

News...

of THE HUMANE SOCIETY OF THE UNITED STATES

1145 19th St., N.W.

• Washington, D. C. 20036



SEPTEMBER, 1966

VOL. 11, NO. 5

LBJ Signs Poage-Magnuson Act; Suppliers of Dogs and Cats to Medical Research Are Hit Hard

On August 16, the much disputed laboratory animal dealer bill, H.R. 13881, previously referred to a special Congressional conference committee, was passed by the U.S. House of Representatives. Next day, the Senate took similar action and the bill was signed into law on August 24 by President Lyndon B. Johnson.

The legislation is now known as the Poage-Magnuson act (Public Law 89-544). Its enactment ends a fifteen month effort by the humane movement to obtain Federal protection for animals in the chain of supply to research institutions.

Various provisions of the new law have stirred heated controversy among humane organizations but it is generally recognized that a tremendously important first step has been taken in the campaign for legislation to protect all research animals.

Speaking to some 160 delegates at the recently concluded HSUS National Leadership Conference, President Oliver Evans said in part: "... a milestone has been passed in establishing the welfare of laboratory animals as a proper field for federal legislation. The door has been opened so that further federal legislation should be much easier to obtain. ..."

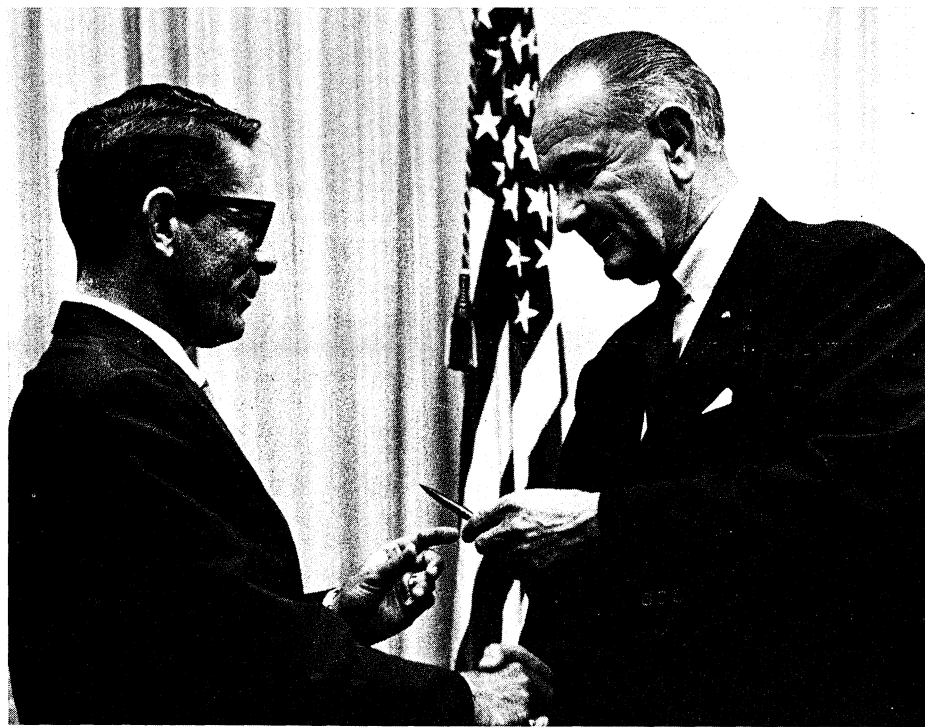
The new law gives responsibility to the Secretary of Agriculture to ensure that animals covered by the law are humanely treated.

Dealers in cats and dogs for research will have to be licensed by USDA and research facilities using these species are required to register with the De-

(Continued on page 2)

ZIP CODE

New government regulations on the Zip Code system will go into effect on January 1, 1967. The HSUS, with non-profit mailing privileges, must comply with these new regulations and has started the monumental task of revising the mailing list. **WE MUST HAVE THE ZIP CODE NUMBER OF EVERY "NEWS" RECIPIENT.** Please send us yours without delay so that you will continue to receive HSUS releases and bulletins in 1967.



President Johnson presents The HSUS, represented by Field Service Director Frank McMahon, with one of the pens used in signing the historic Poage-Magnuson act. The new law will protect dogs and cats en route to research institutions and is the first major humane bill enacted by Congress since 1958.

President Signs New Federal Humane Law

(Continued from page 1)

partment. Humane standards, applicable also to monkeys, hamsters, guinea pigs and rabbits when used along with cats and dogs, will be set up and must be met unless the animal is actually undergoing research or experimentation.

The legislation will also act as a curb on the theft and sale of pets for experimental use. It requires dog and cat dealers to hold their animals for five days before selling them to research laboratories. Both dealers and research facilities must keep records of purchase, sale, transportation and previous ownership of cats and dogs.

The laboratory provisions, which The HSUS sought to eliminate or strengthen, are considered the weakest part of the Poage-Magnuson act. Only laboratories using dogs or cats are affected although the standards of humane care will apply also to guinea pigs, monkeys, hamsters and rabbits when used in the same laboratory with dogs and cats. Also, these laboratories are covered by the act only while the animals are not undergoing experimentation.

Despite minimal laboratory coverage, the law has established that animals used in laboratories properly come under the protection of Federal legislation. The HSUS believes that additional, effective legislation like the Rogers-McIntyre bill can be achieved if humanitarians give it strong support.

Sponsors of such additional, comprehensive bills in Congress have already declared the need for further legislation. Reprints from the Congressional Record of comments by Congressmen Paul Rogers and Claude Pepper of Florida, Senators Thomas McIntyre of New Hampshire and Jacob Javits of New York are enclosed with this News.

HSUS To Take Over Kindness Club; NHEC Will Administer Pilot Program in Five States

Mrs. Hugh John Flemming of New Brunswick, Canada, well known founder and president of the Kindness Club, has asked The HSUS to take over the organization and administration of the Club's United States branches. The Club has become a valuable instrument for instilling humane attitudes in children and its influence has spread internationally.

The HSUS has tentatively agreed to take over the American branches, starting

with a pilot program in the states of Ohio, Virginia, West Virginia, New York and Pennsylvania. The National Humane Education Center will administer the program and will distribute Kindness Club materials and literature upon request. NHEC staff members will also correspond with existing clubs in these states and with organizations and individuals interested in forming new branches. Eventually, the program will be expanded to include all states.

New materials are being developed by The HSUS and Hope Sawyer Buyukmihci, Newfield, New Jersey, a dedicated advocate of the Club. Other leaflets already in circulation are written especially to help children understand domestic pets and wildlife.

The following extract from the Kindness Club leaflet, *Friends Instead of Furs*, illustrates the effort made to develop empathy between children and animals. It is a quotation from Mr. Carl Marty, Jr., of Wisconsin, a newly elected member of The HSUS Board of Directors:

"As I walk in the forest in the darkness of the night, and the bear, deer, fox and raccoons walk up to me in friendship and lick my hand; when the porcupine climbs up my arm and gently nuzzles my ear; when the beaver swims in from the lake, stands up and grasps my leg crying like a human child to be held in my arms; and when the fox jumps through my open window to lie on my bed; I feel that they are asking me to help their misunderstood brothers in the woods to a better understanding between their kind and man."

Societies and persons in the five states mentioned are invited to write for further information to Mr. Scott Mahoney, Director, National Humane Education Center, Box 149, Waterford, Virginia.

Big HSUS Conference Probes New Areas of Animal Protection, Lays Plans to Combat Major Cruelties

The twelfth annual HSUS National Leadership Conference was held in Hershey, Pa., on September 15-18. More than 160 delegates, humane leaders from all over the United States, attended. The busy three day meeting followed a tight, event-packed agenda that set forth new humane problems and sought methods of increasing the effectiveness of the organized humane movement.

HSUS Board Chairman R. J. Chenoweth welcomed the conferees and presided at most sessions. His annual report to the membership described important advances in animal welfare made during the year just past and enthusiastically anticipated even greater accomplishments in the year ahead. He asked for continued support so that The HSUS could continue to pursue its goals aggressively and expand its activities into important new areas of animal protection.

The principal theme of the conference was expansion of humane society efforts into areas of cruelty heretofore largely neglected. Knowledgeable speakers set forth the basic problems which were subsequently examined in depth in committee discussion. Committee work formed a large and important part of the meeting and brought forth resolutions and recommendations that establish guidelines for specific anti-cruelty programs in the coming year.

Admiral James C. Shaw, Executive Director, HSUS Connecticut Branch, outlined a plan to halt painful uses of animals in schools and science fairs. He called on the humane movement to attack this "two-edged evil of physical cruelty to an animal and moral damage to a child" through investigation, communication and legislation. He described how uninformed are parents, the public, legislators and even educators about this serious form of maleducation of children. His recommendations that The HSUS and other societies begin

education of the public as a basis for legislation were adopted by the conference.

The special problems facing humane societies that do not operate an animal shelter were brilliantly presented by Mrs. Jean McClure Kelty, Animal Charity League, Youngstown, O. Mrs. Kelty described five basic programs that can make such a society greater in usefulness and influence than a shelter operating organization. She recommended education of the public to neutering of all pets, protection of animals under all circumstances in a community, junior humane activities to reach the young, working to improve public pounds and humane handling of strays.

Mrs. Robert Arny, Assistant Professor, Montclair State College, Montclair, N.J., gave an inspirational talk on how the humane movement can help protect wildlife. Her expert analysis of present conditions relating to wildlife went far beyond mere condemnation of the cruelty of hunting. She exposed the U.S. Government itself, through its dam-building Bureau of Reclamation and its cruel predator control programs, as the greatest villain in the situation. She suggested that humane societies should not ignore their responsibility in this important area of animal welfare. Committee recommendations for effective action are expected to result in production of new, pertinent HSUS literature

and an early expansion of program to combat current cruelties to wildlife.

A new area of great potential value to the humane cause was probed by John C. Crabbe, General Manager, KVIE-TV, Sacramento, Cal. Mr. Crabbe described how educational television can reach vast, new audiences and advocated it as a "natural" for humane education. It is expected that The HSUS will explore this medium in depth to find ways in which it can be used most effectively in advancing the humane ethic.

HSUS Treasurer E. M. Bostick, member of the Board of Directors, gave a comprehensive report on the role, nationally and locally, of the National Humane Education Center. He spoke inspiring of the tremendous potential for animal relief in the Center's multiple programs. He described the immense benefits that will flow directly from the Center to local humane organizations and called for increased support. The full conference endorsed recommendations to encourage greater support by local societies and to expedite construction of the complex of buildings.

The spirit of optimism and confidence which characterized the meeting was particularly evident in HSUS President Oliver Evans' speech to the assembled conferees. Evans credited the humane constituency with magnificent work in achieving the Poage-Magnuson act. He spoke of a "high tide of publicity and public support" for laboratory animal legislation and warned that it should not be allowed to ebb without further achievement like enactment of the Rogers-McIntyre bill.

In asking for all-out support for additional laboratory animal legislation, he said: "... the Rogers-McIntyre bill presents by far the best legislative answer to our problem yet developed. It will bring tremendous benefits to laboratory animals and, by establishing the principle that all of the higher

(Continued on page 7)

HSUS Agent Investigating Lab Animal Traffic Found Guilty, Fined on Dog Dealer's Charges

HSUS Field Representative R. Dale Hylton appeared in a Fulton County (Pa.) court on September 20 to answer charges of misrepresenting his identity in an undercover investigation of the channels of supply of animals to research institutions. The charges were brought by dog dealer William R. Miller, McConnellsburg, Pa., who was convicted of cruelty to animals in late June, 1965.

The charges against Hylton were based on an 1894 Pennsylvania law which prohibits impersonating persons or officers privately employed. The law was originally intended to prevent misrepresentation by persons deputized as strike-breakers and to stamp out "Pink-



HSUS agents combat cruelty on many fronts. Above, Hylton is shown presenting evidence of cruelty to rodeo animals to a special committee of the West Virginia legislature.

ertonism." In this case, it was apparently used to retaliate against The HSUS in its successful and continuing war against cruel dog dealers and other laboratory animal suppliers.

Hylton's undercover and highly productive investigative work could not have been successful if he had been identified with The HSUS. The immediate task was to obtain information on interstate movement of cats and dogs through dealers to research institutions, the extent of this traffic in animal life, and the prices paid by laboratories for such animals. To accomplish this, Hylton told dealers that he was making inquiries for a hospital.

Information gathered by Hylton contributed greatly toward enactment of the Pennsylvania Dog Law of 1965 which has resulted in excellent regulations for the humane care and handling of animals and the separate licensing of laboratory animal suppliers. It also provided testimony, presented at the Congressional hearings, that helped achieve enactment of the Poage-Magnuson act.

The HSUS was fully prepared to fight Miller's charges despite the prospect of lengthy and costly litigation. Hylton insisted, however, that a plea of guilty be entered in the case to conserve money badly needed for additional field work and on-the-spot help to local humane societies. He made such a plea even though the violation would then show on his record and in the full knowledge that there was a reasonably good possibility of winning the case. "Perhaps," Hylton said, "the Field Service Department will not be curtailed by lack of funds for other urgently needed investigations if we forego the expense of fighting this case."

Hylton was fined \$250 and paid \$160 in court costs.

USDA Requests HSUS Help, Acts Quickly to Implement New Law

The U.S. Department of Agriculture has lost no time in starting to implement the newly enacted Poage-Magnuson act.

The new law allows only six months for establishment of standards, rules and regulations for research institutions and laboratory animal suppliers affected. On August 25, the day following President Johnson's signing of the act, Department officials held the first meeting convened for this purpose. The HSUS, requested to help in setting up standards and procedures, was represented by Field Service Director Frank McMahon.

Main responsibility for enforcement of the new legislation rests with Dr. F. J. Mulhern, Director, Animal Health Division. He will be assisted by Dr. Earl M. Jones, Acting Senior Staff Veterinarian, Laboratory Animals, who will head up the new department.

This national control breaks down into four regions, each under the supervision of a Regional Director who is in charge of the state veterinarian in each state in his region. In turn, the state veterinarian controls the men in the field, or local districts. These local districts are determined by density of population. They may consist of two counties or more but, in all cases, it is the local field men in these districts who will be doing the actual investigating and enforcement of the law.

Principal discussion at the initial meeting centered on proper methods of transporting, caging and identifying dogs and cats. The operations of animal suppliers were also discussed in detail and USDA officials asked for the use of HSUS files on all suppliers. A list of more than four hundred dealers and other pertinent information developed in the Society's five year investigation of research animal supply was turned over to the Department. Additional information will be made available as requested.

Animal Auction Found Guilty in Court Case; Another Pleads Guilty

Root's Market and Auction, Manheim, Pa., was found guilty on July 27 of two charges of cruelty to animals and one violation of the Pennsylvania Dog Law. Less than a week later, the management of another animal auction at Fogelsville, Pa., pleaded guilty to violations of the Dog Law.

The cruelty charges were brought by The HSUS and the Women's SPCA of Pennsylvania following widespread investigation of animal auctions by a team of agents under HSUS Field Service Director Frank McMahon. The investigation uncovered much cruelty and a lack of enforcement of the anti-cruelty laws. Significantly, Dog Law enforcement officers for the state testified in court that they found "nothing wrong" at Root's Market and Auction.

The charge of violations of the state Dog Law was brought by Winfield S. Noden, Jr., agent for the Humane League of Lancaster County. Although minimum fines and court costs were levied, the court decisions have established beyond question that humane officials can institute legal proceedings against auctions under the Pennsylvania Dog Law. There had been considerable doubt that such action was possible.

HSUS and local humane society investigations of other auctions are expected to continue.

The principal addresses of the 1966 National Leadership Conference will be published in booklet form as quickly as is mechanically possible. One copy will be mailed free to every humane society and to all Officers and Directors of HSUS Branches and Affiliates. Other humane workers are also welcome to a free copy if they will send a written request to The HSUS Service Department, 1145 19th St., N.W., Washington, D. C. 20036.

Beggar's Choice

Like many other usually correct axioms, the old saying that beggars can't be choosers gets turned around in its application to humane work.

We admit unashamedly to being beggars for suffering animals. We ask without inhibition for every gift our friends can spare. We are not asking for ourselves; we are asking for animals that are suffering under all kinds of conditions.

The soaring cost of living is snail-like in comparison to the accelerating cost of humane work. Elsewhere in this *News*, you will read about enactment of the Poage-Magnuson act. The HSUS, your Society, was in the forefront of that successful fight. Imagine, if you can, the cost: Thousands of man hours, special bulletins and mailings, field work to develop effective testimony, even the unexpected, unbudgeted expense of Field Representative Dale Hylton's arrest and fine.

You will also read about the magnificent, recently concluded conference with its inspirational blueprint for future humane work. Such meetings are a vital, necessary part of national animal welfare work but they are not without expense to the Society. The traveling expenses and accommodations of some "outside" speakers have to be met. Programs have to be printed, free literature distributed, special displays arranged and transported. It all costs money.

We now face a long and continuous campaign for enactment of the Rogers-McIntyre bill to protect all animals used in medical research. We face expensive legal action against the forthcoming "bloodless" bullfights in Houston, Texas. We face major crusades against classroom cruelty to animals, wanton destruction of wildlife, surplus animal breeding and a host of other primary humane problems.

We want to tackle all of them if you will help give us the means with which to do it. We can save untold millions of animals with your help. Without your help, we cannot even maintain our current commitments—much less expand our efforts in the multiple directions which we want.

We *beg* your assistance. Won't you please use the coupon below today?

The Humane Society of the United States
1145 Nineteenth St., N.W., Washington, D. C. 20036

Enclosed is \$..... to help make all of your work possible. (Gifts to The HSUS are tax deductible. A gift of \$5 or more can qualify you as a voting member.)

An additional \$..... is enclosed for the special purpose of

NAME.....

STREET.....

CITY, STATE.....ZIP CODE.....

Pennsylvanian Given Highest Humane Award

Miss Fay Brisk, a Pennsylvanian now living in Washington, D.C., was elected "American Humanitarian of the Year" at the HSUS National Leadership Conference recently held in Hershey, Pa. The annual award is the highest given by the Society in recognition of outstanding individual humane work.

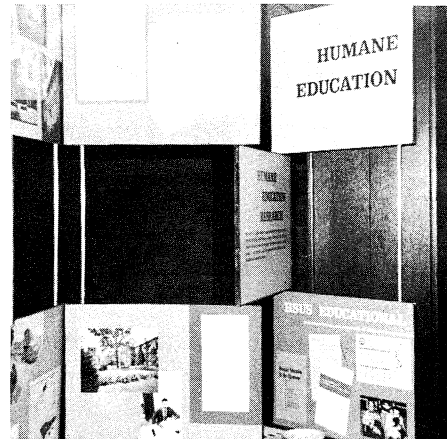
Miss Brisk was a major force behind the recently enacted Poage-Magnuson act to protect dogs, cats and some other animals in the channels of supply to research laboratories. In working to uncover cruelty to animals by dog dealers and other suppliers, she became, in herself, virtually an entire army for the humane cause.

She spent countless hours talking with sheriffs, state police, dealers, informers, doctors, veterinarians and agents of numerous humane societies developing information which was later presented at Congressional hearings. Her first hand testimony was a great influence in bringing about passage of remedial Federal legislation.

Simultaneously, Miss Brisk worked for a law in her own state to license and regulate dog dealers. This legislation, the Pennsylvania Dog Law enacted in late 1965, is now considered a model of its kind. Miss Brisk has also participated actively in national humane programs, statewide animal rescue and control work, and serves as a director of the Berks County Animal Rescue League of Reading, Pa.



Humanitarian of the Year Fay Brisk is congratulated by conferees after The HSUS annual awards dinner. Here she proudly displays her certificate.



Humane education was dominant theme of conference. Various aspects were studied in committee work and resolutions adopted to further HSUS program in this area.

National Humane Education Center Announces Children's Book Award

The National Humane Education Center has announced the Alice Morgan Wright-Edith Goode Children's Book Award.

The new award is intended to encourage school children to read more and better books and, through them, to acquire humane attitudes towards animals. Children in school grades 4 to 8 may participate by reading all books on a master list of 20 books selected by a committee of educators. The principle of kindness will guide the committee in making its selections. Near the end of the school year, each participating child casts his vote for the book of his choice.

The master list will contain two categories. Ten books will be chosen from new books written each year. The other ten will be selected from children's books published in previous years. This year, however, the number of books to be read is reduced to ten since the project is getting off to a late start.

After selection of the best book the author will be invited to the National Humane Education Center for an appropriate ceremony and to autograph copies of the book. Much publicity, beneficial to the humane cause and to the author, is expected.

Success of the project depends largely on the extent to which librarians participate. Unless the selected books are placed upon as many library shelves as possible the purpose of the program may not be achieved. Interested persons can help by telling local librarians about the award and persuading them to participate. Such persons should first write for further information to Mr. Scott Mahoney, Director, National Humane Education Center, Box 149, Waterford, Va. Letters which include the name of the book which the writer most enjoyed as a child are welcome.

NOTICE TO MEMBERS

Acting pursuant to Art. IV, Sec. 4 of The HSUS bylaws, the Chairman of the Board of Directors appointed at the 1966 annual meeting a Nominating Committee consisting of Mrs. George F. Milliken, New York, N.Y. (Chairman); D. Collis Wager, Utica, N.Y.; Mrs. G. Martel Hall, Nacogdoches, Tex.; Mrs. Amy Spano, Long Beach, Cal.; Mrs. Marie Thompson, Milwaukee, Wis.; David R. Kenerson, St. Petersburg, Fla.; with the Chairman participating *ex officio*.

Acting in accordance with Art. IV, Sec. 6 of Society bylaws, the Chairman also appointed at the same annual meeting an Elections Committee consisting of HSUS Secretary Miss Grace Conahan, Webster Groves, Mo.; Miss Fay Brisk, Washington, D.C.; Mrs. Frieda M. Walker, Baltimore, Md.; and John Fish, Leesburg, Va.

Both Committees will serve until the 1967 annual meeting.

National Leadership Conference Elects Perpetual Member

Mrs. Joseph Brennemann, Greenwich, Conn., was elected a Perpetual Member in Memoriam at the 1966 HSUS National Leadership Conference. It is the highest honor which the Society bestows upon deceased members who have made outstanding contributions to animal welfare during their lives.

Mrs. Brennemann was so honored for her dedicated work in furthering moral and ethical values of humanitarianism. She was a founding Director of The HSUS Connecticut Branch and gave unstintingly of her time, ability and resources to help establish the Branch.

Her name will be added to others on a large bronze plaque at HSUS headquarters in Washington, D.C.

HSUS Members Elect Three New Directors; Re-elect Two Others

In mail balloting, members of The HSUS elected three new Directors and re-elected two others whose terms were expiring this year. Results of the election were announced at the annual corporation meeting held in conjunction with the 1966 National Leadership Conference. The results were confirmed by voice vote of the assembled members.

Elected for three year terms as Directors were Carl O. Marty, Jr., Three Lakes, Wis., William Kerber, Washington, D.C., and Perc Kelty, Youngstown, Ohio.

Re-elected for new three year terms were Mrs. George F. Milliken, New York, N.Y., and Mrs. Edward S. Voss, Monkton, Md.



Annual awards dinner was highlight of conference. Five guests seated at head table were (from left): new Director Perc Kelty; Secretary Grace Conahan; Massachusetts SPCA President David Claffin; Alice Wagner, Editor, *Popular Dogs*; and principal speaker Cleveland Amory. Right, California Branch Director Amy Spano and staff member Susan Heinen confer with Connecticut Branch executive James Shaw and Frantz Dantzler, Utah Branch shelter manager.



Annual Meeting Plans Humane Work

(Continued from page 3)

animals in laboratories must be protected, will serve as the foundation for future legislation which, I am confident, will come as the humane movement is successful in bringing home to the public the abuses that remain and must be remedied."

The full conference unanimously adopted a resolution concurring with the HSUS President's remarks by urging continuance of the campaign for enactment of additional, comprehensive laboratory animal legislation.

In part, the resolution stated that "... WHEREAS, the potentialities of the Rogers-McIntyre Bill for the real protection of laboratory animals are the most effective of any bill yet introduced in the Congress; be it therefore RESOLVED:

(2) That it is imperative that humanitarians press on immediately, by all possible means, for passage of the strongest possible laboratory animal bill, while public concern and awareness of this issue are at their peak."

IMPORTANT NOTICE

At the June, 1966 convention of the General Federation of Women's Clubs a resolution for the humane treatment of animals was adopted. The intent of the resolution was to insure that laboratory animals used in experimentation have good care, be properly used, and be protected from cruelty and unnecessary suffering. The resolution in its adopted form would not, however, accomplish this intent and The HSUS seeks its amendment.

You can help in this project if you know any members or officers of a local Women's Club, State Federation, or the General Federation. Please notify HSUS headquarters immediately and you will be sent a special memorandum explaining the revised resolution and a copy of the resolution itself.



Crew feeds giraffes as Maasloyd docks at New York pier. HSUS agent found animals aboard ship well fed and properly cared for.

HSUS Fights to Save African Animals from Watery Grave

In early August, Congressman Glenn Cunningham, Neb., requested HSUS help in saving a cargo of African animals from a watery grave in the Atlantic. The animals, barred entry into this country by the U.S. Department of Agriculture, were aboard the Dutch freighter Maasloyd, then within a few days' sailing time of U.S. territorial waters.

The USDA action was taken because the Maasloyd had stopped at the unauthorized ports of Djibouti and Assab in Africa, where there had been cases of hoof-and-mouth disease. The Department maintained that this exposure required that susceptible animals must undergo 60 days quarantine outside the U.S. before they could land.

Of 96 animals aboard the freighter only the cloven hoofed species, numbering 55, were affected. These consisted mainly of giraffes, gazelles, antelopes and a very rare dibitag antelope valued at \$10,000. All were destined for zoos in Ohio, Colorado, Nebraska, Washington, D.C., California and other states. Reports said that, because of the prohibitive cost of returning the animals to Africa or an overseas quarantine site, they would have to be dumped overboard if a solution could not be found quickly.

The HSUS protested immediately to President Johnson and Secretary of Agriculture Orville Freeman. Attempts were also made through British, French, Mexican and Canadian authorities to

obtain permission to land and quarantine the animals on territories owned by those countries. Continued pressure finally resulted in a meeting with USDA officials, the importers, and representatives of the shipping line, Nedlloyd Lines, Inc.

Director E. M. Bostick and Field Service Director Frank McMahon represented The HSUS at the meeting. After a lengthy, stormy session, USDA officials finally admitted that the Department of Defense had offered Fort Slocum, a small island in Long Island Sound, as a quarantine site. After further discussion, it was agreed that the animals would be quarantined there and that USDA would contribute \$25,000 towards the cost of building suitable pens and housing facilities.

To make certain these arrangements were carried out and the animals on board the Maasloyd were being treated humanely, McMahon decided to board the freighter before docking. He arranged for a launch and a pilot from the shipping line and boarded the Maasloyd at the crew quarantine station under the Verazano Narrows bridge. Subsequently, he reported that all the animals aboard ship were in excellent condition and had obviously received extraordinarily good care from passengers and crew.

Next day, the cloven hoofed animals were loaded onto barges from the freighter. They were taken to Fort Slocum for the required 60 day quarantine period, to be followed by another 30 day period in the USDA quarantine station in Clifton, N.J.

OFFICERS AND DIRECTORS

Robert J. Chenoweth, Chairman of the Board, Kansas City, Mo.; D. Collis Wager, Vice Chairman, Utica, N.Y.; Oliver Evans, President, Washington, D.C.; Edward M. Bostick, Treasurer, Falls Church, Va.; Grace Conahan, Secretary, Webster Groves, Mo.; Cleveland Amory, New York, N.Y.; Edith J. Goode, Washington, D.C.; Mrs. G. Martel Hall, Nacogdoches, Tex.; Perc Kelty, Youngstown, Ohio; William Kerber, Washington, D.C.; Frederic D. Kerr, San Rafael, Calif.; Carl O. Marty, Jr., Three Lakes, Wis.; Prof. James T. Mehorter, Maplewood, N.J.; Mrs. George F. Milliken, New York, N.Y.; Jacques Sichel, Union, N.J.; Mrs. Edward S. Voss, Monkton, Md. **HONORARY DIRECTORS:** Mrs. Bolling Barton, Pikesville, Md.; C. Edward Boggs, Hong Kong; Irene Castle, Lake Forest, Ill.; Mildred Fitz-Hugh, Lake Forest, Ill.; Mrs. M. D. Ravenscroft, Santa Barbara, Calif.; Arthur P. Redman, Seattle, Wash.; Mrs. Alice Wagner, Mountainside, N.J.; Alice Morgan Wright, Albany, N.Y.



United States
of America

(Not Printed at Government Expense)

11

Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, SECOND SESSION

Comments on Act to Regulate Transportation, Sale, and Handling of Dogs and Cats for Research Purposes

H.R. 13881

H.R. 13881 Does Not Solve The Basic Problem of Humane Treatment for Laboratory Animals

Mr. ROGERS of Florida. Mr. Speaker, I support H.R. 13881 because it is absolutely essential that we have strong Federal legislation to clean up the unacceptable conditions found in the supply trade of animals going to laboratories. Widespread pet theft must be stopped and the facilities and procedures of animal dealers must meet standards of common decency.

Our Nation has a moral obligation to eliminate animal suffering wherever it is possible to do so without impeding legitimate research. The great stake and the great responsibility the Federal Government has in biomedical research is met only tentatively by the laboratory provisions of H.R. 13881.

I should like to state briefly for the record the reasons supporting this position.

First. Of the 11,000 laboratories in the United States, approximately 2,000 will be covered by H.R. 13881.

Second. Of the hundreds of millions of animals consumed by the laboratories, the bill will, at most, bring its limited benefits to 5 million.

Third. But even these limited benefits of housing and care stop when research starts, and once that determination is made, protection for the animal ceases under the terms of this legislation.

Any effective laboratory animal bill the Congress enacts must set up guidelines for research as well as for sale, housing, and care in order to provide coverage for all animals sensitive to pain.

A comprehensive bill must require proper care of research animals consistent with the needs of the experiment, and must provide for postoperative care and the administration of pain-relieving drugs. Care and housing are as important for the animal during long-term drug, nutrition, or behavior studies during research as during the initial por-

tion of its stay in the laboratory before research begins.

Mr. Speaker, I heartily endorse the animal dealer provisions of H.R. 13881, but want to emphasize that it does not solve the basic problem of humane treatment for laboratory animals.

It is my hope and earnest desire that the Congress will deal with the problems raised by the use of animals in research at an early date by enactment of legislation before the Interstate and Foreign Commerce Committee, which provides humane conditions and procedures for such research animals.

Laboratory Coverage of H.R. 13881 is Little More than a Token Gesture

Mr. PEPPER. Mr. Speaker, I have long been interested in legislation for the protection of laboratory animals and have sponsored legislation in this field over several years. I am very happy that Congress has at last taken action. It is a great pleasure to me to cast my vote for H.R. 13881. The conditions which have been exposed in the animal supply trade to laboratories require immediate reform. The theft of pets and the inhumane treatment of animals bound for the laboratories cannot be tolerated.

H.R. 13881 is a bill primarily designed to regulate animal suppliers. But in the Senate it was amended and in its present form it now contains sections applying to the laboratories themselves. These I consider to be weak and inadequate. For several years I have sponsored comprehensive laboratory legislation and am thoroughly familiar with the subject.

I should like to remind the House that there are something like 11,000 laboratories in this country; that more than a quarter of a million people are engaged in biomedical research; that annual expenditure for this research is approximately \$2 billion a year; and, finally, that upward of 100 million animals are consumed by biomedical research every year.

There are many critical problems which require a legislative remedy but I cannot agree that the coverage of the present bill is little more than a token gesture.

Only 2,000 of the 11,000 laboratories will be covered; only 5 million of the hundreds of millions of animals will benefit from this coverage; and, lastly, the coverage itself is extremely limited. The Secretary is directed to promulgate standards for the care, handling, and treatment of these 5 million animals but these standards apply only until actual research begins, with the determination of when research has begun left to the research facilities. Personally, I fear that many of these animals will not be covered because in many facilities, I am told, animals are involved in the process of research throughout their stay in the laboratory.

Mr. Speaker, may I reiterate that the laboratory coverage of H.R. 13881 is little more than a token gesture.

H.R. 10050, introduced by me over a year ago, not only sets standards for housing and care but deals with many other matters. Standards for the proper administration of anesthetics and of pain-relieving drugs during aftercare are required. The science of statistics must be brought to bear in determining the number of animals necessary to be used in a given experimental series. Needless duplication is eliminated. Tissue cultures and less sensitive forms of life must be substituted for higher forms whenever possible.

The swelling mass of scientific information must somehow be brought under control so that every investigator may have the full benefit of work already done in his field.

In summary, Mr. Speaker, I take great pleasure in voting for the animal dealer provisions of H.R. 13881 and want to express my hope and earnest desire before this body that comprehensive laboratory legislation which is so badly needed for the protection of these hapless animals will soon follow.

Insignificant Portion of Laboratory Animals Used in Present-Day Research will be Protected Under H.R. 13881

Mr. McINTYRE. Mr. President, the Senate Committee on Commerce and the House Committee on Agriculture are to be congratulated on their decisive action on the Poage-Magnuson Act, which will now bring an end to the cruel and heartless practice of pet stealing for research purposes and the inhumane treatment of these animals by some of the dealers who supply research laboratories.

I am, however, apprehensive that the new Poage-Magnuson Act will be interpreted as a solution also for the inhumane treatment of laboratory animals while in research facilities. Even though the coverage of the Poage-Magnuson Act has been extended slightly to provide some coverage for research facilities, the sections dealing with such laboratories are extremely limited and nothing more than a very small first step toward the elimination of cruelty, mistreatment, and abuse of laboratory animals.

The Senate committee report noted carefully that the committee's intention in limiting the definition of research facilities to those purchasing or transporting dogs or cats in commerce was to restrict coverage of this legislation to major research facilities and to exclude the thousands of hospitals, clinics, and schools which use other animals for research and tests. Committee members have estimated that under the definition of research facility coverage will be limited to 2,000 laboratories, or approximately 20 percent of the animal-using research laboratories in the United States. In addition, the Poage-Magnuson Act restricts its protection to dogs and cats, with protection for monkeys, guinea pigs, hamsters, and rabbits only when these animals are used along with dogs and cats. This provides protection for, at the most, 5 million animals. This is a very insignificant portion of the hundreds of millions of animals that are used in present-day research.

The most disturbing provision of the Poage-Magnuson Act is that the few animals that are protected in laboratories are not protected during research or experimentation and the important determination of when an animal is in actual research so as to be exempt from

regulations under the law is left to the research facility. Those animals that are under research or experimentation for several years will have absolutely no protection under this new law.

I say these things not in criticism of the committee responsible for this act for we all know the practical necessities and realities that any committee must work under in the drafting of legislation. Rather, I make these remarks to remind all of us that with the passage of the Poage-Magnuson Act our responsibility to laboratory animals has only begun. My own bill, S. 2576, is a comprehensive solution to the complex problems involved in protecting laboratory animals. It provides protection for the animals throughout their sojourn in the laboratory and insures that they are spared avoidable pain, fear, and suffering. Equally important is that this protection is provided without impeding or interfering with legitimate research.

I trust that the Congress will recognize its moral obligation in this matter and go on to consideration of comprehensive laboratory legislation. In the words of the late Rachel Carson:

No nation that calls itself civilized can allow the experimental animals to whom we owe so much to be subjected to neglect and mistreatment and to be forced to undergo unnecessary pain and shock. Our national conscience demands that standards be set up for proper laboratory conditions, for avoiding unnecessary experiments, and for the humane conduct of experiments actually carried out.

These goals, enunciated by Rachel Carson, can only be fulfilled with additional Federal legislation. I urge the Congress to move forward in this matter.

Congress Urged to Finish its Work by Enacting Comprehensive Laboratory Animal Legislation

Mr. JAVITS.

Mr. President, H.R. 13881 seeks an end to the growing practice of pet stealing for research purposes, and while the coverage of H.R. 13881 does extend somewhat into the research facility, it does not deal comprehensively with all the complex problems of treatment of laboratory animals.

In passing H.R. 13881, Congress has only begun its work of providing humane treatment for research animals. That

a more comprehensive solution acceptable to the scientific community is possible is evidenced by my bill, S. 3218, which I introduced at the request of the New York State Society for Medical Research. This very fine and dedicated medical society sees the need for comprehensive protection for laboratory animals, not only out of ethical consideration for the laboratory animals that are suffering for us, but also for the sake of producing better results from research. Animals housed and cared for humanely throughout the sojourn in the laboratory and spared avoidable pain, fear, and suffering, are better biological models and produce better research results.

My bill provides for such care throughout; it provides for proper use of anesthesia where anesthesia can be used; it insures the proper use of postoperative pain relieving drugs. It is a comprehensive solution to the laboratory animal problem, one which fulfills our ethical responsibilities by insuring that laboratory animals are housed and cared for humanely and spared avoidable pain, fear, and suffering.

Therefore, Mr. President, I urge that the Congress finish its work by enacting comprehensive laboratory animal legislation.

Separate Bill for the Actual Research Problems Within the Research Facilities

Mr. MAGNUSON. Mr. President, we could suggest the names of many other Senators who have a deep interest in this subject other than the Senators who have been named.

The Senator from New York is one of those who has urged the passage of such a measure for a long time.

We thought that a separate Senate bill which provided for the actual research problems within the research facilities would be a better approach to the problem. I am very hopeful that the Committee on Labor and Public Welfare will report the Senator's bill. The Senator will get the support of the Senator from Washington, the Senator from Oklahoma, and other Senators. That bill would add to the whole objective. We could then really do something about this very serious problem of animal welfare which we have in the United States.