

Mary Kate: I would now like to introduce Michelle Esch, Executive Director of the Research, Education and Economics Advisory Board Office. Michelle, please go ahead.

Michelle: Thank you Mary Kate. Good afternoon and good morning for those on the West Coast. Welcome to the meeting on the Animal Handling and Welfare Review Panel. The purpose of this meeting is to present the draft report from the panel and to receive public comments. Please note that due to the interest in the call, each presenter will have two minutes to provide their comment at the end of the presentation. The report can be found on the web at ree.usda.gov.

The report will be finalized after consideration of the input received on the call today and the written comments received. All verbal and written comments will be entered into the public record and will be kept on file in the REE Advisory Board office. For the call today, we're going to have a quick roll call of the members of the panel, a review of the charge to the panel, and then I would turn the call over to the Chair of the panel, Dr. Aaron Olsen for the presentation of the report. The remainder of the call will be to receive public comment. We'll go ahead and get started with our roll call. Dr. Aaron Olsen?

Aaron: Yes. I'm here.

Michelle: Great. Dr. Lonny Dixon?

Lonny: Yes, I'm here.

Michelle: Dr. Mo Salman?

Mo: Yes, I'm here.

Michelle: Dr. Steven Ford? I'm not sure that he has joined us yet. He may just be delayed. Dr. John Clifford? I don't believe that he's on the call at this point and time as well. Just first off, thank you gentlemen for your time and service on this panel. This panel was established by the Secretary of Agriculture to review the agricultural research services, research animal care, and well-being policies and procedures and standard for agricultural livestock in ARS research. They'd want to discharge requires an immediate review of the US Meat Animal Research Center in Clay Center, Nebraska, which included a review of the ARS Research, Education, Economics, and USDA policies and procedures which are the institutional policies and procedures per USDA which provides the requirements and guidance for care and well-being of livestock animal use in research.

The review included a site visit to the USMARC, the center in Clay Center, Nebraska, an inspection of the facility's pens, fields, where animals are housed or involved in experimentation, a review of the composition of the locations, Institutional Animal Care and Use Committee, otherwise known as the IACUC, the records of its meetings and evidence of compliance with agency P&Ps, a review of the processes used to select topics and evaluate experimental designs and protocols under the IACUC, an assessment of the care and well-being training needs for staff having responsibility for handling animals, and the preparation of a draft report for the Secretary of Agriculture and the Undersecretary for the Research, Education, and Economics mission area.

That report was required to include a summarization of findings, conclusions as to whether the care and handling of animals and the capacity of facilities and staff at USMARC were in compliance with institutional P&Ps and industry standards, taking into account that ARS and USMARC has a research mission, not a production mission, and USMARC specific recommendations to improve compliance if necessary with institutional P&Ps and industry standards. The panel was required to hold this public meeting to discuss the draft report and take public input. Once the panel has considered the public input verbally and written, the final report will be submitted to the Secretary and the Undersecretary. In addition, the panel will provide the report to the National Agricultural Research, Extension, Education, and Economics Advisory Board for further public deliberation and for the NAREE Advisory Board to provide additional advice and guidance to USDA.

Phase 2 of this review includes an expanded review of ARS facilities where livestock research is conducted. The panel will visit three to five ARS facilities where livestock research is conducted to make site-specific and ARS-wide recommendations on the research, animal care, handling and well-being policies, procedures, and standards for agricultural livestock in ARS research. The panel will draft the second report and present at a public meeting where additional public comment will be accepted. This will be completed within 180 days of the Secretary's announcement. I am going to now turn it over to Dr. Aaron Olson, the Chair of the Animal Handling and Welfare Review Panel who will present information on the report and provide an overview of the findings and recommendations.

Aaron: Thank you Michelle. It's my opportunity to share an overview of our site visit and the draft reports which came from that site visit. The panel, consisting of us four individuals, were able to visit the site USMARC in February of this year. We spent a total of three days visiting the site. The first day consisted primarily of an overview of the facility, of its operations, and its research program as well as a driving tour of this large research facility recognizing that the facility consist of

approximately 33,000 acres of multiple sites there where animals are held, pastures, et cetera.

The second and third days consisted of targeted visits to areas where animals were being held and worked with, with various research buildings as well as interviews with members of the animal care staff, the veterinary care staff and other individuals at USMARC. While there, we had a full opportunity to visit any facility which we chose. In fact, we determined the sites that we would visit after our arrival there, after the initial overview of the facility. We indicated which sites we wanted to visit, which what we thought would be most representative of the facility, and to emphasize that we had free access to go anywhere that we chose.

From that visit, we found the animals that we observed appeared to be healthy and well-cared for. We had opportunities to observe multiple animals, different species being actively worked with in regards to their management practices and in every instance, we found animals that appeared to be very healthy and well-cared for. We found individuals that worked professionally and calmly with the animals and did their best effort to ensure the animals were both well-cared for as well as maintain their calm demeanor and worked appropriately. With that overview, I'd like to just review the aspects of the report indicating the findings that we found there as well as a brief review of the recommendations which we made in that report.

We were given a very specific charge and we strive very hard to stay within that charge and to fulfill those responsibilities. Within that, looking at the animal care program, there's a couple of things that we noted. As indicated, we found that the animals were very well-cared for. We found that there is perhaps a unique arrangement there in that, there are multiple organizations that worked together to operate the facility. There are the scientists and staff members that are employed and worked directly for the Agricultural Research Services. There are also the individuals associated with University of Nebraska at Lincoln. Primarily, these two groups are the two groups that worked together to operate the facility. There's a third group also that we'll mention a little bit later, known as the Great Plains Veterinary Education Center that's associated with training and other aspects of training veterinary students in their final and clinical rotation year before they complete their education.

Organizationally, the facility operates with the University of Nebraska Lincoln individuals providing most all of the day to day operations and specifically focusing on areas of animal production, routine animal care, as well as a lot of the associated activities such as planting and harvesting crops, managing the animal feed, et cetera. Then the USMARC, the ARS individuals had responsibilities to develop and implement their research programs. There's a

very close coordination between these two groups between the University of Nebraska at Lincoln, the UNL folks and the individuals working at USMARC as the animals that are used and produced by the UNL individuals are then used by the USMARC, the ARS individuals in their research.

This close coordination appeared to operate really very well with a lot of communication going on between the two sides, between the attending veterinarian who is an ARS employee and the UNL employees who managed the animals as well as the ARS researchers and scientists. There's also good close communication between the attending veterinarian and the, what we would refer to as the GTVEC or the GTVEC, the veterinary center. With that coordination communication, there's appeared to be very good animal care, however, our first finding was that although, there was very good communication, there was perhaps insufficient clarity on specific lines of authority.

This was particularly relevant in regards to one of our first recommendations that with clarifying these lines of authority, there should also be very clear instructions and delineation about how and in what manner individuals who may have concerns about animal welfare or any other concerns at the facility, they can report and be assured that the reports of concerns will be heard and acted on appropriately. Our first finding again is that while there is very good communication in a very-well managed facility, there is perhaps a lack of clarity about lines of authority because you have multiple organizations working closely together.

We also had a responsibility to review the physical facilities of the facility there, the research site. We found that this is a very large facility, as previously stated, 33,000 acres. This means that there are multiple buildings and structures scattered throughout the facility. Everywhere that we visited, we found that the physical facilities were certainly adequate. There has been some efforts in the recent years to upgrade some of the aging facilities and to maintain them in an appropriate manner. Therefore, we did not find any concerns about the physical facilities at this time.

In regards to animal handling and veterinary care, as we talk about the training of individuals, we do want to emphasize that the people that we observed working with the animals appeared very confident, very professional and worked well with the animals. However, we did not identify a clearly defined training program for new individuals that would come in that would help document the training that individuals would go through. We would encourage and recommend that a formal training program be developed, which not only can ensure that training has been done, but also acknowledge and recognize people who show excellence within that capability.

In addition to that, we would also like to note that in terms of animal care and veterinary care, there is a well-developed, internally-developed database that records and helps guide the veterinary care. This database covers specifically the beef and the swine and at this time, does not extend to the sheep. While we commend and recognize the value of that database, we would recommend that efforts be made to extend that to cover all animals at the research facility there so that they can benefit from the value of record keeping and healthy monitoring that comes with that database.

Let me step back just for a minute to make another point in regards to the training program. As this report and this oversight was solicited based on concerns about animal welfare, we want to emphasize that part of the training program is not only to train the practical application of how to work safely with animals to both the safety of the humans as well as the animals in place, we want to emphasize that training should include components of not only how and where to report concerns, but also assurances of what we like to call a whistleblower policy. It's essentially a policy that clearly states that individuals will not be punished for reporting concerns or potential concerns when done in good faith.

In regards to the Institutional Animal Care and Use Committee, we did identify that a properly constituted committee was in existence at USMARC. However, we did identify that the Institutional Animal Care and Use Committee was not fully functional in regards to meeting all of its intended goals. We cited extensively within the report some of the responsibilities of that animal care and use committee. Specifically, we cited its role in reviewing and either approving or disapproving research protocols and other associated research activities to conduct ... It is intended to conduct at least twice a year inspections of physical facilities. It is intended to investigate concerns or complaints of reports of noncompliance with regards to the use of animals.

When necessary, it has the authority to suspend activities associated with research. It should also have a role in making recommendations regarding the development and implementation of institutional policies and then any other functions as required by either a federal laws regulations or institutional policies. We do want to emphasize that while the IACUC was properly constituted at that time and it was fulfilling some of these responsibilities, it was conducting semi-annual inspections and those inspections would identify and help correct minor issues with physical facilities as it's typical for an inspection by an IACUC.

One of the primary areas where the IACUC was not fulfilling its responsibility was to fully review and provide approval or disapproval of research protocols. We do want to emphasize that there was a formal review process in place, this review

process in regards to research activities. This review process was primarily done first as an informal process of consulting with the veterinarian and the study director to consider research projects to identify potential concerns. We want to emphasize that there's great value in this informal process. It's a very efficient and appropriate way to identify concerns before they would go before a formal committee for review. We don't want to, in any way, diminish the value of that.

That informal process of consultation was been typically followed by a more formal process of review by the study director, another formal review by the veterinarian at the facility as well as reviewed by people that would be directly involved in the project such as managers over the different animal [inaudible 00:15:56]. While this is not inappropriate to have a secondary review like that, we want to emphasize that that review can, in no way, replace the appropriate role for an Institutional Animal Care and Use Committee. While we want to recognize the value that came from both the informal and formal reviews, we do want to strongly acknowledge and emphasize the importance of an appropriate IACUC review of the research projects as they are being proposed.

Our recommendations in regards to the IACUC was to more formally develop the roles and responsibility of IACUC to ensure that they are in line with the recommendations that are made within the Ag Guide and to help the IACUC to develop processes by which they will conduct appropriate reviews, make recommendations for changes, and if necessary, disapprove and/or suspend research activities as it's consistent with the guidelines within the Ag Guide. We also want to acknowledge that at that time immediately before our visit, that the IACUC was properly constituted, but the unaffiliated individual on that IACUC had to step off because of a potential conflict of interest associated with the employment of a family member. This was an appropriate action on the part of that individual, but we do want to emphasize that unless the IACUC is appropriately constituted, it should not undertake any review actions until that situation has been remedied.

We did note that the attending veterinarian was acting as the IACUC chair. While this is not prohibited, either by the Ag Guide or other regulatory documents or guidance, it is generally considered best practice that somebody other than the attending veterinarian serve as a chair of a committee. The reason being that, twofold. One is that there are instances in which committee members may not be as fully engaged and rely perhaps too heavily upon the attending veterinarian and their professional judgement, but also because a veterinarian acting as the chair can sometimes create a potential for a conflict of interest.

A veterinarian sitting on IACUC has a unique and a vital role to evaluate not just the quality of the research, but to advocate for the animal welfare and to provide a separate degree of oversight. Although we want to emphasize that it is

not prohibited in any guidance documents, we do recommend that someone other than the attending veterinarian service chair on the IACUC and allow that attending veterinarian to focus more fully on the role intended. Finally, we also note that although a very, very minor component of the overall animal care program, there was a small colony of mice present on the present facility on a research project and we would recommend that all vertebrate animals being used at USMARC be covered and reviewed by the IACUC for approval.

In conclusion, we want to emphasize and indicate that we did not see any evidence of animal misuse or poor animal welfare. The animals that we observed during our time there were uniformly well-cared for. We saw what we believe to be great professionalism on the behalf of the animal caretakers and a sincere concern for the well-being of the animals. Having said that, we do also recognize that the oversight practices need to be improved and brought up to consistent standards, consistent both with the Ag Guide and the policies and procedures of the ARS agency, and have made recommendations to help them to achieve those goals. With that, I will conclude my overview of the report.

Michelle: Thank you Aaron, really appreciate it. We are now entering the public comments period of the call. The panel wishes to hear your thoughts and comments. Please be reminded that the panel will not respond directly to any comments or questions made during the call. If you have specific questions for the report, you can please send them directly to USDA in writing or the panel is receiving public comments up until midnight tonight through the email box ahwrpanel@usda.gov. I will now turn the call over to the moderator to provide instructions on how to identify yourself to speak.

Mary Kate: Thank you Michelle. If you would like to make a comment, please press *1 to be placed into the queue. You will hear a notification when your line has been unmuted. You may then state your name and your organization before you make your comment. As a reminder, you will have two minutes to state your comments. We do have several people in the queue. Please go ahead, your line is open.

Kathleen: Hi. My name is Kathleen Conlee. Thank you for the opportunity to provide comments today. On behalf of the Humane Society of the United States and our members and supporters, we have submitted more extensive written comments. There has been overwhelming public outcry in regards to the New York Times investigative piece regarding USMARC which unveiled the suffering of thousands of animals used in tax payers funded experiment at that facility. We appreciate Secretary Vilsack's quick action to assemble a panel to investigate matters at USMARC, although we do have concerns about the process that was undertaken such as the failure to examine specific allegations and historical records.

It is apparent from the report, however, that USDA's own policies weren't being followed and the panel identified some root problems including a roughly inadequate Institutional Animal Care and Use Committee, the lack of a formal training process, documentation, and whistleblower policy, and unclear lines of authority regarding animal welfare between the USMARC and the University of Nebraska Lincoln. We do want to express our support of the panel's recommendations laid out. We also look forward to the Office of the Inspector General audit of the USMARC and hope that it will be a thorough forensic look at the facility and will provide recommendations for significant changes.

Importantly, we do urge USDA to take further action in the four following ways. First, we'd like to see USDA apply the basic protections of the Animal Welfare Act to all animal research activities at USDA's own facilities. Secondly, require each USDA facility to submit an annual report of animal research activities as research institutions are required to do under the Animal Welfare Act. This will add much needed transparency at these tax payer funded facilities. Third, appoint APHIS to ensure that all panel recommendations are properly implemented and followed into the future. APHIS should also carry out rigorous, unannounced inspections. Finally, adopt a formal peer review process for research that is undertaken at the center, taking into consideration public demand for humane agricultural practices and the rejection of factory farming processes. Thank you again for the opportunity to comment. We do hope you will take further action as we've requested.

Mary Kate: Thank you. We're moving on to our next person. Please go ahead, your line is open.

Deborah: Hi. My name is Deborah Press and I'm on the line on behalf of the American Society for the Prevention of Cruelty to Animals. Again, I want to thank the panel for going in and exploring some of the problems reported at USMARC. We appreciate the commentary about USMARC's Institutional Animal Care and Use Committee and the observation that the committee wasn't functioning as it should be. That leaves us several follow-up questions that we don't think were adequately addressed during the report. For instance, if research wasn't being adequately reviewed, if protocols weren't being adequately reviewed prior to research beginning, we're wondering about ongoing research and whether it should be continuing if it hasn't received a proper review. We would like to see ongoing research protocols addressed by a properly functioning IACUC before it's able to continue.

We're also concerned that since USMARC wasn't following ARS policies, we're concerned that there weren't proper measures in place to ensure accountability. Who is responsible for ensuring that USMARC and other ARS research facilities were in compliance with ARS policy 635.1 and why didn't they touch this

problem? I think it's safe to assume that if USMARC didn't have a properly functioning IACUC committee when the research panel visited that they likely haven't had one ever. We're just concerned that aren't proper institutional safeguards in place to ensure that USDA funded research at ARS is compliant with its own policies and we think that additional measures need to be taken.

Lastly, we feel that it's incredibly important that you respond directly to the allegations in the New York Times article. I'm not surprised that you didn't find any evidence of abuse considering that it was an announced visit that happened a month after the story broke, but we believe that these allegations have to be responded to directly and that those responsible be held accountable for any [inaudible 00:25:42]. Thank you.

Mary Kate: Thank you. Moving on to our next comment. Please go ahead, your line is open.

Bonnie: Thank you our noble Chairman and panel. My name is Bonnie Long. I am an employee of the University of Nebraska. Since 2011, I have served as Demonstration Project Manager as a part of the activities for the USDA's national program for genetic improvement of beef cattle efficiency. In that position, I've had several occasions to work with the cattle crews at USMARC. There's never been a time that I have found any of the handlers to be anything less than good stewards and stockman in the most honorary terms of those titles. Several members are superb and even a few leaders are exemplary in their stockmanship abilities.

These observations of mine are honed over 50 years of working with livestock and their people in at least eight US states, New Zealand, and Kenya. I have worked with livestock through chip styles ranging from intensive in confinement to extremely extensive with survival of the fittest on hundreds of thousands of acres. My sister, her husband, mother, and I care for a ranch that my great great grandfather homesteaded in 1872 and my father was a veterinarian. This wide range of experiences has honed my ability to assess management style. I can assure you that inhumane treatment is simply not in the current culture at USMARC. If it was, I would have picked up on even the slightest innuendos. Thank you for this opportunity to share my personal experiences at USMARC.

Mary Kate: Thank you. Moving on to our next comment. Please go ahead, your line is open.

Nancy: Hi. My name is Nancy Blaney and I'm with the Animal Welfare Institute. As with previous commenters, we do thank the Secretary for the speed with which he responded to the allegations in the New York Times article, but likewise, we are disappointed in the panel's report particularly for not addressing directly those allegations that were in the New York Times and the deficiencies that they found at MARC could have easily been directly responsible for the kind of gruesome

experiments that were reported by the New York Times and not to have addressed that connection, I think, was a real shortcoming on the part of the panel. Also, while we do welcome the fact that there's a moratorium on new research projects, until there's assurances that the IACUC is functioning properly, we also agree that there should be a moratorium on ongoing research projects until they can be properly reviewed by a fully functioning IACUC. We will also be submitting additional comments. Thank you.

Mary Kate: Thank you. Quick reminder, when you do have your line open to speak and to comment, can you please first state your name and your organization. Thank you. For our next comment, please go ahead.

Dan: Good afternoon. This is Dan Kovich is speaking of the National Pork Producers Council. The NPPC supports and encourages efforts to ensure the welfare of all agriculture animals be they in a research or production setting. We applaud the USDA for undertaking the review of animal handling practices at MARC and support the recommendations of this report. Over the past 50 years, MARC has been in a unique position to take a long view and conduct research programs in a real world production setting that take many years to reach provision.

Its size, scope, and stability have allowed it to conduct research programs that would be difficult, if not, impossible elsewhere and it paid real dividends in promoting animal health, food safety, and indeed, animal welfare. It is in the public interest that this important work be allowed to continue. We are confident that the USDA has put in place a system that will ensure appropriate oversight of animal handling throughout the ARS so that it can continue with its important work in helping to ensure a safe, wholesome, and abundant food supply for the American public. Thank you.

Mary Kate: Thank you. Moving to our next comment. Please go ahead.

Russell: Hello. My name is Russell Cross and I'm with Texas A&M University. A little background. I formerly was an employee at the MARC in the early '80s. I was also the administrator of Food Safety Inspection under President Bush and Clinton, and currently at Texas A&M University, we do cooperative research and numerous factions with US MARC. I just wanted to say that our experience with the MARC and University of Nebraska's been nothing but positive. We've seen nothing but just as the committee reported nothing but strong, very, very professional care of animals. In fact, we have always considered MARC to be the organization that sets the bar. The committee report has found some issues with the Ag Guide that needs correction, we support that. Though we think in no way does the findings of the committee reflect in any way in a negative fashion on what MARC has done and will continue to do in the future. Thank you very much.

Mary Kate: Thank you. A quick reminder, if you would like to make a comment, you can press *1 on your phone to be placed into the queue. Michelle, presently, we do not have additional people waiting to comment. Again, if you would like to make a comment, you can simply press *1 on your phone to be placed into the comment queue.

Michelle: Mary Kate, we'll stay on the line for a little bit longer just to see if anybody changes their mind or joins us that would like to make a comment.

Mary Kate: Okay. No problem. Again, as a reminder, if you'd like to make a comment, you can simply press *1 on your phone.

Michelle: Mary Kate, this is Michelle, we'll keep the line open until 2:00 to see if anyone else joins and wants to be able to leave a public comment.

Mary Kate: Okay.

Michelle: If you could repeat that message, that would be great.

Mary Kate: Okay. A few minutes then?

Michelle: Yes, please.

Mary Kate: Okay, sure. We do have someone who has indicated they would like to make a comment. Please go ahead, your line is open.

Jaclyn: This is Jaclyn Leeds from the New England Anti-Vivisection Society. We submitted more extensive written public comments, but we wanted to thank the Secretary for responding to the allegations brought forth on the New York Times investigation. While we do not oppose the recommendations put forth by the panel, we echo what has been previously stated by other commenters that the investigation, the panel's investigation fell short in several key ways.

This investigation did not address the majority of the allegations brought forth in the New York Times article. The investigation did not, in any way, review the nature of experiments happening at USMARC where we have large tax payer dollars being spent and then animals suffering to primarily benefit private industry in a society where even private food companies are acknowledging the public demands for more humane treatment of animals and where USDA food guidelines also recommend less consumption of meat. With these parameters in mind, we ask that the properly constituted IACUC following the panel's recommendations develop animal welfare standards under which to review the proposed research going forward.

If the IACUC allows any and all research protocols to be implemented, regardless of pain and suffering, regardless of a cost benefit analysis to tax payer dollars and the animals, then the role of the IACUC is moot, which negates the purpose of the panel's investigation. We further ask for an unannounced visit of the facility as well as a more extensive review or just a review of past animal neglect and mortality statistics which were brought forth from [inaudible 00:35:38] in the New York Times investigation. Thank you and we look forward to further investigation from the Office of the Inspector General.

Mary Kate: Thank you. Again, if you'd like to make a comment, please press *1 on your phone. If you'd like to make a comment, please *1 to be placed into the queue. Thank you. We have another person who indicated they would like to make a comment. Please go ahead, your line has been opened.

James: Good afternoon. This is James Goodman. I'm a member of NAREE Board. Having read through the report of the committee, I would like some clarification on a phrase, I believe it's under the physical facilities and equipment part of your report, in the swine facility specifically. They mentioned that the unit had ... The facilities were consistent with the best industry practices and that they were consistent with current industry practices and space recommendations. I wonder if that might be clarified as to what the best current industry practices are and who decides what those practices are? Thank you.

Mary Kate: Sure. The email is ahwrpanel@usda.gov. It stands for Animal Handling Welfare Review Panel or they can be sent in writing to USDA. As a reminder, since we haven't had any additional public comments, we will close the line at 2pm eastern daylight time. It's 2pm eastern time. We thank you all very much for your comments and to the panel for presenting the report today. They will all be entered into the public record and kept on file in the REE Advisory Board Office at USDA. Thank you again and have a great day.