

March 3, 2023

The Honorable Senator Melony Griffith
Chair, Senate Finance Committee
3 East Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

Dear Senator Griffith:

The National Association for Biomedical Research (NABR) encourages that SB560- Animal Testing and Research – Human-Relevant Research Funding and Animal Testing and Research Licensure be reported favorably out of committee with amendments.

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

For over 43 years, NABR has been the nation's only organization solely dedicated to advocating for sound public policy in support of ethical and essential laboratory animal research and the lifesaving discoveries they produce. NABR's diverse and unified membership includes more than 330 universities, medical and veterinary schools, teaching hospitals, pharmaceutical and biotechnology companies, patient groups and academic and professional societies that rely on humane and responsible use of research animals to advance global human and animal health.

Animal research remains vital to our mission to understand disease, discover targeted therapies, alleviate suffering, and improve and increase the quality of life. Biomedical research projects involving animals, governed by a strict structure of laws, regulations, and guidelines, continue to yield invaluable data in the process of discovering new therapies to treat, cure, and prevent disease. Cancer therapies, immunizations, organ transplants, reconstructive surgeries, and many other innovations have been brought to fruition through research conducted at our member institutions.

Certain provisions in this bill, as written, could deter life-saving research and negatively impact scientific innovation. Therefore, we encourage the committee to favorably report Senate Bill 560 with the amendments below.

Sincerely,



Matthew R. Bailey
President

NABR supports the following amendments:

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 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 role of research in society.

