

changes, the main one being the setting up of a special Home Office Advisory Committee on Animal Experimentation.

In response to public pressure, a Departmental Enquiry was set up in 1965 under the Chairmanship of Sir Sydney Littlewood. This Committee made 83 recommendations for change to the 1876 Act, some of which required legislation. Apart from addition of lay members to the Advisory Committee, a strengthening of the Inspectorate and a number of minor administrative changes, the Littlewood recommendations were not implemented. Also, there has never been a full debate of the Report in Parliament, despite constant pressure maintained by humanitarian MP's throughout the late '60s and early '70s. The failure of the government of the day to take action on Littlewood led to a spate of Private Members Bills at this time, none of which progressed through all parliamentary stages.

In the meantime public debate over the issue of experimentation grew more intense in the 1970s, and in the '80s the possibility of Parliamentary action has become that much greater.

Sewer Science & Pound Seizure

Kenneth P. Stoller

Significant decisions are being made in the City and County of Los Angeles over a seemingly insignificant issue—pound seizure. Outwardly, the issue is a trifle—potentially inconvenienced animal research professionals vs. irate citizens who don't want lost pets sold for research. However, on another level, this conflict has implications that reach to the very depths of irrationality—for far from fighting to promote the practice of pound seizure, scientists should be fighting to end it.

Sec. 53.11(h), L.A.M.C., came into being as the result of a special municipal election in 1950. The ordinance permits "reputable institutions of learning, hospitals, research laboratories or their allied institutes" in the City to "use humanely, unclaimed impounded animals for the good of mankind and the increase of knowledge relating to the cause, prevention, control and cure of disease." Such institutions must be certified by "the Health Officer" when "he is satisfied (that the institutions) will use animals humanely for purposes above specified." This ordinance was passed by the voters of Los Angeles after proponents of pound seizure cajoled voters by using a media campaign which blatantly implied that if one did not vote for the pound seizure ordinance one would be voting away one's own life.

On October 18, 1980, the Animals in Research Advisory Committee of the Los Angeles Department of Animal Regulation submitted a report to the Department. The report represented a year's study by the Advisory Committee of the use of animals in research, testing and teaching in the City of Los Angeles. Some of the observations contained in this report were: 1) failure of some facilities to comply

K.P. Stoller is a biomedical consultant to The Fund for Animals, 5141 Ledge Ave., North Hollywood, CA 91601.

with federal law regarding housing standards; 2) destruction of animals at one facility by injections of potassium chloride; 3) duplication of painful and otherwise distressing experiments; 4) increased stress and suffering in "former pets" placed in the laboratory environment; 5) certification of institutions (*i.e.*, that they will use animals humanely) based on the Federal Animal Welfare Act, which only addresses itself to minimum standards for housing and maintenance and not to actual use; 6) transference of animals sold to certified facilities to "affiliate" institutions outside the City which had not been certified; 7) no requirement for investigators to demonstrate knowledge of the physiological or psychological makeup of the animals on which they experiment; and 8) an elitist, defensive posture on the part of much of the research community.

Based on these observations the Committee made the following recommendations regarding all live vertebrate creatures used for research in the City (These are abridged.):

1) All animals in research shall be humanely treated, *i.e.*, with the kindness and compassion that exemplifies the best qualities of humankind in its treatment of sentient creatures.

2) All animals shall receive proper sanitation, protection from extremes of weather and temperatures and space for normal exercise, as well as adequate veterinary care.

3) All animals shall be separated by species when such separation is necessary for humane reasons.

4) No animal shall be subject to the immediate physical sensation of pain, or to debilitation or psychological and behavioral distress without being adequately anesthetized, and if pain or lack of normal functioning will result after the anesthesia has worn off, which cannot be controlled by analgesics during a normal recovery period, animals shall be humanely destroyed with the most accepted means of euthanasia available.

5) No animal shall be used for more than one unrelated operative procedure or for related operative procedures of the same type not united by a common hypothesis.

6) No animal which is used for practice surgery shall be allowed to recover from the anesthetic and must be euthanized at the conclusion of the surgery.

7) A veterinarian must be in attendance during any surgical procedure performed on any animal.

8) No animal will be used in medical, commercial or educational research if an alternative exists.

9) The use of the LD-50 and Draize tests for cosmetics shall be prohibited.

10) Each facility shall appoint an animal care committee consisting of five persons, one of whom shall be a veterinarian and one of whom shall be a representative of an animal welfare organization, with the power to disapprove any experiment based upon pain, debilitation or psychological suffering to which an animal is subject, order euthanasia when needed, and refuse animal models to investigators who do not evidence sufficient knowledge of the animal in question. It shall also keep records on all experiments done and their results.

11) A central overview committee shall be established to supervise the functioning of the animal care committees and to receive reports from them.

12) The General Manager of the Department of Animal Regulation shall appoint a staff veterinarian to serve as liaison between the Department and its overview committee and the research facilities and their animal care committees.

13) Licensed animal dealers must submit to the City a list of animals acquired, the names and addresses of the persons from whom they were acquired, and the dates of acquisition.

14) The City of Los Angeles should take immediate steps to rescind Sec. 53.11(h), L.A.M.C., on the grounds that the ordinance has been proved unenforceable, and institute instead a prohibition against the surrender of impounded animals for research, testing or teaching, or laboratory work of any kind.

On November 18, 1980, the Animal Regulation Commissioners of Los Angeles voted 4 to 1 in favor of rescinding the pound seizure ordinance (the lone dissenting vote came from the only veterinarian Commissioner, who stated that if he had been in a concentration camp in World War II and that if he had the option of going to the gas chamber or being subjected to medical research, he would have chosen medical research).

The General Manager of the City's Department of Animal Regulation sent a comprehensive memorandum to the Mayor on January 2, 1981, requesting repeal of the seizure ordinance. The memorandum concluded that such action "...is necessary if we are to restore full public confidence in the Department of Animal Regulation and to facilitate the return of lost pets to the rightful owners."

The Los Angeles proponents of pound seizure have been led by a lobbying organization called the "Medical Research Association of California." This association claims to have every local hospital, research establishment and medical school represented on its Board of Directors. It is also the parent of a number of committees, such as the Committee for the Ethical Use of Animals in Research. As in the 1950's, a media campaign was begun by medical research interests and no less than Charlton Heston could be heard telling radio listeners that a serious life or death issue would be at hand if the practice of pound seizure were to come to an end. The radio-spots contained such blatant inaccuracies that parts had to be censored by the station which was paid to play them. The idea that the end of pound seizure would significantly curtail medical science was desperately conveyed at all public hearings; in addition, at least one person with an incurable, debilitating illness could be found at any given hearing in order to drive home the point. The fundamental question which must be asked is what could motivate such an effort on behalf of pound seizure?

The use of city pound animals for research has been frowned upon for years. In 1968, Dean Pritchard of the School of Veterinary Medicine at U.C. Davis said, "...the biologist can ill afford to treat animal experimentation in the same naive manner as is currently the fashion. It is all too common to find multi-million dollar research projects, consuming the time of highly talented scientists, based upon studies on animals from city pounds, with little thought given to their suitability for the research being conducted..." (*Lab An Care* 18:230, 1968). In 1973, Dr. Thomas Bowery, then Director of the National Institutes of Health, stated in Congressional testimony that the house pet is "not a good or desirable research animal." What then is the reason for so many people feeling that it is necessary to use lost or abandoned pets for research?

One of the common justifications for the use of dogs is that they have proved very useful in the development of cardiovascular surgery and organ transplantation; however, it has been argued that the dog is a poor model for cardiovascular research. In fact, differences in the clotting rate of dog and human blood held back

application of open heart surgery to human beings by several years.

Perhaps pound seizure is an economic issue. The purchase price of pound animals is small compared to the cost of a conditioned animal obtained from a dealer or to the cost of a purpose-bred animal. The apparent economy of using pound animals in research is just that, apparent. In 1977, Bristol Laboratories (New York) reported that 59% of the 558 dogs and 75% of the 163 cats requisitioned from pounds proved unsuitable for research. Another study (*Lab An Care* 19:506, 1969), produced the following data: In an experiment involving open heart surgery to replace heart valves, 79 out of 85 purebred labrador retrievers survived whereas only 55 of 75 conditioned mongrels survived. If one were to extrapolate this to 100 animals surviving the experiment, one would have to start with 108 purebreds or 137 mongrels. The extra cost involved in performing surgery on 137 mongrels as opposed to 108 purebreds would have been the equivalent (in 1969) of the cost of sixty purebred dogs, and this does not even include the surgeon's and technician's time, nor institutional overhead.

It has also been argued that the number of pound (random-source) animals required by research is very small compared with the number of animals that are euthanized annually. Dr. Andrew Rowan (Institute for the Study of Animal Problems, Washington, DC) testifying at the Los Angeles City Council May 27, 1981, made it clear that a very similar argument could be made for the millions of sewer rats that are exterminated every year. Instead of poisoning them wastefully, they could be trapped and used in research laboratories, but research scientists would not welcome this idea because sewer rats (random-source rats) are not standardized or characterized and are carriers of all sorts of diseases.

The *Los Angeles Times* accused City Council members of sentimentality when a Council subcommittee unanimously voted to rescind the pound seizure ordinance. Dr. Rowan, responding to this statement, told the City Council that if our decisions are made without sentiment and compassion we have no right to call ourselves human beings.

The deeper implications of this issue are revealed in the myopic irrationality which motivates the advocates of pound seizure, for this sort of irresponsible behavior also perpetuates a number of negative practices which can have global consequences. Nature's love is unconditional, but her secrets are given only to those who have earned her trust, yet look how we have abused that trust in the application of our knowledge of the atom. Therefore, as we go about trying to learn Nature's secrets, whether in medicine or in physics, it might behoove us to remember the words of Albert Schweitzer when he spoke of the progress mankind could be making if we had only a little more respect for life. He also said that it is the duty of those (that use animals for research) to ponder in every separate case whether it is really and truly necessary thus to sacrifice an animal for humanity.

On June 30, 1981, the Los Angeles City Council voted 10-3 in favor of rescinding the pound seizure ordinance, but added a codicil regretting that purpose-bred animals would now be doomed to the fate that pound animals had been spared.