

**TO:** The Honorable Joseline Peña-Melnyk, Chair  
House Health and Government Operations Committee

**FROM:** Michael Huber, Director, State Affairs,  
Johns Hopkins University & Medicine

**DATE:** February 28, 2023

**RE:** HB 626 – Animal Testing and Research – Human-Relevant Research Funding and Animal Testing and Research Licensure

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Johns Hopkins University and Medicine urges a favorable report with amendments on **HB 626 – Animal Testing and Research – Human-Relevant Research Funding and Animal Testing and Research Licensure**.

This bill will establish the Human-Relevant Research Fund to distribute grants to researcher working to develop alternatives to animal testing. It also includes licensing and reporting provisions, as well as criminal penalties.

As the leading research institution in the State, Johns Hopkins University & Medicine takes seriously its mission to improve the health of the community and the world by setting the standard of excellence in medical education, research and clinical care. Currently, the use of animals is a critical part of those contributions.

Johns Hopkins shares this legislation’s goal of continuing to develop alternatives to animal testing. However, while the science of alternatives has considerably advanced, we are not yet at the point where the use of animals in scientific research should be viewed as discretionary. The use of animals remains essential to the most basic research including biomedical scientific research which could not progress without the use of animals. The use of animals in scientific research is also already subject to considerable oversight by multiple federal agencies, including the National Institute of Health and the U.S. Department of Agriculture. This strong federal oversight aligns with our sincere dedication to the wellbeing of the animals.

The use of animals in research is essential to making progress against disease and to our understanding of human growth and development. Almost every medical advance – from polio vaccines, insulin therapy for diabetes, and cancer therapy to organ transplants and open-heart surgery – either would not be available today or would not be as advanced without the use of animals. Simply put, modern medicine, as we understand it today, would not exist without the use of animals in scientific research.

While cutting-edge scientific research often involves the use of animals, Johns Hopkins is a major

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supporter of alternatives to animal testing. In fact, Johns Hopkins is home to the Center for Alternatives to Animal Testing (CAAT). Housed in the Bloomberg School of Public Health and founded in 1981, CAAT supports the creation, development, validation, and use of alternatives to animals in research, product safety testing, and education. Researchers at Johns Hopkins have led the way in developing alternatives to animal testing.

Johns Hopkins recognizes and adheres to our ethical and legal obligations relating to the use of animals in medical research. We follow strict policies designed to assure that laboratory animals receive the highest quality care as well and adhere to the highest standards to protect the health and safety of people who work with and around animals. We take seriously our obligations to implement the Three Rs principle:

- **Replacement:** Wherever possible, use alternatives to animals, including computer models and animal-derived tissue and organs.
- **Reduction:** Employ methods that reduce the number of animals used as much as possible without sacrificing the integrity of the research.
- **Refinement:** Use approaches that minimize or eliminate the animals' pain and distress.

We are subject to extensive oversight by multiple federal agencies and are committed to complying with all federal laws that govern the use of animals in research -- and there are many. Our facilities are subject to unannounced inspections by the United States Department of Agriculture, and our programs are designed to assure compliance with the Animal Welfare Act and the "Public Health Service Policy on Humane Care and Use of Laboratory Animals." Policies and protocols are in place, and strictly adhered to, that address animal housing and care, veterinary medical care, facilities management, training, and occupational health. Additionally, the Johns Hopkins Animal Care Program is voluntarily accredited by the Association for Assessment and Accreditation of Laboratory Animal Care International ("AAALAC"). AAALAC is the primary accrediting body for animal research programs in the United States and elsewhere.

In summary, we simultaneously are using animals in research where necessary while also advancing alternatives to the use of animals. Given our extensive experience on both fronts, we assert it is still critically necessary to use various animal models in many research settings and, thus, grossly scientifically premature to do anything that would penalize the valid, approved use of animals in research. Thus, although we strongly share the bill's intent and motivation, the licensing, reporting, and criminal penalty provisions of the bill are inappropriate, counterproductive, and outright unfair because they would have the effect of chilling critical research.

We propose the following amendments, on which we have worked closely with the Humane Society:

1. The term "animal" should be defined in the bill. Leaving the term undefined opens up to insects, fish, and other species that are difficult, if not impossible, to count. Given that the proposed contribution structure relies on the number of animals held, it is important to clarify which species the bill contemplates, and it must be possible to count the individual animals each facility holds. Fortunately, the federal Animal Welfare Act already defines "animal in a way that is workable and widely accepted. The definition in this bill should, therefore, align

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with 7 USC Ch. 54, §2132(g), which states: “The term "animal" means any live or dead dog, cat, monkey (nonhuman primate mammal), guinea pig, hamster, rabbit, or such other warm-blooded animal, as the Secretary may determine is being used, or is intended for use, for research, testing, experimentation, or exhibition purposes, or as a pet; but such term excludes (1) birds, rats of the genus *Rattus*, and mice of the genus *Mus*, bred for use in research, (2) horses not used for research purposes, and (3) other farm animals, such as, but not limited to livestock or poultry, used or intended for use as food or fiber, or livestock or poultry used or intended for use for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber. With respect to a dog, the term means all dogs including those used for hunting, security, or breeding purposes.”

2. As explained above, the licensing requirement, beginning on page 6 through the top of page 9 of the bill, should be removed in its entirety. Testing facilities are already required to obtain a license from at least one federal agency and the Maryland Department of Natural Resources Wildlife and Heritage Service for use of animals caught in captivity or bred for research purposes. Adding a State-level license requirement will be burdensome and duplicative.
3. The corresponding reporting requirements are unnecessary and duplicative as well. Testing facilities are already required to report annually to the USDA on the covered species they hold. These reports are publicly available online. Therefore, the reporting requirements should be removed from the bill.
4. If the licensing provisions are removed from the bill, a new mechanism would need to be developed for the testing facilities to contribute to the Fund. Therefore, the licensing fee should be removed, and a contribution structure inserted in its place. We propose a contribution structure, based on the number of animals held, maxing out at \$75,000.
5. As discussed above, the use of animals in scientific research is both heavily regulated and yield benefits to society. Therefore, the criminal penalty provisions in the bill send the wrong signal about the

Johns Hopkins stands ready to support this effort, but for the reason stated above is concerned that some provisions of the bill will prematurely move researchers away from important society-benefitting research. We look forward to continued collaboration with advocates and the sponsor on amendments that will fulfill the intent of the legislation while also recognizing practices and requirements already in place that support the continued development of alternative methods to the use of animals in research. Therefore, we urge a favorable report *with amendments* on **House Bill 626**.