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October 29, 2021

TO: Advisory Committee on Plants and Animals

FROM: Ann Goody, Ph.D.
Executive Director
Three Ring Ranch, Inc.

THROUGH: Noni Putnam
Land Vertebrate Specialist
Plant Quarantine Branch

SUBJECT: Request to: (1) Allow the Importation of up to Eleven (11) Ring-Tailed Lemurs, *Lemur catta* and One (1) Black Capped Capuchin, *Sapajus apella*, Animals on the List of Restricted Animals (Part B), by Permit, for use in a Primate Sanctuary, by Three Ring Ranch, Inc.; and (2) Update Permit Conditions for the Importation of up to Eleven (11) Ring-Tailed Lemurs, *Lemur catta* and One (1) Black Capped Capuchin, *Sapajus apella*, Animals on the List of Restricted Animals (Part B), for use in a Primate Sanctuary, by Three Ring Ranch, Inc.

PQB NOTES: *Dr. Goody submitted a permit application request to import up to a total of eleven (11) Ring-Tailed Lemurs. The exact number of lemurs that will be imported and their condition is unknown at this time. If this request is approved, the exact number of Ring-Tailed Lemurs to be imported will be required prior to the issuance of an import permit and shall not exceed a total of eleven (11) Lemurs.*

I. Summary Description of the Request

PQB NOTES: *The Plant Quarantine Branch (PQB) submittal for requests for import or possession permits, as revised, distinguishes information provided by the applicant from procedural information and advisory comment and evaluation presented by PQB. With the exception of PQB notes, hereafter "PQB NOTES," the text shown below in Section II from page 3 through page 9 of the submittal was taken directly from the Three Ring Ranch Inc.'s application and subsequent written communications provided by the applicant Dr. Ann Goody. For instance, the statements on page 8 regarding effects on*

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the environment are the applicant's statements in response to standard PQB questions and are not PQB's statements. This approach for PQB submittals aims for greater applicant participation in presenting import requests in order to move these requests to the Board of Agriculture (Board) more quickly, while distinguishing applicant provided information from PQB information. The portion of the submittal prepared by PQB, including the Advisory Subcommittee Review and Proposed Import Conditions is identified as Sections III and IV of the submittal, which starts at pages 9 and 12, respectively.

We have a request to review the following:

COMMODITY: Multiple shipments of up to Eleven (11) Ring-Tailed Lemurs, *Lemur catta* and one (1) female Black Capped Capuchin, *Sapajus apella*. (Refer to Appendix A for Permit Application).

PQB NOTES: *On August 30, 2021, Dr. Goody confirmed via email that the animals are currently in Michigan and after seizure by authorities (not in Hawaii), they will receive health care, surgical care, health screening, and quarantine prior to travel to Hawaii under control of the Predator Healing Project. Dr. Goody also mentioned that the ages and sexes of the lemurs are unknown at this time; however, all male lemurs are to be vasectomized or castrated prior to the importation. She further mentioned that all female lemurs, if any, that are not already spayed will not be spayed and the approximately (15) fifteen-year-old female Black Capped capuchin monkey will not be spayed prior to importation.*

Dr. Goody was notified by email that all imported animals will have to comply with all pre-entry and post-entry animal health requirements of the Animal Industry Division (AID) prior to importation into Hawaii, if this request is approved by the Board of Agriculture.

SHIPPERS: Matthew Simmons, Founder & Director of Predator Healing Project, 175 Hutton Ranch Rd, Suite 103, #813, Kalispell, Montana 59901. Phone No.: (406) 890-1449.

IMPORTER: Ann Goody, Executive Director, Three Ring Ranch, Inc. (3RR), 75-809 Keaolani Drive, Kailua-Kona, Hawaii 96740. Phone No.: (808) 331-8778. Fax No.: (866) 365-5097. (Refer to Appendix B for resume).

PQB NOTES: *The PQB has previously approved Possession Permits for Ann Goody, 3RR, on November 12, 2010, May 27, 2015, May 28, 2015, and March 24, 2016 for various non-human primates. (Refer to Attachments 1, 2, 3, 4, and 5). The PQB has*

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previously approved an Import Permit for Ann Goody, 3RR, on October 17, 2019 to import various non-human primates. (Refer to Attachment 6).

CATEGORY: Ring-Tailed Lemur, *Lemur catta* and Black Capped Capuchin, *Sapajus apella*, are on the List of Restricted Animals (Part B). Pursuant to Hawaii Administrative Rules (HAR), Chapter 4-71, all species in the family Lemuridae (*Lemur catta*) and family Cebidae (*Sapajus apella*), may be imported into Hawaii for government use, or private and commercial use, including research, zoological parks, or aquaculture production, except that animals in the order Primates shall not be allowed for import or possession for private or commercial use other than for purposes described in HAR 4-71-6.5(b)(2), or for primate sanctuaries, as determined by the Board.

Per HAR Chapter 4-71-2, Definitions, a “Primate sanctuary” means a facility that provides permanent care, rehabilitation, and protection for donated, abandoned, or displaced primates, does not trade or sell primates for financial gain, and that maintains a 501 (c) (3) not for-profit federal tax-exempt status and any permits or licenses required by federal, state, or municipal laws. . . .” (Refer to Attachment 7 for 3RR’s letter of exemption under the Internal Revenue Code section 501 (c) (3)).

Additionally, pursuant to HAR Chapter 4-71-8(e), government organizations, such as municipal zoos, and animal sanctuaries determined by the United States Internal Revenue Service to be not-for-profit entities are exempt from the bonding requirements of this section.

II. Information Provided by the Applicant in Support of the Application

PROJECT: 3RR is Hawaii’s only accredited animal sanctuary. (Refer to Attachments 8 and 9 for general information about 3RR). For over 23 years we have maintained multiple applicable licenses, dual accreditation, run multiple educational programs including residential vet and pre-vet programs utilizing the resident animal population. (Refer to Attachments 10, 11, 12, 13, 14, 15, and 16 respectively for the Global Federation of Animal Sanctuaries certificate, the Board of Directors of the American Sanctuary Association certificate, the United States Department of Agriculture (USDA) Animal Welfare Act licenses, the Department of Land and Natural Resources Permit, the Teaching Philosophy handout, the 3RR Residential Intern Program information and the 3RR Intern Volunteer Orientation information).

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PQB NOTES: 3RR's U.S. Department of Agriculture (USDA) Class C – Exhibitor license under the Animal Welfare Act expired on 10/02/2021. Per a verbal conversation with Brian Hood from USDA Animal and Plant Health Inspection Service (APHIS) Animal Care, it appears that Dr. Goody has submitted everything needed to comply, but because there is no in-state inspector and due to the pandemic, an inspector is unable to come to Hawaii to conduct an inspection and complete the relicensing process. If this request is approved, PQB would obtain written confirmation from USDA APHIS regarding Dr. Goody's being in compliance with any required licenses prior to the issuance of an import permit.

This application will allow importation of partner animals to existing or older non-reproductive non-human primates (NHP) residents. As a sanctuary, we work to provide the best situation for not only the animals in our care but others in need who would benefit from resident status. Based on the recommendation of Dr. Pamela Smith, Doctor of Veterinary Medicine (DVM) of the USDA, and others, we are submitting this application to obtain companion NHP for the solo housed NHP in our care who cannot be combined due to being of different species as well as companion animals for the species who prefer to live in groups. (Refer to Attachment 17 for the Animal Welfare Regulations 3.81(a) Social Grouping for non-human primates). The application covers permitted species currently owned by 3RR. Hawaii Permit 20-10-H-6688c. (Refer to Attachment 6 for 3RR's Import Permit and Conditions).

OBJECTIVE: Lifetime care, non-research, companionship with same species NHP. Companions for the lemur residents already living at 3RR, companion capuchin for the solo housed female resident at 3RR.

PROCEDURE: Safe move for rescued animals to our accredited animal sanctuary. Animals will have been seized by authorities. Appropriateness for 3RR placement to be evaluated and determined by 3RR primate DVM whose team is already on site. Prior to transport to 3RR, they will have been examined by a licensed DVM, lab tested and quarantined. They will have accompanying health certification. Animals will live safely in the 3RR secure facility to end of their lives.

PQB NOTES: *The date of the seizure is unknown at this time.*

DISCUSSION:

- 1. Person Responsible:** Ann Goody Ph.D., Executive Director, 3RR, 75-890 Keaolani Drive, Kailua-Kona Hawaii 96740. Phone No.: (808) 331-8778. Fax No.: (866) 365-5097. Email Address: animals@threeringranch.org
- 2. Safeguard Facility and Practices:** Ann Goody Ph.D., Executive Director, 3RR, 75-809 Keaolani Drive, Kailua-Kona Hawaii 96740. Phone No.: (808) 331-8778. Fax No.: (866) 365-5097. Email Address: animals@threeringranch.org
Map and direction to the facility: <https://www.google.com/maps/place/75-809+Keolani+Sbd,+Kailua+Kona,+HI+96740/@19.643622,-155.96545,17z/data=!3m1!4b1!4m2!3m1!1s0x79540ec5064e89c5:0x96c75685d4431ed0>. (Refer to Attachment 18 for aerial map of facility).

Refer to driving directions from the airport below:

Take Queen K Highway (11) south into Kona. Pass Wal-Mart and go one more mile to Nani-Kailua (signal) turn LEFT and go UP the hill 2 stop signs. At the second stop go left again to the end. Keaolani gates on right. 75-809 Keaolani Dr, Kailua Kona - GPS often gives inaccurate/difficult directions in many GPS units (e.g., Google Maps). Make sure your directions take you UP the hill from the Queen Kamehameha highway on NaniKailua - not DOWN the hill from Old Mamalahoa Highway (near Holualoa). That entrance is not marked and difficult to find. Press 0-0-0-2 on the Keaolani main entrance intercom. We are the second house, just after the first speed hump, and have a "zebra mailbox" and a bronze gate. That gate will be opened by me when the animals are safe. No need to press more buttons.

Security for facility includes 2 coded entrance gates, 6' perimeter fence, alarms (including cameras) and guard dog. (Refer to Attachments 19, 20 and 21 for photographs of the entrance gates and 3RR's Safety/Security/Facility Safe Guards). Alarm system installed and monitored by Alert Alarm, cameras installed by Digital Evolution (Ubiquiti Networks system). Staff (armed) on site day and night. Policies in place regarding whom is able to provide care to NHP. All Keepers demonstrate correct safety procedures prior to be allowed to provide care for NHP. (Refer to Attachments 22, 23 and 24 for the Volunteer Orientation for Keepers, Monkey Daily Care Guidelines, and NHP Routine Care Guidelines).

Class A caging system already inspected by Hawaii Department of Agriculture (HDOA) Staff. Shift rooms, security room and both key lock and combination lock. Inspected daily for wear and security. Please refer to the following information below regarding the different types of gaging systems:

Class A = 1-5/8" 16 Gauge Galvanized Steel Tubing, 6 Gauge Galvanized Welded Wire Mesh. "Commercial grade cages for large cat cages, tiger cages, monkey cages, bear cages". (Refer to Attachment 25 for photographs of the containment structure for the Capuchin monkeys).

Class C is what you use for dog kennels – Ours are "Lucky Dog" commercial steel welded 8-gauge 2x4" mesh. (Refer to Attachment 25 for photographs of the containment structures for the Ring-Tailed Lemurs).

3. **Method of Disposition:** Report will be made to HDOA Necropsy at discretion of primate veterinarian on staff of 3RR. Report of necropsy findings to HDOA AID. Remains cremated or buried.

4. **Abstract of Organisms:**

- a. **Ring-Tailed Lemur** (*Lemur catta*).
- b. Exclusively diurnal, terrestrial, omnivore, foragers. They are highly social, living in groups of up to 30 individuals, female led. Leaf browsers who will take occasional fruit or insects. Average life expectancy in the wild is 16-19 but in captivity can be up to 20 years. Weight 4.5-5 lbs, head–body length ranges between 39 and 46 cm (15 and 18 in.), its tail length is 56 and 63 cm (22 and 25 in), and its total length is 95 and 110 cm (37 and 43 in. sexual maturity in 2.5-3 years.
- c. Native of Madagascar.
- d. Not native or found in Hawaii.
- e. Not possible without a breeding troop released in Hawaii.
- f. All lemurs are considered critically endangered and expected to be extinct in 20-25 years in the wild. They are rated "endangered" on The International Union for Conservation of Nature's Red List of Threatened Species (ICNU) conservation chart.
- g. Found only on Madagascar.
- h. Used in pet and zoos for education, not domesticated but one of the easiest NHP to work with.
- i. Breed well in captivity in zoo settings.

- j. Disease transmittal to humans less than human to monkey. Lowest risk in comparison to other NHP. Each will be confirmed disease free prior to transport. Each will be quarantined 30 days on arrival.
- k. Lemurs can carry and transmit parasites, ticks, mites, whipworms, tapeworms which could transmit diseases to human hosts.
- a. **Capuchin Monkey (*Sapajus apells*).**
- b. Diurnal, arboreal, omnivore, innovative foragers. Found in South America and Brazil where temperature is similar to Hawaii, they are considered the most intelligent of the New World monkeys. They are territorial and highly social. They can breed at four years of age and will do so every two years. Average life expectancy in the wild is 15-20 but in captivity can live 35-50 years. They reach 30-56 cm. in length and weights vary from 6-12 lbs.
- c. As above, they live in the jungles of South America. They require areas to forage and places to climb for safety and security.
- d. This animal is not naturalized to Hawaii.
- e. To become naturalized in Hawaii, multiple breeding pairs would have to be released. The odds of this are very minimal as the only ones on island are elderly or non-reproductive.
- f. Capuchins are the most common “pet” monkey on earth. Due to their intelligence, they are also the most commonly used as disability aids as well as in labs for research.
- g. Ranging throughout South America they consume a variety of plant parts such as leaves, flower and fruit, seeds, pith, woody tissue, sugarcane, bulb, and exudates, as well as arthropods, mollusks and a variety of vertebrates and even other primates. They are rated “least concerned” on the IUCN conservation chart.
- h. Capuchins are not domesticated but commonly used by humans as both trained for assistance animals, pets, and in entertainment.
- i. In its naturalized range they are not threatened. Currently the pet trade animals are captive bred. They do very well in captive breeding situations.

- j. Disease transmittal to humans is less of a risk than human to monkey transfer. Each will be tested clear for parasites and not exhibited signs and symptoms of illness prior to arrival. On arrival will be quarantined on site for 30 days prior to introduction to resident NHP.
- k. Capuchin monkeys could transmit rabies (they die quicker than humans from rabies and only 11 NHP rabies cases were ever recorded) or Tuberculosis (TB) which requires close exposure to a TB positive human and our keepers are tested annually prior to being able to provide care for NHP. Capuchins can also carry *Entamoeba histolytica* (amoeba) but her feces will be tested clear and are checked annually. Other potential diseases from monkey to human or human to monkey include salmonella, shigella, campylobacter.

5. Effects on the Environment:

- a. As said in 4e, the potential for direct impact in Hawaii is nearly impossible.
- b. If NHP were to be out in the wild on Hawaii Island they could be identified and removed prior to becoming established. They could forage for food and could survive in our environment.
- c. Probability of establishment in Hawaii. Nearly impossible. To establish would require multiple escapes into the same area with reproductive animals. This would require animals other than those we are requesting having been turned loose.

Biosecurity.

We maintain safety rooms, key locks and padlocks on all NHP enclosures. We use both key and combination on all NHP habitats so as to have redundant security. We have had multiple natural disasters threaten our facility. We drill on all potential disasters with all personnel. (Refer to Attachments 26, 27, 28, 29, 30, and 31 respectively for 3RR's Disaster Plans for Fire, Flood/Rain, Wind, Wind/Evacuation Drill Notes, Evacuation from Primary Enclosures and Earthquakes). In our 23.5 years of existence, we have had 0 escape and 0 human animal adverse interaction. (Refer to Attachments 32, 33, and 34 for 3RR's Animal Escape Plans for Equipment, Training, and Drills). 3RR also have Environmental Control Plans for their facility. (Refer to Attachments 35, 36, 37, 38, 39, and 40 respectively for 3RR's Environmental Control Plans for Isolation/Contamination, Animal Waste, Trash Pickup, Rodents, Pest Control and Predator Control).

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6. Alternatives:

Euthanasia for animals needing sanctuary placement. No companion animals for current NHP residents through their lives. Decreased quality of all educational programs offered by 3RR to pre-veterinary, veterinary students, and others.

7. References:

- a. Capuchin Monkeys Dorothy Fragaszy Neuroscience and Behavior Program University of Georgia
- b. Veterinary Clinics of North America: Small Animal Practice 17 (1) 219-240, 1987 David M. Renquist, D.V.M., M.A.
- c. Diseases Transmissible from Monkeys to Man and vice versa, Ron Himes DVM, PhD
- d. Wisconsin National Primate Research Center fact sheets; *ateles*, *cebus*, *macaca* <https://www.primate.wisc.edu/>
- e. New England Primate Conservancy <https://www.neprimateconservancy.org/>
Animal Diversity Web <https://animaldiversity.org/>

III. Advisory Subcommittee Review

This request was submitted to the Advisory Subcommittee on Land Vertebrates for their review and recommendations. Their recommendations and comments are as follows:

1. **I recommend approval ___ / ___ disapproval to allow the importation of up to eleven (11) Ring-Tailed Lemurs, *Lemur catta*, and one (1) Capuchin Monkey, *Sapajus apella*, animals on the List of Restricted Animals (Part B), by permit, for use in a Primate Sanctuary, by Three Ring Ranch, Inc.**

Dr. Allen Allison, Vice President/Assistant Director, Research and Scholarly Studies, Bernice Pauahi Bishop Museum: Recommends approval.

Comments: "Inasmuch as the Three Ring Ranch has gained the necessary operational approvals from DLNR and DOA and is being required to ensure that the primates they import are covid-free, I have no objections."

Dr. Sheila Conant, Professor/Chairperson (ret.), University of Hawaii at Manoa, Department of Zoology: Recommends disapproval.

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Comments: “I have always been concerned about the wisdom of even considering importation of primates to Hawaii for any reason, even if the animals are to be held in dedicated public facilities (zoos) and even less so in ‘sanctuaries’. Primates are among the most difficult animals to keep successfully in captivity. The importance of expert professional care of these animals cannot be underestimated. In addition, the maintenance of these animals at 3RR could give the impression that primates are acceptable pets. Hawai’i laws and regulations prohibit this, and I think it unwise to risk giving the impression to 3RR visitors and staff that primates make ‘good’ or ‘desirable’ pets.

“I am also concerned about the risk of disease transmission, especially to humans. A number of emerging diseases (from AIDS to Hantavirus to COVID) that have taken a great toll on human life originated in wild species populations, mostly mammals. For some diseases, like COVID, we do not yet know what the origins were, and it is imperative that any animals proposed for importation be thoroughly tested for the variants of COVID.”

Dr. Fern Duvall, Ecosystems Protection and Management, Hawaii Department of Land and Natural Resources-Division of Forestry and Wildlife: Recommends disapproval.

Comments: “I believe it is best to have the greatest professional and educational ‘use’ of these animals. I believe best suited would be the accredited zoo systems. Both the Panaewa Zoo, Hawaii Island and/or the Honolulu Zoo, Oahu Island, seem to be the correct places to receive and house these animals. That assumes one or both would agree to receive and house the animals. The two named public zoos have a dedicated public function with appropriately trained professional staff, less expected turn-over and, therefore, more stability in animal care, than do the planned trained NHP volunteers that would be caring for the animals under the 3RR applicant’s plans, and as stated in the documents, for care of the species should they go to the 3RR. If both public zoos turn down the reception of these animals, I still believe the private zoo is not a wholly sufficient resource for their importation.”

Dr. Isaac Maeda, DVM, State Veterinarian, HDOA-Animal Industry Division:
Recommends approval.

Comments: No comments.

Mr. Tom May: No response.

Dr. Carolyn McKinnie, DVM, Supervisory Veterinary Medical Officer, USDA, APHIS-Animal Care: No response.

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2. I recommend approval ___ / ___ disapproval to update permit conditions for the importation of up to eleven (11) Ring-Tailed Lemurs, *Lemur catta*, and one (1) Capuchin Monkey, *Sapajus apella*, animals on the List of Restricted Animals (Part B), for use in a Primate Sanctuary, by Three Ring Ranch, Inc.

Dr. Allen Allison, Vice President/Assistant Director, Research and Scholarly Studies, Bernice Pauahi Bishop Museum: Recommends approval.

Comments: “The permit conditions seem reasonable and appropriate.”

Dr. Sheila Conant, Professor/Chairperson (ret.), University of Hawaii at Manoa, Department of Zoology: Recommends disapproval.

Comments: “Captive lemurs and or monkeys should only be permitted for accredited zoos. Even for those institutions medical/disease screening of any new primate importations (if such importations are even allowed in future) should be exceedingly thorough.”

Dr. Fern Duvall, Ecosystems Protection and Management, Hawaii Department of Land and Natural Resources-Division of Forestry and Wildlife: Recommends disapproval.

Comments: “I do not believe that lemurs and or monkeys should be permitted for any institutions other than the accredited zoos.

“The State should be especially careful and rigorous with allowance of importation of any exotic wildlife species, especially primates – it is clear they prove to be potential pathways for introduction of novel pathogens to our State. I think the prohibition of such importations is most beneficial to the long-term security of the State of Hawaii.”

Dr. Isaac Maeda, DVM, State Veterinarian, HDOA-Animal Industry Division: Recommends approval.

Comments: “The following section c. may be added under Import Permit Conditions number 14:

- c. The animals in the shipment must: have a negative SARS CoV-2 PCR test result within 72 hours prior to travel; and be kept isolated under quarantine until a post-arrival PCR test is performed 3-5 days after arrival and returns negative results. Should the animal have a positive test result, the animals shall remain isolated under quarantine until a negative test is obtained.”

Mr. Tom May: No response.

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Dr. Carolyn McKinnie, DVM, Supervisory Veterinary Medical Officer, USDA, APHIS-Animal Care: No response.

IV. Proposed Import Permit Conditions

1. The restricted article(s), up to eleven (11) Ring-Tailed Lemurs, *Lemur catta* and one (1) Black Capped Capuchin, *Sapajus apella*, shall be used in a Primate Sanctuary, a purpose approved by the Hawaii Department of Agriculture (HDOA), Board of Agriculture (Board), and shall not be given, sold, and/or transferred in Hawaii unless approved by the Board. Release of the restricted article(s) into the environment is prohibited.

PQB NOTES: *As stated earlier, the actual number of the animals to be imported will be indicated on the permit.*

2. All subsequent requests by the permittee to import or transfer non-human primates, shall be approved by the Board on a case-by-case basis.
3. Only vasectomized or castrated male restricted article(s) may be imported.

PQB NOTES: *Due to a Board action, prior to the January 8, 1990, Board approved conditions for the importation of Lemurs, only males were allowed. Because of this and the fact that Dr. Goody has proposed importing males, PQB has proposed the condition above.*

4. The permittee, Ann Goody, Three Ring Ranch, Inc. 75-809 Keaolani Drive, Kailua-Kona, Hawaii 96740, shall be responsible and accountable for the restricted article(s) imported, from the time of their arrival to their final disposition.
5. The restricted article(s) shall be safeguarded at Three Ring Ranch, Inc. 75-809 Keaolani Drive, Kailua-Kona, Hawaii 96740, a site inspected and approved by the Plant Quarantine Branch (PQB) prior to importation. Prior to the removal of the restricted article(s) to another site, a site inspection and approval by the PQB Chief is required.
6. The permittee shall immediately notify the PQB Chief verbally and in writing of any progeny. All progeny are prohibited, shall not be considered as allowed by this permit, and shall be kept secured at the discretion of the PQB Chief until the final disposition of the progeny. The permittee shall be responsible for any costs, charges, or expenses incident to the final disposition of progeny of the restricted article(s).

7. The restricted article(s) shall be maintained by the responsible person, Ann Goody, Three Ring Ranch, Inc. 75-809 Keaolani Drive, Kailua-Kona, Hawaii 96740, or by trained or certified personnel designated by the permittee.
8. The restricted article(s) shall be imported only through the port of Honolulu, as approved by the Board. Entry into Hawaii through another port is prohibited.
9. The permittee shall provide the HDOA, PQB and Animal Industry Division (AID) with the confirmed arrival date, time, mode of transportation, and any other required information for the arrival of the restricted article(s) at least 48 hours prior to arrival. The permittee shall immediately notify the HDOA, PQB and AID of any changes to this information.
10. Each shipment shall be accompanied by a copy of the PQB permit for the restricted article(s) and an invoice, packing list, or other similar PQB approved document listing the scientific and common names of the restricted article(s), the quantity of the restricted article(s), the shipper, and the permittee for the restricted article(s).
11. The restricted article(s) shall be permanently marked with a unique identification code that is approved by the PQB Chief.
12. At least four sides of each parcel containing the restricted article(s) shall be clearly labeled with "Live Animals" and "This Parcel May be Opened and Delayed for Agriculture Inspection" in 2-inch minimum sized font.
13. All bedding used to transport the restricted article(s) and fecal material from the restricted article(s) shall be bagged and disposed of directly into the municipal landfill.
14. The restricted article(s) shall comply with all pre-entry and post-entry animal health requirements of the AID.
 - a. The restricted article(s) shall be accompanied by an original and valid health certificate issued by a U.S. Department of Agriculture (USDA) accredited veterinarian within seven (7) days prior to importation. The health certificate shall declare the restricted article(s) are free from brucellosis, hepatitis, West Nile Virus, morbillivirus, calicivirus, heartworm, toxoplasmosis, and any other disease designated by the HDOA State Veterinarian.

- b. Upon arrival at the port of Honolulu, the restricted article(s) must be issued a permit to ship (form DC-8), by the HDOA State Veterinarian or authorized representative, prior to transport to the approved site.
- c. All restricted article(s) shall be accompanied with documentation of a negative SARS CoV-2 PCR test result within 72 hours prior to travel to the state; and be kept isolated under quarantine until a post-arrival PCR test is performed 3-5 days after arrival and returns negative results for SARS CoV-2. Should any of the restricted article(s) have a positive test result for SARS CoV-2, the restricted article(s) shall remain isolated under quarantine until a negative test for SARS CoV-2 is obtained.

PQB NOTES: *Condition No. 14(c.) was inserted as a result of comments made by Dr. Maeda. Dr. Maeda was consulted on the language of this condition as presented.*

- 15. The restricted article(s) shall be subject to inspection by the HDOA, PQB, and the AID prior to entering the State. It is the responsibility of the permittee to provide any restraint(s), including chemical restraint(s), deemed necessary by the AID to conduct a proper inspection. The permittee shall be responsible for ensuring an inspection is conducted.
- 16. The approved site, restricted article(s), records, and any other document pertaining to the restricted article(s) under this permit, may be subject to post-entry inspections by the HDOA, PQB, and the AID. The permittee shall make the site, restricted article(s) and records pertaining to the restricted article(s) available for inspection upon request by a PQB inspector.
- 17. The permittee shall adhere to the use, facility, equipment, procedures, and safeguards described in the permit application and as approved by the PQB Chief and Board.
- 18. The permittee shall have a biosecurity manual available for review and approval by the PQB, at the time of the initial site inspection and any subsequent post-entry inspection(s), which identifies the practices and procedures to be adhered to by the permittee to minimize or eliminate the risk of theft, escape, or accidental release of the restricted article(s), including the risk of introduction and spread of diseases and pests associated with the restricted article(s) to the environment. The permittee shall adhere to all practices and procedures as stated in this biosecurity manual.

19. The permittee shall immediately notify the PQB Chief verbally and in writing under the following circumstances:
 - a. If any escape, theft, release, disease outbreaks, pest emergence and/or mortality involving the restricted article(s) under this permit occurs. If the restricted article(s) escape or are found to be free from confinement, the HDOA may confiscate or capture the restricted article(s) at the expense of the permittee, pursuant to the Hawaii Revised Statutes (HRS), §150A-7(c). The AID shall also be notified of any sign or occurrence of disease.
 - b. If any changes to the approved site, facility, and/or procedures regarding the restricted article(s) occur or are to be made, the permittee shall obtain written approval from the PQB Chief as soon as practicable (if unplanned) or prior to implementation (if planned). Also, the permittee shall submit a written report documenting the specific changes to the PQB Chief.
 - c. If a shipment of the restricted article(s) is delivered to the permittee without a PQB "Passed" stamp, tag or label affixed to the article, container, or delivery order that indicates that the shipment has passed inspection and is allowed entry into the State, then the permittee shall not open or tamper with the shipment and shall secure, as evidence, all restricted article(s), shipping container(s), shipping document(s) and packing material(s) for PQB inspection.
 - d. If the permittee will no longer import or possess the restricted article(s) authorized under this permit, then the permittee shall submit a written report to the PQB Chief stating the name and address of the individual to whom the restricted article(s) will be transferred to. If the restricted article(s) will be transferred within the State, a PQB possession permit shall be obtained by the new owner prior to transfer. Once the transfer is complete, this permit shall be cancelled.
 - e. If the restricted article(s) expires, then the permittee shall submit a written report to the PQB Chief that details the circumstances surrounding the death of the restricted article(s), the cause of death of the restricted article(s), and any other information deemed necessary by the PQB Chief. The permittee shall also submit a necropsy report from a USDA accredited veterinarian within thirty (30) days post-mortem.
20. The permittee shall submit a copy of all valid licenses, permits, certificates or other similar documents required by other agencies for the restricted

article(s) to the PQB Chief. The permittee shall immediately notify the PQB Chief in writing when any of the required documents are suspended, revoked, or terminated. This permit may be amended, suspended, or canceled by the PQB Chief upon suspension, revocation, or termination of any license, permit, certificate, or similar documents required for the restricted article(s).

21. It is the responsibility of the permittee to comply with all applicable requirements of municipal, state, or federal law pertaining to the restricted article(s).
22. The permittee shall submit a semi-annual report to the PQB Chief in January and July of all restricted articles(s) imported or possessed. The report shall be in a format approved by the PQB Chief and include the following information for the prior 6-month period:
 - a. The permit number, quantity, scientific name of each restricted article(s);
 - b. The status of the use and possession of the restricted article(s);
 - c. A summary of any significant changes to the permittee's operation, personnel, and/or procedures; and
 - d. Any significant events that occurred at the permittee's site.
23. Any violation of the permit conditions may result in citation, permit cancellation, and enforcement of any or all of the penalties set forth in HRS §150A-14.
24. The permittee is responsible for costs, charges, or expenses incident to the inspection, treatment or destruction of the restricted article(s), as provided in Act 173, Session Laws of Hawaii 2010, Section 13, including, if applicable, charges for overtime wages, fixed charges for personnel services, and meals.
25. A canceled permit is invalid and upon written notification from the PQB Chief, all restricted article(s) listed on the permit shall not be imported. In the event of permit cancellation, any restricted article(s) imported under permit may be moved, seized, treated, quarantined, destroyed, or sent out of State at the discretion of the PQB Chief. Any expense or loss in connection therewith shall be borne by the permittee.

26. The permit conditions are subject to cancelation or amendment at any time due to changes in statute or administrative rules restricting or disallowing import of the restricted article(s) or due to Board action disallowing a previously permitted use of the restricted article(s).
27. These permit conditions are subject to amendment by the PQB Chief in the following circumstances:
 - a. To require disease screening, quarantine measures, and/or to place restrictions on the intrastate movement of the restricted article(s), as appropriate, based on scientifically validated risks associated with the restricted article(s), as determined by the PQB Chief, to prevent the introduction or spread of disease(s) and/or pests associated with the restricted article(s).
 - b. To conform to more recent Board approved permit conditions for the restricted article(s), as necessary to address scientifically validated risks associated with the restricted article(s).
28. The permittee shall agree in advance to defend and indemnify the State of Hawaii, its officers, agents, employees and the Board of Agriculture members for any and all claims against the State of Hawaii, its officers, agents, employees or Board of Agriculture members that may arise from or be attributable to any of the restricted article(s) that are introduced under this permit. This permit condition shall not apply to a permittee that is a federal or State of Hawaii entity or employee, provided that the state or federal employee is a permittee in the employee's official capacity.

ADVISORY COMMITTEE REVIEW: We request your recommendation and comments at the next meeting of the Advisory Committee on Plants and Animals.