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**Bill: SB 536**

Committee: Senate Education, Energy, and the Environment

**Position: Support**

Date: February 25, 2025

Dear Chairman Feldman,

Thank you very much to you and the members of the Committee on Education, Energy, and the Environment for welcoming testimony on SB 536. My name is Sherman McFarland, and I am the Director of Policy for the American Anti-Vivisection Society (AAVS). AAVS's mission is to end the use of animals in science through education, advocacy, and the development of alternative methods. Since 1883, we have been monitoring the use of animals in science including progress in alternatives. On behalf of our members and supporters, including those in Maryland, I am submitting written testimony in support of SB 536 because this legislation will spare the lives of dogs, cats, and other animals used in research and testing in Maryland, and it will advance the use of reliable, non-animal test methods.

There are problems with testing on animals. Approximately 90% of drugs tested on animals fail in human clinical trials. Science has come to understand the benefits of using advanced in vitro test methods based on human biology, which makes them more accurate predictors of human responses to drugs and chemicals. Cost savings and savings in time are also added value of non-animal methods.

Maryland became a leader in non-animal science when it established the Human-Relevant Research Fund in 2023. This groundbreaking law created a grant program for scientists in the state developing non-animal test methods. SB 536 ensures that such alternative methods are being used as soon as they are accepted by the appropriate regulatory agencies. AAVS also supports SB 536 because it would prohibit private research and testing facilities from engaging in extreme practices that cause animal suffering.

**Protecting Dogs and Cats, Ensuring Their Welfare, and Reducing Their Use in Research and Testing**

SB 536 requires each private research and testing facility located in Maryland to ensure that the number of dogs and cats used in research or testing is reduced to the smallest number possible by using scientifically reliable and relevant methods that do not involve the use of dogs or cats. SB 536 also prohibits research and testing facilities from using for research or testing purposes: (1) a dog sold by a Class B dealer licensed under the federal Animal Welfare Act; (2) a dog or cat obtained from a person

that did not breed and raise the dog or cat, including a dog or cat obtained from an auction, flea market, or animal shelter; and (3) a dog or cat that has undergone a devocalization surgery. Furthermore, SB 536 prohibits research and testing facilities from performing devocalization surgeries on dogs and cats. SB 536 also requires that the dogs and cats used by research and testing facilities must be euthanized only by a lethal injection of sodium pentobarbital administered either by a veterinarian licensed in Maryland or under the direct supervision of a veterinarian licensed in the state.

### **Private Research and Testing Facilities Are Required to Use Non-Animal Test Methods**

AAVS asks: why would you test on an animal if a valid non-animal alternative is available? SB 536 addresses this with a common sense provision to prohibit private research and testing facilities from using a traditional animal test method if the agency responsible for regulating the specific product or activity for which a test method is used has: (1) approved a test method that does not use animals; or (2) granted a research or testing facility a waiver from using a traditional animal test method. If a test method that does not use animals is unavailable or a waiver has not been granted, a research or testing facility may use a traditional animal test method if the facility uses the fewest number of animals possible and minimizes the level of pain, suffering, and stress of an animal used for testing.

### **Requirement to Report the Use of Animals in Research and Testing**

Lastly, SB 536 requires each private research and testing facility in Maryland to report to the state Secretary of Agriculture the following information about the preceding 12-month period: (1) the number of each species of animal owned and used by a research or testing facility; (2) the number of dogs or cats released to animal rescue organizations and the names of the animal rescue organizations to which the dogs and cats were released; (3) the type and number of alternative test methods and traditional animal test methods used; (4) the number of traditional animal test method waivers and canine or feline toxicological experiment waivers used; and (5) the purpose of any tests conducted using alternative test methods or traditional animal test methods. Private research and testing facilities would be required to report this information to the Maryland Secretary of Agriculture each year on or before January 31. The state Secretary of Agriculture would then be required to collect this information reported by research and testing facilities, prepare an annual report of the information, and post it on the state Department of Agriculture's website. SB 536 also has an enforcement mechanism because it levies monetary penalties against private research and testing facilities that violate the provisions of the bill.

## **Conclusion**

In conclusion, AAVS supports SB 536 because it:

- Prohibits private research and testing facilities from using a traditional animal test method if the agency responsible for regulating the specific product or activity for which a test method is used has: (1) approved a test method that does not use animals; or (2) granted a research or testing facility a waiver from using a traditional animal test method;
- Allows private research and testing facilities to use a traditional animal test method if they use the fewest number of animals possible and minimize the level of pain, suffering, and stress of an animal used for testing when there is no alternative test method available or waiver granted.
- Requires that the number of dogs and cats used in research or testing is reduced to the smallest number possible by using scientifically reliable and relevant methods that do not involve the use of dogs or cats;
- Prohibits private research and testing facilities from using for research or testing purposes: (1) a dog sold by a Class B dealer licensed under the federal Animal Welfare Act; (2) a dog or cat obtained from a person that did not breed and raise the dog or cat, including a dog or cat obtained from an auction, flea market, or animal shelter; and (3) a dog or cat that has undergone a devocalization surgery;
- Prohibits private research and testing facilities from performing devocalization surgeries on dogs and cats;
- Requires private research and testing facilities to annually report: (1) the number of each species of animal they owned and used; (2) the number of dogs and cats released to animal rescue organizations and the names of those animal rescue organizations; and (3) the type, purpose, and number of alternative test methods and traditional animal test methods used.

SB 536 represents a significant and humane step forward for Maryland. This bill will prevent unnecessary suffering and spare the lives of dogs, cats, and other animals, and it will advance the use of scientifically reliable and relevant non-animal test methods. Thank you very much for allowing me to testify in support of SB 536. If you or any member of the Committee has questions about my testimony, or needs more information, please contact me via email at [smcfarland@aavs.org](mailto:smcfarland@aavs.org).

Sincerely,

Sherman McFarland  
Director of Policy