

March 2, 2023

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

Re: Senate Bill 495, Research Facilities and Testing Facilities That Use Animals

Dear Mr. Chair and members of the Senate Education, Energy, and Environment Committee:

This testimony in support of Maryland Senate Bill 495, *Research Facilities and Testing Facilities That Use Animals - Licensing and Regulation*, is submitted on behalf of Rise for Animals (formerly the New England Anti-Vivisection Society), a national non-profit organization that champions the interests of both humans and animals by opposing animal experimentation.

Rise for Animals strongly urges you to support Maryland Senate Bill 495 and requests your paid attention to three of the Bill's myriad strengths:

- ★ Firstly, **Senate Bill 495 would ban research and testing facilities from performing a devocalization surgery on or utilizing for experimentation a devocalized dog or cat.**

Senate Bill 495 would protect research animals from a physically and emotionally detrimental surgical procedure that serves no medical benefit for either the subjects of animal research and testing or the claimed beneficiaries of research and testing (i.e., humans). Devocalization – the surgical destruction of an animal's ability to use his or her vocal cords – is performed almost exclusively to serve menial human interests (effectively, human convenience), which the American Veterinary Medical Association defines to include reductions in animal noise and associated human annoyance. And, because significant and prolonged vocalization is most commonly symptomatic of serious, underlying animal welfare issues (such as boredom, social isolation, and anxiety – all conditions that frequently accompany life as a research subject), laboratories that are allowed to rely on devocalized animals are, effectively, empowered both to ignore stark evidence of poor animal welfare *and* to further compromise the well-being of their charges; to be sure, devocalization surgery is an invasive procedure that commonly precedes various, serious, painful post-operative consequences *and* that directly increases an animal's stress and frustration by stymying his or her ability to perform a fundamental behavior.

Further, expliciting prohibiting research and testing facilities from devocalizing animals or using devocalized animals conforms with previous decisions made by Maryland's legislature, including – more generally – Maryland Criminal Code §§ 10-601, 10-602 (which define animal "cruelty" to include the causing of "unnecessary or unjustifiable physical pain or suffering" and makes clear the General Assembly's intent to protect from cruelty both animals "corporately or institutionally owned" and those "used in scientific or medical activities") and – more specifically – the passage of Maryland Criminal Code § 10-625 (which, effectively, bans elective devocalization).

- ★ Secondly, **Senate Bill 495 would ban research and testing facilities from obtaining dogs and cats from Class B dealers and animal shelters.**

Senate Bill 495 would serve to protect Maryland's companion animals by paying homage to a primary motivation for the enactment of landmark federal legislation: societal opposition to the practices of Class B dealers – in, for example, stealing companion dogs for sale to laboratories – and “pound seizure” – by which animal shelters transferred unclaimed dogs and cats to research and testing facilities for experimentation – was a primary driver of the passage of the federal Animal Welfare Act's earliest incarnation (the Laboratory Animal Welfare Act of 1966). Concerns about these practices remain cogent today and counsel in favor of Maryland's increased regulation of Class B dealers and prohibition on research and testing facilities sourcing research subjects from Maryland's homeless companion animal population.

Senate Bill 495's prohibition on “pound seizure” would, additionally, align with and complement existing Maryland law, specifically Maryland Criminal Code § 10-617, which fails to identify transfer to a research or testing facility as an acceptable way for “animal control units” to “dispose” of unclaimed dogs or cats.

- ★ Thirdly, and finally, **Senate Bill 495 would require research facilities using animals for biomedical research to provide a justification to the State Inspector for their use.**

The lack of transparency (and, hence, accountability) endemic to the modern animal research industry has long and often been credited with both impeding human-relevant innovation and encouraging the infliction of ongoing, unnecessary harms upon animal subjects. Moreover, because it is generally agreed that the prevailing focus on animal research poses a primary hurdle to the development and utilization of human-relevant research methodologies, increased regulatory oversight is generally regarded as a necessary precondition to beneficial human-relevant innovation.

It follows that, by requiring researchers to justify their use of animals *and* to attest to the availability of non-animal methods, Senate Bill 495 stands poised to weaken the capacity for industry momentum and the entrenchment of animal research practices (the “this is how we've always done it” rationale) to forestall the development and acceptance of human-relevant technologies – it, thereby, stands poised to act in benefit of both human and animal welfare.

Rise for Animals is grateful for this Committee's consideration and urges this Committee to vote in favor of Maryland Senate Bill 495.

Sincerely, on behalf of Rise for Animals,

/s/ Lindsey Soffes

Lindsey Soffes
Program Officer