



American Anti-Vivisection Society



Alternatives Research & Development
F O U N D A T I O N

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USDA Agrees to Historic Protections for Laboratory Animals

Settlement paves way for more humane, accurate, and effective non-animal research

Widespread support in research community for increased protection of rats, mice and birds

Washington, DC: A historic settlement signed by representatives of the Alternatives Research & Development Foundation (ARDF) and the United States Department of Agriculture (USDA) would grant legal protection to mice, rats, and birds under the federal Animal Welfare Act. For the first time in history, these animals would be granted the right to minimal standards of care and treatment in laboratories.

A successful lawsuit by ARDF and an advocacy campaign by the American Anti-Vivisection Society (AAVS) resulted in a USDA decision to grant full legal protection to mice, rats and birds under the Federal Animal Welfare Act (AWA). The settlement is contingent on approval from Washington, D.C. Federal Court Judge Ellen S. Huvelle. Today's announcement could affect more than 20 million laboratory animals and nearly every biomedical research facility and institution of higher learning in the U.S.

"This is a significant victory for animals. The more than 90% of animals used in laboratories who currently have no legal protection could now be covered by federal law," stated AAVS Executive Director Tina Nelson. "This agreement paves the way for more humane, accurate and effective non-animal research."

The public is clearly behind this agreement. When the USDA was originally petitioned by ARDF to include rats, mice, and birds in the AWA, over 40,000 public comments were received—more than any animal welfare issue ever. An overwhelming 94% of those comments favored inclusion of the animals. A majority of researchers and research institutions that commented also supported inclusion. In a survey that was conducted last year, almost 3/4 of members of Institutional Animal Care and Use Committees (the official bodies that oversee animal research) supported inclusion.

Currently, mice, rats, and birds have no legal protection. A former Secretary of Agriculture arbitrarily excluded those species from the category of "animal" as defined under the AWA. This agreement would remove that exclusion and require legal standards for food, water, housing, and pain relief. In addition, scientists would be required to consider alternatives to the use of mice, rats, and birds – something that they formerly did not have to do.

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In addition, this agreement would not add any significant burden to research institutions that are currently using these species appropriately. It would merely require institutions using mice, rats and birds to provide minimum standards of care, to consider humane alternatives, and to utilize summary forms already available and in widespread use. In Europe, such research powerhouses as England, France, and Germany have always included rats, mice, and birds in their standards for care and use, with England having done so for the last 115 years. These countries have no problem maintaining world class research programs, while providing basic protections for these species.

Because rats, mice and birds account for 90-95% of laboratory animals, they are ideal candidates for application of the alternatives approach to biomedical research, testing and education. Including all species in the AWA would provide investigators and educators multiple incentives to consider humane alternatives, as required for all previously covered species.

If this agreement is approved by the judge, for the first time in 30 years the USDA and animal advocates will know how many laboratory animals are used annually; how many unregistered research facilities and breeders (companies that produce laboratory animals) exist in the U.S.; how widespread is laboratory animal pain and distress; and how much progress is really being made in achieving AWA goals.

According to the plaintiffs' attorney, Andrew Kimbrell, of the law firm Kimbrell & Mendelson, "The USDA has made a firm legal commitment under the AWA to protect these animals. Today's agreement would also require USDA to provide plaintiff with regular updates so that we can monitor compliance."

This agreement would prevent research facilities from escaping legal and regulatory accountability for their treatment of laboratory animals by focusing their work on unlisted species. John McArdle, Ph.D. in anatomy and Director of ARDF, noted that, "The United States government now has an opportunity to prove its commitment to quality laboratory animal care and use, as well as the consideration of humane alternatives." Such alternatives include CAT, PET (Positron Emission Tomography), and MRI scans, quantitative structure-activity relationship analysis in drug design, as well as human cell and tissue cultures.

ARDF was founded in 1994 to support the development and use of alternatives to laboratory animals through education and funding of related research projects. AAVS is the oldest organization working on behalf of animals used in research, testing and education in the United States.

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