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Mr. Budkie:

You have asked me to comment on certain practices in laboratories and the reporting of animals subjected to those practices. As you are aware, I am a veterinarian and Emeritus Professor of Veterinary Medicine at the University of California. I have over 35 years of experience including the use of nonhuman animals in a research setting.

The Animal Welfare Act requires annual reporting of the use of certain nonhuman animals used in research and other activities. The form used for this is "Annual Report of Research Facility" and is filed with the United States Department of Agriculture (USDA). One of the categories includes animals who have been subjected to unrelieved pain or distress.^a These animals are currently required to be reported in "Column E" of the report with an explanation of why unrelieved pain or distress was permitted.

It is my experience that many animals who should be listed in Column E are not. Below are just some of the conditions to which animals are subjected and who should be, but often are not, reported in Column E.

Water deprivation is used to "train" animals such as nonhuman primates in order to make them "perform" in an experiment. This deprivation can be for as long as 22 hours in some cases over a period of many days to weeks. Although the investigator knows that water or other fluids will be provided at some point and the animals will not be allowed to dehydrate, the nonhuman animals do not. For the animals, the withholding of water for such periods is distressing.

Food deprivation is also used to "train" animals. Similarly to water deprivation, animals subjected to this should be listed in Column E.

Restraint chairs are used for nonhuman primates in certain experiments so that the animals cannot move except in the limited manner consistent with the goals of the experiment. Nonhuman primates, regardless of how long they may have been in captivity, must be considered wild animals. One of the most stressful things that can be done to a wild animal is to restrain her or him. As a result, nonhuman primates have to be "trained" to sit in these chairs because it is unnatural and highly stressful for them

^aNumber of animals upon which teaching experiments, research, surgery, or tests were conducted involving accompanying pain or distress to the animals and for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would have adversely affected the procedures, results, or interpretation of the teaching, research, experiments, surgery, or tests. (An explanation of the procedures producing pain or distress in those animals and the reasons such drugs were not used must be attached to this report)"



to be confined in this manner. To make matters even worse for them, head restraining devices may be surgically implanted so that the animal's head will not move at all during a recording session. These recording sessions can be many hours long spanning many days, weeks or months. It is not being anthropomorphic to imagine that being forced to sit in virtually one position, without being able to occasionally move and stretch, results in significant discomfort and should be considered distressful.

Painful diseases such as certain cancers, immunodeficiency virus-induced disease, diseases causing serious dysfunction (such as respiratory distress) and others are induced in nonhuman animals experimentally. In these cases, the animals are usually not treated in order to study the development of the disease. There is little question that animals subjected to these situations should be listed in Column E.

Whereas there may be debate about the propriety of using nonhuman animals in research, the research community should be scrupulously honest about how they are treating the animals they are using. When animals are improperly categorized in the "Annual Report of Research Facility" as to infliction of pain or distress, this raises several questions. Are the investigators unaware of or unconcerned about the negative effects their manipulations have on the animals? Are the investigators trying to minimize the impact on the animals so as not to invite closer scrutiny of their practices? As the regulatory agency involved, the USDA should carefully scrutinize these reports and challenge the reporting agencies about any apparent improprieties.



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