Treatment of Laboratory Animals

Maurice B. Visscher's article (28 May, p. 916) on the Animal Welfare Act of 1970 (P.L. 91-579) leaves the scientific investigator with an unjustified sense of security that there is under this act no possibility of bureaucratic interference with the design or execution of any experiment.

It is true that Section 13 of P.L. 91-579 contains language to the effect that nothing preceding Section 13 can be construed as authorizing the Secretary of Agriculture to promulgate rules, regulations, or orders with regard to design, outlines, guidelines, or performance of actual research or experimentation by a research facility. Immediately following, however, is what is known in governmental circles as a "march-in clause":

> Provided, however, that the Secretary shall require at least annually, every research facility to show that professionally acceptable standards governing care, treatment and use of animals including appropriate use of anesthetic, analgesic and tranquilizing drugs during experimentation are being followed by the research facility during actual research or experimentation.

This clause will certainly leave the investigator or facility open to question if some functionary of the Department of Agriculture assigned to reading these annual reports does not interpret "professionally acceptable standards" as the investigator or research facility does. These standards have yet to be decided upon, and even when that occurs they may not conform to the investigator's ideas of professionally acceptable standards.

Because of the quoted clause, the American Society For Pharmacology and Experimental Therapeutics did not endorse the legislation which became P.L. 91-579. Rather, the society consistently and publicly, on the recommendation of its Committee on Public Affairs, endorsed the legislation with regard to treatment of laboratory animals proposed by Representative Paul G. Rogers (D–Fla.) and Senator Jacob K. Javits (R–N.Y.) in the 90th and 91st Congress (1966–1970). We still believe that the Rogers-Javits proposals would have better served the interests of all concerned.

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