



February 25, 2010

The Honorable Michael F. Doyle
401 Cannon House Office Building
U.S. House of Representatives
Washington, DC 20515

Dear Representative Doyle:

We are writing on behalf of the American Physiological Society, American Society of Laboratory Animal Practitioners, American Association of Anatomists, American Society for Pharmacology and Experimental Therapeutics, and the Federation of American Societies for Experimental Biology. As scientists and veterinarians committed to excellence both in science and in animal welfare, we ask that you withdraw your co-sponsorship of H. R. 3907. This bill, despite its innocuous subtitle as the *Pet Safety and Protection Act of 2009*, poses a serious risk to ongoing medical and veterinary research and education.

These are the problems with the legislation:

- H.R. 3907 would eliminate USDA-licensed Class B dealers from the list of acceptable suppliers, effective 90 days after the bill becomes law. This is not enough time to develop alternative suppliers, particularly for animals of advanced age.
- H.R. 3907 was introduced before the National Institutes of Health (NIH) could submit its report to Congress detailing the steps needed to replace Class B dealers without disrupting biomedical research.
- H.R. 3907 makes no provision to assess the need for random source dogs and cats in veterinary research or medical and veterinary education or to develop new sources of these animals.

Our concerns stem from the findings of a panel convened by the National Academy of Sciences (NAS) in 2008 to study scientific and humane issues in the use of “random source” dogs and cats in NIH-funded medical research. (In this context, “random source” refers to animals with mixed breed backgrounds, advanced age, or naturally-occurring infections with diseases such as the feline equivalent of AIDS.) NIH commissioned this study in response to a request from Congress for a panel of independent experts to evaluate competing claims about the need for dogs and cats from USDA licensed Class B dealers. In its May 29, 2009 report, the NAS panel determined that animals with these traits are scientifically necessary for certain NIH-funded research. At the same time, for several convergent reasons, the panel recommended that Class B dealers be replaced by other suppliers.

“Class B” is a broad USDA licensing category that applies to any individual who buys, sells, or transports animals that were not bred and raised on that person’s own premises. The controversy over Class B dealers revolves around about a dozen individuals who supply dogs and cats for medical and veterinary research and training. Some of these Class B dealers have violated Animal Welfare Act provisions requiring them to treat animals humanely, obtain them legally, and keep accurate records documenting each purchase and sale of an animal. Failure to comply with these laws is unacceptable, and we abhor any such activities in which these dealers may have engaged.

The NAS panel identified other suppliers that may be able to meet some of the demand, but it recognized the distinct possibility that they might not be in a position to simply replace Class B dealers. It therefore recommended that NIH establish “pro-active mechanisms to assure continued access to alternative sources” for these animals.

It is important to note that we accept the central conclusion of the NAS report that Class B dealers should be replaced by a better supply system for acquiring dogs and cats with random source characteristics. While the panel did not address the issue of a transition period, this was implicit in its recommendation that the NIH take action to ensure that there is an adequate supply, particularly of older animals. The need for a transition was explicitly addressed by the House and Senate Appropriations Committees, which had originally requested the NAS report. In their FY 2010 L-HHS reports, these committees asked NIH to provide a plan of action and a timetable for replacing Class B dealer dogs and cats without disrupting ongoing research. This report is expected imminently, and it is essential to utilize it to formulate the legislation to implement the recommendations of the NAS panel.

In addition, there must also be provisions to address the need for random source-type dogs and cats in veterinary research and training. The NAS panel focused exclusively on NIH-funded biomedical research. However, dogs and cats with random source traits are also needed for the development of animal health drugs and for the training of veterinarians. Animals with naturally-occurring diseases or parasitic infections play a crucial role in ensuring the safety and efficacy of drugs to treat companion animal diseases. Since this will not be addressed in the NIH action plan, Congress should also consult with veterinary researchers and educators about how to meet their needs.

H.R. 3907 fails to address the complexities of the NAS findings or the practical realities of what it will take to implement them: It is essentially the same bill that was introduced in previous sessions of Congress. For all of the foregoing reasons, and in particular the need to provide for a transition to new sources for the kinds of animals currently supplied by Class B dealers, I urge you to withdraw your support for H.R. 3907.

For more information, see <http://www.the-aps.org/randomsource/>. If you have any questions, please contact APS Director of Government Relations Alice Ra’anan at 301-634-7105 or araan@the-aps.org.

Sincerely,



Gary C. Sieck, PhD

President

American Physiological Society

The APS was founded in 1887 and represents some 10,000 scientists who study how the organs and systems of the body function in health and disease.



Mark Klinger, D.V.M., DACLAM

President

American Society of Laboratory Animal Practitioners

ASLAP was founded in 1966 and represents several hundred veterinarians are engaged in the field of biomedical research.



Kathryn J. Jones, Ph.D.

President

American Association of Anatomists

The AAA was founded in 1888 and represents about 2,000 researchers and educators whose work focuses on the three-dimensional understanding of structure as it relates to development and function, from molecule to organism.

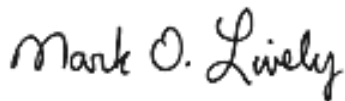


Brian M. Cox, Ph.D.

President

American Society for Pharmacology and Experimental Therapeutics

ASPET was founded in 1908. Its 4,800 members conduct basic and clinical pharmacological research in academia, industry and the government, developing new medicines and therapeutic agents to fight existing and emerging diseases.



Mark O. Lively, Ph.D.

President

Federation of American Societies for Experimental Biology

FASEB is composed of 23 societies with more than 90,000 members, making it the largest coalition of biomedical research associations in the United States. Our mission is to advance health and welfare by promoting progress and education in biological and biomedical sciences through service to our member societies and collaborative advocacy.