext [redacted] Fax: 860.572.5972		4. Purpose of the transaction / But de la transaction: 2		5. Special conditions and other information / Conditions particulières et autres renseignements To import or export a living cetacean or sperm, an egg or an embryo of a cetacean, the permit holder must present, with this permit, a letter signed by the Minister of Fisheries and Oceans Canada authorizing such import or export under Section 23.2 (2) (a) or Section 23.2 (2) (b) of the Fisheries Act. Renewal for permit 20CA00079FONHQ with expiration date 2020/12/26. This permit is valid only if the transport conditions conform to the CITES Guidelines for transport or in the case of air transport, to the IATA Live Animals Regulations. Endorsement by Customs compulsory / Validation par les douanes obligatoires.									
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A 8/9. <i>Delphinapterus leucas</i> Beluga whale		10. Live: Female, ~ 5 years old, Animal identification number AU1.07202014, darker grey around eyes, triangle grey patch on ventral chin, named "Kharabali"		11. II	12. F	13. 1	14. N/A						
15a. Country of origin / Pays d'origine: Canada		Permit No. / N° de permis: 21CA00012FONHQ	Date (y-a/m/d-j): 2021/01/18	15b. Country of last re-export / Pays de provenance		Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / d'acquisition: N/A					
B 8/9. 10.		11.	12.	13.	14.	15a. Country of origin / Pays d'origine		16. Pre-Convention date / d'acquisition					
C 8/9. 10.		11.	12.	13.	14.	15a. Country of origin / Pays d'origine		16. Pre-Convention date / d'acquisition					
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		4. Purpose of the transaction / But de la transaction: Z										
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A	8/9. <i>Delphinapterus leucas</i> Beluga whale	10. Live: Female, ~6 years old, Animal identification number BW-02-02-2014, white notch at edge of upper rostrum, scar above left eye, more prominent/bulbous melon, named "Jetta"	11. II	12. F	13. 1	14. N/A						
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / d'acquisition						
Canada	21CA00014FONHQ	2021/02/19				N/A						
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6. Permittee / Détenteur Marineland of Canada c/o Marie Holer 7885 Stanley Avenue South Niagara Falls, ON L2G 0C7 CANADA Tel: [redacted] Fax: [redacted]		1. Permit/Certificate No / N° du permis/certificat: 21CA00015FONHQ																									
		2. Date of issue / Date de délivrance: 2021/02/19 <small>(y-a/m/d-j)</small>	3. Valid until / Valable jusqu'au: 2021/08/19 <small>(y-a/m/d-j)</small>																								
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6. Permittee / Détenteur Marineland of Canada c/o Marie Holer 7885 Stanley Avenue South Niagara Falls, ON L2G 0C7 CANADA Tel: [redacted] Fax: [redacted]		1. Permit/Certificate No. / N° du permis/certificat: 21CA00016FONHQ		3. Valid until / Valable jusqu'au: 2021/08/19 (y-a/m/d-j)									
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8/9. <i>Delphinapterus leucas</i> Beluga whale		10. Live: Female, ~6 years old, Animal identification number BW-02-02-414, dark purple "cheek" patches on underside of lower jaw, white spot behind right eye, named "Sahara"		11. II	12. F	13. 1	14. N/A						
15a. Country of origin / Pays d'origine		Permit No. / N° de permis	Date (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance		Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / d'acquisition					
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8/9. Scientific name (genus and species) and common name / Nom scientifique (genre et espèce) et nom commun		10. Description of specimens, including marks (age/sex, if live) / Description des spécimens, y compris les marques (âge/sex, si vivant)		11. Appendix / Annexe	12. Source / Source	13. Quantity (incl. unit) / Quantité (et unité)	14. Exported-Quota / Exporté-Quota						
A <i>Delphinapterus leucas</i> Beluga whale		Part: Whole blood, frozen; collected from "Mavana"; animal identification number K3-0722015.		II	F	50 ml	N/A						
15a. Country of origin / Pays d'origine Canada	Permit No. / N° de permis 21CA00050FONHQ	Date (y-a/m/d-j) 2021/05/07	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / d'acquisition N/A							
B <i>Delphinapterus leucas</i> Beluga whale		Part: Whole blood, frozen; collected from "Sahara"; animal identification number BW-02-02-414.		II	F	50 ml	N/A						
15a. Country of origin / Pays d'origine Canada	Permit No. / N° de permis 21CA00050FONHQ	Date (y-a/m/d-j) 2021/05/07	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / d'acquisition N/A							
C <i>Delphinapterus leucas</i> Beluga whale		Part: Whole blood, frozen; collected from "Jetta"; animal identification number BW-02-02-2014.		II	F	50 ml	N/A						
15a. Country of origin / Pays d'origine Canada	Permit No. / N° de permis 21CA00050FONHQ	Date (y-a/m/d-j) 2021/05/07	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / d'acquisition N/A							
17. FOR CUSTOMS USE ONLY / RÉSERVÉ AUX DOUANES Bill of Lading/Air Waybill no. / N° de connaissement/lettre de transport aérien Total no. of shipping containers / Nombre total de boîtes expédiées Customs Endorsement / Validation par les douanes Block / Quantity / Section / Quantité <table border="1"> <tr><td>A</td><td></td></tr> <tr><td>B</td><td></td></tr> <tr><td>C</td><td></td></tr> </table> Stamp / Estampille Signature of Inspecting Officer / Signature de l'agent inspecteur				A		B		C		18. THIS PERMIT/CERTIFICATE IS ISSUED BY / CE PERMIS OU CERTIFICAT EST DÉLIVRÉ PAR Sharon Mullen Handrahan 2021/05/07 Name / Nom Date of issue / Date de délivrance (y-a/m/d-j) Management Authority Stamp / Estampille de l'agent de gestion			
A													
B													
C													

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Permit/Certificate No. /
N° du permis/certificat:

21CA00050FONHQ

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8.9. Scientific name (genus and species) and common name / Nom scientifique (genre et espèce) et nom commun	10. Description of specimens, including marks (age/sex, if live) / Description des spécimens, y compris les marques (âge/sex, si vivant)			11. Appendix / Annexe	12. Source / Source	13. Quantity (incl. unit) / Quantité (et unité)	14. Exported-Quota / Exporté-Quota
D <i>Delphinapterus leucas</i> Beluga whale	10. Part: Whole blood, frozen; collected from "Havok", animal identification number BW-01-02-215.			11. II	12. F	13. 50 ml	14. N/A
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition	
Canada	21CA00050FONHQ	2021/05/07				N/A	
E <i>Delphinapterus leucas</i> Beluga whale	10. Part: Whole blood, frozen; collected from "Kharabell", animal identification number AU1-07220214.			11. II	12. F	13. 50 ml	14. N/A
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition	
Canada	21CA00050FONHQ	2021/05/07				N/A	
F <i>Delphinapterus leucas</i> Beluga whale	10. Part: Blow/Breath samples (up to 50 petri dishes and up to 100 tubes); collected from "Havana"; animal identification number K3-07222015.			11. II	12. F	13. see description	14. N/A
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition	
Canada	21CA00050FONHQ	2021/05/07				N/A	
G <i>Delphinapterus leucas</i> Beluga whale	10. Part: Blow/Breath samples (up to 50 petri dishes and up to 100 tubes); collected from "Sahara"; animal identification number BW-02-02-414.			11. II	12. F	13. see description	14. N/A
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition	
Canada	21CA00050FONHQ	2021/05/07				N/A	
H <i>Delphinapterus leucas</i> Beluga whale	10. Part: Blow/Breath samples (up to 50 petri dishes and up to 100 tubes); collected from "Jetta"; animal identification number BW-02-02-2014.			11. II	12. F	13. see description	14. N/A
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition	
Canada	21CA00050FONHQ	2021/05/07				N/A	

17. FOR CUSTOMS USE ONLY / RÉSERVÉ AUX DOUANES				18. THIS PERMIT/CERTIFICATE IS ISSUED BY / CE PERMIS OU CERTIFICAT EST DÉLIVRÉ PAR			
Bill of Lading/Air Waybill no. / N° de connaissement/lettre de transport aérien		Total no. of shipping containers / Nombre total de boîtes expédiées		Sharon Mullen Handrahan		2021/05/07	
Customs Endorsement / Validation par les douanes				Name / Nom		Date of issue / Date de délivrance (y-a/m/d-j)	
Block / Section		Quantity / Quantité		Block / Section		Quantity / Quantité	
D		G					
E		H					
F							
Stamp / Estampille				Signature of Inspecting Officer / Signature de l'agent inspecteur			
				Management Authority Stamp / Estampille de l'organisme de gestion			


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Permit/Certificate No./
N° du permis/certificat:

21CA00050FONHQ

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8.9. Scientific name (genus and species) and common name / Nom scientifique (genre et espèce) et nom commun	10. Description of specimens, including marks (age/sex, if live) / Description des spécimens, y compris les marques (âge/sex, si vivant)			11. Appendix / Annexe	12. Source / Source	13. Quantity (incl. units) / Quantité (et unités)	14. Exported-Quota / Exporté-Quota
I <i>Delphinapterus leucas</i> Beluga whale	10. Part: Blow/Breath samples (up to 50 petri dishes and up to 100 tubes); collected from "Havok"; animal identification number BW-01-02-215.			11. II	12. F	13. see description	14. N/A
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date / (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition	
Canada	21CA00050FONHQ	2021/05/07				N/A	
J <i>Delphinapterus leucas</i> Beluga whale	10. Part: Blow/Breath samples (up to 50 petri dishes and up to 100 tubes) from "Kharabali"; animal identification number AU1-07202014.			11. II	12. F	13. see description	14. N/A
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date / (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition	
Canada	21CA00050FONHQ	2021/05/07				N/A	
K <i>Delphinapterus leucas</i> Beluga whale	10. Part: Fecal samples (vials); collected from "Havana"; animal identification number K3-07222015.			11. II	12. F	13. max 500g	14. N/A
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date / (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition	
Canada	21CA00050FONHQ	2021/05/07				N/A	
L <i>Delphinapterus leucas</i> Beluga whale	10. Part: Fecal samples (vials); collected from "Sahara"; animal identification number BW-02-02-414.			11. II	12. F	13. max 500g	14. N/A
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date / (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition	
Canada	21CA00050FONHQ	2021/05/07				N/A	
M <i>Delphinapterus leucas</i> Beluga whale	10. Part: Fecal samples (vials); collected from "Jetta"; animal identification number BW-02-02-2014.			11. II	12. F	13. max 500g	14. N/A
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date / (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition	
Canada	21CA00050FONHQ	2021/05/07				N/A	

17. FOR CUSTOMS USE ONLY / RÉSERVÉ AUX DOUANES Bill of Lading/Air Waybill no. / N° de connaissement lettre de transport aérien Total no. of shipping containers / Nombre total de boîtes expédiées Customs Endorsement / Validation par les douanes Block / Section Quantity / Quantité Block / Section Quantity / Quantité <table border="1"> <tr> <td>I</td> <td></td> <td>L</td> <td></td> </tr> <tr> <td>J</td> <td></td> <td>M</td> <td></td> </tr> <tr> <td>K</td> <td></td> <td></td> <td></td> </tr> </table> Stamp / Estampille Signature of Inspecting Officer / Signature de l'agent inspecteur		I		L		J		M		K				18. THIS PERMIT/CERTIFICATE IS ISSUED BY / CE PERMIS OU CERTIFICAT EST DÉLIVRÉ PAR Sharon Mullen Handrahan Name / Nom 2021/05/07 Date of issue / Date de délivrance (y-a/m/d-j)  Management Authority Stamp / Organe de gestion	
I		L													
J		M													
K															

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Permit/Certificate No./
N° du permis/certificat:

21CA00050FONHQ

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8.9 Scientific name (genus and species) and common name / Nom scientifique (genre et espèce) et nom commun	10. Description of specimens, including marks (age/sex, if live) / Description des spécimens, y compris les marques (âge/sex, si vivant)			11 Appendix / Annexe	12 Source / Source	13 Quantity (incl. unit) / Quantité (et unité)	14 Exported-Quota / Exporté-Quota
N <i>Delphinapterus leucas</i> Beluga whale	10. Part: Fecal samples (viats); collected from "Havok"; animal identification number BW-01-02-215.			11 II	12 F	13 max 500g	14 N/A
	15a. Country of origin / Pays d'origine Canada	Permit No. / N° de permis 21CA00050FONHQ	Date / (y-m-d-j) 2021/05/07	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-m-d-j)	16. Pre-Convention date / date d'acquisition N/A
O <i>Delphinapterus leucas</i> Beluga whale	10. Part: Fecal samples (viats); collected from "Kharabali"; animal identification number AU-07202014.			11 II	12 F	13 max 500g	14 N/A
	15a. Country of origin / Pays d'origine Canada	Permit No. / N° de permis 21CA00050FONHQ	Date / (y-m-d-j) 2021/05/07	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-m-d-j)	16. Pre-Convention date / date d'acquisition N/A
P <i>Delphinapterus leucas</i> Beluga whale	10. Part: Saliva (swabs in transport tube); collected from "Havana"; animal identification number K3-07222015.			11 II	12 F	13 max 10 swabs	14 N/A
	15a. Country of origin / Pays d'origine Canada	Permit No. / N° de permis 21CA00050FONHQ	Date / (y-m-d-j) 2021/05/07	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-m-d-j)	16. Pre-Convention date / date d'acquisition N/A
Q <i>Delphinapterus leucas</i> Beluga whale	10. Part: Saliva (swabs in transport tube); collected from "Sahara"; animal identification number BW-02-02-414.			11 II	12 F	13 max 10 swabs	14 N/A
	15a. Country of origin / Pays d'origine Canada	Permit No. / N° de permis 21CA00050FONHQ	Date / (y-m-d-j) 2021/05/07	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-m-d-j)	16. Pre-Convention date / date d'acquisition N/A
R <i>Delphinapterus leucas</i> Beluga whale	10. Part: Saliva (swabs in transport tube); collected from "Jetta"; animal identification number BW-02-02-2014.			11 II	12 F	13 max 10 swabs	14 N/A
	15a. Country of origin / Pays d'origine Canada	Permit No. / N° de permis 21CA00050FONHQ	Date / (y-m-d-j) 2021/05/07	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-m-d-j)	16. Pre-Convention date / date d'acquisition N/A

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Bill of Lading/Air Waybill no / N° de connaissement/lettre de transport aérien		Total no. of shipping containers / Nombre total de boîtes expédiées		Sharon Mullen Handrahan		2021/05/07													
		Customs Endorsement / Validation par les douanes		Name / Nom		Date of issue / Date de délivrance (y-m/d-j)													
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		<table border="1"> <tr> <td>N</td> <td></td> <td>Q</td> <td></td> </tr> <tr> <td>O</td> <td></td> <td>R</td> <td></td> </tr> <tr> <td>P</td> <td></td> <td></td> <td></td> </tr> </table>		N		Q		O		R		P							
N		Q																	
O		R																	
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Stamp / Estampille		Signature of Inspecting Officer / Signature de l'agent inspecteur		Management Authority Stamp / Estampille de l'organisme de gestion															

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S 8.9. <i>Delphinapterus leucas</i> Beluga whale	10. Part: Saliva (swabs in transport tube); collected from "Havok"; animal identification number BW-01-02-215.			11. II	12. F	13. max 10 swabs	14. N/A
	15a. Country of origin Pays d'origine Canada	Permit No. N° de permis 21CA00050FONHQ	Date (y-a/m/d-j) 2021/05/07	15b. Country of last re-export Pays de provenance	Certificate No. N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date d'acquisition N/A
T 8.9. <i>Delphinapterus leucas</i> Beluga whale	10. Part: Saliva (swabs in transport tube); collected from "Kharabai"; animal identification number AU1-07202014.			11. II	12. F	13. max 10 swabs	14. N/A
	15a. Country of origin Pays d'origine Canada	Permit No. N° de permis 21CA00050FONHQ	Date (y-a/m/d-j) 2021/05/07	15b. Country of last re-export Pays de provenance	Certificate No. N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date d'acquisition N/A
U 8.9. <i>Delphinapterus leucas</i> Beluga whale	10. Part: Microbial swabs (skin, blowhole, mouth, rectal); collected from "Havana"; animal identification number K3-07222015.			11. II	12. F	13. max 10 swabs	14. N/A
	15a. Country of origin Pays d'origine Canada	Permit No. N° de permis 21CA00050FONHQ	Date (y-a/m/d-j) 2021/05/07	15b. Country of last re-export Pays de provenance	Certificate No. N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date d'acquisition N/A
V 8.9. <i>Delphinapterus leucas</i> Beluga whale	10. Part: Microbial swabs (skin, blowhole, mouth, rectal); collected from "Sahara"; animal identification number BW-02-02-414.			11. II	12. F	13. max 10 swabs	14. N/A
	15a. Country of origin Pays d'origine Canada	Permit No. N° de permis 21CA00050FONHQ	Date (y-a/m/d-j) 2021/05/07	15b. Country of last re-export Pays de provenance	Certificate No. N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date d'acquisition N/A
W 8.9. <i>Delphinapterus leucas</i> Beluga whale	10. Part: Microbial swabs (skin, blowhole, mouth, rectal); collected from "Jetta"; animal identification number BW-02-02-2014.			11. II	12. F	13. max 10 swabs	14. N/A
	15a. Country of origin Pays d'origine Canada	Permit No. N° de permis 21CA00050FONHQ	Date (y-a/m/d-j) 2021/05/07	15b. Country of last re-export Pays de provenance	Certificate No. N° de certificat	Date (y-a/m/d-j)	16. Pre-Convention date d'acquisition N/A

17. FOR CUSTOMS USE ONLY / RÉSERVÉ AUX DOUANES

Bill of Lading/Air Waybill no. / N° de connaissement/lettre de transport aérien

Total no. of shipping containers / Nombre total de boîtes expédiées

Customs Endorsement / Validation par les douanes

Block / Section	Quantity / Quantité	Block / Section	Quantity / Quantité
S		V	
T		W	
U			

Stamp / Estampille

Signature of Inspecting Officer / Signature de l'agent inspecteur

18. THIS PERMIT/CERTIFICATE IS ISSUED BY / CE PERMIS OU CERTIFICAT EST DÉLIVRÉ PAR

Sharon Mullen Handrahan

Name / Nom

2021/05/07

Date of issue / Date de délivrance (y-a/m/d-j)

Management Authority Stamp / Estampille de l'organe de gestion



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X 8.9. <i>Delphinapterus leucas</i> Beluga whale	10. Part: Microbial swabs (skin, blowhole, mouth, rectal), collected from "Havok", animal identification number BW-01-02-215.			11. II	12. F	13. max 10 swabs	14. N/A												
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date / (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition													
Canada	21CA00050FONHQ	2021/05/07				N/A													
Y 8.9. <i>Delphinapterus leucas</i> Beluga whale	10. Part: Microbial swabs (skin, blowhole, mouth, rectal), collected from "Kharabali", animal identification number AU1-07202014.			11. II	12. F	13. max 10 swabs	14. N/A												
15a. Country of origin / Pays d'origine	Permit No. / N° de permis	Date / (y-a/m/d-j)	15b. Country of last re-export / Pays de provenance	Certificate No. / N° de certificat	Date / (y-a/m/d-j)	16. Pre-Convention date / date d'acquisition													
Canada	21CA00050FONHQ	2021/05/07				N/A													
8.9. 10. 11. 12. 13. 14.																			
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8.9. 10. 11. 12. 13. 14.																			
15a. Country of origin / Pays d'origine Permit No. / N° de permis Date / (y-a/m/d-j) 15b. Country of last re-export / Pays de provenance Certificate No. / N° de certificat Date / (y-a/m/d-j) 16. Pre-Convention date / date d'acquisition																			
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15a. Country of origin / Pays d'origine Permit No. / N° de permis Date / (y-a/m/d-j) 15b. Country of last re-export / Pays de provenance Certificate No. / N° de certificat Date / (y-a/m/d-j) 16. Pre-Convention date / date d'acquisition																			
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Bill of Lading/Air Waybill no. / N° de connaissement/lettre de transport aérien		Total no. of shipping containers / Nombre total de boîtes expédiées		Sharon Mullen Handrahan		2021/05/07													
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		<table border="1"> <tr> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Y</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>		X				Y											
X																			
Y																			
Stamp / Estampille		Signature of Inspecting Officer / Signature de l'agent inspecteur		Management Authority Stamp / Estampille de l'Agence de gestion															
				 															

This permit/certificate is issued under the authority of the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act*
Ce permis/certificat est délivré en vertu de la *Loi sur la protection d'espèces animales et végétales sauvages et la réglementation de leur commerce international et interprovincial*