

**POAGE BILL REPORTED FAVORABLY
BY SUBCOMMITTEE**

Congressman W. R. Poage, Vice Chairman of the House Committee on Agriculture and Chairman of its Livestock and Feed Grains Subcommittee introduced H. R. 12488 authorizing the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats and other animals for purposes of research or experimentation. The bill has just been reported favorably by the Subcommittee. A release from Congressman Poage's office states: "Although the bill includes all vertebrates which are used for research or experimentation, the impact of this legislation will deal mainly with dogs and cats.

The Democrat from Texas, author of the Humane Slaughter Act of 1958, pointed out that research facilities and laboratories last year used well over two million dogs and cats for which they spent almost \$50 million.

"This great scientific demand for dogs and cats has given rise to a vast network of dealers (especially in the Northeast — but all across the nation), some of whom obtain these animals in any manner they can," Mr. Poage said, "Often they, or their employees, comb the streets, picking up strays and family pets. These animals are then stripped of any identification and removed from the area (generally across state lines) as soon as possible to prevent owners reclaiming their stolen pets and to get beyond the reach of state laws. It is not rare for these unfortunate animals to change hands several times before reaching the research institution. Large public auctions are held where other dealers buy the animals and take them on to the laboratory. Many of these dealers make huge profits in this business.

"I want to emphasize that my bill in no way regulates or restricts the research facility's handling of these animals during actual research or experimentation. The purpose of this legislation is not to interfere with scientific research but to stop the indescribably terrible conditions under which these unfortunate creatures are transported and handled before and after the experimentation. There are several other bills pending on this general subject. I hope this bill contains the best features of each."

The bill would require dealers and research facilities to keep records of sale, purchase, and identification, which would always be open to inspection.

The Secretary of Agriculture would be authorized to promulgate standards to govern the handling and transportation of dogs, cats, and other animals by both dealers

(Cont. on page 4)

**LIFE PHOTOGRAPHS DOGS
FOR SALE TO LABORATORIES**

LIFE Magazine published, on February 4th, an article entitled "Concentration Camps for Dogs," which brought home in unmistakably clear terms the ghastly suffering that animals for sale to laboratories are needlessly undergoing.

The photography of an emaciated English Pointer, purchased by the Laboratory Animal Consultant of the Animal Welfare Institute from a dog dealer at an Oklahoma dog auction, covered the first two pages, and the "raid" of a Maryland dog dealer by the Humane Society of the United States followed. On the last pages were "Three that made it back to their owners," an English Setter, an Irish Setter, and a crossbred hound who had daily conducted a family of seven children to school, and was picked up on one of his return trips by the dog warden and sold to Harvard Medical School.

A limited number of reprints are available from the Animal Welfare Institute, for those who may have missed the article.

While bitter arguments over proper housing of laboratory animals have continued over a period of years (humanitarians contending that all species should be provided with a comfortable resting place away from metal mesh, and laboratory directors often contending that it didn't matter), a careful study on the most commonly used laboratory species was done by a veterinary student at Michigan State University. Miss Helene Artsay's paper has been published in M. S. U. VETERINARIAN, Vol. 26, No. 1, and, with the kind permission of author and editor, is reprinted below.

**A Preliminary Study of the Habitat
Preferences of White Mice in a
Laboratory Environment
Helene Artsay*****INTRODUCTION**

Many types of medical research require strict control of external factors which might influence the physiology of the experimental animals.¹ It is essential for the investigator to have a thorough knowledge of the animals' preferred living conditions in order to eliminate the possibility of variables due to environmental stress. Moreover, such information helps a conscientious researcher provide the highest quality of care and treatment for his experimental subjects.

Inasmuch as white mice are very commonly used as research animals, and there is some controversy as to the best methods of housing them,^{2, 3, 4} a study of the habitat preferences of these animals might be valuable.

MATERIALS AND METHODS

In this study, six week old male white mice were given two cages, each containing a different housing arrangement, and permitted to choose the cage most to their liking. Four experimental units, one mouse per unit, were used in each experiment. Some experiments were repeated for a total of eight mice tested per choice situation.

The experimental unit was adapted from one first developed and described by Dr. Lee R. Dice.⁵ The unit consisted of two clear plastic cages of the lid-top type, joined by a plastic passageway containing a see-saw treadle to which was attached a mercury switch (see Figure 1). The switch was connected to an electrical timer arranged to make a continuous record in ink on a moving kymograph. As the mouse crossed from one cage to the other, the treadle and mercury switch tipped from one direction to the other. In one direction the switch was disconnected, bypassing the timer, and the pen recorded a straight line on the paper. In the other direction the switch was connected and the timer caused the pen to record an interrupted line.

Inasmuch as the kymograph paper moved at a constant speed it was possible, by measuring the lengths of the ink lines, to determine: *a.* in which cage the mouse was at any particular time in a twenty-four hour period, *b.* how much time he spent in each cage, and *c.* how many times he changed from one cage to the other.

The experiments were conducted in a small quiet isolated room, where temperature did not vary more than four degrees in a twenty-four hour period. As further protection against disturbance, the units were placed in a wooden cabinet curtained with organdy on one side to allow ample air circulation and light. Both cages in a unit were

*The author is a senior student in the College of Veterinary Medicine, Michigan State University.

provided with identical water bottles and supplies of pelleted mouse feed.

A single experiment ran for four days. The experimental recordings were started in the evening, and one day of an experiment consisted of the twenty-four hour period beginning at 8:45 p.m. of one day and ending at 8:45 p.m. of the next. 8:45 p.m. to 8:45 a.m. was considered the *dark* period, and 8:45 a.m. to 8:45 p.m. was considered the *light* period.

PROCEDURE AND RESULTS

A. In Part I of this study, four mice were given a choice between a plastic cage containing cedar shavings 1/4 inch deep and a plastic cage containing a 1/2 inch mesh wire floor insert with cedar shavings underneath the mesh.

As shown in Table 1, all four mice preferred the plastic floor with shavings, over the wire floor with shavings underneath. During the *dark* periods the mice were very active, as demonstrated by the high numbers of crosses from one cage to the other, yet spent most of their time, 71.3%-89.4%, in the shavings. During the *light* periods, the mice slept most of the time, as evidenced by the low number of crosses and from observation. The very high percentage of time spent in the shavings, 97.8%-98.6%, indicates that they always slept in the shavings.

B. In Part II, (see Table 1) eight mice were given a choice between a plastic floor with shredded tissue paper as bedding, and a 1/2 inch wire mesh floor with shredded tissue paper as bedding on top of the mesh.

In all cases the mice preferred the plastic floor as opposed to the wire floor. The mice spent 71.0%-86.7% of their *dark* periods on the plastic, and all slept on the plastic during the *light* periods—94.1%-98.4%. Six of the eight mice dragged the tissue bedding from the wire-floored cage to the plastic-floored cage, so that all the bedding was in their sleeping quarters.

C. In Part III, (see Table 1) eight mice chose between a plastic-floored cage containing a petri dish filled with cedar shavings, and a wire-mesh-floored cage containing an identical shaving-filled petri dish on top of the wire.

Here the choices were considerably less consistent than in the other experiments. Four of the mice preferred the wire-floored cages, spending most of their active *dark* periods in them—57.2%-74.0%—and almost all of their *light* periods—86.0%-93.2%—sleeping in the petri dishes in the same cages. Three of the mice preferred the plastic-floored cages, spending 60.6%-87.1% of their *dark* periods and 90.1%-97.5% of their *light* periods in them. One of the mice spent the first twenty-four hour period mainly on the wire, then switched to the plastic floor, spending 63.0% of his *dark* periods and 91.2% of his *light* periods in this cage.

D. In Part IV, four mice chose between a plastic-floored cage containing no bedding, and a wire-mesh-floored cage containing no bedding on or under the wire.

During the first *dark* period, three of the mice spent approximately half of their time in each cage, and there was considerable crossing back and forth. One mouse spent about three fourths of his time on the plastic and one fourth on the wire. During the first *light* period, three mice slept on the wire and one slept on the plastic. As time progressed, the mice spent less and less time on the plastic until by the fourth day, all four mice spent a significant 74.1%-85.2% of their *dark* periods and 94.6%-96.1% of their *light* periods on the wire.

During the experiment, the feces and urine were not removed from the cages. While the mice could keep away from their wastes on the wire, as the droppings fell through, they could not avoid such contact on the plastic floor.

E. In Part V, (see Table 2) eight mice chose between a plastic-floored cage containing 1/4 inch deep cedar shavings, and a plastic-floored cage containing 1/4 inch deep ground corn cob as bedding.

All eight mice showed a profound dislike for direct contact with the ground corn cob. In no other situation did the mice so consistently avoid one habitat and favor

the other, especially during the active *dark* periods. The mice spent 93.4%-96.5% of the *dark* periods and 95.6%-99.5% of their *light* periods in the cedar shavings. The activity between cages, as evidenced by the low numbers of crosses back and forth, was considerably less than in other choice situations.

DISCUSSION

From these results the following conclusions are drawn.

1. White mice strongly prefer a plastic-floored cage with cedar shavings as bedding, to a 1/2 inch wire-mesh-floored cage with cedar shavings underneath and no bedding on top of the wire. Even if the animals are given a type of bedding which is easily moved (tissue paper) on both types of floors, they prefer the plastic floor for homemaking and draw all the bedding onto the plastic for a nest. However, if bedding which is not easily moved (shavings in a petri dish) is placed on each type of floor, the strong prejudices seem to disappear. As long as the mice do not have to sleep on the wire — they were never observed doing so — their preferences are mild and whimsical. Therefore, although wire mesh cages in which the mice are provided with soft bedding area do not seem undesirable, cages in which the mice are forced to lie directly on wire mesh should be avoided.

2. Plastic or solid floored cages must be provided with ample bedding and kept scrupulously clean, for the mice are strongly repelled by contact with their own wastes, unabsorbed by litter.

3. Finally, ground corn cob as bedding is the most strongly avoided for any type of caging arrangement studied. This could be due either to chemical treatment of the material to give it deodorizing properties, or to harsh texture. It would seem that this material might be satisfactorily used as litter under wire-mesh-floored cages, but should be avoided in any situation where mice would be forced into direct contact with it.

This study indicates that white mice do have strong preferences for certain types of living conditions over others. However, these experiments were done with small numbers of mice, and under the environmental conditions (temperature, pressure, humidity) prevailing at the time.

Moreover, the results apply precisely to white mice only, as different species of rodents vary greatly in their behavior patterns and ecological adaptations. In order for these results to be applied as general principles, more animals should be studied under highly controlled situations and varied circumstances.

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The author would especially like to thank Professor B. V. Alfredson, Chairman, Department of Pharmacology, M.S.U., for his advice and patient supervision; Mr. Keith Irish for assembling the experimental units and electrical equipment, and the Department of Microbiology and Public Health, M.S.U., for providing the laboratory space.

M.S.U. Veterinarian

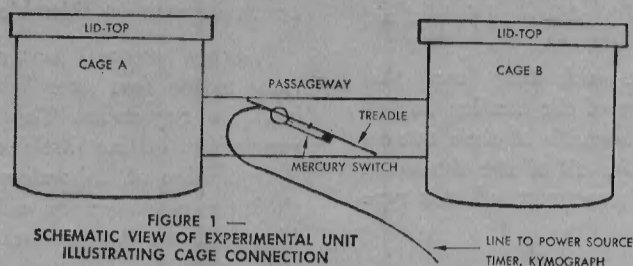


TABLE 1 — SUMMARY OF DATA IN CHOICE-OF-HABITAT EXPERIMENTS
PARTS I, II, AND III.

Category of Choices	Mouse #	Day I						Day IV						Average of 4 Days					
		Dark Period			Light Period			Dark Period			Light Period			Dark Period			Light Period		
		A%	B%	Crosses	A%	B%	Crosses	A%	B%	Crosses	A%	B%	Crosses	A%	B%	Crosses	A%	B%	Crosses
Part I																			
Choice A — Plastic floor covered with cedar shavings.	1	71.3	28.2	72	97.2	2.8	17	68.6	31.4	101	98.1	1.9	10	71.3	28.7	89	97.8	2.2	14
	2	83.1	16.9	50	99.0	1.0	8	86.8	13.2	58	98.1	1.9	13	86.1	13.9	54	98.4	1.6	10
Choice B — Wire mesh floor with shavings underneath.	3	87.0	13.0	73	99.1	0.9	7	86.3	13.7	69	99.8	0.2	6	89.4	10.6	73	98.6	1.4	6
	4	76.6	23.4	93	98.7	1.3	14	80.9	19.1	64	96.9	3.1	4	72.5	27.5	76	97.8	2.2	11
Part II																			
Choice A — Plastic floor with tissue paper bedding.	1	69.5	30.5	98	95.1	4.9	11	73.2	26.8	69	99.0	1.0	6	72.5	27.5	79	97.2	2.8	10
	2	85.0	15.0	49	95.4	4.6	6	85.9	14.0	63	97.1	2.9	6	85.2	14.8	58	95.9	4.1	6
	3	86.8	13.2	64	96.9	3.1	4	87.0	13.0	65	99.8	0.2	16	85.5	14.5	70	98.4	1.6	9
	4	68.6	31.4	58	96.0	4.0	18	68.1	31.9	87	98.6	1.4	10	71.0	29.0	78	97.5	2.5	15
Choice B — Wire mesh floor with tissue paper bedding.	5	87.5	12.5	43	94.2	5.8	10	86.8	13.2	56	93.6	6.4	11	86.4	13.6	55	94.1	5.9	13
	6	84.6	15.4	53	97.2	2.8	14	89.1	10.9	39	94.6	5.4	11	86.7	13.3	49	96.5	3.5	13
	7	75.0	25.0	65	98.1	1.9	19	77.3	22.7	77	98.7	1.3	7	76.1	23.9	72	98.2	1.8	15
	8	70.7	29.3	65	96.4	3.6	21	71.5	28.5	57	98.1	1.9	17	72.6	27.4	57	96.6	3.4	19
Part III																			
Choice A — Plastic floor with petri dish filled with cedar shavings.	1	49.2	50.8	73	16.0	84.0	15	57.8	42.2	58	90.5	9.5	11	Mouse inconsistent					
	2	33.2	66.8	41	19.2	80.8	6	28.2	71.8	55	16.0	84.0	9	35.5	64.5	48	14.0	86.0	6
	3	87.3	12.7	51	98.2	1.8	7	91.4	8.6	43	98.2	1.8	11	87.1	12.9	44	97.5	2.5	9
	4	42.0	58.0	69	5.9	94.1	6	47.3	52.7	94	4.5	95.5	3	42.8	57.2	83	8.5	91.5	5
Choice B — Wire mesh floor with petri dish filled with cedar shavings.	5	57.2	42.8	81	92.7	7.3	14	71.8	28.2	72	95.0	5.0	6	62.9	37.1	65	90.1	9.9	11
	6	14.7	85.3	48	11.5	88.5	18	40.5	59.5	52	9.3	90.7	9	26.0	74.0	49	10.6	89.4	12
	7	55.0	45.0	43	7.3	92.7	16	52.5	47.5	57	7.3	92.7	7	42.1	57.9	56	6.8	93.2	10
	8	58.5	41.5	49	93.1	6.9	9	64.5	35.5	53	92.3	7.7	11	60.6	39.4	53	91.2	8.8	11

TABLE 2 — SUMMARY OF DATA IN CHOICE-OF-HABITAT EXPERIMENTS
PARTS IV AND V.

Category of Choices	Mouse #	Day I						Day IV						Average of 4 Days					
		Dark period			Light period			Dark period			Light period			Dark period			Light period		
		A%	B%	Crosses	A%	B%	Crosses	A%	B%	Crosses	A%	B%	Crosses	A%	B%	Crosses	A%	B%	Crosses
Part IV																			
Choice A — Plastic floor—no bedding.	1	47.8	52.2	73	6.9	93.1	7	10.1	89.9	25	4.0	96.0	6	14.8	85.2	34	5.4	94.6	9
	2	55.9	44.1	69	4.0	96.0	4	16.8	83.2	35	1.4	98.6	7	25.9	74.1	50	3.9	96.1	6
Choice B — Wire mesh floor — no bedding.	3	75.0	25.0	100	94.6	5.4	4	10.0	90.0	49	2.3	97.7	8	Mouse inconsistent					
	4	58.6	41.4	64	6.4	93.6	10	11.4	88.6	14	3.6	96.4	9	18.2	81.8	27	4.5	95.5	7
Part V																			
Choice A — Plastic floor — cedar shavings.	1	96.0	4.0	12	99.1	0.9	2	97.2	2.8	1	99.0	1.0	3	96.5	3.5	7	98.8	1.2	3
	2	94.6	5.4	12	98.7	1.3	4	96.8	3.2	8	98.1	1.9	3	95.1	4.9	14	98.6	1.4	3
	3	95.4	4.6	4	99.0	1.0	4	95.0	5.0	8	98.7	1.3	2	94.5	5.5	7	99.1	0.9	3
	4	93.1	6.9	17	95.4	4.6	10	94.6	5.4	14	96.8	3.2	12	93.4	6.6	15	95.6	4.4	13
Choice B — Plastic floor — corn cob.	5	94.2	5.8	7	99.1	0.9	2	96.0	4.0	10	99.0	1.0	5	94.5	5.5	10	98.7	1.3	3
	6	96.8	3.2	8	99.1	0.9	2	95.4	4.6	9	100.0	0.0	0	96.4	3.6	8	99.5	0.5	1
	7	96.0	4.0	8	98.6	1.4	6	97.8	2.2	8	96.4	3.6	4	96.2	3.8	8	97.5	2.5	6
	8	95.0	5.0	4	98.7	1.3	2	94.2	5.8	7	97.8	2.2	3	94.0	6.0	6	98.7	1.3	2

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POAGE INTRODUCES BILL REGULATING HANDLING OF RESEARCH ANIMALS

(Continued from page 1)

and research facilities. Failure to comply with the humane regulations would result in cancellation of the license of a dealer and would result in a withholding of federal aid to a research institution.

"I am confident," Mr. Poage said, that "once this legislation is enacted, a great part of the needless suffering of the dogs and cats and the anguish of their owners will be terminated. I am grateful for all of the thousands of letters I have received urging enactment of this type of legislation."

"SUCH A LAW WOULD BE DESIRABLE"

At hearings before the Livestock and Feedgrains Subcommittee of the House Agriculture Committee, Dr. Richard Pearce, Detroit veterinarian testifying for the Poage bill, H. R. 12488, submitted a statement by Dr. Albert Heustis, Director of the Michigan Department of Health on the licensing of laboratories. Dr. Heustis' statement follows:

Honorable W. R. Poage
Committee on Agriculture
House of Representatives
Congress of the United States
Washington 25, D. C.

March 1, 1966

Dear Representative Poage:

This is in reference to H. R. 12488, the bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation and directing the Secretary to issue licenses to research facilities and to dealers.

We understand that a hearing will be held next Monday and Tuesday, March 7 and 8, and that undoubtedly there will be much opposition from laboratories as to difficulties encountered in the licensing and procedures involved.

We in Michigan wish to strongly recommend the merits of licensing laboratories for the humane use of animals and to assure the laboratories that no particular hardships are involved.

Michigan Act 241 of 1947, with the rules and regulations promulgated thereunder, and the simple application form for registration to keep or use animals for the diagnosis and treatment of human and animal diseases (copies attached) has been operating in an efficient fashion for almost twenty years. It would certainly appear to us that such a law would be desirable and would function on a nationwide basis as effectively as it has in Michigan.

Sincerely,
Albert E. Heustis, M. D.
Director

LEGISLATION TO REGULATE ANIMAL EXPERIMENTATION, THE PRESENT STATUS

Proposals to deal with the growing public demand for humane treatment of experimental animals continue to multiply. Unfortunately, some of the recent suggestions appear to be designed more for the purpose of sweeping the problems out of public view than for putting an end to the present abuses.

The Clark-Cleveland bill (S. 1071 in the Senate and H. R. 5647 in the House of Representatives) remains the bill of choice: sound and moderate but effective because its principles have been tested by experience in a major scientific country. Its opponents have a variety of alternative suggestions. Dr. William Kubicek, for example, is urging that no action be taken by Congress and that, instead, a study be conducted by the National Academy

**Two more bills identical to the Clark-Cleveland bill have been introduced: H.R. 13019 introduced by Rep. George Hansen (R. Idaho) on February 23rd, and H. R. 13203 introduced by Rep. Julia Butler Hansen (D., Washington) on March second.*

of Sciences-National Research Council. In making this proposal, Dr. Kubicek stated, "This is not a delaying tactic"; but since he also stated that the \$500,000 specified in the Clark-Cleveland bill for administration of the law would make "ten nice research grants," it is clear that he envisages a considerable time lapse.

Another proposal was made by a new group, which came to the fore after House hearings were held on the bills last September. This is a coalition of scientific organizations calling itself the American Association for Accreditation of Laboratory Animal Care. Its trustees include representatives of such groups as the Pharmaceutical Manufacturers Association, the American Medical Association, and the National Society for Medical Research. Working under the trustee group is a Council, most of whose members have been active in the Animal Care Panel; and it is proposed that site visits be made by some of these men once every five years. Each institution would pay something between \$100 and \$1,000 for the visit, and, if accredited, would then be on the approved list for five years — regardless of what conditions for the animals might develop in the interim.

Some of the members of the Council who make the site visits are in charge of laboratories which are themselves sorely in need of improved standards. Perennial caging of dogs and total lack of post-operative analgesics are two examples of such gross failings.

Even so, preparations for the site visits appear to be elaborate, since Georgetown University Medical School recently made an appointment for representatives of the AWI to visit its animal quarters, but, on their arrival, withdrew the permission because preparations were underway for the AAALAC site visit and no one was to be allowed in until after it had taken place!

At a meeting of the Metropolitan New York Animal Care Panel, Dr. L. Meyer Jones, of the American Veterinary Medical Association, exhorted all present to get their applications for accreditation in quickly. Repeatedly he stated, "This is not a whitewash," although no one had said that it was.

In addition to these proposals (whose sponsors feel it so necessary to assert that they are not intended to delay, not intended whitewash), there is the bill which has the official support of the American Medical Association, the Roybal bill, H. R. 5191. This bill contains no mandatory features whatever. It provides for research and training in animal husbandry at government expense. Neither does it specify what would be the amount of money Congress would be asked to appropriate were it enacted. Following the dollar sign on the last page, there is simply a long blank space.

Besides these three ideas emanating from organized science and medicine, there are various attempted compromises pending in the Congress: Senator Neuberger's bill, which focuses mainly on cutting down duplication of experimentation, and the bill introduced by Congressman Rogers and a number of other Representatives and by Senators Bayh and McIntyre. The latter measure is strongly opposed by the National Society for Medical Research, which is distributing a detailed analysis of its failings. A good many of these objections are sound, in the opinion of the Animal Welfare Institute. The Rogers bill is a hasty compromise based less on the real problem of protecting animals without hampering science than on the artificial problem of answering criticisms of bills previously submitted. As a result, the provisions could tend to turn American experimental biology and medicine into a mass-produced business centered on methodology rather than on discovery of new knowledge. The "book of directives" system would mean that the least experienced individual would automatically be qualified to use procedures on animals which might be appropriate for use only by fully qualified researchers. Under the flexible system of individual licenses and statements in the Clark-Cleveland bill, original thinking by the individual scientist is encouraged; and animals would be protected against unthinking junior researchers blindly following the easy route of a listed procedure from a book of directives.

April - May - June, 1966

Vol. 15, No. 2

HOUSE OF REPRESENTATIVES AND SENATE COMMERCE COMMITTEE ACT ON ANIMAL PROTECTIVE LEGISLATION

The last issue of the Information Report told of approval by the Livestock Subcommittee of the Poage bill, H. R. 12488. The bill suffered a severe setback in the full House Agriculture Committee, which cut the scope of the bill from all vertebrate animals down to two species only: dogs and cats. It further cut the coverage down by eliminating the care and housing of animals inside the laboratories. The House bill now requires only dealers to maintain humane standards set by the Secretary of Agriculture. A new number was given this altered bill, H. R. 13881. It was reported to the House of Representatives and passed on April 28th by a vote of 352 to 10.

The original Poage bill, endorsed by the Animal Welfare Institute, was strongly opposed by the National Society for Medical Research. Medical spokesmen at the hearings referred to the Poage bill and thirty other then pending bills as "the program of the humaniacs" and charged that these bills "constitute a threat to the health of all of us." However, an unexplained change in strategy by the National Society for Medical Research and American Medical Association suddenly caused them to reverse their previous position with respect to requirements for licensing laboratories and the animal dealers with whom they do business. Congressman Poage stated on the floor of the House of Representatives that he had letters from both the NSMR and AMA supporting H. R. 13881, a number of whose provisions they had emphatically and repeatedly opposed at public hearings September 2, 1965, March 7 and 8 and March 25 and 28, 1966.

The House-passed version of H. R. 13881 does the following: 1) Licenses dealers who sell dogs and cats
(cont. on page 3)

As we go to press: June 22nd. The U. S. Senate unanimously passed the Senate Commerce Committee version of HR 13881 by a roll-call vote of 85-0. The bill's provisions are given on page 4.

NAVY TREATS DOLPHINS HUMANELY Cooperation Cited

In response to protests concerning news reports which erroneously charged the U. S. Navy with training dolphins to ram enemy submarines with explosives, the following clear and encouraging letter has been written by Dr. F. G. Wood, Jr., Head, Marine Sciences Division, U. S. Naval Missile Center, Point Mugu, California. It is reprinted with his permission.

We at the Point Mugu Marine Bio-Science Facility were also disturbed by the newspaper report, though for a different reason; we were disturbed because it was quite
(cont. on page 2)

THE WASHINGTON POST

MONDAY, JUNE 13, 1966

Animal Protection

The Senate Commerce Committee has, in a humane way, taken the bull by the horns so to speak and put the brand of its approval on a solid, sensible bill to protect research animals from needless, wanton cruelty. Its bill, introduced by Senator Magnuson and measurably strengthened by Senator Monroney's amendment, is markedly superior to the animal care measure passed by the House. We hope that the Senate will give it speedy endorsement and that the House will accede to its wise humaneness.

The Senate Commerce Committee bill would require laboratories, animal dealers and persons transporting animals to be used in scientific research to observe certain elementary standards to be set by the Secretary of Agriculture for the handling of these creatures before they are used for experimentation. The standards would be designed to deter the stealing of pets for sale to laboratories and to require giving them decent shelter, ventilation, sanitation, food and water. The legislation would not limit or affect actual use of the animals for scientific experimentation in any way.

There is not a syllable in this bill that can be said to impair or impede research. It is not anti-vivisectionist, or antimicrobial or antiscientific or anti-anything save senseless neglect and brutality. It amounts to no more than a simple expression of humanity.

Navy Treats Dolphins Humanely

(cont. from page 1)

misleading in the form that it appeared in most newspapers. The New Bedford, Mass. Standard Times was one of the few papers that printed the release apparently in its entirety. You will see from the enclosed copy of the article that the reporter was responsible for the reference to using porpoises as weapons. Humane considerations aside, we consider the idea of using porpoises to ram submarines, mines, or underwater missile installations quite impractical and we can conceive of no use to which a porpoise might lend itself that would necessitate blowing up the animal.

Our major research objectives have been and are concerned with determining and measuring the capabilities of these animals to aid man in the ocean environment, an environment in which man is ill-equipped to operate.

You may have seen newspaper articles about our porpoise Tuffy who demonstrated at SEALAB II last fall the ability to serve as an underwater lifeguard and delivery boy for the aquanauts living on the ocean floor.

Porpoises, and other marine mammals, have evolved remarkable adaptations to their aquatic environment. Two of our researchers have been studying one of these adaptations, a sonar system that differs from man-made sonar. So far in this study they have found that their porpoise, a female bottlenose named Doris, can distinguish copper plate from aluminum plate by echo-ranging alone. Doris permits them to place soft rubber suction cups over her eyes, then swims to the opposite side of her tank to push one of two paddles. These are made of the two different materials, and Doris selects the one she has been trained to push.

It was this study, briefly mentioned in the course of a presentation at an undersea symposium, that led the reporter to speculate on what, to him, seemed "obvious" applications.

In our training methods we rely on reward to obtain desired behavior. The porpoise receives fish when it responds correctly, and the reward is withheld when it doesn't. But every animal receives its full ration of food everyday. (Porpoises are relatively not highly motivated by food, and it serves no useful purpose to starve them.)

Even if we knew of a technique by which forceful coercion could be applied we would not use it because it would ruin the animal very quickly. Whether we are working with them in tanks or in the open sea, everything we do requires the porpoise's voluntary cooperation.

I believe your information that Dr. Lilly has a grant from the Navy is erroneous. To my knowledge, his earlier support from the Office of Naval Research was terminated some years ago. I do not know what his sources of financial support are at the present time.

It is difficult to cope with assumptions based on mis-

apprehension and misinformation. If I have not adequately explained our purpose and indicated our attitude toward the animals we work with, please do not hesitate to let me know. We can appreciate your concern, and that expressed by many others who interpreted the article as your informants did. We have had to devote a good deal of time to the preparation of individual replies to letters we have received. Your letter has given us an opportunity to provide factual information to a number of concerned individuals from whom we have not heard directly.

I can assure you that the men and women who are working with porpoises here are equally concerned with the animals' welfare. After months of training their porpoises, feeding them, learning from them, and coming to recognize them as individual personalities, they have become quite attached to them. The porpoises at Point Mugu are in no danger of becoming unwitting Kamikazes.

A REPORT ON CRUELTY TO TENNESSEE WALKING HORSES

by Pearl Twyne, President, Virginia Federation of
Humane Societies, Inc.

Over a period of six years, the Virginia Federation of Humane Societies has investigated horse shows in many states having Tennessee walking horse classes. Appalling cruelty was found to have been inflicted on the horses in these classes. They are cut with a razor blade in the forefeet and salt applied, they are blistered with chemicals, and the tender pastern area bruised by excessive chaining. The chains rub up and down on the inflamed area, beating on the coronet band, which becomes bruised and swollen.

When the front feet are sore, the horse puts his rear feet as far as possible under him to support most of his weight. This lowers his rump, which gives him more of the walking-horse conformation. Even colts are made sore while still young so that the spine will grow in such a way as to lower the rump permanently. Nails are sometimes driven in the sensitive part of the fore feet. These are hidden under pads.

Because of the extent of this brutality over state lines, Federal legislation is the only answer to this abuse. Senator Joseph D. Tydings of Maryland is interested in correcting this cruelty. He has introduced Senate Bill No. 3338, which will make it unlawful to transport or ship in interstate commerce any horse whose feet and legs have been made sore for competitive purposes. The bill has been referred to the Senate Committee on Agriculture and Forestry.

Further information may be obtained by writing to the Virginia Federation of Humane Societies, 1830 North Ode Street, Arlington, Virginia.

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**House of Representatives and
Senate Commerce Committee
Act on Animal
Protective Legislation**

(cont. from page 1)

to laboratories, 2) Requires these dealers to maintain humane standards set by the Secretary of Agriculture, 3) Licenses laboratories receiving Federal funds or purchasing dogs and cats in interstate commerce, 4) Requires both dealers and laboratories to keep records of dogs and cats, 5) Provides a penalty of up to \$500 a day for failure to comply with the law, 6) Provides for removal of Federal funds from laboratories for wilful violations.

There was no opposition whatever to H. R. 13881 on grounds that it was too strong. The ten members of Congress who voted against it did so because they preferred a bill providing criminal penalties, including a \$10,000 fine, for animal dealers, a prohibition of the sale of dogs and cats at auction or by weight, and a requirement that dealers give the animals care equivalent to that which a humane and conscientious owner would give his pet.

The strategy employed by the ten dissident members followed the all-or-nothing line advocated by the National Catholic Society for Animal Welfare. They did not attempt to offer strengthening amendments to H. R. 13881. Instead, they made a move to recommit the Poage bill and substitute the Helstoski bill or Bolton bill. Such a move was obviously destined to failure.

The Senate Commerce Committee studied the testimony submitted at hearings March 25th and 28th; and several redrafts were made of S. 2322, sponsored by Senators Magnuson, Clark, and Brewster. In one draft, laboratories were removed from the bill's requirement for humane care and handling. Senator A. S. (Mike) Monroney moved to restore this essential feature of the bill.

On May 25th a final set of hearings was scheduled for discussion of his amendment.

**Scientists Split on Monroney Amendment for
Laboratory Animals**

Senator Magnuson, Chairman of the Committee, opened the session calling on Senator Joseph S. Clark (D., Pa.) who strongly urged passage of S. 2322, including the Monroney Amendment. He asked how institutions receiving more than a billion dollars a year from the Federal Government could claim to be unable to meet costs of caring for their animals humanely. He charged "the medical oligarchy" with misrepresenting the issues and ridiculed the proposed self-policing of the American Association for Accreditation of Laboratory Animal Care which would approve laboratories for grants under the NIH bill, rival legislation, referred to the Senate Labor and

Public Welfare Committee. The Secretary of Agriculture is empowered under S. 2322 to set humane standards for research animals in dealers' premises and laboratories except when undergoing experimentation.

Dean John Hogness of the University of Washington School of Medicine took precedence over government witnesses to enable Senator Magnuson to hear the witness from his state. Dean Hogness testified against the Monroney Amendment emphasizing his desire for the increased funding provisions in the NIH bill. However, in response to questions by Senator Norris Cotton R., (N. H.) he admitted that no funds would be needed to bring animal care standards in his medical school up to a point which would meet USDA requirements if S. 2322 is enacted. He said government funds would be needed for future expansion only. Asked about his experience as a "site visitor" for the National Institutes of Health, he said he had seen dogs in cages that were "totally inadequate" because they were so small, but he had "not gone into the periods" the dogs were kept in the cages.

At the request of Senator Frank Lausche (D., Ohio), Dr. Albert Sabin of the University of Cincinnati College of Medicine also preceded government witnesses. Dr. Sabin spoke in behalf of the National Society for Medical Research. He testified against the Monroney Amendment and for the NIH bill, stating that laboratory animal quarters were "much better than the slums where people who take care of them [the animals] have to live." Despite this claim he also asserted that if they had to meet humane standards set by the Secretary of Agriculture, numerous laboratories would be "put out of business." Asked by Senator Monroney whether his laboratory was open to inspection by animal protective organizations, Dr. Sabin said, "We do not encourage migration of people who have no business there," and added that there have been cases where "corners" have been photographed or when someone would "pick out some godawful thing you can find anywhere and that gets splashed all over the papers." Though he said this often occurs, documentation of these unusual charges was not offered.

Dr. James Shannon, Director of the National Institutes of Health, and Dr. Philip Lee, Assistant Secretary for Health and Scientific Affairs, U. S. Department of Health, Education and Welfare, appeared next. Their testimony followed the pattern set by Dr. Sabin and Dean Hogness. They insisted that even though full advantage had not been taken of the matching grants for construction of animal quarters initiated by Senator Monroney in 1957, the solution to the whole problem lay in providing more money now. Dr. Shannon said that about half of the animal facilities in the United States are in need of improvement but denied that NIH had been remiss in allowing this situation to develop, though he also testified that NIH supplies about 2/3

of the money for the research. The traditional unwillingness of NIH and HEW to take responsibility for the treatment of animals bought with the money they grant, was underlined when Senator Monroney cited a case of extreme, prolonged neglect of laboratory dogs by an NIH grantee, quoting a letter from HEW's Dean Coston, advising that the institution itself is in the best position to rectify conditions and that New York State law would take care of it. HEW's Dr. Lee hastened to endorse the Coston position of relying on inadequate state laws to correct abuses under NIH grants.

Speaking for the Monroney Amendment was Dr. Bennett Derby, Head of Neurology, Veterans Administration Hospital, New York City. Senator Monroney had to use the gavel to restore order as HEW witnesses and their friends stood conversing or leaving the room.

Referring to "illness, malnutrition, pain and extreme restraint in experimental quarters" which he had seen, Dr. Derby recommended, "The agency ideally suited to enforce the proposed legislation is the Department of Agriculture. Broadly experienced in animal husbandry and regulation of interstate commerce, the Department of Agriculture is equipped with the experience and personnel for this task. Moreover, not immediately involved in medical research, the requisite degree of objectivity will be attained."

Next to appear was Dr. G. W. Irving, Jr., Administrator, Agricultural Research Service. The Department of Agriculture deferred to HEW on inspection of laboratories. Dr. Irving, nevertheless, responded readily to questions on the competence of his veterinarians to administer the whole program. He said Agriculture could, and if Congress so decided, would, inspect laboratories as well as animal dealers to enforce humane care and housing. A biochemist trained at Cornell and George Washington Universities, Dr. Irving indicated familiarity with experimental animals and noted animal disease laboratories under the Department's current jurisdiction. He had completed estimates on implementing the entire program.

The Last witness, Dr. Nicholas Gimbel, Surgeon-in-chief, Metropolitan Hospital, Detroit, and Clinical Associate Professor of Surgery, Wayne State University School of Medicine, endorsed the Monroney Amendment and documented the decreasing humaneness and increasing expediency of the National Institutes of Health on animal care. He quoted from NIH's 1949 "Care of the Dog Used in Medical Research" as follows: "Each animal should have the chance to enjoy a short period of exercise outside every day when weather conditions permit. It is not always possible to have outside runs for the dogs, especially in a crowded metropolitan locality. However, they are always desirable and should be provided if possible." The 1965 Guide, submitted

as a model by Dr. Shannon, states in part: "One of the most widely debated questions in the field of animal care concerns the need for 'exercise' in the housing of laboratory animals... whether dogs and other animals are 'exercised' and what form it should take, is a matter of professional judgment."

Concerning the American Association for Accreditation of Laboratory Animal Care, which would accredit laboratories were the NIH bill passed, Dr. Gimbel said, "This sort of Protective Association tends to protect its members rather than the animals. To suggest that it does away with the need for external inspection and legislation is equivalent to claiming we have no need for fire or building codes because construction engineers are competent and know what ought to be done."

Senate Commerce Committee Approves Bill

On June 7th the Senate Commerce Committee voted to add humane standards of care for animals in laboratories to the House-passed H.R. 13881. The bill now goes to the full Senate. Very full discussion preceded the Committee report on the Senate version of H.R. 13881. It was the fourth Committee Print of S. 2322, written after the second set of hearings, May 25th. As a result of this careful study, all reasonable objections to the bill were met by changes in drafting.

The Senate version of H.R. 13881 requires laboratories, animal dealers and persons transporting the animals to care for and handle them humanely. Dogs, cats, primates, rabbits, hamsters and guinea pigs will come under the protection of the Secretary of Agriculture, who will set and enforce humane standards including minimum requirements with respect to the housing, feeding, watering, sanitation, ventilation, shelter from extremes of weather and temperature, separation by species and adequate veterinary care. Dogs and cats sold by dealers to laboratories must be marked or identified in such humane manner as the Secretary may prescribe, and records must be made and kept by dealers and research facilities so that theft of these animals for sale to laboratories will become virtually impossible. All laboratories using dogs or cats are included in the bill, and they must humanely care for the other animals mentioned, too. No dog or cat may be sold or offered for sale in commerce at a public auction or by weight unless in accordance with regulations prescribed by the Secretary. Dealers who violate the law may be fined \$1,000 and/or imprisoned up to one year. Research facilities are subject to cease and desist orders by Federal Courts if found in violation by the Secretary of Agriculture. Compliance with the humane regulations will be mandatory on both laboratories and dealers six months from enactment except that special permission may be obtained in some cases by laboratories which require additional time for necessary alterations.

ATTACK ON AWI INSPIRED BY EXTREMISTS

My testimony at the Senate Commerce Committee hearings on S. 2322 and S. 3059 has become the center of an organized attack by the National Catholic Society for Animal Welfare and the Humane Society of the United States. It seems appropriate, therefore, to publish in full the text of my prepared testimony and to follow it with comments on the answers I made to questions by Senators Cannon and Dominick concerning procurement of impounded animals by laboratories.

Statement by Christine Stevens In Favor of S. 2322 and S. 3059 Senate Commerce Committee Hearings, March 28, 1966

The Animal Welfare Institute and Society for Animal Protective Legislation, which I represent, are in favor of S. 2322 and S. 3059 and hope the Committee will include the best features of both bills, including in particular the broad coverage whereby all vertebrate animals in both laboratories and dealers' premises and in transport must be humanely handled and cared for. We believe the provision for stopping payments of Federal funds to any institution which refuses to obey the law is a sound sanction and should be included. It has worked well in the Federal Humane Slaughter Act of 1958 and should be equally effective in stopping abuses in care and housing of animals for experimentation.

Scientific groups are making a determined effort to have the provisions requiring humane care and housing of animals in laboratories deleted from these bills. Despite all evidence to the contrary, they still claim that outside intervention is not needed because the laboratories will regulate themselves.

The spokesman for the Animal Care Panel, Dr. Howard A. Schneider of the A.M.A.'s Institute for Biomedical Research, Education and Research Foundation, even goes so far as to assert that "the house of science" (as he calls the laboratories) is already in order. At House hearings March eighth, he pointed with pride to the status quo saying, "for more than 14 years the Animal Care Panel has been putting that house in order. Mr. Chairman, that house is in order, and if there are those who would carp at that, let them come forward at another time and place to vent their concerns."

Hoping to head off the growing demand for regulatory legislation, the A.M.A. and other like-thinking groups have organized the "AAALAC." The AAALAC — American Association for Accreditation of Laboratory Animal Care — is the brain-child of the National Society for Medical Research, the A.M.A., Pharmaceutical Manufacturers' Association, and thirteen others. This AAALAC will send members of its Council on a "site visit" to a laboratory for a fee of \$100 to \$1,000. If the laboratory is accredited as a result of this "site visit," the accreditation is valid for five years.

What, exactly, would be accomplished by the "site visits" and accreditation? A view from the inside will make this clear; and I quote from the testimony of Dr. Samuel Peacock, who was unable to be here today because he is so

greatly occupied with research and writing for a scientific meeting: "I have always used animals in my research and will continue to do so. I am a member of the American Physiological Society and American Academy of Neurology." Of the AAALAC he writes: "Self regulation through the American Association for Accreditation of Laboratory Animal Care is a farce. For example, one of the facilities with which I am a consultant research associate, was inspected by a committee representing this organization. Their appointment was set up a week in advance. The animal colony attendant worked overtime for days cleaning up the colony, painting cages, etc.

No cats were ordered for the week so that the usual overcrowding would be avoided. When the committee arrived, they saw cats each in his own cage with food and water. Had they arrived unannounced one week later, they would have seen four or five cats in cages designed for one cat, cages with dead cats among the living, neither food nor water in the cages, and a crate of new cats for which there was no room at all. Such a situation is not at all unusual. In short, the research community will not and cannot regulate itself. If they could, the present conditions would not exist. The animal quarters in research facilities I have seen have been totally inadequate for the task expected of them." Clearly, the provision in pending legislation for licensing research institutions and requiring humane standards of care and housing by them is essential.

Dr. Peacock's estimate on mortality of animals received from dealers agrees with that I reported¹ from three other scientific institutions (Brooklyn Jewish Hospital, Bionetics Laboratory of Hazleton, and Downstate Medical Center of New York State University). "In general," he states, "we usually find that 30 to 50 per cent of our animals will die before they are used for research."

Dr. Peacock sums up the situation concisely: "The animal dealer for economic reasons and ignorance will not reform his methods unless he is forced to do so. The research institutions and universities will not improve their facilities unless forced to do so for basically the same reasons. As long as the research worker has enough animals to do his work, the present system, unless forced by public opinion to change, will continue indefinitely, completely uncontrolled."

"Enough" animals, of course, means quite different things to different scientists. Ten thousand dogs a year may be used up by the University of Minnesota, for example, and every possible source, both in and out of the State, tapped to give the dog to the researcher at the minimal charge of \$5.75.²

Opponents of the pending bills have asserted that if only pound animals were available locally to scientific institutions, there would be no dog dealers and, hence, no dog thieves. However, this assertion is out of line with the facts. For example, Minnesota³ has had a law for no less than 17 years requiring every pound in the State to supply animals to research, yet the dog dealing business in Minnesota is a thriving one, and the laboratories even import dogs from out of State, including Wisconsin (which has a

¹Hearings, Subcommittee on Livestock, House Agriculture Committee, March 7, 1966.

²Figure given AWI Laboratory Animal Consultant in 1964.

³For other examples of failure to prevent dog dealers' activity in seven other of the eleven States that have forced surrender laws, see p. 43, House Hearings, September 2, 1965, entitled "Regulate the Transportation, Sale, and Handling of Dogs and Cats Used for Research and Experimentation."

State law prohibiting the shipment of dogs and cats over the State line for purposes of experimentation). So pressing is the demand for dogs in Minnesota and so interested are the suppliers in being reimbursed for their efforts, that dogs are apparently being reshunted through different laboratories after their use.

Ralph Mayer, whose clear and accurate testimony before the House Agriculture Committee March eighth I commend to your attention, reports that he was assisting a surgeon at an operation when they found a one-inch polyethylene tube in the dog's spleen. This dog and another in the same group of stock dogs had incisions on their abdomens, indicative of previous experimental use.

In his testimony, Mr. Mayer stated: "Before the arrival of a member of any animal welfare organization, we are all warned and briefed as to what to do and what to hide... No pain relievers have ever been given to my knowledge to any dog including the major surgery cases... Infections are very frequent and often fatal... At the time I was working with the dogs as an animal caretaker, I actually got in trouble with my foreman for spending too much time watering them... I would not leave a room until I was sure every one had as much as it could drink plus a full pan... The floors of the cages are of a wire mesh... Very frequently dogs have caught their toes in this mesh and suffered considerably before they were noticed... There have been times when it was necessary to anesthetize them to remove the toes from the grid. I have seen a dog with toes on each of three legs caught so that the dog was completely immobilized."

Checking with Mr. Mayer about any improvements this well-financed government laboratory might have made since the extreme negligence and callousness it has displayed was brought out at public hearings, I learned that two dogs were caught in the mesh on Sunday; and Thursday a dog, which has been in the laboratory since 1962, was found with a terrible infection in his foot. But instead of changing the cage floors, they put the men who feed and care for the animals to attaching screening (of the type used for screen doors) onto the floors of the cages. This is done with wire. Mr. Mayer is glad to make the effort to spare the dogs the pain of caught toes which swell and become infected. However, since the cages are hosed with the dogs inside them, cleaning these makeshift floors is far from satisfactory. Moreover, the screen, not designed for such a purpose, is often torn by the dogs and sticks up with sharp points, sometimes in the middle of a cage so a dog cannot lie down without lying on the sharp screening. Such is the cruel, penny-pinching practiced by those who unblushingly ask the Congress to appropriate millions of dollars for their use.

Photographs of a few of the 1,400 dogs currently caged at a different institution, the University of Minnesota Medical School, are herewith submitted. Dogs come out of these cages alive for one purpose only: Experimentation. Never are they removed for exercise, even though the cages are too small for the larger dogs to stand or lie down in normal comfort. The Minnesota fashion of hosing the cages with the dogs inside is practiced here, too, with the result that the dogs are often wet. Others testifying for the Animal Welfare Institute will give examples of similar mistreatment in other major laboratories throughout the country.

I trust that the legislative history of the measures you are considering here today will make it perfectly clear that such care and housing could not be condoned once the

bill you approve in this Committee becomes law. The abuses in care, housing, and handling are various. Some are peculiar to laboratories, others to the premises of dealers, still others to conditions of transport. All, however, could be corrected without delay were simple rules of animal husbandry, including sufficient food, water, space, air, warmth, and a comfortable place to rest, required.

Breeders of laboratory animals, like the laboratories themselves, wish to be exempt from the humane provisions of the measure; and the National Society for Medical Research wants them and the dealers in exotic species, including primates, excluded from the bill. A look at the Constitution and By Laws of the Laboratory Animal Breeders Association, September 8, 1961, throws an interesting light on a relationship between animal suppliers and the personnel of scientific institutions which may account for at least some of the extreme overcrowding of animals that causes so much useless misery. Section D (4) states: "Bribery to obtain business is forbidden." No doubt those who drew these by-laws were well acquainted with the need for their provisions. Here, again, the rush to get "enough" animals into the laboratory brings about abuses which could be prevented by licensing and inspection of dealers and laboratories.

Inspection by voluntary agencies is difficult and often impossible, and I would submit for the record notes on some efforts to observe conditions in primate transport and housing by dealers and laboratories. It is clear that many of those concerned feel a strong compulsion to hide the facts both from animal welfare workers and from the public. In this area we move into big business and its sometimes eccentric idea of public relations. For example, last week Merck's refused to permit a representative of the Animal Welfare Institute to see the monkeys it was bringing through the airport. Ten years ago, Parke-Davis worked with us to make a major improvement in shipment and reduction of mortality in their monkeys. Parke-Davis and AWI personnel together made a surprise visit to the airlines, bringing in a big load, and saw the extent of sickness, death, overcrowding and mishandling. But with every passing year, the laboratory interests, both commercial and non-profit, receive increasing numbers of millions of dollars and their arrogance seems to increase correspondingly. They want no objective, disinterested third party to observe their care and handling of animals or to enforce decent standards where these are lacking. A sound federal law such as you are here considering today is essential.

There is no other way to stop the enormous extent of needless suffering now being inflicted on experimental animals entirely apart from experimental procedures themselves. By providing the Secretary of Agriculture with the authority to enforce minimum standards of care, housing and handling for experimental animals before they reach the laboratory and while they are there (always excluding the experimental procedures) the Congress would provide a means to change cruel practices as rapidly and effectively as it did when it passed the humane slaughter bill, a humane law which has been effectively administered by the Department of Agriculture. Legislation embodying the basic principles of S. 1071 will be needed to regulate experimentation, but that is not an issue here today. It is entirely appropriate that inspectors for the Department of Agriculture should enforce a law dealing with the care, housing and handling of animals and with the identification of dogs and cats to prevent theft of pets. Indeed, no other agency of government is so well qualified for this task.

As testimony from those who have had their pets stolen shows, present laws are hopelessly inadequate to deal with this problem. No expenditure of time and money is adequate to locate a dog once he has been taken. Even when a man is known as a thief, efforts by local police and detective agencies to convict him are rare because animals cannot speak, and it is not necessary to break into a house to steal them. After months of intensive effort, Vermont law enforcement officers apprehended cat thieves; and a Missouri dog thief was recently fined, but even his whereabouts are now a complete mystery. These thieves are unlikely to be the big dealers who cross State lines with their double-deck truckloads of dogs. For example, Mike Kredowski, who boasted at House hearings, March eighth, that he sold 60,000 dogs to laboratories last year, is not the one to steal a dog. It is essential that small as well as big dealers be licensed and inspected if theft is to be stopped and that big dealers be required to give a full accounting of the source of the animal. Merely to license interstate dealers in dogs and cats cannot stop the theft, to say nothing of the cruelty.

The breeding of dogs and cats for research is being carried out successfully on a small scale. Using impounded animals for non-survival experiments under full anesthesia and breeding them for chronic studies is by far the best solution both scientifically speaking and from the standpoint of animals and animal owners.

These bills would encourage solutions of this type to the procurement problem. They would raise standards throughout the animal experimentation industry, improving research as they cut down on unnecessary suffering. We have heard no reasonable arguments against this moderate and desperately needed legislation, and we earnestly request that you give a favorable report to a strong, effective bill.

Comments

For the second time since the founding of the Animal Welfare Institute in 1951, an attack aimed at discrediting the Institute's work has been launched because the Institute has always favored the most humane means of supplying dogs and cats for research; namely, the breeding of animals for chronic work which may involve pain and which necessarily involves a proper knowledge of the animals' background, and the provision of animals about to be destroyed by local authorities for experiments which cause no pain at all because they are carried out under full anesthesia from which the animal is never allowed to recover consciousness. This system would completely avoid all of the ghastly cruelty in the dog and cat dealer rackets which have been so fully documented in recent months. It would eliminate the shipment of frightened animals over long distances so that laboratories can avoid visits by local people who have lost their pets. It would prevent all pain infliction on any animal that had ever been a pet. It would reduce the number of animals used for painful experiments.

With these clear humane advantages and the attendant scientific advantages in improving accuracy of research and reducing overall costs, it might be thought there

would be support from both scientists and humanitarians. Extremists on both sides, however, use this rational solution to make trouble for the Animal Welfare Institute.

The first such occurrence was in 1952 when the National Society for Medical Research sent out a letter to all humane societies stating that the AWI was prepared to get animals for laboratories out of pounds and shelters. The letter carefully avoided any mention of the crux of the matter: that the animals could be used only for painless experimentation. The NSMR clearly hoped to cause division in the ranks of sincere humanitarians by the attempted smear of the AWI.

Again, in 1966, the National Catholic Society for Animal Welfare has sent out a letter headed in capital letters, "Warning to humane societies." Again, the letter emphasizes the release of animals for laboratories from pounds and shelters, and again it fails to mention the key point: for painless research only, though a series of excerpts from my testimony was attached in which I said repeatedly, "if the laboratories were carefully regulated so there would be no question but what the animals were actually anesthetized, used, and never allowed to recover from anesthesia." A second letter to NCSAW "members and friends" deliberately suppresses this essential qualification.

AWI policy over the years has been emphasized in the Information Reports which are regularly sent to every humane society in the United States and every member of the Federation of Societies for Experimental Biology. To give a few examples, Vol. 1, No. 2, February-March, 1952, stated: "...the agreement provides that stray dogs at the pound (operated by the city [Vancouver], not SPCA), if unclaimed at the end of the holding period and therefore scheduled to be destroyed, may be available to authorized medical institutions provided that they are used only for those experiments in which they are first placed under full anesthesia, never permitted to recover consciousness, but pass directly into death. The agreement provides for inspection by the SPCA at any time, unannounced without appointment. It has also resulted in the University's medical curriculum providing a regular place for lectures to medical students by the SPCA on humane treatment of animals. The whole agreement is cooperative, and no force is involved."

Information Report Vol. 3, No. 1, January-February, 1954 (excerpt from my testimony on proposal to supply dogs to laboratories from the District of Columbia pound): "...the use of impounded animals should be limited to non-survival experiments, in which the animal is first fully anesthetized and is killed without recovering consciousness. In this way, public confidence in the pound can be maintained, for no impounded animal will be subjected to suffering. It would mean, in ef-

fect, that a humane death would be administered in a laboratory rather than in the pound."

Information Report Vol. 5, No. 3, May-June, 1956: "Animal seizure legislation seeks to compel humane society animal shelters to turn over dogs and cats for experiments of any type which a laboratory may see fit to perform, regardless of the degree or duration of pain which may be inflicted. Humane society shelters were founded to protect lost and homeless animals from suffering. The most improper and immoral thing they could do with these animals would be to release them unconditionally to the only places in the United States which are outside the jurisdiction of the anti-cruelty laws: experimental laboratories."

Information Report Vol. 8, No. 2, May-June, 1959: "The best solution to the procurement problem known to the Institute is to provide animals for non-survival experiments under full anesthesia from public sources wherever such animals are needed, and to breed animals for chronic experiments. But this solution is opposed so strongly, not only by anti-vivisectionists but by the National Society for Medical Research, that it has had very limited use to date."

The policy expressed in the above quotations is and has been for the past fifteen years the stated position of the Animal Welfare Institute. The question arises now, why is there a deliberate attempt to create hysteria concerning this long-held view?

Why did the Humane Society of the United States make a special effort to include a hostile article on it in their bulletin just before it went to press?

Why did the NSMR think it worthwhile to circulate the same idea at an earlier stage in the fifteen-year-long struggle of the Animal Welfare Institute to obtain decent treatment for experimental animals?

The basic answer lies in the seemingly unending dispute between anti-vivisectionists and their opposite numbers in the scientific community who prefer dogma to reason and misrepresentation to fact. When the *Saturday Evening Post* quoted the chief founder of the HSUS as saying that every member of the board was an anti-vivisectionist, the full meaning of the quotation was probably not apparent to the editors. They used the quotation simply as a weapon to discredit in a blanket manner an article by Cleveland Amory (a non-anti-vivisectionist director of the HSUS) which reported, for the most part accurately, on abuses in laboratories. What they failed to realize was the fund-raising potential involved in the statement. According to a release by one of the founders of the HSUS, about half a million dollars was obtained from three trusting elderly anti-vivisectionists on the basis that the HSUS was really an anti-vivisection society.

Humane Society of the United States Sued by Members

At the moment the HSUS is being sued by a group of its members whose petition for reforming the Society through a by-law change was ignored by the directors until legal action became imminent. The interest of the HSUS Treasurer in funds his company reportedly receives from the National Institutes of Health for animal experimentation has raised questions by HSUS members concerning the policies adopted by the board on legislation relating to laboratory animals.

The suit charges:

"6. The by-laws contain no ethical standards prohibiting possession by directors, officers or employees of interests in conflict with the purpose of the Society resulting from investment, proprietary interest, employment or engagement in animal research activities. Upon information and belief plaintiff alleges that conflicts of interest of such type exist within such categories of the Society."

It is further charged that:

"directors, officers and employees of the Society plan and intend to use the membership list, facilities, funds and credit of the Society for the publication and distribution to the members of the Society of propaganda adverse to and in disparagement of the merits of the proposed amendments and the proponents thereof, and are now engaged in such propagandizing activity. Plaintiff says that such activities and purpose serve the personal motive and interests of those participating therein, and is in violation of their fiduciary duty of impartiality and abstention from service of their personal interests in their relations with the Society and its members."

The funds referred to reportedly amount to nearly one million dollars.

The outcome of this suit will be of interest to those who have watched the Humane Society of the United States 1) Abandoning the strong H.R. 3036, probably the most demanding laboratory animal legislation ever introduced in Congress, 2) Endorsing the compromise Rogers-McIntyre bill, 3) Opposing the Monroney amendment to require humane treatment of animals in laboratories, 4) Claiming that the humane treatment of animals in laboratories should be under the jurisdiction of the Senate Labor and Public Welfare Committee where strong bills for protection of laboratory animals have been pending without action for six years.

Legislation for Animal Welfare, Inc., a newly registered lobby employing a well-known Washington lawyer, Rein Vander Zee, as lobbyist, has been taking the same position as HSUS on recent laboratory animal legislation. According to Mr. Vander Zee, this group is supported by the HSUS and other sources he declines to name.

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INTERSTATE DOG DEALER FOUND GUILTY OF CRUELTY

A major interstate dog dealer, William Hargrove, who maintains headquarters in the states of Tennessee and Illinois, was convicted of cruelty to animals September 2, 1966, by a Gibson County, Tennessee, circuit court jury. Charges of cruelty were brought by Animal Welfare Institute Laboratory Animal Consultant, Dorothy Dyce, after her visits to the William and Roy Hargrove dog farm in Medina, Tennessee, in October, 1965.

Photographs of the premises, where Mrs. Dyce found the animals desperate for the food and water which she supplied, played an important part both in the indictment by a Grand Jury and in the Circuit Court findings.

The jury recommended that William Hargrove and his father, Roy Hargrove, be fined \$150 each and receive a
(Continued on page 2)

NEW BOOK BY ERNEST P. WALKER PUBLISHED BY ANIMAL WELFARE INSTITUTE

"Studying Our Fellow Mammals" (172 pages, 152 illustrations, price \$1.00) has just been issued by the Animal Welfare Institute. Ernest P. Walker is best known for his three volume classic, "Mammals of the World," published by the Johns Hopkins Press in 1964; but teachers throughout the country know him for the manual he wrote for AWI publication, "First Aid and Care of Small Animals," whose popularity has caused it to be reprinted six times. "Studying Our Fellow Mammals" is a synthesis of the Walker philosophy with the close and accurate scientific observation for which he is noted among mammalogists. He considers it his most important book.

Chapters include: Conservation, Behavior, Intelligence, Form: Anatomy and Physiology, Ancestry, Care of Captive Animals, Photographing Animals, Classification, and Animal Distribution.

Ernest Walker's knowledge and understanding of animals developed over long years of study and work with them, from his farm boyhood, through the University of Wyoming, the Bureau of Fisheries in Alaska, the U. S. Biological Survey in which he worked on problems of migratory bird protection, then as the first commissioner of the Alaska Game Commission, head of the Federal Game and Bird Reservations, and finally assistant director of the Smithsonian Institution's National Zoological Park.

In testimony submitted to the Senate Commerce Committee this year on the then pending bills for humane care of research animals, he expressed the broadminded attitude toward mammals in general which characterizes all his work. "Mammals, including people," he wrote, "are built essentially the same, their main differences being in size and proportion of the parts to perform the function of helping the species survive. Of course, there is great difference in size between tiny shrews and big whales, and their food and habits are radically different. In spite of the differences between the great number of species, they obviously have the same sensations of pain, hunger, thirst, taste, hearing, etc. For some, their senses, such as sight, hearing, and smelling, are far more acute than ours."

Persons who wish to order copies of "Studying Our Fellow Mammals" may do so by writing to the Animal Welfare Institute.

PRESIDENT JOHNSON SIGNS BILL FOR HUMANE CARE OF RESEARCH ANIMALS INTO LAW

On August 24, 1966, President Johnson signed the bill to require humane care and housing of animals for research and to prevent theft of dogs and cats for sale to scientific institutions. It is now Public Law 89-544. Speaking to fourteen members of the Senate and House of Representatives who sponsored or worked for legislation for this purpose and to animal protective workers present for the ceremony, he said,

"I am delighted to see my friends from the Congress and others here this morning to witness the signing of the bill that the Congress has passed to end the business of stealing dogs and cats for sale to research facilities and to provide for humane handling and treatment of animals by dealers and research facilities.

"As Dr. Schweitzer has reminded us: 'The quality of a culture is measured by its reverence for all life.'

"Progress, particularly in science and medicine, does require the use of animals for research and this bill does not interfere with that. But science and research do not compel us to tolerate the kind of inhumanity which has been involved in the careless and callous handling of animals in some of our laboratories.

"This bill will put an end to these abuses. At the same time the bill does not authorize any sort of interference with actual research or experimentation. They just must go on.

"But I am sure that all of us are very glad that the Congress has wisely seen fit to make provision for decent and humane standards in the procurement and handling of the animals that are necessarily involved.

"I thank those of you who are here for coming here for this ceremony. I appreciate the efforts that you have made to make this event possible. I have no doubt but with the passing of the years, the wisdom of your action will be thoroughly demonstrated."

(Continued on page 2)

YOUR ASSISTANCE INVITED WITH U. S. DEPARTMENT OF AGRICULTURE SURVEY

During the period of September 26 to October 26, 1966, the Animal Health Division of the Agricultural Research Service, U. S. Department of Agriculture, will conduct an intensive survey to locate dealers in dogs and/or cats for research use. Experimental biologists, veterinarians, humane organizations, individual animal protective workers, and the public at large are invited to communicate with the Federal Veterinarian in their state giving him all possible information on location of dealers or of persons who may be dealers.

A listing of the Federal Veterinarians and their addresses appears on page 4 of this Information Report. Your cooperation with U.S.D.A. in this important survey will enable them to enforce humane care of animals and to prevent theft of pets by dealers and those who sell to dealers. Informant's names will be held in confidence by the Department in cases where this is desired. The purpose of the survey is to have a complete listing of dealers who must obtain licenses under the newly enacted Public Law 89-544 when it goes into effect next year.

Interstate Dog Dealer Found Guilty of Cruelty

(Continued from page 1)

30-day suspended jail sentence. The Hargroves are free on a \$500 bond pending the appeal they have stated they plan to make.

In addition to the filth and starvation testified to by Mrs. Dyce and Mr. Bernard Day, who investigated for the AWI, and by Mr. Robert Larimer, the photographer who recorded some of the sick or dead animals on film, testimony was given by Mrs. Joe Smith of Medina who lives across the road from the Hargrove dog farm. According to the Memphis Press-Scimitar, September 2, "She said she had seen the Hargroves for some 20 years mistreat dogs, that she saw them take a stick and punch the dogs when they were loading them in their big truck."

The new Public Law 89-544, when it goes into effect for dealers in dogs or cats on May 24, 1967, will make it impossible for dealers to continue the kind of cruelty and neglect practiced by the Hargroves. A finding of conditions such as those observed by AWI investigators or by neighbors would subject the dealer to suspension of license and to prosecution in federal court carrying penalties up to \$1,000 and a year in jail.

President Johnson Signs Bill for Humane Care For Research Animals Into Law

(Continued from page 1)

This is the second major piece of animal protective legislation for which the President has acted. In 1958 as Majority Leader of the Senate, he gave powerful support to the Federal Humane Slaughter Law which has successfully protected the bulk of the Nation's meat animals against needless suffering in slaughter houses. Representative W. R. Poage (D., Tex.) sponsor of the bill just signed was author of the Humane Slaughter Act.

Senator Warren D. Magnuson (D., Wash.), Chairman of the Senate Commerce Committee, and sponsor with Senator Joseph S. Clark (D., Penna.) and Daniel Brewster (D., Md.) of the Senate bill for humane care of research animals and prevention of pet theft, also has a record of achievement in the field as author of the bill against mistreatment of wild animals being imported into this country.

Senator A. S. (Mike) Monroney (D., Okla.) whose heroic fight to keep laboratories in the bill was described in the last A.W.I. Information Report, was also responsible for legislation on funds for construction of decent animal quarters for laboratory animals in 1957. Other members of Congress present for the signing included Representative Joseph Y. Resnick (D., N.Y.) author of the first bill against dog and cat theft, Senator Hugh Scott (R., Penna.) sponsor of a Senate bill identical to Representative Poage's, Representatives Catherine May (R., Wash.), Graham Purcell (D., Tex.), Henry Helstoski (D., N.J.), Stanley Greigg (D., Iowa), George Grider (D., Tenn.), Claude Pepper (D., Fla.), Frank Horton (R., N.Y.), and Clarence D. Long (D., Md.).

In a statement released by the United States Department of Agriculture headed "USDA Moves to Implement Law on Humane Treatment of Research Animals," Agriculture Secretary Orville L. Freeman was quoted as follows: "The U.S. Department of Agriculture will make every effort to assure that dogs, cats, and other animals obtained for use in research receive protection and humane treatment provided for under new Federal Legislation."

The release continued: "This pledge was made following the signing today by President Johnson of an Act (H.R. 13881) authorizing the Secretary of Agriculture to regulate the transportation, handling, and sale in interstate commerce of dogs, and cats, and to provide standards for the humane treatment of dogs, cats, hamsters, monkeys, rabbits, and guinea pigs to be used in research. In setting standards for handling, housing, and marketing of animals destined for research, Secretary

Freeman emphasized, 'we shall consult with leading authorities on animal care both within and outside the Department. Advice of representatives of veterinary-medical groups, Government and private research organizations, animal welfare groups, as well as dealers and handlers of animals will be sought in order to develop and enforce requirements that meet the highest humane standards.'

"USDA has six months in which to issue standards for humane treatment of animals and certain regulations for enforcing the Act. From the effective date of these standards and regulations, dealers will have three months and research facilities six months in which to comply with the rules."

Following is a complete copy of the new Public Law 89-544.

PUBLIC LAW 89-544

89th CONGRESS, H. R. 13881

AUGUST 24, 1966

An Act

To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and certain other animals intended to be used for purposes of research or experimentation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to protect the owners of dogs and cats from theft of such pets, to prevent the sale or use of dogs and cats which have been stolen, and to insure that certain animals intended for use in research facilities are provided humane care and treatment, it is essential to regulate the transportation, purchase, sale, housing, care, handling, and treatment of such animals by persons or organizations engaged in using them for research or experimental purposes or in transporting, buying, or selling them for such use.

SEC. 2. When used in this Act—

(a) The term "person" includes any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "commerce" means commerce between any State, territory, possession, or the District of Columbia, or the Commonwealth of Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, or the Commonwealth of Puerto Rico, but through any place outside thereof; or within any territory, possession, or the District of Columbia;

(d) The term "dog" means any live dog (Canis familiaris);

(e) The term "cat" means any live cat (Felis catus);

(f) The term "research facility" means any school, institution, organization, or person that uses or intends to use dogs or cats in research, tests, or experiments and that (1) purchases or transports dogs or cats in commerce, or (2) receives funds under a grant, award, loan, or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, or experiments;

(g) The term "dealer" means any person who for compensation or profit delivers for transportation, or transports, except as a common carrier, buys, or sells dogs or cats in commerce for research purposes;

(h) The term "animal" means live dogs, cats, monkeys (nonhuman primate mammals), guinea pigs, hamsters, and rabbits.

SEC. 3. The Secretary shall issue licenses to dealers upon application therefor in such form and manner as he may prescribe and upon payment of such fee established pursuant to section 23 of this Act: *Provided*, That no such license shall be issued until the dealer shall have demonstrated that his facilities comply with the standards promulgated by the Secretary pursuant to section 13 of this Act: *Provided, however*, That any person who derives less than a substantial portion of his income (as determined by the Secretary) from the breeding and raising of dogs or cats on his own premises and sells any such dog or cat to a dealer or research facility shall not be required to obtain a license as a dealer under this Act. The Secretary is further authorized to license, as dealers, persons who do not qualify as dealers within the meaning of this Act upon such persons' complying with the requirements specified above and agreeing, in writing, to comply with all the requirements of this Act and the regulations promulgated by the Secretary hereunder.

SEC. 4. No dealer shall sell or offer to sell or transport or offer for transportation to any research facility any dog or

cat, or buy, sell, offer to buy or sell, transport or offer for transportation in commerce to or from another dealer under this Act any dog or cat, unless and until such dealer shall have obtained a license from the Secretary and such license shall not have been suspended or revoked.

SEC. 5. No dealer shall sell or otherwise dispose of any dog or cat within a period of five business days after the acquisition of such animal or within such other period as may be specified by the Secretary.

SEC. 6. Every research facility shall register with the Secretary in accordance with such rules and regulations as he may prescribe.

SEC. 7. It shall be unlawful for any research facility to purchase any dog or cat from any person except a person holding a valid license as a dealer issued by the Secretary pursuant to this Act unless such person is exempted from obtaining such license under section 3 of this Act.

SEC. 8. No department, agency, or instrumentality of the United States which uses animals for research or experimentation shall purchase or otherwise acquire any dog or cat for such purposes from any person except a person holding a valid license as a dealer issued by the Secretary pursuant to this Act unless such person is exempted from obtaining such license under section 3 of this Act.

SEC. 9. When construing or enforcing the provisions of this Act, the act, omission, or failure of any individual acting for or employed by a research facility or a dealer, or a person licensed as a dealer pursuant to the second sentence of section 3, within the scope of his employment or office, shall be deemed the act, omission, or failure of such research facility, dealer, or other person as well as of such individual.

SEC. 10. Research facilities and dealers shall make, and retain for such reasonable period of time as the Secretary may prescribe, such records with respect to the purchase, sale, transportation, identification, and previous ownership of dogs and cats but not monkeys, guinea pigs, hamsters, or rabbits as the Secretary may prescribe, upon forms supplied by the Secretary. Such records shall be made available at all reasonable times for inspection by the Secretary, by any Federal officer or employee designated by the Secretary.

SEC. 11. All dogs and cats delivered for transportation, transported, purchased, or sold in commerce by any dealer shall be marked or identified at such time and in such humane manner as the Secretary may prescribe.

SEC. 12. The Secretary is authorized to promulgate humane standards and recordkeeping requirements governing the purchase, handling, or sale of dogs or cats by dealers or research facilities at auction sales.

SEC. 13. The Secretary shall establish and promulgate standards to govern the humane handling, care, treatment, and transportation of animals by dealers and research facilities. Such standards shall include minimum requirements with respect to the housing, feeding, watering, sanitation, ventilation, shelter from extremes of weather and temperature, separation by species, and adequate veterinary care. The foregoing shall not be construed as authorizing the Secretary to prescribe standards for the handling, care, or treatment of animals during actual research or experimentation by a research facility as determined by such research facility.

SEC. 14. Any department, agency, or instrumentality of the United States having laboratory animal facilities shall comply with the standards promulgated by the Secretary for a research facility under section 13.

SEC. 15. (a) The Secretary shall consult and cooperate with other Federal departments, agencies, or instrumentalities concerned with the welfare of animals used for research or experimentation when establishing standards pursuant to section 13 and in carrying out the purposes of this Act.

(b) The Secretary is authorized to cooperate with the officials of the various States or political subdivisions thereof in effectuating the purposes of this Act and of any State, local, or municipal legislation or ordinance on the same subject.

SEC. 16. The Secretary shall make such investigations or inspections as he deems necessary to determine whether any dealer or research facility has violated or is violating any provision of this Act or any regulation issued thereunder. The Secretary shall promulgate such rules and regulations as he deems necessary to permit inspectors to confiscate or destroy in a humane manner any animals found to be suffering as a result of a failure to comply with any provision of this Act or any regulation issued thereunder if (1) such animals are held by a dealer, or (2) such animals are held by a research facility and are no longer required by such research facility to carry out the research, test, or experiment for which such animals have been utilized.

SEC. 17. The Secretary shall issue rules and regulations requiring licensed dealers and research facilities to permit inspection of their animals and records at reasonable hours upon request by legally constituted law enforcement agencies in search of lost animals.

SEC. 18. Nothing in this Act shall be construed as authorizing the Secretary to promulgate rules, regulations, or orders for the handling, care, treatment, or inspection of animals during actual research or experimentation by a research facility as determined by such research facility.

SEC. 19. (a) If the Secretary has reason to believe that any person licensed as a dealer has violated or is violating any provision of this Act or any of the rules or regulations promulgated by the Secretary hereunder, the Secretary may suspend such person's license temporarily, but not to exceed twenty-one days, and, after notice and opportunity for hearing, may suspend for such additional period as he may specify or revoke such license, if such violation is determined to have occurred and may make an order that such person shall cease and desist from continuing such violation.

(b) Any dealer aggrieved by a final order of the Secretary issued pursuant to subsection (a) of this section may, within sixty days after entry of such an order, seek review of such order in the manner provided in section 10 of the Administrative Procedure Act (5 U.S.C. 1009).

(c) Any dealer who violates any provision of this Act shall, on conviction thereof, be subject to imprisonment for not more than one year or a fine of not more than \$1,000, or both.

SEC. 20. (a) If the Secretary has reason to believe that any research facility has violated or is violating any provision of this Act or any of the rules or regulations promulgated by the Secretary hereunder and if, after notice and opportunity for hearing, he finds a violation, he may make an order that such research facility shall cease and desist from continuing such violation. Such cease and desist order shall become effective fifteen days after issuance of the order. Any research facility which knowingly fails to obey a cease-and-desist order made by the Secretary under this section shall be subject to a civil penalty of \$500 for each offense, and each day during which such failure continues shall be deemed a separate offense.

(b) Any research facility aggrieved by a final order of the Secretary issued pursuant to subsection (a) of this section may, within sixty days after entry of such order, seek review of such order in the district court for the district in which such research facility is located in the manner provided in section 10 of the Administrative Procedure Act (5 U.S.C. 1009).

SEC. 21. The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this Act.

SEC. 22. If any provision of this Act or the application of any such provision to any person or circumstances shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 23. The Secretary shall charge, assess, and cause to be collected reasonable fees for licenses issued. Such fees shall be adjusted on an equitable basis taking into consideration the type and nature of the operations to be licensed and shall be deposited and covered into the Treasury as miscellaneous receipts. There are hereby authorized to be appropriated such funds as Congress may from time to time provide.

SEC. 24. The regulations referred to in section 10 and section 13 shall be prescribed by the Secretary as soon as reasonable but not later than six months from the date of enactment of this Act. Additions and amendments thereto may be prescribed from time to time as may be necessary or advisable. Compliance by dealers with the provisions of this Act and such regulations shall commence ninety days after the promulgation of such regulations. Compliance by research facilities with the provisions of this Act and such regulations shall commence six months after the promulgation of such regulations, except that the Secretary may grant extensions of time to research facilities which do not comply with the standards prescribed by the Secretary pursuant to section 13 of this Act provided that the Secretary determines that there is evidence that the research facilities will meet such standards within a reasonable time.

Approved August 24, 1966.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 1418 (Comm. on Agriculture) and No. 1848 (Comm. of Conference).

SENATE REPORT No. 1281 (Comm. on Commerce).

CONGRESSIONAL RECORD, Vol. 112 (1966):

Apr. 28: Considered and passed House.

June 22: Considered and passed Senate, amended.

Aug. 16 House agreed to conference report.

Aug. 17: Senate agreed to conference report.

U.S.D.A.'s ANIMAL HEALTH DIVISION BEGINS BIG HUMANE TASK

In a televised interview on the new Public Law 89-544, Dr. F. J. Mulhern, Director of the Animal Health Division, Agricultural Research Service, U.S. Department of Agriculture, emphasized the humane legislation's intent in response to a question about President Johnson's comments on it: "He said it gave him a great deal of pleasure in signing this law into effect as he felt it was in accord with the philosophy expressed by Dr. Schweitzer concerning reverence for life."

Dr. Mulhern indicated that the Animal Health Division has 770 veterinarians and about 800 livestock inspectors dispersed among the 50 states and that the job is a big one. "We have to license the dealers and we have to register the research facilities," he said. "Now, as far as we know today, we have 1,500 dealers, about 7,000 hospitals, and about 2,000 research facilities, about 2,000 pet shops and 5,500 pounds or shelters that have to be contacted to see whether or not they will be involved in this legislation."

Asked to define a dealer, Dr. Mulhern said, "The dealer is any person who for compensation or profit delivers for transportation or transport except as a common carrier, buys or sells dogs or cats in commerce for research purposes." The next question was, "Will you be inspecting the dealers?" and the reply, "Yes, this organization that I talked about that is distributed throughout the 50 states and has within it a like number of counterparts in State Departments of Agriculture or Livestock Boards gives us a total of approximately 3,000 people who will be making these contacts, so that our local field veterinarians and these inspectors will be visiting these different types of institutions that I mentioned." The interviewer asked, "Any idea how often, doctor?" and Dr. Mulhern replied, "This will depend on our findings. Some will, particularly in the beginning, be visited quite frequently until we know that they are in compliance, and others will only require a periodic visit."

In closing, Dr. Mulhern emphasized that "We do not intend to interfere with research," and speaking as a practical administrator of a government division which has succeeded in stopping the cattle screw-worm fly without any toxic pesticides whatever, he pointed out that "research has been so beneficial to the health of the people and the animals of our country."

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LABORATORY DOGS

A new film, "Laboratory Dogs," has been produced by the Animal Welfare Institute as a part of its continuing educational program to obtain care and housing for experimental animals which will make the animals contented and improve the quality of the research in which they are used.

Filmed in the Department of Surgery, Faculty of Medicine, University of Ottawa, the seventeen-minute sound film shows the way in which dogs at this institution are treated by the most devoted staff that representatives of the Animal Welfare Institute have found in their visits to scientific institutions during the past fifteen years.

Full use is made of the modern research building, incoming dogs and cats being kept for three weeks in quarters on the first floor before being moved to the sixth floor quarters where post-surgical cases live. On this floor, fourteen separate rooms, each with its own window, line a long corridor. The rooms each contain a compatible group of dogs or cats living free. There are no cages.

Along two sides of the building, a long roof runway extends where the dogs can enjoy active exercise, sunlight, and fresh air. The dogs run happily down the corridor to exercise on the roof runway, and they return at the call of their handler, a man whom every dog seems to love.

For treatment and change of dressings, individual dogs rush joyfully to the treatment room, knowing that as soon as medication is over, an especially tasty meal is in store for them. None of the dogs is ever seriously hungry because dry dog food and water are available in two big tubs in every room at all times; but the canned food, to which various special supplements are added while the

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A PAINLESS METHOD OF BRANDING LIVESTOCK

Dr. R. Keith Farrell, who developed Freeze-branding, has provided clear answers to the questions of the Animal Welfare Institute about the new humane process. In Freeze-branding (A Progress Report)," he states:

"Freeze-branding (super-cold branding) is a new approach to animal identification. This painless marking technique utilizes intense cold instead of a hot branding iron. The major advantages of this technique over the hot brand are lack of pain, less hide damage, and the growth of white hair at the brand site. The white hair is legible from a distance. The technique can be utilized to prevent the growth of any hair.

The control of development and licensing is in the hands of a non-profit organization, Research Corporation, 405 Lexington Avenue, New York City, attention: Ferris Stout.

In a recent letter to the Animal Welfare Institute, Dr. Farrell wrote:

"Extreme cold does have a local anesthetic effect. This fact has been known and used for minor surgery by physicians for some time. We have received letters from individuals stating that the extreme cold must be very painful for the animal. The classical manifestation of pain in animals such as wringing of the tail and paddling of the feet is not seen when this technique is used. Further,

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STATEMENTS BY SIR GRAHAM WILSON AND DR. LAWRENCE ABEL

The Eighty-ninth Congress adjourned without completing hearings begun on September 30, 1965 on regulation of animal experimentation. The testimony of two British medical leaders who flew to the United States for this express purpose was the most interesting material presented. Its content, no doubt, played an important role in obtaining some decisive action to protect research animals, though the new P. L. 89-544 is quite different from the British Act on which they so ably reported, and from the bills introduced by Senator Joseph S. Clark and Congressman James Cleveland, drafted by Justice Abe Fortas, which were based on the principles of that Act.

Because the testimony of Sir Graham Wilson and Dr. Lawrence Abel would not otherwise become available to interested persons, since the hearings were never completed or published, and because there appears to be a continuing attempt to denigrate British science and the British Act (most recently in the November issue of Harper's magazine) it seems appropriate to publish the testimony in the Information Report, and with the kind permission of Sir Graham and Dr. Abel it appears below.

TESTIMONY OF DR. A. LAWRENCE ABEL M.B.M.S. LONDON; F.R.C.S. ENGLAND

Former Vice-President of the Royal College of Surgeons of England

Consulting Surgeon to the Institute of Cancer Research, Royal Cancer Hospital, London

I am very honoured to be invited here today because I believe we have a system in Britain for putting a check on cruel animal experiments which has worked well for nearly ninety years and is, I believe, second to none in the world. Also because our system has been to the great advantage of medical, surgical, veterinary and biological research.

Our legislation was pioneered by no less than Charles Darwin, Thomas Huxley, and other eminent biologists with the British Association for the Advancement of Science and the British Medical Association, and with the Royal Colleges of Physicians and Surgeons. The law gives wide discretion to the Secretary of State, who deals with these matters (whom we call the Home Secretary), who with the highest scientific guidance, has built up a humane and judicious tradition amongst all our laboratory workers.

I hope you will permit me at the moment to introduce myself. I am a practicing surgeon, who has for forty-five years worked on the staff of eight to ten London hospitals. I have been Hunterian Professor at the Royal College of Surgeons of England, a member of its council for sixteen years, and Vice President and Senior Vice President. I am Consulting Surgeon to the Royal Marsden Hospital and to the Chester Beatty Institute of Cancer Research, Royal Cancer Hospital. For twenty years I have been, and still am, a member of the Council of the British Medical Association and am Chairman of its Medical Science Education and Research Committee. I served for many years on the Council of the Imperial Cancer Research Fund and the Grand Council of the British Empire Cancer Campaign for Research. I have been visiting Professor at the University of Sydney, Australia, and to the Brooklyn Medical Centre, New York, and lecturer at the Cook County Hospital Graduate Medical School, Chicago. I am proud to be an honorary fellow of the American Medical Association and an honorary citizen of New Orleans.

Over forty years ago I, myself, held a licence to perform surgical operations upon animals for a number of years and never experienced the slightest difficulty in obtaining the necessary permission. On the contrary I always found the authorities most cooperative.

I have seen animal experiments undertaken in Switzerland, France, Spain, Italy and Russia, as well, of course, as here and in the British Commonwealth. I would not wish any one

of you to see some of the terrible things I have seen perpetrated upon animals in some of the less enlightened countries. For example, conscious monkeys crucified on a wooden board and left in blazing sunshine for many hours without food or water.

I had to perform research operations myself before, as a young man, winning the highest award of the Royal College of Surgeons (the Jacksonian prize) for my book, which, for twenty-five years, was the only text book in the English language entirely devoted to the surgery of the gut.

In Britain our law affords unique protection for laboratory animals, and informed medical and lay observers are convinced that it does achieve its humanitarian purpose. The standard of responsibility is much higher in Britain than in countries which have no such law and very much higher than it would be without legal sanctions. There is no bureaucratic interference with legitimate research.

In fact, I can assure you that scientific opinion is unanimous in approving legal safeguards against cruelty.

The object of the British Act is twofold:

1. To define the limits of sacrifice which the public is prepared to exact from animals as the price of medical knowledge.

2. To protect research workers against vexatious litigation and obloquy. The Act relates to experiments on living animals, which are "calculated to give pain." The Home Secretary construes this to mean any procedure calculated to interfere with the normal health and comfort of an animal. The only persons permitted to carry out experiments are those licenced by the Home Secretary. If performed by an unlicenced person, there are heavy penalties. A licence is a protection against prosecution. It names the registered places in which experiments might be performed. They are not allowed on living animals for the purpose of attaining manual skill.

When a British scientist applies to the Home Office for a licence to perform a proposed experiment, his application or certificate must be signed by the professor or Head of Department in which he is working. It depends on him that the licensee is both technically competent and sufficiently humane. The application must be countersigned by the head of one of the learned colleges or similar bodies. Thus the major responsibility for the working of the Act rests with the professor or head of department.

When a British scientist asks the Home Office for permission to use a new technique, which might entail serious suffering, the Home Office with its scientific advisors tries to suggest an alternative technique, free from this disadvantage. This problem is usually solved. Rarely where such an alternative cannot be found, the Home Office considers firstly the qualifications of the applicant. Secondly the amount of suffering inflicted would be subject to definite limitations. All details of such an experiment would be discussed with the applicant on an expert level.

There are three main principles in the law:

1. Licences are granted only to the individual experimenter. On his licence the specific institution where he may work is specified.

2. Government inspection by qualified doctors and by veterinary surgeons and who are often also doctors who are trained in this field.

3. The Pain Rule.

The experimenter must be a qualified scientist who has been trained to think. The less well trained must work under supervision. No children are granted licences though, of course, they may keep pets and dissect dead animals. Child psychiatrists are fully aware and most parents are even more fully aware of the sadistic phase through which nearly all children pass. Therefore, teachers must avoid pandering to morbid interests; for character is more important than knowledge. This is especially important today with the increase of juvenile delinquency.

The research workers themselves come to realize that only by treating animals properly can results of scientific value be obtained. Each is proud of his individual licence because it is not granted to an irresponsible person or one with no scientific capacity. It is a powerful incentive to correct behavior. The true research worker welcomes inspection. Personal contact with the inspectors helps to clarify his own conscience. The licence protects him from unfair and wounding accusations.

Scientific Opinions on the British Act.

I have never met a research worker, be he a physician, surgeon, or biologist, who did not agree that the "British system works extremely well." This was the opinion of the recent President of the Royal College of Physicians who added, "it prevents infliction of unnecessary pain on experimental animals without restricting genuine scientific research." The last president of the Royal College of Surgeons said: "At the Royal College of Surgeons, there are a large number of research departments in which animals are used. I never heard of any genuine surgical research being hampered by our present regulations for preventing unnecessary

pain on laboratory animals." The present president, who did much pioneer work on heart operations, speaks of "the great advantages of control by the Home Office of medical research involving animals." His work was "definitely not" hampered in any way. Professor Medawar of the Medical Research Council wrote: "Regulations restrict the performance of animal experiments to those qualified to execute them," and "ensure that experiments which may give pain or discomfort are not lightly or hastily undertaken. It brings it home to the beginner in research that doing experiments on living animals is a serious business." Professor Keele wrote: "that the British system is highly successful in preventing irresponsible persons inflicting unnecessary cruelty. It in no way impedes research. It creates the right attitude to animal experiments. Lack of control leads to worthless experimentation, which is inhumane and obstructive to scientific progress." Doctor Baker says, "the arrangements are highly desirable and indeed necessary to prevent the irresponsible performance of painful experiments." He says the laws are "reasonable and have never interfered with my work." With all these views I heartily concur.

Home Office Inspection: The Inspectors.

The inspectors are men of exceptionally high intellectual and moral calibre. They are trained to understand the purposes and requirements of scientific research. They are humane and incorruptible and endowed with tact, firmness, common sense, and moral integrity. They have been found to be helpful and cooperative in planning experiments, avoiding mistakes, avoiding overlapping, advising about and getting improved accommodations for animals, and in constructive critical comments. I doubt if any institution has failed at one time or another to benefit from their advice on animal welfare. They are highly competent to give an impartial judgment as to the ethical justification of the proposed procedure. I believe all thoughtful persons will agree that when a living creature is to undergo an experiment, in other words whether the patient is human or animal, there should be someone between the experimenter and the subject to be experimented upon who retains a full sense of proportion. Our inspectors specialize in the study of the ethics of experimentation on animals. He sees fair play between the animal's claim to humane treatment and the experimenter's enthusiasm for research. The inspector can advise on persons who are scientifically competent to carry out researches. He helps to promote the exchange of views among scientists, especially on the ways in which suffering in the laboratory can be reduced to a minimum. He advises on redundant and superfluous experiments. He promotes efficiency by focusing attention on statistical and other methods. He can disallow experiments which are ethically inadmissible. He is a great help to the younger as well as the older research workers and by his advice on prior care and experimental planning enables the laboratory to avoid indiscriminate and wasteful usage of animal material.

The third British Principle is the Pain Rule:

This sets the limit to the amount of suffering which may be inflicted.

We do not commit the atrocities which are reported from time to time in some other countries.

We do not allow the extravagant cruelty committed by some investigators of stress and shock.

We have proved that the desired results can be obtained by less inhumane methods.

We are convinced that the freedom of all and sundry to use animals indiscriminately would not improve the value of research.

How many people agree to the tortures and lethal experiments carried out by Nazis on Jews and other prisoners for so-called scientific information? Similarly, there must be a limit to the amount of pain which may be inflicted on any animal.

The Pain Rule does not hamper research: *pain does*. Even if the Pain Rule did hamper research, that would be no justification for abandoning it. The pursuit of knowledge is not the highest good. It does not stand above the moral law.

The practice of torturing prisoners was abandoned because: It did not yield useful knowledge; it often yielded untruthful matter; but far above these considerations was because the public conscience realized that it was immoral.

Thus both the animals and the research workers are protected in Britain.

The so-called antiquated procedure for licences and certificates has survived for nearly ninety years. It has been well tried. I would remind you of the speech of the great American poet and orator, Ralph Waldo Emerson, speaking nearly a hundred and twenty years ago:

"and so gentlemen, I feel in regard to this aged England, with the possessions, honours and trophies, and also with the infirmities of a thousand years gathering around her... pressed upon by the transitions of trade... and competing populations — I see her not dispirited, not weak, but well remembering that she has seen dark days

before: — indeed with a kind of instinct that she sees a little better in a cloudy day, and that in storm of battle and calamity, she has a secret vigour and a pulse like a cannon."

This we proved again in 1940 to the salvation not only of ourselves but of the whole Western world.

We are still keeping up these traditions in regard to the welfare of experimental animals. Every important legislation is kept frequently under review. Committees on many aspects of our national life are sitting with the highest experts to ensure that legislation is kept up to date. It may deal with road accidents, drug addiction, mental health or as in the one we are interested in today, on Experiments on Animals. These committees lead to our laws being kept modern, in fact, often in advance of many other countries and very up-to-date.

I hope I have said enough to prove to you that our methods, far from hindering or hampering research, encourage it.

Secondly, that the conscience of both the public and the experimenter are satisfied.

My committee of Medical Science Education and Research and the Council of the British Medical Association have recently emphasized to the expert committee advising the Government most of the points I have put before you. They also included the filming of experiments, which are often of great value in teaching, and would save an enormous number of further animal experiments. They advise a standing Advisory Committee to advise inspectors and research workers and obviate any delay in the granting of licences and certificates.

I suppose I need scarcely remind such an illustrious company as this of the life-saving work of many British surgeons and scientists:

Lister, who dispelled the bogey of sepsis in surgery.

James MacKenzie and Thomas Lewis, the fathers of our present knowledge of heart disease.

Bayliss and Starling, the founders of modern physiology.

Sherrington, to whom we owe our knowledge of the action of the nervous system.

Gowland Hopkins, who founded the knowledge of body chemistry.

Adrian, who gave us the physical basis of perception.

Ernest Miles, whose operations for cancer save thousands of lives every day throughout the world.

Fleming and Florey, discoverers of penicillin.

Melrose, whose heart-lung machine enabled modern complicated heart operations.

The Departmental Committee on Experiments on Animals was published in April this year (1965). They recommended two sponsors for each applicant personally known as technically qualified; that the work done does not unnecessarily repeat findings already confirmed and so designed as not to be wasteful of animals. They advise one probationary year, followed by licences for three years. They advise twenty-one inspectors organized in regions, under a superintendent. They detail the duties as I have done, including inspection and advice on conditions under which the animals are kept. Their recommendations will increase precautions to prevent or reduce to a minimum pain or distress. They insist on a general anaesthetic for any experiment except simple injection; that the anaesthesiologist should be trained; that there should be more supervision of animal care and the training of animal technicians and handlers. There was no support for introducing the practice of requiring students of surgery to practice a series of major operations on each of a number of animals, which are kept alive as long as they can be made to last out.

As long as this people has the good fortune to find amongst its ranks men of such sterling qualities and high ideals concerning animal welfare as I have met here today, I do not for one instant doubt that they, with God's help and ours, shall light such a candle in this country as shall never be put out and will be a shining light and inspiration to less enlightened and developing countries and shall leave such a heritage of knowledge and inspiration to our posterity worthy of those we have inherited from our ancestors.

TESTIMONY BY SIR GRAHAM WILSON

M.D., LL.D., F.R.C.P., D.P.H., F.A.P.H.A.

(formerly Director of the Public Health Laboratory Service) before a Committee of the United States House of Representatives on the protection of laboratory animals, September, 1965.

I should like to say how grateful I am for this opportunity of putting before you some of the facts and opinions about the methods used in Great Britain for the prevention of cruelty to laboratory animals. My main purpose is to show that the restrictions enforced under the present system are neither irksome nor frustrating, and that they do not interfere with the prosecution of genuine scientific inquiry.

Before outlining this procedure, I think it would be well to set the protection of laboratory animals against the wider background of the prevention of cruelty to animals in general. There are necessarily individual exceptions, but in general it is true to say that the British people are fond of animals and are seriously concerned about their welfare. Not only, on the positive side, do they engage extensively in the breeding and exhibition of animals of numerous different kinds, and in their simple maintenance as pets, but they resent very strongly any ill treatment accorded to them. This is illustrated in numerous ways, particularly by the generous financial support given to the Royal Society for the Prevention of Cruelty to Animals, and by the outburst of indignation expressed in letters to the Times and other serious newspapers on the occurrence of any glaring case of the maltreatment of animals which is brought to the notice of the public. Whether it is the sale of outworn horses to Belgium, the importation of monkeys from Pakistan in crates that are too small for their comfort, or the driving of unfed cattle to market, or other practices in which due attention is not paid to the welfare of the animals, the feelings of the British public are aroused and expressed in no uncertain manner. It is hardly necessary to point out the beneficial effect of this in preventing or controlling the activities of those who are interested in making money even at the expense of inflicting discomfort or positive cruelty on animals.

This, of course, has not always been so. In the past, and in many countries still, man's attitude to animals has been deplorable. They have been regarded as inferior creatures, useful only for exploitation and subject therefore to any degree of cruelty that man liked to inflict on them. Civilization has largely remedied this, and indeed one might regard respect for the true welfare of animals as one of the distinguishing marks of a civilized nation. This may sometimes be exaggerated and pass over into sentimentality, but the true animal lover will realize that, though animals are a great boon to man, there is no reason why they should be treated with a greater degree of consideration than man extends to his own fellow creatures.

I do not pretend that maltreatment of animals does not exist in Great Britain. Where the lust for economic gain is strong, or long established custom prevails, or where vermin are concerned, practices such as the use of the gin trap for rabbits, or red squill for the poisoning of rats, or the throwing of live crabs into boiling water, are still carried out or have been until quite recently. The reasons for this are numerous; among them ignorance and lack of imagination are prominent. The point, however, that I want to make is that the British people are deeply concerned over the welfare of animals and that their attitude to laboratory animals is naturally coloured by their attitude to the treatment of animals in general.

The Cruelty to Animals Act, 1876, under which experiments on living animals are performed in Great Britain was put on the Statute Book largely at the instigation of scientists themselves. Notable scientific workers, such as Darwin, Huxley, Gaskell and McFadyen, were appalled by the suffering inflicted on animals by physiologists on the Continent, in the name of Science, and they wanted to see that reprehensible practices should not be permitted in Great Britain. At the same time they wanted an Act to protect themselves against the slanderous accusations made against them by the so-called antivivisectionists, who were opposed to all forms of experimentation on animals.

Briefly the Act of 1876 and the Regulations that have been made under it insist on the licencing of individual experimental workers, on the licencing of the premises in which they work, and on control of the procedures that may be carried out on animals in the laboratory. Before being granted a licence by the Home Office an applicant has to be sponsored by the President of one of the learned societies or colleges and by a university professor of medicine or surgery. Provided the applicant is suitably qualified, there is no difficulty and only a very slight delay in obtaining a licence. The premises in which the animals are kept have to be licenced in order to make sure that they are suitably constructed and furnished for the housing and experimental treatment of the animals that are to be used.

The procedures permitted under the Act are regulated by a series of certificates each specifying the conditions under which operative or other experimental manipulations may be performed. For example, under the Act alone, the animal must be under the influence of an anaesthetic throughout the operation and must be killed at the end of the experiment while still under the anaesthetic.

Certificate A permits the use of simple procedures, such as injections and withdrawal of blood without an anaesthetic.

Certificate B allows recovery of an animal from an operation performed under an anaesthetic on condition that the animal is killed as soon as the object of the experiment has been attained.

Certificate C allows animals to be used in illustration of lectures to students or in demonstrations to learned societies

on condition that the animal is anaesthetized throughout and is not allowed to recover.

There is no certificate D.

Certificate E is required for experiments on dogs and cats.

Certificate F is required for experiments on horses, asses and mules.

The granting of these certificates is regulated according to the standing and experience of the licence holder. Whereas a technician, for instance, might be given a Certificate A to allow him to make simple injections into the tissues, the other certificates would be restricted almost entirely to more highly qualified workers.

The main purpose of the Act is to prevent cruelty to laboratory animals and for this reason conditions are laid down by the Secretary of State to limit the amount of pain to which a given animal may be subjected. No matter what certificate a scientific worker may hold, he is bound to kill the animal in any experiment if it is judged to be suffering either from severe pain or from pain that is likely to endure, provided that the main result of the experiment has been attained. But, if the animal is suffering from pain that is both severe and likely to endure, he is bound to kill the animal whether the result of the experiment has been attained or not.

The Act is administered by the Home Office and is enforced by specially appointed inspectors possessing a medical or veterinary qualification. Their main purpose is regulatory and educational rather than disciplinary. In their visits to the laboratories they satisfy themselves about the suitability of the conditions under which the animals are kept and of the general well-being of the animals themselves; they may assure themselves that the licence holder is fully aware of what he is permitted and not permitted to do; and they make useful suggestions for overcoming difficulties of one sort or another. They do not interfere with the nature of the procedures that the licence holder wishes to carry out, so long as they are satisfied that the animal will not be subjected to unjustifiable pain. Another duty of the inspectors is to go through the return of experiments and the description of published experiments that have to be furnished by the licence holder at the end of each year.

The draftsmen of the 1876 Act had in mind mainly physiological experiments. At that time, nearly 100 years ago, the sciences of bacteriology, immunology and pharmacology had hardly been born, and it was therefore impossible to foresee the great changes that would occur in animal experimentation in the years ahead. Operations of the type envisaged by the Act of 1876 constitute now only a very small fraction of the total number of experiments undertaken. It was therefore deemed advisable by the Government two years ago to set up a departmental committee to "consider the present control over experiments on living animals, and

to consider whether, and if so what, changes are desirable in the law or its administration." This committee, under the chairmanship of Sir Sydney Littlewood, carried out a careful and extensive review of the whole subject, inspecting various establishments and receiving oral and written evidence from a wide variety of witnesses, both scientific and lay. Its report, which was published in April 1965 (Cmnd 2641, H.M. Stationery Office), contained a remarkable vindication of the general purpose and administration of the 1876 Act. It discussed in detail some of the shortcomings of the Act and the regulations made under it; and put forward a valuable series of recommendations for bringing the Act into line with current demands. One or two of its more general findings may be quoted:

1. Animal experiment is a complex and highly specialized subject. It is also a moral and social problem of the first magnitude and one that does not exclusively concern the expert.
2. There is general recognition that anyone who makes use of an animal in research incurs a moral responsibility to justify his action and a duty to limit pain and give proper care.
3. Public opinion generally has accepted in principle the necessity for, and value of, animal experiment but cannot be assumed to assent to all that is done under the Act.
4. The role of legislation is to prohibit objectionable activities, to encourage humane practices, and to provide for the accountability to the public of all concerned.

This report has been so widely acclaimed that presumably the Government of the day will take a suitable opportunity for amending the 1876 Act so as to bring it into line with the technological requirements of modern scientific research.

Scientists in Great Britain are practically unanimous in supporting legislation on animal experiments. I am given to understand that opponents of legislation in the United States are afraid that, if it was introduced, it would interfere with their freedom to carry out what experiments they liked. This fear is not justified by British experience. The only interference the 1876 Act does impose is on the infliction of severe, unnecessary, and enduring pain. Against this prohibition there is no complaint, because scientific workers believe that there is a degree of pain which no human being has the right to inflict on an animal no matter what increase in knowledge might be expected to result. It is at this point that the claims of morality overstep those of scientific inquiry. Once this is admitted, there is no reason why legislative control of animal experimentation should interfere with the legitimate aims of the scientific investigator. As I wrote some time ago: "To the conscientious investigator it offers no bar: to the unscrupulous, of whom in Great Britain, there must be very few, it offers a wholesome check."

Laboratory Dogs

(Continued from page 1)

dog watches, has strong appeal, as does the friendly attention and handling the post-operative dog gets from Ernest Belanger, Superintendent of the Animal House, whose ideas on animal care have been put into practice to such remarkable effect.

Neither Mr. Belanger nor Mr. Trottier, his co-worker, hesitate to return to the animal quarters at ten or eleven o'clock at night to give a dog in need of pain-relieving drugs the necessary treatment. Sometimes one of them spends the whole night with a dog after he has undergone severe surgery.

As a result, mortality is greatly reduced; and the experimental surgery is given a genuine test at the same time that the experimental animals are given genuine nursing care, making them comfortable and cooperative.

The film, directed by Don Carter, and made by Crawley Films, was subsidized by a generous gift from a true friend of animals who wanted to see practical advances in the way experimental animals are treated. Because of this gift, the film can be made available to purchasers for only \$50. It may be rented for one week for \$3.00, the cost of handling. Inquiries should be addressed to the AWI at the address above.

No film comparable to this one has ever been made before, and its effect in building morale and a desire for excellence on the part of the animal care staff can be very great. Administrators are invited to write in for suggestions on presentation of the film depending on the audience to which it is to be shown. Additional background material suitable for different audiences will be supplied on request.

A Painless Method of Branding Livestock

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I have used the technique on monkeys without screams of pain. Calves branded with this technique do not bawl and roll their eyes as is seen with the fire branding technique.

"I have branded several horses with only one person holding them and with no other restraint than someone on the halter. In a similar manner, I have branded large bulls without utilizing a chute. Calves have been branded while suckling their mother, without them even bothering to interrupt their meal.

"To resolve the question of pain, I attempted the technique on myself. The sensations are as follows: for a very short interval after application of the super-chilled iron, there is a distinct tingling sensation which I would not describe as painful. I am sure I would not have been able to hold a hot branding iron in contact with myself in such a manner. This tingling sensation was of very short duration; and, after the tingling had ceased, I had no other sensation on the branded area. I held the super-chilled object in contact with my skin for approximately 8 seconds. At liquid nitrogen temperatures there is no sensation during the thawing process of the skin. However, at dry ice and alcohol temperatures, there is an itching sensation as the skin thaws.

"We are pleased with the freeze branding process. We have received hundreds of letters and many of the people point out the lack of pain response is one of the aspects that they appreciate about the process aside from the greater legibility obtained by the technique. I feel that this has undoubtedly played a part in the widespread enthusiasm of the livestock industry for this new discovery."

November — December, 1966

Vol. 15, No. 5

An interview with Dr. W. G. Waddell, photographs of some of whose experimental dogs appear below and on page 4, makes clear the major scientific advantages of the Ottawa System. The following statement on his work is published with the approval of Dr. Waddell.

EXPERIMENTAL SURGERY ADVANCED BY OTTAWA SYSTEM OF ANIMAL CARE AND HOUSING

The film, "Laboratory Dogs," shows the Ottawa system of care and housing for experimental dogs: Compatible groups of dogs kept in rooms where they move about freely and exercise both in an inside corridor and outside runway. Following surgery the dogs are managed in a manner comparable to patients in general hospitals. Post-operative care of dogs following limb replantation is shown. A member of the animal care staff spends the night with the animal providing him with the necessary treatment at correct intervals, including meperidine, penicillin, and fluids.

Dr. W. G. Waddell, Department of Surgery, Faculty of Medicine, University of Ottawa, points out: "Improved post-operative attendance and care, as shown in the film, 'Laboratory Dogs,' was the single most important factor in obtaining a 50 per cent success rate in the last twelve experiments in limb replantation."

Speaking of the movement of the dogs following the early post-operative period, Dr. Waddell said: "In the clinical situation the patient would receive intensive physiotherapy, but this is not required in the dog if he has room to run and play and jump. For two or three weeks, individual pens are desirable. Later, the animal should be able to move about as much as possible because the limbs were denervated and after nerve regeneration, they must relearn the use of paralyzed muscles. They compensate well and muscle re-education results in something very close to a normal gait."

Dr. Waddell emphasized the humane aspect, too. "It is a much kinder way to treat animals," he said. "Further, small pens or cages are less desirable as far as the general health of the animal goes. The general health of the animal is very important to the outcome of a surgical experiment. Freedom of movement is useful, in keeping them in something approaching a natural habitat."

The care provided is well illustrated by recent photographs of two of the dogs that appeared in the film, "Laboratory Dogs," "Blackie" and "Frisky." "Blackie's" right hind leg was amputated and replanted in December, 1965. The photograph shows "Blackie" in October, 1966, standing on his two hind legs. It will be noted,

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SCHWEITZER AWARD TO SENATORS MAGNUSON AND MONRONEY

Senator Warren G. Magnuson and Senator A. S. Mike Monroney were winners this year of the Schweitzer Award of the Animal Welfare Institute in recognition of their great contribution to the welfare of research animals through their arduous work for the Laboratory Animal Welfare Act, P. L. 89-544. Senator Magnuson sponsored the first Senate bill with Senators Joseph Clark and Daniel Brewster and conducted the hearings of the Senate Commerce Committee. Senator Monroney was the author of the Monroney Amendment, which restored the requirement that scientific institutions as well as animal dealers house and care for animals humanely.

The medals were presented by Associate Justice of the Supreme Court, Abe Fortas. "As all of you know," he said to members and friends of the AWI assembled to honor the Senators, "the Schweitzer Award has been conferred by the Animal Welfare Institute annually since 1955 to persons who have performed outstanding services with respect to the civilized care and treatment of animals... This year, the Institute honors two legislative leaders for the extraordinary devotion to the cause of civilization — in this instance, to the goal of humane treatment of animals.

"A civilization is measured not merely by its monuments or its material achievements, or its regard for man's dignity. Not even all these together sum up a civilization, or measure its progress towards greatness. It is the essential quality — the distillate — of a society that determines its place in the long reaches of history. And in this quality, this distillate, the basic, essential ingredient is the society's attitude towards life — towards all of life, not just a part of it.

(Continued on page 2)

COMFORTABLE QUARTERS FOR LABORATORY ANIMALS: New Edition, New Format

Since 1955 new supplements have been added periodically to the first edition of *Comfortable Quarters for Laboratory Animals*, which appeared in loose-leaf form and included numerous folded pages of floor plans with detailed information for architects. Now a revised edition, about half of whose contents is new, has been put into regular manual form similar to the AWI's *Basic Care of Experimental Animals*. The new edition still contains some floor plans, but the large majority of pages include photographs so that the principle of the type of housing shown can be grasped at a glance. The descriptive material comes directly from the institutions which supplied the photographs. The material is arranged under the headings of: Primates, Dogs, Cats, Farm Animals, Rabbits, Guinea Pigs, Small Animals and Birds, and Miscellaneous Items. There are 103 pages.

The new edition is available free on request to scientific institutions.

Keynote of the new edition of *Comfortable Quarters for Laboratory Animals* is adequate space for all animals. The cover picture shows outdoor exercise areas for monkeys at the Oregon Regional Primate Center. The unusual shape of the series of four modern walled enclosures is the result of a careful recording of the shape of a monkey's leap. Designed by the architectural firm of Skidmore, Owings and Merrill, these walls express the large degree of freedom for such leaps allowed the experi-

mental monkeys within their confines — a far cry from a cage whose dimensions are measured in inches — the bad, old way to house primates and other animals.

Similar freedom being planned by Dr. Harold Vagtborg, Administrative Director of the Southwest Foundation for Research and Education, was described in an interview in the *San Antonio Express and News*, December 3, 1966, as follows: "The foundation, Dr. Vagtborg said, is considering fencing in an open space about 150 feet square near the permanent holding building to let the chimpanzees roam about. 'We're trying to think of the animals' welfare, to get away from the idea of the individually caged animal,' he said in a tour through the chimp quarters. 'They don't live that way. They don't make good research animals that way,' he explained, emphasizing that the foundation's idea is to maintain the chimpanzees' natural pattern of family group living. 'You can't do research on the effects of drugs on the central nervous system,' he said, 'if your animals are all neurotic.'"

These thoughts, independently expressed by Dr. Vagtborg, indicate what the Introduction to the new *Comfortable Quarters for Laboratory Animals* calls "a modern, progressive development, a break from the cage dominated past. Not only primates, but other animals may be housed on the same principles. To a partial extent this has been recognized by the kennel-runway system of dog housing extensively used in well-run scientific institutions (numerous examples are illustrated). However, some of the institutions which failed to break away from the stacked cages system have objected to the cost of constructing kennel-runways. A simple solution for them is available at no cost or with very minor expenditure by releasing the dogs from cages, disposing of the cages, and leaving the dogs in the existing rooms. This method of housing dogs in a series of rooms, which is illustrated on page 21 and more fully in the AWI film, 'Laboratory Dogs,' keeps the animals quiet, content, and well exercised, so that recovery from surgery or other procedures is accelerated and mortality reduced."

Corresponding systems for other animals are discussed and illustrated, always following the principle of adequate total space for a group of compatible animals.

Schweitzer Award to Senators Magnuson and Monroney

(Continued from page 1)

"This is Schweitzer's message — that life, in all of its forms and aspects, has meaning and importance. We know that to brutalize life in one of its forms is to invite brutality generally. We know that solicitude and restraint towards life in all of its forms induce the attitudes of care, compassion, and kindness which are the makers of civilization.

"And so it is that the sponsorship and enactment of a law to eliminate some of the ruthless and needless abuse of animals is a blessed act — an act which ennobles the doer and raises our civilization to a higher and better level.

"It is a tribute to the kind of law that this is that Senator Magnuson and Senator Monroney were among its champions. Nothing could better assure that the law is good sense as well as commendable idealism. For both of these Senators are pragmatic men — and I think that history may well record that the law which they championed proved to be not only a milestone in America's spiritual progress, but a boon to the quality of scientific work in which animals are used.

"It is true that in honoring these two distinguished legislators we are also honoring those who fought with them for this good result... It would be wrong to fail to note that behind the two Senators whom we honor, ready to prod them if their courage flagged, were their wives — I don't mean that Senator Magnuson and Senator Monroney are mere instruments of Jermaine and Mary Ellen — but in this instance, we honor all four of them for that beautiful union of purpose and resolution which marks the ideal marriage.

"Senator Warren Magnuson is the Chairman of the Senate Commerce Committee before which the bill which

we celebrate was debated and shaped; and he was the leader in the Senate under whose guidance this excellent bill emerged. It is an understatement to say that this law is another in a record of achievements which few Senators have ever equalled. The Nation owes him much for many good things; and this Act is another on a long score card. It is my pleasure to call upon Senator Magnuson and to present him with the Albert Schweitzer Medal and the gratitude of all of us and of millions of Americans."

Senator Magnuson told in his acceptance remarks that when he and Mrs. Magnuson were in Bulgaria this fall, they saw no dogs anywhere. Naturally, they asked why. "When you speak of civilization, I think I know what's wrong with the Communists now," he said, "They allow no dogs in Bulgaria. They say they have no social value. They say they should not be part of a boy's or a girl's life."

Discussing the future of the new law, Senator Magnuson emphasized the importance of appropriation of sufficient funds for its effective enforcement.

Justice Fortas then presented Senator Monroney with the medal, saying: "Senator A. S. Mike Monroney of Oklahoma is well known to all of us for many marvelous achievements. — He has always been known as Mike, despite the initials A. S. — but there was a time during the course of the bill through the Congress when he was known as the Monroney Amendment. I think I can best describe his valiant championship by quoting an admirer. She said that his conduct 'could be properly characterized as heroic.' I agree — and I am pleased to present him with the Albert Schweitzer Medal."

Senator Monroney expressed thanks for the support of those present and of citizens all over the country for the legislation, and he praised the Commerce Committee members and staff for the six-week-long work which brought the bill to the floor of the Senate for a record 85 to 0 vote in its favor.

THREE STATES STRENGTHEN LAWS AGAINST PET THEFT

During the course of the year, three state legislatures acted to make theft of pets more difficult. New York State passed a law prohibiting scientific institutions from purchasing dogs and cats for experimental purposes unless proof of ownership is received from the seller and kept on record. Sponsors of the bill were Assemblyman Orest V. Maresca, Democrat of New York City, and Assemblyman James L. Emery, Republican of Livingston County, a former sheriff.

Massachusetts raised the penalty for theft of a dog to \$1,000 or a year's imprisonment or both. Wrongful removal of a dog's collar now may be punished by a fine of \$100 and/or six months imprisonment. Senator George D. Hammond sponsored the bill.

Michigan passed a law of a considerably more comprehensive nature. Revocable licenses are required for dealers who sell dogs or cats to laboratories. They must identify each animal; and records of the purchase, sale, transportation, and handling of the dogs and cats must be made and kept both by research facilities and dealers. The Director of the State Department of Agriculture is authorized to promulgate rules and regulations to govern the handling of dogs and cats by dealers and research facilities to promote their health, well-being, and safety. A dealer's license may be suspended or revoked if he has been convicted of cruelty to animals.

Pennsylvania and Illinois passed laws in 1965 which require licensing of dog dealers.

In the State of Mississippi, a bill passed the House which was designed "to provide for the humane treatment of dogs being handled in commerce; to regulate persons engaged as dog dealers in the buying, selling, and transportation of dogs; to provide for the licensing of such dealers; to define the power of the licensing agency to refuse, revoke, or suspend licenses and establish the procedure for appeal; to provide penalties for violation; and for related purposes." The bill was sponsored by nineteen members of the House, but it died in the Senate committee to which it was referred.

PRESENTATION OF FILM

On November 16th, the first print of the film, "Laboratory Dogs," was presented to the University of Ottawa Faculty of Medicine by the President of the Animal Welfare Institute, whose remarks follow:

"On behalf of the Animal Welfare Institute, I am happy to present the first copy of the educational film, 'Laboratory Dogs,' to the institution which gives the best care and housing to these animals of any visited by AWI representatives in any part of the world.

"It seems appropriate that the University of Ottawa should be the leader in this field internationally, combining as it does the influences of two great cultures, the French and the British, with the most modern and progressive thinking characteristic of the North American continent.

"We believe that the film, 'Laboratory Dogs,' which neither could nor would have been made had not the University of Ottawa Faculty of Medicine adopted what we refer to as the Ottawa System, will have a profound influence on design of animal quarters and care of experimental dogs throughout the world, especially in the United States.

"Dr. Bennett Derby, Head of Neurology at the Manhattan Veterans Administration Hospital, who was present at the first viewing of the film, said that, as he watched it, he realized there will be no cages in the future.

"The film which you will see tells very clearly the excellence, which you already know from experience, of the Ottawa System of animal housing and care. Don Carter, the gifted director of the film, is here today. He deserves great credit for the simplicity and directness with which this documentary reports on the condition of the animals and the success of the system. The photographers deserve credit, too, for the clarity of their filming. Only a mind closed by prejudice could fail to acknowledge, after seeing the natural reactions of the laboratory dogs, that the Ottawa System keeps them contented, relaxed, and in prime condition for sound research.

"Dr. Auer, Dr. Waddell, Dr. Cameron, and all other members of the Faculty of Medicine responsible for encouraging and supporting the outstanding work of Mr. Belanger and the devoted staff, will long be remembered for this achievement of major progress in humane and scientific laboratory animal management. In the best scientific tradition, Mr. Belanger observed patiently, analyzed brilliantly, and, with the able assistance of Mr. Trottier and Mr. Val Belanger, carried out in a practical, down-to-earth manner the results of this work. As the film is seen throughout the United States and Canada, viewers will look to the University of Ottawa for continued leadership from the Animal House Committee and new Veterinary Director, Dr. Currier, who will continue what promises to be a great tradition of humane laboratory animal care at this University."

PROPOSED REGULATIONS UNDER LABORATORY ANIMAL WELFARE ACT PUBLISHED FOR COMMENT

On December 15th, notice of proposed rule making under P. L. 89-544 appeared in the *Federal Register*, Volume 31, Number 242. The nine-page document is signed by Dr. George W. Irving, Jr., Administrator, Agricultural Research Service.

Headings include: Part 1 — Definition of Terms.

Part 2 — Regulations: *Licensing*: Application, Acknowledgement of Standards, Demonstration of compliance with Standards, Issuance of Licenses, Duration of license, Annual fees, Notification of change of name, address, control or ownership, volume of business, Termination, Refund of fee, Officers, agents and employees of licensee whose licenses have been suspended or revoked, Licensees whose licenses have been suspended or revoked; *Registration*: Requirements and procedures, Notification of change of name, address, control or ownership; *Identification of Dogs and Cats*: Time and method of identification, Forms, How to obtain tags, Lost tags, Removal of tag; *Records*: Records, dealers, Records, research facilities, Records, disposition; *Compliance with Standards and Holding Period*: Compliance with Standards, Holding period; *Miscellaneous*: Information as to business; furnishing of by dealers and research facilities, Inspection of records and property of dealers and research facilities, Publication of names of dealers and research facilities, Inspection for lost animals; Confiscation and destruction of animals.

Part 3 — Standards. Subpart A — Specifications for the Humane Handling, Care, Treatment and Transportation of Dogs and Cats. *Facilities and Operating Standards*: Facilities, general, Facilities indoor, Facilities outdoor, Animal housing enclosures — rooms, runs, pens, cages; *Animal Health and Husbandry Standards*: Feeding, Watering, Sanitation, Employees, Classification and separation, Veterinary care; *Transportation Standards: Vehicles*, Animal enclosures — cages and compartments, Feed and water requirements.

Subpart B. Specifications for the Humane Handling, Care, Treatment, and Transportation of Guinea Pigs and Hamsters.

Under Subpart C, which relates to rabbits, and Subpart D, which relates to nonhuman primates, similar headings appear.

Thirty days for comment by interested persons was announced. The date by which final regulations must be promulgated according to the law is February 24, 1967.

Dealers must comply by May 24; scientific institutions by August 24.

DOG DEALERS' APPEAL UNSUCCESSFUL

Roy and William Hargrove, found guilty of cruelty to animals September 2, 1966, by twelve fellow residents of Gibson County, Tennessee, lost their appeal for a new trial and started serving thirty-day sentences December 26th. An article in *The Memphis Press-Scimitar*, December 28th, stated: "Their motion for a new trial in circuit court was overruled December 14, the circuit court clerk's office said. The Hargroves went to Nashville late last week in

an unsuccessful last-minute attempt for a pardon, a clerk's office spokesman said. The sentence also carried a \$150 fine against each of the two men. The Hargroves were accused of cruel treatment to dogs they collected for sale to medical laboratories for experiments."

Chief prosecution witness was Dorothy Dyce, Laboratory Animal Consultant of the Animal Welfare Institute.



"Frisky" standing on his hind legs, one of which was amputated and replanted a year ago.



"Frisky" sitting alert and at ease on the treatment table.



"Blackie" in the treatment room.



"Blackie" eating his favorite food in the treatment room ten months after amputation and replantation of a hind leg.

Experimental Surgery Advanced By Ottawa System of Animal Care and Housing

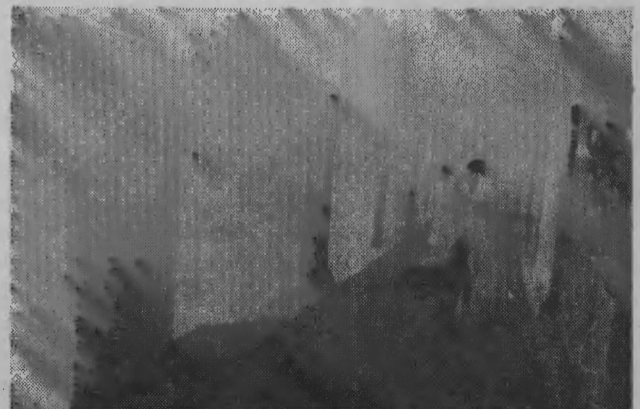
(Continued from page 1)

too, that "Blackie's" coat and general demeanor have greatly improved. "Frisky," whose leg was amputated and replanted in January, 1966, has grown from a pup to a young adult. He, too, runs and frolics in the long corridor and outside runway, as shown in the second photograph.

Commenting on the economics of the Ottawa system of free housing for experimental dogs, Dr. Waddell said: "The shortest project is the most economic project. If you can do a surgical experiment successfully ten times, you have proved the effectiveness of the technique. If animals die from unrelated causes, the original series has to be considerably lengthened to achieve something less than a 100 per cent success rate since unrelated deaths are usually considered experimental failures. There are very good economic and practical reasons for doing the best you can with each individual animal."

The Animal House Committee of the University of Ottawa estimates that housing experimental dogs freely in rooms rather than in cages cuts labor costs of animal care in half. The animals are in better condition and the premises cleaner than if cages were used.

Orders for the AWI film, "Laboratory Dogs," should be directed to the address at the head of the Information Report. The film is available for rental at a cost of \$3 per week or purchase for \$50.



Two other dogs, whose legs were amputated and replanted, running and playing in the medical school corridor.