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July 14, 2015

VIA EMAIL

ahwrpanel@usda.gov

Research, Education, and Economics Advisory Board Office
Jamie L. Whitten Building
Room 332A
1400 Independence Avenue SW
Washington, DC 20250

Re: Report and recommendations on the Phase II review of the agency-wide research animal care and well-being policies, procedures, and standards for agricultural livestock in Agricultural Research Service research (the "Report")

Dear Sir/Madam:

This is submitted with respect to the June 29, 2015 Federal Register Notice, 80 Fed. Reg. 36962, regarding the Meeting Notice of the Agricultural Research Service—Animal Handling and Welfare Review Panel issued by the Research, Education, and Economics Advisory Board Office, U.S. Department of Agriculture ("USDA").

Thank you for the opportunity to review this important document and to respectfully submit the following comments on my own behalf and not in any representative capacity. These comments are based upon twenty-five plus years' experience working on animal welfare-related matters, including means of improving the administration, implementation and enforcement of the Animal Welfare Act (the "AWA"). My efforts have been dedicated to making a difference for animals and people by bringing people together and working constructively to elevate consciousness about animal welfare.

The Department of Agriculture, Agriculture Research Service ("ARS") and Animal Handling and Welfare Review Panel ("AHWRP") are to be commended for undertaking this deliberate and thoughtful review of animal care and well-being policies, procedures and standards at federal agricultural research facilities.

The following constructive comments are provided with respect to the Findings and Recommendations within the Report.

Finding 1 (Report at 13); Recommendation 1 (Report at 14): Effective Functioning of the Institutional Animal Care and Use Committee

To the greatest extent possible in accordance with 9 C.F.R. § 2.37:

- The ARS should voluntarily agree to comply with the Animal Welfare Act (7 U.S.C. 2131), and the Animal Welfare Regulations (9 C.F.R. § 1.1), especially the requirements relating to registered research facilities and IACUCs. See 9 C.F.R. § 2.30 to 2.38.
- Existing USDA materials and resources should be used as a starting point for ARS IACUC guidance and training to promote consistency and quality of IACUC operations.
 - USDA Animal and Plant Health Inspection Service (“APHIS”) Animal Care (“AC”) Animal Welfare Inspection Guide (2014), Chapter 7 regarding IACUCs, http://www.aphis.usda.gov/animal_welfare/downloads/Animal%20Care%20Inspection%20Guide.pdf. Other AC IACUC resources are available on the agency website (IACUC Guidelines, http://www.aphis.usda.gov/animal_welfare/downloads/iacuc/iacuc.pdf)
 - USDA National Agricultural Library (“NAL”) Animal Welfare Information Center (“AWIC”), “Meeting the Information Requirements of the Animal Welfare Act” (<https://awic.nal.usda.gov/awic/awicworkshops/webslides.pdf>)

Finding 2 (Report at 15); Recommendation 2 (Report at 15): Oversight Committee Service and Career Development/Advancement

The ARS performs an important role with respect to American agriculture. ARS’ Vision & Mission¹ and Agricultural Research Service Strategic Plan FY 2012-2017 (“Strategic Plan 2012-2017”)² make clear the significance of the agency’s work. While the agency’s focus is primarily upon agricultural production, the Strategic Plan 2012-2017 includes numerous references to ensuring animal well-being under “Strategic Goal Area 4: Animal Production and Protection”. The following is included under “Strategies and Means” (at page 47):

Identify criteria needed to ensure animal well-being and reduce stress in agricultural animal production systems

The best way for appropriately valuing staff participation in oversight activities and contributions to enhancing the welfare of ARS animals (as well as those impacted by ARS programs) is to expressly reiterate the importance of ensuring animal well-being for animals

¹<http://www.ars.usda.gov/Aboutus/docs.htm?docid=1767>

²<http://www.ars.usda.gov/SP2UserFiles/Place/00000000/StrategicPlan/ARS%20StratPlan2012-17update0414.pdf>

involved in ARS research and those in agricultural production. Such expressions could take many forms including modification of the Mission Statement as follows:

ensure high-quality, safe food, and other agricultural products while taking into consideration animal well-being

Finding 2 (Report at 15); Recommendation 3 (Report at 16): Physical Facilities and Equipment

Maintenance, repair, renovation and replacement or upgrading of physical facilities is essential to animal welfare. As recommended in the Report, adequate funding is certainly necessary to address related concerns. Other measures to better maintain and eventually replace or upgrade existing facilities could include the following:

- Integrating buildings and grounds, maintenance and design and construction staff into animal welfare-related efforts including mock inspections and rounds.
- Revise existing forms, policies and protocols to ensure buildings and grounds, maintenance design and construction staff are on the same page as animal, veterinary care and other staff with respect to shared responsibilities for animal well-being. For instance, work order requests should indicate the presence of potential animal welfare-related considerations and prioritize such repairs.
- Develop animal enclosure and facility monitoring and preventative maintenance programs and protocols for animal care, veterinary, buildings and grounds and maintenance staff
- Build upon the Report to prepare a comprehensive ARS-wide physical facilities needs assessment and use that to develop a long-term plan and associated budget requests for facilities improvements.
- Animal facility design and construction processes should fully integrate animal and veterinary care staff to best ensure more animal-friendly design and operation.

Finding 3 (Report at 16); Recommendation 4 (Report at 16): Animal Handling and Veterinary Care, Sharing Best Practices, Recognizing Good Work

- The Review Panel and ARS have consulted APHIS AC which administers the AWA. (AC has been represented on the Review Panel as well.) AC's Center for Animal Welfare (the "Center") has emerged as a leader in bringing stakeholders together to discuss and share best practices for AWA regulated entities. The Center and its staff should serve as resources for the ARS in this regard.

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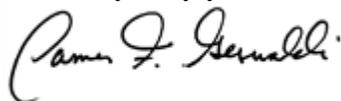
- Quarterly conference calls or web-based educational programs involving staff from all ARS facilities or annual reports of animal care and welfare-related advances could aid in the ARS-wide and possibly external dissemination of best practices.
- Animal Welfare Officers
 - Secretary Vilsack’s appointment of the first Animal Welfare Ombudsman at the outset of this review was an historic and noteworthy event. Extending this concept to establish “Animal Welfare Officers” at each ARS facility would elevate and further institutionalize the agency’s efforts to ensure animal well-being. Such positions would be responsible to work with leadership and staff to informally address animal welfare concerns, and proactively work to develop and disseminate animal welfare enhancements. Facility Animal Welfare Officers could periodically visit other locations to give them another perspective on their animal programs.

For additional information in developing and enhancing an animal welfare-oriented organizational culture dedicated to continuous improvement in animal welfare, see, James F. Gesualdi, *EXCELLENCE BEYOND COMPLIANCE: Enhancing Animal Welfare Through the Constructive Use of the Animal Welfare Act*, Maurice Bassett (2014) or visit <http://excellencebeyondcompliance.com/>.

Please contact me if you have any questions or require additional information.

Thank you again for the opportunity to provide these comments and for your anticipated thoughtful consideration of same.

Very truly yours,



James F. Gesualdi

JFG/pam