

February 27, 2025

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment
2 West-Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

Dear Chairman Feldman:

The Pennsylvania Society for Biomedical Research (PSBR) opposes Senate Bill No. 535 - *Testing Facilities That Use Animals – Licensing and Regulation*, which would, among other provisions, require each research facility and testing facility in the State that uses animals in research, education, or testing to be licensed by the Department of Agriculture; establish a State Inspector of Animal Welfare in the Department to inspect research facilities and testing facilities; and require a research facility and a testing facility to notify the State Inspector of certain violations.

PSBR is a regional advocacy organization seeking to promote the continued improvement of laboratory animal welfare and the public understanding of the importance of animal-based research to scientific advancement. PSBR's supporters and affiliates include research institutions in Maryland and the many vendors and suppliers who make such important research possible.

Please know, the regulatory oversight of animals within research institutions is already significant. Institutions are subject to at least annual inspections conducted by qualified veterinarians within the United States Department of Agriculture (USDA) and any institution using federal funds for research are subject to further oversight by the Office of Laboratory Animal Welfare in the National Institutes of Health. The Maryland Department of Agriculture does not have the expertise nor capacity to inspect facilities and review detailed decisions made by the laboratory animal veterinarians and other animal husbandry staff who are dedicated to the well-being of each animal.

Moreover, it is wholly inappropriate for the Department to authorize any animal welfare organization, local agency, or an undefined similar entity to conduct the inspection of a research or testing facility. In addition to concerns about qualifications, motivations, and anti-research biases held by many such organizations, research facilities often contain, intellectual property, protected veterinary medical information, and trade secrets. In some cases, the animals themselves are the protected information.

In fact, the inspections and reporting requirements contemplated by SB535 create the potential for the release of confidential information, employee names, and other information that should be protected. This jeopardizes research in Maryland, but also creates potential safety and security issues for research personnel. There are well-documented examples of researchers, veterinarians, and other officials being targeted in both their workplace and homes.

PSBR also has serious concerns about sections of the legislation that seek to require inspections by Maryland officials based on potential citations in USDA inspection reports. Issues cited in USDA inspection reports are not final determinations of violations with respect to those findings. In addition, potential citations may have no impact on the health or wellbeing of the animal, i.e., potential indirect citations. A decision of an administrative law judge is required for there to be a violation of the federal Animal Welfare Act and its regulations. When a violation occurs, corrective actions are expected to be performed by the cited facility. This legislation fails to account for the federal inspection and regulatory process and adds state-level inspections seeking to address potential issues that were likely already addressed. This is unnecessary and not the best use of limited state resources.

In summary, PSBR believes strongly that this legislation unnecessarily seeks to further regulate an already highly regulated research community, which could increase the cost, both in time and resources, of advancing research and science in Maryland. It also makes the state “unfriendly” to research that requires animal models and could drive away the best and brightest researchers to institutions located in other jurisdictions. That is, this legislation would make Maryland a less acceptable jurisdiction for research in a time when domestic research is critical and in need of promotion.

Thank you for considering our views on this important issue.

Pennsylvania Society for Biomedical Research

By:



Thomas A. Leach
Executive Director