

March 18, 2015

The Honorable Thomas J. Vilsack
Secretary
United States Department of Agriculture
Jamie L. Whitten Federal Building
1400 Independence Avenue
Washington, DC 20250

Dear Secretary Vilsack,

On behalf of the American Anti-Vivisection Society (AAVS) and our more than 25,000 members and supporters, I thank you for the opportunity to submit written comments in response to the Animal Handling and Welfare Review Panel's March 9 report, *Findings and Recommendations on the Animal Care and Well-Being at the U.S. Meat Animal Research Center*. While we appreciate USDA's immediate response to the *The NY Times* article published on January 19, AAVS has strong concerns about the focus and findings of the panel.

It is our understanding that the panel was tasked to look at the current conditions of the United States Meat Animal Research Center (MARC). AAVS is concerned that every panel member chosen to inspect MARC works as a veterinarian in animal agriculture or research industries. Clearly, these veterinarians have a lot of knowledge and experience working with animals in an agricultural or laboratory setting and have invaluable experience. However, AAVS contends that an appropriate panel would have included members of varied backgrounds such as ethicists or non-industry veterinarians. We encourage USDA to consider expanding the panel to include additional members before initiating inspections of other Agricultural Research Service (ARS) sites.

In addition, if the goal of the panel was to observe the current conditions, USDA should have followed its own recommendations for an unannounced onsite inspection of a regulated facility. MARC would have been unaware that the inspection was taking place until the panel members arrived. If the facility was able to prepare for this event, it is not unexpected that the panel observed "healthy and well-cared for animals." Furthermore, it is not surprising that no animal mistreatment by staff was observed. As USDA knows from performing inspections and investigations of research facilities, horrible acts of cruelty are unlikely to take place with an inspector in the room. As the panel plans to visit additional ARS sites, AAVS urges them to follow an inspection protocol such as the Animal Plant and Health Inspection Service Inspection Guide or The Program Status Evaluation followed by Association for Assessment and Accreditation of Laboratory Animal Care International.

AAVS agrees with the seven recommendations outlined in the report as an immediate remedy. The final version of the report on MARC should be strengthened by providing more detail of the findings under ARS Policies and Procedures section. It seems obvious that MARC failed to follow ARS Policies

& Procedures on Humane Animal Care and Use, which delineates responsibilities of key personnel at MARC and other ARS facilities.

It is also worth noting that some of the experiments described in the article do not meet the standards of care that are outlined in *The Guide for the Care and Use of Agricultural Animals in Research and Teaching* (the *Ag Guide*). The easy care sheep experiment, which began over 10 years ago, attempted to breed sheep that would care for their young despite conditions in the pasture such as severe weather and predators. The *Ag Guide* clearly states that “Newborn lambs and kids and recently shorn sheep and goats are susceptible to hypothermia, hyperthermia, and sunburn. Frequency of neonatal observations should be increased, and appropriate shelter should be provided if natural conditions do not offer sufficient protection.”¹ Instead, scientists at MARC purposely “withheld help for the newborns, typically leaving them in pastures – till death, if necessary—to test whether mothers would respond to the young ones’ growing desperation.”² Again, this appears to be in direct conflict with care protocols outlined in the *Ag Guide*, which directs euthanasia for sheep that have a “poor chance of survival.”³

The easy care sheep research is emblematic of the failure of the Institutional Animal Care and Use Committee (IACUC) at MARC. The panel noted that the IACUC did not hold formal reviews of proposed research or have regularly convened meetings as it is supposed to.

The problem of IACUC oversight is nothing new to USDA, which repeatedly has been admonished in audits for failing to ensure proper IACUC oversight of research protocols that are reviewed by the Animal Plant Health Inspection Service (APHIS) during its inspections of research facilities. This point was most recently brought to light in an audit report released by the Office of Inspector General (OIG) in December 2014. IACUCs are the only way that the animals’ welfare is granted consideration when approving or carrying out research protocols. The fact that IACUCs continue to fail at this necessary role, calls into question the research itself. Clearly the easy care sheep research would not have been allowed to continue unchanged if it has been subjected to a high-quality IACUC review process.

AAVS strongly encourages USDA to look at ways to make sure that IACUCs are not simply rubberstamping research protocols. We agree with Recommendation 4 that MARC should “promote a robustly functioning IACUC.”⁴ In fact, an IACUC functioning within the USDA umbrella should aspire to act as a model to the research industry it oversees. We also strongly agree with Recommendation 7 that the use of all vertebrate animals at USMARC should be reviewed by the IACUC including breeding animals and non-livestock animals like rodents.

¹ Federation of Animal Science Societies. (2010). *Guide for the care and use of agricultural animals in research and teaching* (3rd ed.). Champaign, IL: 130.

² Moss, Michael. (2015 January 19). U.S. research lab lets livestock suffer in quest for profit. *The NY Times*. Retrieved from <http://nyti.ms/1AEPr4J>

³ Federation of Animal Science Societies. (2010). *Guide for the care and use of agricultural animals in research and teaching* (3rd ed.). Champaign, IL: 139.

⁴ USDA. Agricultural Research Center – Animal Handling and Welfare Review Panel. (2015 March 9). *Findings and recommendations on the animal care and well-being at the U.S. Meat Animal Research Center to the Secretary of Agriculture and the REE Under Secretary*. 10.

AAVS is encouraged to read in recent news articles that USDA has asked the Office of Inspector General (OIG) to investigate the allegations of cruelty and mismanagement outlined in the *The NY Times* article. It is our hope that OIG would take a close look at the following areas of concern:

- Process by which complaints of animal cruelty were addressed.
- The failure of the IACUC to thoroughly review and prevent unnecessary suffering in the research protocols.
- In reference to the ARS Policies & Procedures, the Area Director's role in ensuring humane care of animals.
- Information about research protocols that took place without proper IACUC approval.

If USDA is engaging in animal research, it should be holding itself up to the highest standard of animal care since it is the agency responsible for ensuring proper care and treatment of animals at research facilities. USDA needs to prove that it is serious about preventing unnecessary suffering at MARC or other ARS facilities. The agency has a responsibility to prevent animal cruelty and ensure that leadership quickly and appropriately addresses staff concerns about animal mistreatment.

Thank you for your consideration of my comments.

Sincerely,

A handwritten signature in black ink that reads "Vicki Katrinak". The signature is written in a cursive, flowing style.

Vicki Katrinak
Senior Policy Analyst

cc: Under Secretary Catherine E. Woteki