

# Legislation & Regulation

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## ASZ Cannot Support HR 556

The American Society of Zoologists (Thousand Oaks, CA) has issued a statement on HR 556, the Research Modernization Bill (see 2(2):103, 1981), which is reproduced below:

The American Society of Zoologists supports efforts to improve the lot of laboratory animals. It does so, not only on humanitarian grounds, but also for the practical reason that badly maintained animals do not give reliable results. Nonetheless, while sharing many of its goals, the Society cannot give its support to HR 556, due to a number of practical problems in the Bill. Among them are the following:

1. Scientists have been quick to adopt cheaper substitutes, such as the Ames test, for live animal research. The declining budget for scientific research should accelerate this trend even more. Yet it is misleading to suggest that tests on bacteria or computer simulations can replace 30-50% of all advanced live animal research. In medical research, this assumption is particularly erroneous. A bacterium may be used to screen for genetic mutations, but it cannot tell much about the likelihood of a drug's producing nausea in a human digestive tract. Nor are computer simulations a panacea: a computer model requires an exceedingly thorough understanding of the organism. Developing the model itself requires animal experimentation. Without accurate input, the model would be useless: garbage in, garbage out.

2. At the largest research institutions, new methods are used upon publication, if not before. But in smaller institutions, or in student exercises, assistance would be very useful. The ASZ would like to see short courses, such as those in NSF's Chataqua (sic) program, which would instruct laboratory scientists and classroom teachers in techniques or lab exercises which avoid the

use of live animals. This constructive aid would probably pay off in one or two semesters. Thus, Sec. (a and b) of HR 556 is a step forward, though consolidation within one agency would probably lead to economies of scale. Even so, it is worth emphasizing that up until now, the National Science Foundation has been empowered to carry out programs of this type; only money has been lacking.

3. "Publish or perish" is the rule of scientists. But journals will not publish material unless it is new. Thus, scientists have the strongest possible incentive to avoid duplication: If they don't, the result is less likely to be published. When this rule is violated, the researcher usually has a very good reason. He or she probably thinks the original work was badly done, or left out some important factor. Due to the calculated risk to one's career, duplicate research is never carried out capriciously. Any law forbidding duplication of research (as in Sec. 10(b)) is pointless or counterproductive, since scientists have had such a "law" for years.

4. The bill affects only federally-funded research. At present, this research ranges from studies of the breeding of pandas at the National Zoo to tests of cancer drugs on live animals. It does *not* cover Draize tests of new types of mascara or hair dye, for example. These latter tests are funded by cosmetic companies, and would be unaffected by this bill. Does it make sense to slash federally-funded research, and leave industrially-oriented experiments unscathed?

5. As zoologists who study a broad range of species in the animal kingdom, we are concerned that the definition of "alternative methods of research and testing" includes "the use of... lower organisms." By conservative estimate, there are over a million species of animals on the planet, from corals to koalas. Is an intelligent octopus a higher organism, while a dull lab rat is a lower

one, or vice-versa? Or is the word "animal" intended to be mis-defined, as it sometimes is, as "mammal," so that chimps, rats, bats, and koalas are protected, while chickens, hummingbirds, lizards, frogs, starfish, crabs, beetles, ants and water bears are not? Or are *all* multi-celled animals protected? Our members need to know which of the thousands of species we study will fall within this law.

6. Finally, we object to so vast a reprogramming of the research budget of these agencies. If 30-50% of the budgets for research on live animals of NSF, USDA, NIH, EPA, DOE, DOT, NASA, NRC, FDA, Commerce, and Defense are redirected as this bill requires, the amount of money is over \$1 billion. For NIH especially, the effect would be devastating. Moreover, in many cases, Congress has required these tests for consumer or environmental safety. How will these tests be funded otherwise? Will Congress then have to increase each agency's budget, so that enough money exists among the remaining 50-70% to do all of the required tests? Moreover, a sudden windfall of over \$1 billion seems to be a classic case of throwing money at a problem. Is there really \$1 billion worth of high quality research in alternative methods out there waiting to be done?

If HR 556 is clarified to reflect the existing conditions in research laboratories more accurately, and if the method and amount of funding is changed substantially, the American Society of Zoologists would look forward to working with elected representatives to form a program which will benefit all laboratory animals (*ASZ Newsletter*, April 1981).

### **Transport of Horses for Slaughter**

A bill has been introduced into the Senate by John Melcher (D-MT) which would give the Secretary of Agriculture the authority to set regulations for the treatment of horses being transported for slaughter. Section 203 of the bill (S. 1053) reads: "The Secretary shall pro-

mulgate, by rule within six months after the date of enactment of this title, standards to govern the humane handling, care, treatment, and transportation in commerce of horses intended for slaughter. Such standards shall include minimum requirements with respect to handling, feeding, watering, loading, sanitation, ventilation, and shelter from extremes of weather and temperatures, size and condition of vehicle, position of horses by sex and size, and verification that the horses are fit to travel."

The bill also provides for investigations to be conducted to determine violations in practice. These would include, but not be limited to, inspection of horses and vehicle upon arrival at the slaughter plant by Federal Meat Inspectors, who would be permitted to confiscate and humanely destroy any horse "found to be suffering as a result of failure to comply" with any provision of the bill. Violators would be assessed a civil penalty of no more than \$1,000 per violation, and could receive a maximum jail sentence of one year in lieu of or in addition to the fine.

This bill would cover horses being transported to any of the 20 slaughter plants located in the U.S. The approximately 30,000 horses that are exported to Canada for slaughter per year (Agriculture Canada, 1981) would be covered until they reached the Canadian border. As presently required under Canadian law, the horses must be examined by a veterinarian as they cross the border.