



VIA: USPS Certified Mail  
Shipping Event: 1st

September 12, 2012

Peter S. Herrick, P.A.  
3520 Crystal View Court  
Miami, FL 33133

Robert Conyers Custom House Broker, LLC  
8288 NW South River Drive  
Medley, FL 33166-7420

## SETTLEMENT AGREEMENT

### CITATION AND NOTIFICATION OF PENALTY

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

While Mr. Conyers' payment of the Settlement Agreement constitutes a waiver of his right to a hearing, Mr. Conyers neither admits nor denies that any of the said matters either took place or constitute a violation of any laws.

#### **Date of Violation: February 4-8, 2008**

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

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

You operated as an intermediate handler by transporting twenty-five nonhuman primates in commerce to and from Miami International Airport. The nonhuman primates originated from Georgetown, Guyana and had an intended final destination of Bangkok, Thailand (Air Waybill Nos. 810-56099783 and 001-79007504).

#### **Date of Violation: February 4-8, 2008**

#### **9 C.F.R. § 3.86(c)** Consignments to carriers and intermediate handlers.

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



You transported nonhuman primates without certification that the animals were offered food and water at least four hours prior to acceptance and without specific instructions for feeding and watering attached to the enclosure. Seventeen nonhuman primates subsequently died or were euthanized. Veterinarians treated the remaining nonhuman primates found emaciated and dehydrated (Air Waybill Nos. 810-56099783 and 001-79007504).

**9 C.F.R. § 3.87(c) Ventilation.**

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

You transported nonhuman primates in enclosures with some of the ventilation holes falling below the midline of the enclosures, and in non-permanently affixed enclosures without projecting rims or similar devices to prevent ventilation obstructions (Air Waybills 810-56099783 and 001-79007504).

**Date of Violation: February 4-8, 2012**

**9 C.F.R. § 3.87(d)(2) Compatibility.**

Nonhuman primates of different species must not be transported in adjacent or connecting primary enclosures.

You transported three species of nonhuman primates in adjacent primary enclosures (Air Waybills 810-56099783 and 001-79007504).

**Date of Violation: February 4-8, 2012**

**9 C.F.R. § 3.89(c) Food and water requirements.**

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

You transported nonhuman primates in enclosures with food and water receptacles that could not be filled without opening the enclosures (Air Waybills 810-56099783 and 001-79007504).

The penalty amount for the alleged violations above is \$763.