

**INTERNATIONAL MARINE MAMMAL PROJECT OF EARTH ISLAND INSTITUTE ♦  
ANIMAL WELFARE INSTITUTE ♦ ANIMAL JUSTICE CANADA ♦ CETACEAN  
SOCIETY INTERNATIONAL ♦ DOLPHIN CONNECTION ♦ GREEN VEGANS ♦  
ORCA RESEARCH TRUST AND WHALE RESCUE ♦ MARINE CONNECTION ♦  
MARINE MAMMAL ALLIANCE NANTUCKET ♦ OCEANIC PRESERVATION  
SOCIETY ♦ WORLD ANIMAL PROTECTION**

Ms. Janet Coit, Director  
National Marine Fisheries Service  
1315 East-West Highway, 14<sup>th</sup> Floor  
Silver Spring, MD 20910

Sept. 29, 2021

Mr. Kevin Shea, Administrator  
Animal and Plant Health Inspection Service  
US Department of Agriculture  
4700 River Road  
Riverdale, MD 20737

**URGENT: No More Beluga Imports for Mystic Aquarium**

Dear Director Coit and Administrator Shea:

We represent eleven organizations with hundreds of thousands of members, urging you to issue **no new import permits to the Mystic Aquarium of Connecticut for beluga whales** – until a thorough investigation into the death of the beluga known as “Havok” and the subsequent illness of the female beluga known as “Jetta”, both imported from Canada in May, 2021 – can be conducted and reviewed.

Permit No. 22629 clearly states (at p. 2) that it “does not allow for unintentional serious injury and mortality caused by the presence or actions of researchers. This includes, but is not limited to: deaths resulting from infections related to sampling procedures; and deaths or injuries sustained by animals during transport/handling/restraint, or while attempting to escape restraint.” Mystic Aquarium has stated publicly that Havok and Jetta suffer(ed) from pre-existing conditions.<sup>1</sup> The preliminary necropsy report for Havok points to multiple chronic

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<sup>1</sup> In fact, last month Dr. Tracy Romano stated to the media, "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." See R.J. Heim, *Beluga whale sick but stable after another died at Mystic Aquarium*, NBC NEWS 10, <https://turnto10.com/news/local/one-beluga-whale-is-sick-but-stable-after-another-died-this-month-at-mystic-aquarium>.

ailments. Furthermore, the incident report states: “This case was an unpredictable health issue in an animal that had been cleared by qualified veterinarians in Canada to transport,” while simultaneously stating: “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.”

It strikes us that if the transport had to be postponed *on multiple occasions*, a recurrence *was* predictable. What is unclear from the existing documentation is why *any* whales with preexisting conditions were moved in the first place, and whether the transport itself triggered a recurrence of any preexisting conditions. We urge your offices to conduct or oversee an investigation of these events. An investigation conducted only by the Mystic Aquarium would be unacceptable.

Many of our organizations, as you know, raised concerns during the permit review process about the stress effects on the five beluga whales during and after the move to Mystic Aquarium. In addition to determining how these health problems occurred, how long they persisted, and why pre-existing conditions did not immediately disqualify individual whales from being imported, an investigation should also thoroughly evaluate if the required export/import procedures and rules were followed, and review in detail the health and veterinary records for the three other beluga whales that were imported.

Moreover, we believe the National Marine Fisheries Service unlawfully authorized the importation of these beluga whales by incorrectly classifying the last-minute substitution in animals covered by the permit as a “minor amendment,” thereby foregoing the additional scrutiny and public review that should have been applied under the proper and legally required Marine Mammal Protection Act review.

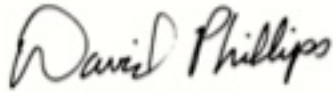
The failure of NMFS and APHIS to properly implement critical oversight functions undermines the rule of law and the integrity of the agencies.

The scientific studies being conducted on Mystic Aquarium’s beluga whales and public access to those belugas should be suspended pending the outcome of the investigation.

All such action, including the veterinary health records of Mystic Aquarium and MarineLand, should be made available for public review, including by experts associated with our and other organizations.

Thank you for your consideration of our urgent request. May we receive a reply at your earliest convenience?

Sincerely,



David Phillips  
Executive Director  
International Marine  
Mammal Project



Mark J. Palmer  
Associate Director  
International Marine  
Mammal Project

CC: US Marine Mammal Commission

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