

March 2, 2023

Senator Brian J. Feldman, Chair
Senate Education, Energy, and the Environment Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Dear Chairman Feldman:

Thank you for the opportunity to comment on SB 495, relating to animal testing facilities. While we share the goal of incentivizing the use of non-traditional test methods to reduce the need for animal testing, we have some concerns about the necessity for and workability of this bill, and with the publication of information required by this legislation.

The Animal Health Institute (AHI) is the U.S. trade association for research-based manufacturers of animal health products – the medicines that keep pets and livestock healthy. Animal health companies work to provide veterinarians, food producers and pet owners with high-quality, effective and innovative products.

The use of animals in testing a broad range of human and animal products has long been a matter of public debate. For several decades, researchers, non-government organizations, industry and regulators have acknowledged the Principle of the 3 R's as guidance in this area. Specifically, the 3 Rs refer to:

- Replacing animal use in an experiment as long as adequate alternatives are available.
- Reducing the use of animal experiments and the number of laboratory animals used, while using only as many animals as are needed to obtain a statistically significant outcome.
- Refining the methods and treatment of the animals during the experiments.

The animal health industry is committed to the 3 R's principle and are working with each of the federal agencies that approves animal health products to increase the adoption of non-traditional test methods. Progress has been made with the U.S. animal health regulatory agencies, and opportunities exist to enhance this progress. The animal health industry has worked with U.S. Department of Agriculture on the adoption of in vitro testing methods to replace outdated animal testing methods to test for potency. The animal health industry has also worked collaboratively with the U.S. Food and Drug Administration to reduce the need for research animals. The Environmental Protection Agency has stated a commitment to the 3Rs principle.

The animal health industry, however, is unique among industries that use animals for research. In animal health, laboratory animals are used in the research and development process. But, since we are also making products for use in animals, those products must be tested on the target animal. The use of animals is required by the regulatory agencies which approve animal health products. While we continue to work on reducing the need for animal testing, some amount will always be required because we are making products to improve the health and welfare of animals.

We also have concerns about the data requirements and public disclosure of such data. These testing facilities are already licensed by the U.S. Department of Agriculture and subject to the data reporting requirements of the Animal Welfare Act. The requirements in this bill for licensing and reporting are duplicative and the requirement to share reported information publicly makes these facilities a target for the kinds of vandalism that has taken place in the past.

For these reasons, we urge the committee to reject this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mandy Hagan', with a stylized flourish at the end.

Mandy Hagan
Director, State Government Affairs