March 12, 2018

Delegate Maggie McIntosh
Chair, House Appropriations Committee
General Assembly of Maryland
121 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chairwoman McIntosh:

The National Association for Biomedical Research (NABR) appreciates the opportunity to provide testimony to the House Appropriations Committee in opposition to House Bill 732.

NABR, and its more than 360 member institutions and their hundreds-of-thousands of employees who engage in biomedical research with animal models, writes to express concerns with H.B. 732 as currently written. NABR members include universities, medical and veterinary schools, pharmaceutical and biotechnology companies and other research-intensive programs, including numerous medical research centers in the state of Maryland, that are dedicated to the development of diagnostics, treatments and cures for animals and humans. Biomedical research projects involving animals are governed by numerous local, state and federal laws, regulations and guidelines, and continue to yield invaluable data in the development of new therapies to treat disease. Cancer therapies, vaccines, organ transplants, cardiovascular surgeries, medications, and many other innovations have been developed through research conducted at our member institutions.

Legislation like H.B. 732 has been considered numerous times in Maryland and remains a solution in search of a nonexistent problem. The adoption of research animals is not a new concept for biomedical research. The majority of research programs in the United States already conduct adoption programs with incredible success. In fact, Johns Hopkins University and the University of Maryland already have effective adoption policies in place. It is important to note that these animals have been purposely bred for research and are not typical house pets. They require specialized care and attention, beyond those of the common household pet, and every effort is made to ensure proper acclimatization and evaluation before placement in post-research homes. Those efforts are best directed by the expert staff veterinarians charged with the animals’ care at the medical research center. The plans organized by research programs for adoption include careful and strict guidelines for evaluating potential adoptive homes, something that private shelters or adoption organizations are often not equipped or trained to do.

H.B. 732, simply put, is misguided and unnecessary. Contrasted with the tens-of-thousands of unadopted Maryland shelter pets that will be euthanized every year because homes can’t be found for them, this legislation would apply to a miniscule number of research dogs and cats in the state; a
glaring misplacement of priorities. According to Save Maryland Pets, a coalition that includes the American Society for the Prevention of Cruelty to Animals (ASPCA), Maryland Votes for Animals, Baltimore Animal Rescue & Care Shelter (BARCS), the Humane Society of the United States (HSUS), and others, 45,000 cats and dogs die in Maryland shelters every year at a taxpayer cost of $8 to $9 million/year. The 96,000 pets entering Maryland animal shelters annually stand barely a 50 percent chance of survival. Furthermore, adoption of research dogs and cats is not as straightforward as it may appear. The animals that are bred for research require knowledge, patience and consistency to ensure they thrive in post-research homes, and if hastily placed in an improper setting, they may end up homeless or ultimately in the shelter system facing euthanasia. According to FY16 census information obtained from the U.S. Department of Agriculture (USDA), a total of 244 dogs were involved in research or teaching protocols in the state of Maryland. Closer examination of these statistics show that 106 dogs were in academic programs, and we estimate that 50 of these animals counted by the USDA were actually used in veterinary technician training programs where students learn vital front-line skills like tooth cleaning, diagnostic testing, nail trimming, vaccinations, surgical preparation, anesthesiology, assisting in surgeries, and more. These vet tech training programs provide a valuable service as they provide necessary medical care, including vaccinations and spay and neutering, to prepare dogs and cats for adoption in shelters. With this examination of the data, the small number of animals impacted by H.B. 732 seriously begs the question about whether the proposed legislation amounts to nothing more than a public relations victory for animal activist groups. Until Maryland’s shelters are empty and every adoption-worthy shelter animal is placed in its forever home, it would seem prudent to direct legislative efforts towards the large number of homeless animals at municipal and state shelters.

Legislation like H.B. 732 has been introduced in other states and is part of a campaign by animal rights activists opposed to all animal research. Due in part to concerns expressed by NABR and leading research universities, in 2017 similar bills failed to pass in Hawaii, Iowa, Maine, North Dakota, and Texas. It has not been passed in any state thus far in 2018. Those who are promoting this legislation have used animals adopted from research programs as public relations props to promote false claims that animal research is cruel and unnecessary. Shannon Keith, president and founder of the Beagle Freedom Project (BFP), now known as Rescue + Freedom Project (R+FP), wrote an op-ed to the Seattle Times where she called such studies “archaic” and that they are “…bad for people, too.” That argument could not be further from the truth as the preponderance of the evidence throughout the history of medical research suggests otherwise. Animal research is strictly regulated by numerous federal laws, regulations and guidelines, and as you will see in the attached document, 22 of the top 25 most prescribed medications in America were brought to fruition thanks to research with dogs. Supporters have publicly claimed in their attached one-pager that “research dogs and cats are summarily euthanized at the end of the testing even if they are healthy.” This is a preposterously false assertion. Veterinarians take their roles as caretakers of animals with the utmost reverence and simply do not euthanize healthy animals unless there is a scientific necessity.

The proponents of these bills apparently do not intend to limit their focus to legislation requiring dog and cat adoption. Anti-research activists have expressed an interest in requiring research facilities to adopt out other research species, such as rabbits, guinea pigs, goats, pigs, rats and even goldfish. Despite efforts to smear the reputations of responsible research organizations, the research community strictly adheres to the principles of refining procedures, reducing the number of animals

1 http://www.savemarylandpets.org/get-facts
2 Ibid.
3 http://www.seattletimes.com/opinion/uw-animal-lab-represents-archaic-abusive-practice/
required in studies and replacing animal models where feasible; decisions best made by veterinary and scientific experts, not animal rights groups.

NABR believes if enacted H.B. 732 will likely provide fertile ground for future, more onerous amendments seeking to place additional burdens on lifesaving and life-improving research for both humans and animals. After a failed attempt at passage in Illinois, secondary legislation was introduced seeking arduous, overly burdensome, and duplicative state reporting requirements for any research study involving dogs or cats. The Illinois legislature ultimately failed to pass that bill. Additional reporting requirements like those proposed in Illinois and Maryland are of great concern because according to a National Science Board study, researchers are only able to devote 58% of their time conducting actual research due to burdensome administrative duties set forth by regulation5. They also undermine federal efforts like those in the landmark 21st Century Cures Act signed by President Barack Obama in December of 2016 to ease burdensome regulations and to accelerate the delivery of cures to patients. Research institutions do not need more paperwork requirements especially when the requested information is already publicly available via the USDA. Such duplicative requirements would be at cross purposes with every American and every pet that depends on better health.

Research programs at venerable research institutions in Maryland, including Johns Hopkins University and the University of Maryland, are vital to scientific discovery and the state should be justifiably proud. Private and public research are also substantial economic drivers in the state. In total, 71,600 life science jobs are in Maryland and those workers earn 76% more than the state average6. Maryland receives $2,538,000,000 in research and development from the biomedical research industry7. Legislative proposals like H.B. 732 serve only to create an anti-research climate which may result in biomedical research programs looking to other states for more supportive climates for their lifesaving research endeavors.

NABR appreciates and understands the importance of re-homing animals no longer needed in lifesaving and life-enhancing biomedical research and supports the already existing and effective framework practiced nationwide by research institutions; therefore, NABR opposes H.B. 732 as written.

Thank you for your consideration and for the opportunity to submit our concerns to the committee.

Sincerely,

Matthew R. Bailey
President
NABR

RESEARCH DOG & CAT ADOPTIONS ACT

This is a simple, commonsense, and compassionate proposal to help rescue dogs and cats from Illinois research laboratories. The legislation would facilitate a relationship between laboratories that use dogs and cats for research purposes and registered non-profit animal rescue organizations so that when the animals are no longer needed they can be placed up for public adoption.

THE BILL:
New Act
Creates the Research Dogs and Cats Adoption Act. Provides that a research facility, after the completion of any research involving a dog or cat, shall assess the health of the dog or cat and determine whether it is suitable for adoption. Provides that a research facility shall make reasonable efforts to offer for adoption a dog or cat determined to be suitable. Provides that a research facility that provides dogs or cats to an animal adoption organization is immune from any civil liability under the Act except for willful or wanton misconduct. Requires research facilities to have a research facility adoption policy made available on the facility’s website.

DEFICIENCY OF LAW

The law is needed because there exists no guideline or policy covering this aspect of laboratory animal welfare. Current federal and state legislation offers an array of regulations concerning the research animal’s bedding, food, water access, enrichment devices, and pain management. All aspects of a research animal’s life is subject to policy prescriptions except for what happens to the animal after the research ends.

Sadly many research dogs and cats are summarily euthanized at the end of the testing even if they are healthy. If a dog or cat is adopted it is usually at the individual discretion and volunteer time of a laboratory worker. There exists no mechanism for citizens of Illinois to adopt one these dogs or cats for which their tax-dollars paid for.

LEGISLATIVE IMPACT

Similar legislation has already passed in Connecticut, California, Minnesota, Nevada, North Dakota, Hawaii, New Jersey, Massachusetts and is pending in several other states.

SUPPORT THE ‘RIGHT TO RESCUE’
IMPORTANT FACTS

The laws covering the care and use of animals in laboratories are Health Research Extension Act of 1985 (Public Law 99-158), The Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training, The Public Health Service Policy on Humane Care and Use of Laboratory Animals, NIH Guide for the Care and Use of Laboratory Animals, and The American Veterinary Medical Association Guideline for the Euthanasia of Animals: 2013 Edition. None of these laws address opportunities to adopt healthy post-research animals.

According to the latest USDA APHIS filings there were roughly 3,196 dogs and 714 cats were used in experiments in 21 Illinois based facilities. While one facility might have a post-experiment adoption program on occasion, it is voluntary and tenuous. At any point new management could terminate the program. This bill will simply ensure its continuing success and compel others, if they begin to use animals in research, to implement them. 96% of the dogs used in research laboratories are beagles. Beagles are the breed of choice for the same personality traits that make them great family additions, they are docile, people-pleasing, forgiving, and easy to care for.

WHAT THIS BILL DOES:

- This bill is an opportunity to bridge the differences between reasonable people over the controversial issue of animal testing. It allows everyone to work together for the sake of helping these dogs and cats.
- This bill waives all liability from the research laboratory and offers them protection with complete confidentiality if they so choose.
- This bill simply asks that Illinois laboratories, especially those that taxpayer financed, make a good faith effort at contacting relevant local animal rescue organizations to adopt these animals out. If those organizations cannot place the dog or cat, the research laboratory is free to euthanize, as they would have otherwise.
- This bill would allow Illinois to demonstrate that it adheres to the gold standard for research ethics and animal welfare.

WHAT THIS BILL DOES NOT DO:

- This bill does not regulate or interfere with the research process.
- This bill leaves the discretion to the research professionals to determine if a dog or cat is needed for additional studies or is healthy enough for adoption.
- This bill does not criticize the use of animals in research.
- This bill does not force the labs to release sick, injured, or suffering animals.
- This bill does not require the research laboratory to assume any extra costs, provide transportation, veterinary care, or screening of applicants.

Beagle Freedom Project is proud to support this legislation. As the leading research animal rescue and advocacy organization in the country it has successfully demonstrated that rescued research animals are no different than the dogs or cats countless millions of Americans share their homes with. Beagles are the breed of choice for experiments because of they gentle, docile nature - the same great qualities that make them wonderful family companions.

After all these animals endure for our academic curiosities they deserve a chance at a life, at liberation, and at love.

www.bfp.org
# The Animal Research Behind The Top 25 Most Prescribed Drugs

<table>
<thead>
<tr>
<th>Rank</th>
<th>Drug</th>
<th>Drug Usage</th>
<th>Species</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Synthroid</td>
<td>Enlarged thyroid; hypothyroidism</td>
<td>Rats, Dogs, Mice</td>
</tr>
<tr>
<td>2</td>
<td>Crestor</td>
<td>High cholesterol</td>
<td>Rats, Beagle dogs, Mice, Cats, Cynomolgus monkeys, Rabbits</td>
</tr>
<tr>
<td>3</td>
<td>Nexium</td>
<td>Heartburn; Acid Reflux</td>
<td>Rats, Beagle dogs, Rabbits, Mice</td>
</tr>
<tr>
<td>4</td>
<td>Ventolin HFA</td>
<td>Bronchospasm</td>
<td>Rats, Beagle dogs, New Zealand white rabbits</td>
</tr>
<tr>
<td>5</td>
<td>Advair Diskus</td>
<td>Asthma; COPD Flare-ups</td>
<td>Rats, Dogs, Mice, Rabbits, Guinea pigs, Monkeys, Hamsters</td>
</tr>
<tr>
<td>6</td>
<td>Diovan</td>
<td>High Blood Pressure</td>
<td>Rats, Mice, Rabbits, Marmosets</td>
</tr>
<tr>
<td>7</td>
<td>Lantus Solostar</td>
<td>Diabetes mellitus</td>
<td>Rats, Beagle dogs, Rabbits, Guinea Pigs</td>
</tr>
<tr>
<td>8</td>
<td>Cymbalta</td>
<td>Fibromyalgia; Major Depressive &amp; General Anxiety Disorders</td>
<td>Mice, Rats, Rabbits, Dogs</td>
</tr>
<tr>
<td>9</td>
<td>Vyvanse</td>
<td>ADHD; Severe binge eating (adults)</td>
<td>Rats, Guinea Pigs, Beagle Dogs</td>
</tr>
<tr>
<td>10</td>
<td>Lyrica</td>
<td>Fibromyalgia; Epilepsy</td>
<td>Mice, Rats, Monkeys, Rabbits</td>
</tr>
<tr>
<td>11</td>
<td>Spiriva Handihaler</td>
<td>COPD (including Bronchitis &amp; Emphysema)</td>
<td>Mice, Rats, Rabbits, Dogs</td>
</tr>
<tr>
<td>12</td>
<td>Lantus</td>
<td>Types 1 &amp; 2 Diabetes</td>
<td>Mice, Dogs, Guinea Pigs, Rabbits</td>
</tr>
<tr>
<td>13</td>
<td>Celebrex</td>
<td>Arthritis; Ankylosing Spondylitis</td>
<td>Rats, Mice, Beagle Dogs, Monkeys</td>
</tr>
<tr>
<td>14</td>
<td>Abilify</td>
<td>Schizophrenia &amp; Bipolar Disorder</td>
<td>Rats, Dogs, Monkeys, Rabbits</td>
</tr>
<tr>
<td>15</td>
<td>Januvia</td>
<td>Type 2 Diabetes</td>
<td>Rats, Rabbits, Dogs, Monkeys</td>
</tr>
<tr>
<td>16</td>
<td>Namenda</td>
<td>Moderate to Severe Dementia</td>
<td>Rats, Mice, Beagle Dogs</td>
</tr>
<tr>
<td>17</td>
<td>Viagra</td>
<td>Erectile Dysfunction</td>
<td>Rats, Dogs, Mice, Rabbits</td>
</tr>
<tr>
<td>18</td>
<td>Cialis</td>
<td>Erectile Dysfunction</td>
<td>Mice, Beagle Dogs, Wistar Rats</td>
</tr>
<tr>
<td>19</td>
<td>Zetia</td>
<td>High cholesterol</td>
<td>Rats, Dogs, Mice</td>
</tr>
<tr>
<td>20</td>
<td>Nasonex</td>
<td>Seasonal/Year Round Allergies</td>
<td>Rats, Rabbits, Dogs</td>
</tr>
<tr>
<td>21</td>
<td>Suboxone</td>
<td>Narcotic Addiction</td>
<td>Mice, Rats, Rabbits, Baboons, Dogs</td>
</tr>
<tr>
<td>22</td>
<td>Symbicort</td>
<td>Asthma</td>
<td>Mice, Rats, Dogs</td>
</tr>
<tr>
<td>23</td>
<td>Bystolic</td>
<td>Hypertension</td>
<td>Mice, Rats, Dogs</td>
</tr>
<tr>
<td>24</td>
<td>Flovent HFA</td>
<td>Prevent Asthma Attacks</td>
<td>Rats, Rabbits, Dogs</td>
</tr>
<tr>
<td>25</td>
<td>Oxycontin</td>
<td>Long lasting, Moderate to Severe Pain</td>
<td>Rats, Rabbits</td>
</tr>
</tbody>
</table>

**References**

(http://www.accessdata.fda.gov/scripts/cder/drugsatfda/index.cfm)