

LEGISLATION and REGULATION

Alternatives Bills Re-introduced

H.R. 4805, also known as the Research Modernization Bill (*Int J Stud Anim Prob* 1(3):168, 1980), has been re-introduced as H.R. 556 into the 97th Congress by Robert A. Roe (D-NJ). Congressmen Richmond (D-NY) and Hollenbeck (R-NJ) are co-sponsors of the bill. The language of H.R. 556 contains several changes although the basic provisions of H.R. 4805 (establishment of a National Center for Alternatives Research and reallocation of 30-50% of federal funds currently supporting animal research to the development of alternatives) remain intact. The major alterations include a provision for a committee of at least ten members to advise the Center, establishment of the Center outside rather than under the aegis of the National Institutes of Health, weakening of the statement on duplication of live animal experiments (changed from "eliminating" to "eliminating or minimizing"), and a change in the requirement to publish a notification of new alternatives in the Federal Register (refers only to alternatives in testing which satisfy the "scientific need of regulatory agencies" instead of alternatives in "research and testing"). The bill has been referred to the Congressional committees on Science and Technology, and Energy and Commerce.

The Drinan bill (H.R. 282), which would authorize the Secretary of Health and Human Services to make grants for research on alternatives up to a total of \$12 million, has been re-introduced by Congresswoman Geraldine Ferraro (D-NY). (Ms. Ferraro became the sponsor after Mr. Drinan, a Catholic priest, was ordered by the Pope to retire from Congress.) This bill has been referred to the committee on Science and Technology.

Regulation Instead of Codes?

The Universities Federation for Animal Welfare, in evidence to the U.K. House of Commons Select Committee on Agriculture, on November 12, 1980, suggested that existing codes of conduct in several areas of farm animal welfare be replaced with regulations. Among the Federation's recommendations (summarized in the *Veterinary Record* 107:478, 1980) were:

- All possible alternatives to the battery cage system for layers should be assessed with regard to welfare, production costs and feasibility.
- Depriving hens of food or water for more than 24 hours during induced moulting should be prohibited by regulation.
- Debeaking of birds, in an attempt to control aggression, should be prohibited by regulation, except when considered necessary by a veterinary surgeon.
- The prolonged stalling and tethering of pregnant sows should be phased out by regulation.
- The early-weaning and cage-rearing of piglets should be critically assessed and regulations and codes altered in accordance with the results.
- The straw yard system for rearing groups of veal calves should be investigated to assess the welfare and disease risks involved. If the problems are slight or can be easily overcome, the calf crate system of veal production should be prohibited by regulation.

Rats, Mice and the RAA

There has been a recent flurry of interest in Washington in the workings of the federal Animal Welfare Act and the scope of the associated regulations, particularly as they bear on the kinds of animals covered by the law. The Act itself defines "animal" as "any live or dead dog, cat, monkey (nonhuman primate mammal), guinea pig, hamster, rabbit, or such other warm-blooded animal, as the Secretary may determine is being used... for research, testing, experimentation, or exhibition purposes or as a pet... (U.S.C.

§§2131-2156, 1976, Section 2(g)) [emphasis added], but the regulations written by the administering agency, the U.S. Department of Agriculture, specifically exclude rats and mice. Animal welfare groups are urging inclusion of these species in the regulations, and the National Society for Medical Research has stated that it, too, would favor such a change. However, despite a consensus that rats and mice deserve equal protection under the Act, the matter is not clear-cut. Research Animal Alliance (RAA), a non-profit trade association which represents users of laboratory animals in Washington, has commented as follows:

"In July 1980, the Animal and Plant Health Inspection Service (APHIS), USDA held public meetings to solicit comments regarding the regulations and standards promulgated under the Animal Welfare Act. The recommendation made most often by representatives of animal welfare organizations was the inclusion of rats and mice under the Animal Welfare Act.

Animal welfare representatives argue that rats and mice experience pain, and thus, require the same protection that the AWA provides other species. No one would argue that rats and mice should be afforded the same safeguards as other species. The laboratory animal community's stand on this issue was established via a questionnaire disseminated to the RAA membership. The overwhelming majority of the respondents favored the inclusion of rats and mice under the AWA.

Approximately 92% of all research animals are rats and mice. Thus, APHIS is simply not equipped to monitor this vast number of animals. The reporting requirements, as applied to species currently covered under the Act, require the animals be reported individually. Obviously, for those institutions using large numbers of rats and mice, this would be an impossible administrative task.

RAA, in voicing the opinion of its membership, has informed APHIS that, "RAA is a strong proponent of the humane treatment of all species of animals, and it does not oppose the inclu-

sion of rats and mice in accordance with the current 'Guide for the Care and Use of Laboratory Animals' (ILAR)." However, practical as well as philosophical considerations must be addressed, and thus, RAA urges a reassessment of the reporting requirements to minimize paperwork burdens while still preserving the intent of this proposed amendment."