

MD SB 535_FAVORABLE_Conlee Humane World.pdf

Uploaded by: Kathleen Conlee

Position: FAV



Formerly called the Humane
Society of the United States

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humaneworld.org

Testimony in Support of SB 535
Presented to the Senate Education, Energy and the Environment Committee
February 27, 2025
By Kathleen Conlee, Vice President, Animal Research Issues
Humane World for Animals

Dear Chair Feldman, Vice-Chair Kagan, and members of the Senate Education, Energy and the Environment Committee,

I appreciate the opportunity to submit this written testimony on behalf of Humane World for Animals, formerly called the Humane Society of the United States, and our Maryland members and supporters urging a favorable report of SB 535. This important legislation creates a licensing and inspection program for private animal research facilities in the state of Maryland.

In the United States, the federal Animal Welfare Act (AWA) requires research facilities to annually report the number of animals used in research and testing and receive inspections from the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS). However, there are many limitations to this federal oversight. Unfortunately, the AWA only covers warm-blooded animals but specifically excludes birds, rats and mice bred for use in research as well as commonly used cold-blooded species such as fish, which represent the vast majority of animals used in research and testing (up to 99%), meaning that research facilities that only use these non-covered species are not required to register with USDA or receive inspections.

SB 535 creates a new position, the State Inspector of Animal Welfare, within the Maryland Department of Agriculture. The State Inspector must inspect each private facility before receiving a license and inspect once per year each private facility with a current license or once every two years for USDA-licensed facilities. It also requires private facilities to report any violations of the AWA and corresponding regulations within 30 days, triggering an additional inspection within 30 days after notification. SB 535 allows the department to enter into an agreement with an animal control facility to conduct inspections. Schools or institutions of higher education, which are exempt from the Maryland licensing and inspections required under this legislation, must annually report the outcomes of their federally required inspections to the General Assembly.

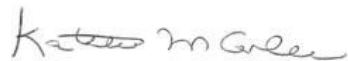
The inspections established by SB 535 will provide much-needed additional oversight of animal welfare at private research facilities, which were cited more than 20 times in the last five years for likely violations of the AWA. Examples of non-compliant items identified during USDA inspections include improper handling of rabbits that resulted in them being injured and

consequently euthanized,¹ unsanitary conditions in rooms where animals are housed including the presence of bugs and damaged drywall,² and deviations from and incomplete animal protocols.³ Two private research facilities in Maryland have even received official warnings from USDA for their alleged violations of the AWA.^{4,5}

Unfortunately, annual inspections conducted by USDA are not sufficient to ensure that animals are being treated according to the minimum standards set by the AWA. Research facilities that are accredited by a third-party organization, such as the Association for Assessment and Accreditation of Laboratory Animal Care International (AAALAC), are not inspected by the USDA as thoroughly as facilities that are not accredited. Without thorough, consistent inspections, violations could be missed. Additionally, enforcement of documented suspected AWA violations by research facilities is not carried out by the USDA as often as it should be. The state-level inspections required by the provisions in this bill would provide more opportunities for animal welfare concerns to be documented and addressed.

Humane World for Animals urges a favorable report on SB 535 to provide animals in Maryland laboratories proper care and oversight.

Thank you,



Kathleen Conlee
Vice President, Animal Research Issues
Humane World for Animals

¹ United States Department of Agriculture, Animal and Plant Health Inspection Service. (1/17/23). Inspection report for BASI Gaithersburg. Retrieved from <https://aphis.my.site.com/PublicSearchTool/s/inspection-reports>

² United States Department of Agriculture, Animal and Plant Health Inspection Service. (6/7/22). Inspection report for Bioqual Inc. Retrieved from <https://aphis.my.site.com/PublicSearchTool/s/inspection-reports>

³ United States Department of Agriculture, Animal and Plant Health Inspection Service. (9/27/23). Inspection report for Bioqual Inc. Retrieved from <https://aphis.my.site.com/PublicSearchTool/s/inspection-reports>

⁴ United States Department of Agriculture, Animal and Plant Health Inspection Service. (3/1/23). Official warning for BASI Gaithersburg. Retrieved from <https://www.aphis.usda.gov/animal-care/awa-services/animal-welfare-horse-protection-actions>

⁵ United States Department of Agriculture, Animal and Plant Health Inspection Service. (8/10/22). Official warning for Bioqual Inc. Retrieved from <https://www.aphis.usda.gov/animal-care/awa-services/animal-welfare-horse-protection-actions>

KH-EEE-HB0535.pdf

Uploaded by: Kimberly Hayes

Position: FAV

Testimony on HB 0535 - Favorable
HB 0535 – Research Facilities and Animal Testing – Licensing and Regulations

Education, Energy, and the Environment Committee

February 27, 2025

Dear Honorable Chair Brian Feldman, Vice Chair Cheryl Kagan, and Members of the Education, Energy, and the Environment Committee,

Kim Hayes, resident of Frederick MD, offers a **favorable** testimony in support of **HB 0535 – Research Facilities and Animal Testing – Licensing and Regulations**

I am in support of this bill and any measure of humane improvements within the context of testing on animals, including regulation of how animals are obtained, housed, cared for (if you can call it that), and treated.

I (Kim Hayes) urge the committee to provide a favorable report on HB 0535.

Research Facilities and Testing Facilities That Us

Uploaded by: Lisa Radov

Position: FAV



MARYLAND VOTES FOR ANIMALS

**PO Box 10411
BALTIMORE, MD 21209**

February 27, 2025

To: Senate Education, Energy, and the Environment Committee
From: Lisa Radov, President and Chair, Maryland Votes for Animals, Inc.
Re: Research Facilities and Testing Facilities That Use Animals – Licensing and Regulations – SB 535 – Support

Chair Feldman, Vice- Chair Kagan, members of the Education, Energy, and the Environment Committee, thank you for the opportunity to testify before you today. My name is Lisa Radov. I am the President and Chair of Maryland Votes for Animals. We champion humane legislation to improve the lives of animals in

Maryland. Speaking for Maryland Votes for Animals, our Board of Directors, and our members across Maryland, I respectfully request that the Education, Energy, and the Environment Committee vote favorably for Research Facilities and Testing Facilities That Use Animals – Licensing and Regulations – SB 535.

This bill would 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; applying certain provisions of law regarding the adoption of dogs and cats used for scientific research purposes to testing facilities; establishing a State Inspector of Animal Welfare in the Department to inspect research facilities and testing facilities; requiring a research facility and a testing facility to notify the State Inspector of certain violations.

The goal of this legislation is to ensure that our state research and testing facilities follow best practices when it comes to the treatment of animals. While proper care of animals used in research has been an ongoing priority for most of the scientific community, there have been some instances of mistreatment of animals in research laboratories. This bill would require transparency for these institutions so that our animals are not suffering, and our research institutions are being held to the highest standards of care for the animals who give up so much for our benefit.

In closing, I would like to thank Senator Kramer for his sponsorship of SB 535 and ask the committee to give this bill a favorable report.

NAVS support MD SB535, 536, 537 Feb 2025.pdf

Uploaded by: Meredith Blanchard

Position: FAV

02/25/2025

Subject: Support for SB 535, SB 536, and SB 537 – Strengthening Oversight and Protections for Animals in Research and Testing

Dear Members of the Education, Energy, and Environment Committee,

On behalf of the National Anti-Vivisection Society (NAVS) and our Maryland supporters, I write to express our strong support for Senate Bills 535, 536, and 537, which collectively establish critical reforms for research and testing facilities using animals in Maryland. These bills introduce necessary oversight, humane protections, and transparency measures to ensure ethical treatment of animals in scientific settings.

SB 535 – Extending Oversight to All Animals Used in Research and Testing

This legislation mandates that private research and testing facilities using animals obtain a state license, comply with annual inspections, and report violations. The bill also creates a State Inspector of Animal Welfare to enforce these standards.

Critically, SB 535 extends oversight to animals not currently covered under the federal Animal Welfare Act (AWA). The AWA, which is the primary federal law governing the treatment of animals in research, excludes roughly 95% of animals used in experiments, including rats, mice, birds, and fish. This means that these animals are not entitled to even the most basic protections such as proper housing, veterinary care, or consideration of alternatives to their use in testing. By requiring state licensure and oversight for these animals used at private facilities, SB 535 is a crucial step in closing a regulatory gap and ensuring that more animals receive at least fundamental protections.

Furthermore, a state-based licensing and inspection system will:

- Improve transparency in animal research and testing.
- Hold facilities accountable for AWA violations.
- Establish funding for oversight through the Animals in Research Fund.

By instituting proactive state regulation, Maryland can enhance the welfare of animals used in scientific settings and ensure that all species receive consideration in laboratory conditions.

SB 536 – Restricting Harmful Practices and Encouraging Modern Alternatives

SB 536 takes essential steps to limit harmful and unnecessary animal testing while encouraging the development and use of scientifically valid non-animal alternatives. Specifically, the bill:

- Requires private facilities in the state to use non-animal testing methods for household cleaners, drugs, pesticides, vaccines, and chemicals when available and approved.

- Prohibits testing on dogs or cats for products like pesticides and food additives unless mandated by federal law.
- Bans cruel laboratory practices, including devocalizing dogs and performing inhumane euthanasia.
- Implements reporting requirements on animal use in product testing, adoption of research animals, and the use of alternative test methods.

Scientific research increasingly recognizes that many animal-based testing methods fail to predict human outcomes. A 2022 study published in *The Journal of Translational Medicine* found that over 90 percent of drugs that pass preclinical animal testing fail in human clinical trials due to safety or efficacy issues. By requiring the use of alternative testing methods when available, Maryland can help accelerate the transition to more accurate, human-relevant models such as organ-on-a-chip technology, computational modeling, and advanced in-vitro methods.

SB 537 – Adoption and Reporting Requirements for Research and Testing Facilities

SB 537 ensures that dogs and cats no longer needed for research or testing purposes are given a chance at adoption. The bill requires facilities to:

- Make reasonable efforts to place retired animals in adoptive homes or with animal rescue organizations.
- Report annually on the number of dogs and cats used, released for adoption, and the organizations receiving them.

In the United States, a 2018 study found that public opinion on the morality of animal research was declining. By requiring adoption efforts and reporting, Maryland can set a humane precedent that aligns with the values of its citizens.

Together, SB 535, 536, and 537 create a comprehensive framework that improves oversight, promotes humane alternatives, and ensures accountability in Maryland's research and testing facilities. NAVS urges the Committee to support these bills and advance Maryland as a leader in ethical and scientifically progressive research practices.

Thank you for your consideration. Please feel free to contact me for further discussion or clarification.

Sincerely,



Meredith Blanchard
Senior Manager, Policy and Advocacy
National Anti-Vivisection Society

SB 535 FAVORABLE - American Anti-Vivisection Socie

Uploaded by: Sherman McFarland

Position: FAV



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Suite 204
Jenkintown, PA 19046-1611
Phone: 215.887.0816
Fax: 215.887.2088
Web: www.aavs.org

Bill: SB 535

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 535. 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 535 because of our concern for animals who suffer in research labs. You may be aware that research and testing facilities that only use species excluded from the federal Animal Welfare Act are not currently subject to federal inspections. SB 535 will provide a remedy by requiring all private research and testing facilities in Maryland, and all species of animals kept in these facilities, to be subject to inspection by the State Inspector of Animal Welfare within the state Department of Agriculture.

SB 535 requires that private research and testing facilities in Maryland that use live animals in research, education, experimentation, or testing must be licensed by the state Department of Agriculture. The bill will also create an Animals in Research Fund, which will cover the costs associated with the duties of the State Inspector of Animal Welfare. The State Inspector of Animal Welfare would operate within the Maryland Department of Agriculture and be required to inspect each private research and testing facility applying for a license. The State Inspector of Animal Welfare would also be required to inspect each private research and testing facility that has an active license. Additionally, SB 535 has an enforcement mechanism because it levies monetary penalties against private research and testing facilities that violate the provisions of the bill.

In addition, SB 535 requires schools or institutions of higher education that use animals in research, education, experimentation, or testing to annually report the results of any inspection of the school or institution of higher education performed by the agency that regulates the use of animals by the school or institution. Schools and institutions of higher education would also be required to report any violations found during these inspections and to file these annual reports on or before December 31.

AAVS strongly encourages the Committee to vote in favor of SB 535 because it represents a great, humane step forward for Maryland. Thank you very much for allowing me to testify in support of

Chairman Feldman

Page 2

February 25, 2025

SB 535. 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

Sincerely,

Sherman McFarland

Director of Policy

MD SB 535.pdf

Uploaded by: Amanda Hagan

Position: UNF

February 27, 2025

Senator Brian Feldman, Chair
Education, Energy & the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Dear Chair Feldman:

On behalf of the Animal Health Institute (AHI), we respectfully oppose SB 535, SB 536, and SB 537. This package of bills address adoption of animals no longer being used for research; licensing and inspection of research facilities; and the use of traditional and nontraditional animal test methods. AHI is the U.S. trade association for research-based manufacturers of animal health products – the medicines that keep pets and livestock healthy.

The use of animals in testing a broad range of human and animal products has long been a matter of public debate. For several decades, researchers, non-government organizations, industry and regulators have acknowledged the Principle of the 3 R's as guidance in this area. Specifically, the 3 R's refer to:

- Replacing animal use in an experiment as long as adequate alternatives are available.
- Reducing the use of animal experiments and the number of laboratory animals used, while using only as many animals as are needed to obtain a statistically significant outcome.
- Refining the methods and treatment of the animals during the experiments.

The animal health industry is committed to the 3 R's principle and is working with each of the federal agencies that approves/reviews animal health products to increase the adoption of non-traditional test methods. Progress has been made with the U.S. animal health regulatory agencies, and opportunities exist to enhance this progress. For example, the animal health industry has worked with U.S. Department of Agriculture (USDA) on the adoption of in vitro testing methods to replace outdated animal testing methods to test for potency. The animal health industry has also worked collaboratively with the U.S. Food and Drug Administration (FDA) to reduce the need for research animals. The Environmental Protection Agency (EPA) has stated a commitment to the 3 R's principle.

The animal health industry, however, is unique among industries that use animals for research. In animal health, laboratory animals are used in the research and development process. But, since we are making products for use in animals, those products must also be tested on the target animal. The use of animals is required by the regulatory agencies which approve animal health products, including the FDA, EPA, and USDA. While we continue to work on reducing the need for animal testing, some amount will always be required by federal agencies because we are making products to improve the health and welfare of animals.

The Federal Animal Welfare Act governs, among other animals, dogs and cats used in research. The Animal Welfare Act contains 164 pages of USDA regulations governing animal use along with an additional 424 pages that comprise the USDA's Animal Welfare Guide, which is used by the USDA's Animal and Plant Health Inspection Service to inspect facilities which use animals in research. The Animal Welfare Act and USDA regulations require registration and licensing of entities using animals in research, inspections of facilities, and generally govern all aspects of humane care.

USDA requires facilities to submit an annual report that includes the number of animals being bred, conditioned, or held for use in teaching, testing, experiments, research, or surgery but not yet used for

such purposes; as well as how many animals were used in different categories of research. These reports are publicly available [here](#).

We support adoption of animals no longer being used for research, and your bills' adoption provisions allow facilities to continue adopting as they have been. But the three bills create a confusing framework around alternative test methods, add redundant reporting requirements, and shift some regulatory responsibilities inappropriately to private groups. The additional paperwork requirements would institute an unnecessary administrative burden for testing facilities with no beneficial effect.

We urge the committee to recommend a "no" vote on all three of these bills. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mandy Hagan", with a stylized flourish at the end.

Mandy Hagan
Director, State Government Affairs

NABR MD SB535 FINAL.pdf

Uploaded by: Brandon Morton

Position: UNF



National Association for BIOMEDICAL RESEARCH

February 25, 2025

The Honorable Senator 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 National Association for Biomedical Research (NABR) is writing in opposition to SB 535, Testing Facilities That Use Animals – Licensing and Regulation.

This bill would require facilities that use animals in research, education, or testing to be licensed by the State Department of Agriculture. The bill requires an inspection and payment of a licensing fee before the State may issue such a license. It creates a State Inspector of Animal Welfare, which is to inspect all licensed facilities each year, a responsibility it can delegate to animal rights organizations. It requires researchers to justify the use of animals to the state inspector, addressing whether another suitable model is available, whether the research can be performed ethically on human subjects, and whether animals are necessary to accelerate responses to life-threatening or debilitating conditions. In addition, it includes provisions regarding the adoption of dogs and cats used for research and creates duplicative and onerous reporting requirements. There are significant monetary penalties associated with violations of the bill.

For more than 46 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 animal research to advance global human and animal health.

Animal research remains vital to our nation's mission to understand disease, discover targeted therapies, alleviate suffering, and improve and increase the quality of life. Biomedical research projects involving animals are governed by a strict structure of laws, regulations and guidelines and 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 other medical innovations have been brought to fruition through research conducted at Maryland based companies and institutions.

NABR believes this legislation is unnecessarily duplicative of oversight that is already required at the federal level. Under current federal law, research facilities are subject to unannounced USDA inspections and must comply with the Animal Welfare Act as well as the *Guide for the Care and Use of Laboratory Animals*. Policies and protocols are in place, and strictly adhered to, that address animal housing and care, veterinary medical care, facilities management, training, and occupational health. Furthermore, most research institutions are also accredited by AAALAC International. AAALAC International is the primary accrediting body for animal research programs in the United States and elsewhere.

We ask the committee to unfavorably report SB 535 so research facilities can continue to create lifesaving treatments for diseases, discover targeted therapies, alleviate suffering, and improve and increase the quality of life for both humans and animals. Should you or your staff have questions please contact Brandon Morton, NABR's Vice President of Government Affairs via email at bmorton@nabr.org.

Sincerely,

Matthew R. Bailey
President

NABR MD SB535 FINAL.pdf

Uploaded by: Matthew Bailey

Position: UNF



National Association for BIOMEDICAL RESEARCH

February 25, 2025

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

Dear Chairman Feldman:

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This bill would require facilities that use animals in research, education, or testing to be licensed by the State Department of Agriculture. The bill requires an inspection and payment of a licensing fee before the State may issue such a license. It creates a State Inspector of Animal Welfare, which is to inspect all licensed facilities each year, a responsibility it can delegate to animal rights organizations. It requires researchers to justify the use of animals to the state inspector, addressing whether another suitable model is available, whether the research can be performed ethically on human subjects, and whether animals are necessary to accelerate responses to life-threatening or debilitating conditions. In addition, it includes provisions regarding the adoption of dogs and cats used for research and creates duplicative and onerous reporting requirements. There are significant monetary penalties associated with violations of the bill.

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We ask the committee to unfavorably report SB 535 so research facilities can continue to create lifesaving treatments for diseases, discover targeted therapies, alleviate suffering, and improve and increase the quality of life for both humans and animals. Should you or your staff have questions please contact Brandon Morton, NABR's Vice President of Government Affairs via email at bmorton@nabr.org.

Sincerely,

Matthew R. Bailey
President

SB 535 - Johns Hopkins - Oppose.pdf

Uploaded by: Michael Huber

Position: UNF

TO: The Honorable Brian Feldman, Chair
*Senate Education, Energy, and the Environment
Committee*

SB535
Unfavorable

FROM: Michael Huber
Director, Maryland Government Affairs

DATE: February 27, 2025

RE: SB535 Research Facilities and Testing Facilities That Use Animals - Licensing and Regulations

Johns Hopkins opposes **SB535 Research Facilities and Testing Facilities That Use Animals - Licensing and Regulations**. This bill requires facilities that use animals in research or testing be licensed by the State Department of Agriculture. Licensure requires inspection. The bill also establishes a State Inspector of Animal Welfare in the Department of Agriculture. The State may delegate inspections to animal welfare organizations, local animal control agencies, and other entities. This bill requires institutions of higher education that use animals in research or testing to report to the General Assembly on the results of any inspection by the Department of Agriculture, including any violations.

As the leading research institution in the state, Johns Hopkins University & Medicine takes seriously its mission to improve the health of the community and the world by setting the standard of excellence in medical education, research, and clinical care. The use of animals is essential to the success of our mission.

Almost every medical advancement – from COVID-19 vaccines, insulin therapy for diabetes, treatments for cardiovascular diseases, cancer therapy to organ transplants – are the direct result of research performed on animals. Simply put, modern medicine, as we understand it today, would not exist without research performed in animals.

For example, the State of Maryland played a key role in the development of COVID-19 vaccines. As COVID-19 initially spread world-wide, institutions, including Johns Hopkins and the University of Maryland, and private companies, rapidly ramped up research to develop new ways to treat and prevent COVID-19. The vaccines and therapeutics developed by biomedical researchers during this time were tested on animals before human trials as an integral part of development. Different kinds of institutions and facilities contributed to this effort, leading to widely available COVID-19 vaccines in an unexpectedly short time. These efforts were central to containing the COVID-19 pandemic. In addition to being essential to basic scientific discovery, animal research is also heavily regulated at the federal and institutional level.

Research facilities are subject to extensive oversight by multiple federal agencies, including the National Institutes of Health – Office of Laboratory Animal Welfare (OLAW) and the U.S. Department of Agriculture (USDA). Facilities are subject to unannounced inspections by the USDA. Programs involving animals are designed to assure compliance with the federal Animal Welfare Act and the “Public Health Service Policy on Humane Care and Use of Laboratory Animals.” Guidelines, standard

operating procedures (SOPs), and protocols are in place, and strictly adhered to, that address animal housing and care, veterinary medical care, facilities management, training, and occupational health. The results of these inspections are readily available online.

For the reasons stated above, we urge an **UNFAVORABLE** committee report on **Senate Bill 535**.

SB535_BIOQUAL_UNF.pdf

Uploaded by: Timothy Hampton

Position: UNF



March 27th, 2025

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

BIOQUAL Inc. urges an unfavorable report on SB 535 – Research Facilities and Testing Facilities That Use Animals – Licensing and Regulation, and Companion bill SB 536.

BIOQUAL Inc. (BIOQUAL), a Maryland based Contract Research Organization founded in 1981, has long been engaged in development of in-vivo testing programs and has been extensively involved in research efforts to develop vaccines and therapies against emerging diseases including AIDS, Hepatitis, Influenza, Zika, Chikungunya and many others. The company played a vital role in COVID-19 research and in the development of successful vaccines and therapies against the SARS-CoV-2 pandemic. The use of animals in this research was essential to the rapid development of the COVID-19 vaccines that are estimated to have saved millions of lives worldwide (ref. Lancet Infect Dis 2022; 22: 1293-302, June 23, 2022; [https://doi.org/10.1016/S1473-3099\(22\)00320-6](https://doi.org/10.1016/S1473-3099(22)00320-6)). Most recently, the company has been engaged with the response and mitigation efforts against the emerging H5N1 influenza outbreak.

Animal models are a necessary component of BIOQUAL's mission to provide innovative research support for improved global health. BIOQUAL is a USDA Registered Class R Research Facility, holds an Assurance with the Office of Laboratory Animal Welfare (OLAW), and is an Accredited institution with the Association for Assessment and Accreditation of Laboratory Animal Care (AAALAC). Further, to ensure ethical and human treatment, BIOQUAL is committed to:

- Maintaining the highest standards of animal care and use through a collaborative approach involving veterinarians, scientists, and animal support staff.
- Incorporating the 3Rs of animal research (Replacement, Reduction, and Refinement) to constantly seek to improve our program of animal care.
- Having a duly constituted Institutional Animal Care and Use Committee (IACUC) that is qualified through the experience and expertise of its members to ensure that all research and teaching protocols using live vertebrate animals are designed and performed in a humane manner that complies with all applicable laws, policies, and guidelines, and
- Fostering a culture of recognition and appreciation for the role of animals in research for all staff.

BIOQUAL, Inc. strongly supports ethical animal research practices and the principles of animal welfare; however, SB 535 and 536 fail to offer meaningful improvements while imposing substantial regulatory burdens on Maryland's research sector. The bills create redundant oversight, increases costs, delay scientific progress, and weaken Maryland's position as a leading hub for life sciences and biomedical research. For these reasons, we urge an unfavorable report on Senate bills 535 and 536.

PSBR Letter SB 535 - Final.pdf

Uploaded by: Tom Leach

Position: UNF

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