

# PhysiciansCommittee

for Responsible Medicine

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March 7, 2024

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

## **RE: Support for Senate Bill 761**

Dear Chair Feldman and Members of the Committee:

I am writing on behalf of the Physicians Committee for Responsible Medicine, a global nonprofit with 900,000 members and supporters, to urge you to support Senate Bill 761. This legislation would improve the safety of chemicals and drugs while sparing dogs, cats, and other animals the cruelest forms of experimentation.

Considering the failings of the federal government in this area, greater state oversight is badly needed. Under the federal Animal Welfare Act (AWA), no experiments are prohibited – including those that inflict pain. The AWA is primarily a husbandry statute that regulates the size of cages, cleanliness, and food and water. In addition, the U.S. Department of Agriculture, which is supposed to enforce the AWA, was cited by its own inspector general for closing investigations involving animal deaths and serious repeat violations and for unnecessarily reducing fines by an average of 86%.<sup>1</sup> In 2019, *The Washington Post* reported, “USDA inspectors documented 60 percent fewer violations at animal facilities in 2018 from the previous year... The drop in citations is one illustration of a shift – or what critics call a gutting – in USDA’s oversight of animal industries.”<sup>2</sup>

The federal government’s failures are why, in recent years, several states have passed laws prohibiting certain types of experiments or increasing oversight of facilities that use animals. In 2022, Virginia signed into law five bills that regulate the use and sale of dogs “for experimental purposes.”<sup>3</sup> Also in 2022, California passed a law that would prohibit the use of dogs in the testing of chemicals, toxic substances, and food additives.<sup>4</sup> In 2018, Virginia outlawed the use of state funds for carrying out painful experiments on dogs.<sup>5</sup> In 2023, legislators in Pennsylvania and Michigan introduced bills that would prohibit the use of public funds for painful experiments on dogs.<sup>6,7</sup>

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<sup>1</sup> USDA Office of Inspector General. (2014). Animal and Plant Health Inspection Service Oversight of Research Facilities Audit Report 33601-0001-41.

<sup>2</sup> Brulliard, K. (2019, Feb. 26). *The USDA Is Issuing Far Fewer Citations to Zoos, Labs and Breeders for Animal Welfare Violations*. The Washington Post.

<sup>3</sup> Jaquith, O. (2022, April 4). *Youngkin Signs ‘Beagle Bills’ for Animal Welfare Reform*. WRIC.

<sup>4</sup> Solis, N. (2022, Sept. 7). *California Bans Unnecessary Pesticide, Chemical Testing on Dogs and Cats*. Los Angeles Times.

<sup>5</sup> S.B. 28, 2018 Session, Va. Gen. Assembly.

<sup>6</sup> Jessop, L. (2023, June 23). *Lawmaker Urges Pennsylvania to Stop Funding Inhumane Animal Testing*. The Center Square.

<sup>7</sup> H.B. 4849. 2023 Session, Mich. Legislature.

In addition, about 95 percent of all animals used in laboratories are excluded from accurate federal reporting requirements. Simply put, in the United States, we have no idea how many animals are used in labs. (In comparison, the governments of other countries – including the United Kingdom, Canada, and the entire European Union – regularly collect and publish detailed information on how many animals are used in research and testing.) SB 761 would help alleviate that problem.

This bill would also help translate research and testing conducted in Maryland to patients by furthering the replacement of animals with human-relevant methods. According to the National Institutes of Health (NIH), drugs that prove safe in nonhuman animals fail in human clinical trials 95 percent of the time.<sup>8</sup> That immense failure is a big reason we are seeing an international effort to replace animals in drug testing. This may be achieved by using tissue chips – small, high-tech devices about the size of a thumb drive. They can be lined with human organ cells – from healthy or diseased donors – and they allow scientists to acquire data quickly without having to translate it from another species. Researchers at Harvard have developed patient-derived tissue chips to study kidney and lung dysfunction associated with kidney injury and respiratory disease. Scientists are even developing patients-on-a-chip – devices that use an individual patient’s cells to model rare diseases and cancers.<sup>9</sup> The goal is to use these systems to develop patient-specific treatments.

The failings are also seen in disease research. Ninety-two percent of cancer studies in animals fail to successfully translate to human clinical trials.<sup>10</sup> And in a landmark 2013 study, researchers from Stanford University, Harvard University, and elsewhere found that when it comes to serious inflammatory conditions such as sepsis, burns, and trauma, results from mice cannot be applied to humans because of their vastly different genetic responses.<sup>11</sup> Even the director of the NIH acknowledged the time and resources wasted on sepsis experiments on mice, calling the catastrophe – in which 150 drugs successfully treated sepsis in mice but failed in human trials – a “heartbreaking loss of decades of research and billions of dollars.”<sup>12</sup>

Clearly, patients deserve better. But we can make progress for them – and animals – by making SB 761 into law. We urge you to advance this bill out of your committee.

Thank you for your time and your work on behalf of the people of Maryland.

Sincerely,



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<sup>8</sup> National Center for Advancing Translational Sciences. (2015, Oct. 8). *Request for Information (RFI): Soliciting Input for the National Center for Advancing Translational Sciences (NCATS) Strategic Planning Process*.

<sup>9</sup> <https://wyss.harvard.edu/technology/human-organs-on-chips/>

<sup>10</sup> Mak, I.W., Evaniew, N. & Ghert, M. (2014). Lost in Translation: Animal Models and Clinical Trials in Cancer Treatment. *American Journal of Translational Research*, 6(2).

<sup>11</sup> Junhee, S. et al. (2013). Genomic Responses in Mouse Models Poorly Mimic Human Inflammatory Diseases. *PNAS*, 110(9).

<sup>12</sup> Collins, F. (2013, Feb. 19). *Of Mice, Men, and Medicine*. NIH Director’s Blog.