

February 27, 2025

Senator Kyle Mullica, Chair
Colorado Senate Health and Human Services Committee
200 E Colfax
Room 346 Colorado State Capitol
Denver, CO 80203

Dear Chair Mullica and members of the Health and Human Services Committee:

Thank you for the opportunity to provide comments on SB 85, requiring adoption of animals no longer being used for research purposes. The Animal Health Institute is the national trade association representing the companies that make the animal medicines, vaccines and parasiticides that keep animals and humans healthy. We have some concerns about the role of the Attending Veterinarian under the proposed adoption program in SB 85, and are opposed as introduced and opposed to the proposed substitute released on February 13.

Our members strongly support adoption for research animals *that are suitable for adoption after research*. In animal health, animals are used in the research and development process. Since we are making products for use in animals, those products must be tested on the target animal. The use of animals is required by the federal regulatory agencies, like the U.S Food and Drug Administration (FDA), which approve or license our animal health products. The Federal Animal Welfare Act (AWA) governs, among other animals, dogs and cats used in research. The AWA and U.S. Department of Agriculture (USDA) implementing regulations require registration and licensing of entities using animals in research, inspections of facilities, and generally govern all aspects of humane care.

Under the AWA and its implementing regulations, the Attending Veterinarian (as that term is defined in 9 CFR § 1.1) is a specified role that has authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use. This includes responsibility for the judgment of which animals are suitable for adoption. This responsibility of the Attending Veterinarian cannot, and should not, be restricted or limited under state law.

SB 85 provides that before euthanizing a dog or cat, a research facility **shall** offer the dog or cat for adoption. The **only** condition under which this directive does not apply is “if a health-related research facility euthanizes the dog or cat for health or safety reasons.” The proposed substitute amends that to say “research, health or safety reasons.”

This proposed amendment does nothing to address the important role of the Attending Veterinarian. While the bill does need to clarify that it only applies to animals no longer being used for research, limiting the Attending Veterinarian’s judgment about an animal’s suitability for adoption to “research, health or safety reasons” entirely ignores the problem created by this legislation. It places the Attending Veterinarian in a position where there could be a conflict between state law that **requires** adoption after the conclusion of research unless the animal is essentially dangerous, and federal law.

An animal's best interests go beyond whether the animal is dangerous, and the Attending Veterinarian, who is familiar with the animal, must have no restrictions on their ability to make decisions in the animal's best interest. [Teddy's Law](#) provides that:

“Before euthanizing a laboratory animal no longer needed for laboratory research that the attending veterinarian, as that term is defined in 9 CFR 1.1, determines is suitable for adoption, a research facility shall offer the laboratory animal directly to its employees or to an animal protection shelter located in this state for adoption.”

SB 85 also includes record-keeping requirements that are different from those required by USDA. USDA requires facilities to submit an annual report that includes the number of animals being bred, conditioned, or held for use in teaching, testing, experiments, research, or surgery but not yet used for such purposes; as well as how many animals were used in different categories of research. These reports are already publicly available on USDA's website.

A health-related research facility is required, under this legislation, to take time away from animal care to document, each year, how many animals were transferred for adoption to a rescue, how many were transferred through an internal adoption program, and the names and addresses of the shelters each animal went to. These reporting requirements serve no purpose and should be removed from the legislation. Concerns about compliance would be better addressed the same way they are addressed under [Teddy's Law](#), which provides:

“287.391a Annual compliance report.
Sec. 11a.

(1) By March 31 each year, a research facility that uses laboratory animals shall submit a report to, and on a form provided by, the department that includes an attestation of compliance with the requirements of this act.

(2) The department shall use the information provided on a report submitted under subsection (1) for purposes of determining compliance under section 8a and shall not make any information provided on the report available on the department's website.”

Thank you for the opportunity to share our concerns. We are hopeful that they will be heard and we will be able to support an amended version that ensures that the best interests of research animals are not ignored.

Sincerely,



Mandy Hagan
Director, State Government Affairs



National Association for
**BIOMEDICAL
RESEARCH**

February 26, 2025

The Honorable Senator Kyle Mullica
200 E Colfax
RM 346
Denver, CO 80203

Dear Chair Mullica:

The National Association for Biomedical Research (NABR) is writing in opposition to SB 85, a bill concerning the adoption of research animals.

This bill would require a facility that uses animals for health-related research (health-related research facility) to offer a dog or cat to an animal shelter or a pet animal rescue for the purpose of adoption before euthanizing the animal. In addition, this bill would require research facilities to document the number of dogs and cats used for research, transferred for adoption to a rescue organization, transferred through an internal adoption program, and the names and addresses of the shelters each animal went to. As written, this bill would add additional, unnecessary administrative burden to researchers and institutions in the state of Colorado.

For more than 46 years, NABR has been the nation's only organization solely dedicated to advocating for sound public policy in support of ethical and essential laboratory animal research and the lifesaving discoveries they produce. NABR's diverse and unified membership includes more than 330 universities, medical and veterinary schools, teaching hospitals, pharmaceutical and biotechnology companies, patient groups and academic and professional societies that rely on humane and responsible animal research to advance global human and animal health.

Animal research remains vital to our nation's mission to understand disease, discover targeted therapies, alleviate suffering, and improve and increase the quality of life. Biomedical research projects involving animals are governed by a strict structure of laws, regulations and guidelines and continue to yield invaluable data in the process of discovering new therapies to treat, cure and prevent disease. Cancer therapies, immunizations, organ transplants, reconstructive surgeries and other medical innovations have been brought to fruition through research conducted at Maryland based companies and institutions.

NABR believes this legislation is unnecessarily duplicative of oversight that is already required at the federal level. Under current federal law, research facilities are subject to unannounced USDA inspections and must comply with the Animal Welfare Act as well as the Public Health Service Policy *The Guide for the Care and Use of Laboratory Animals*. Policies and protocols are in place, and strictly adhered to, that address animal housing and care, veterinary medical care, facilities management, training, and occupational health. Furthermore, most research institutions are also accredited by AAALAC International. AAALAC International is the primary accrediting body for animal research programs in the United States and elsewhere.

We ask the committee to unfavorably report SB 85 so Colorado research facilities can continue to create lifesaving treatments for diseases, discover targeted therapies, alleviate suffering, and improve and increase the quality of life for both humans and animals. Should you or your staff have questions please contact Brandon Morton, NABR's Vice President of Government Affairs via email at bmorton@nabr.org.

Sincerely,

Matthew R. Bailey
President



1. The mandating of animal adoption following their role in research would likely conflict with federally mandated responsibilities of the Attending Veterinarian whose responsibility from the Animal Welfare Act is to administer all aspects of the animal care program at a research facility.
A blanket mandate for the adoption of research animals is not recommended, nor wise. Adoption is not always the best option. But when it is possible, a process for adoption should be very specific and oriented toward each individual animal. This ensures that research animals, especially if they have special needs or high needs, can be placed appropriately. Animals that have spent time in research settings are not often appropriate candidates for pets and may not adjust well to residential settings. That's why it is so important for researchers, veterinarians and other professionals versed in animal welfare to conduct thorough evaluations, including assessments of health and temperament, before deeming an animal suitable for adoption. Working in tandem with shelters and rescue groups, those professionals are in the best position to determine an animal's well-being, not an administrative mandate lacking specifics.

In many cases, adoption is simply not possible. Therefore, any study protocols and their approvals given by regulatory agencies may leave no other possibility than euthanasia. Moreover, the Animal Welfare Act has requirements regarding final disposition of "covered" animals. This greatly reduces the pool of research animals available for adoption. But again, professionals, guided by care and safety standards, protocols, statutes and ethics, are in the best position to determine whether a research animal can be rehabilitated and placed in a non-institutional setting. Those processes already exist.
2. Almost all public and private research enterprises already have adoption programs, along with guidance, documents and policies in place for many years. These were established with agencies and nonprofit organizations that have been vetted and allow for the adoption of suitable research animals after the research has been conducted. Careful evaluation is conducted regarding lab animal disposition. It's a clear demonstration of how successful collaboration works without the need for legislation.

PhysiciansCommittee

for Responsible Medicine

PCRM.ORG

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February 27, 2025

Chair Kyle Mullica
Health and Human Services Committee
Colorado Senate

RE: Support SB25-085

Dear Chair Mullica and Members of the Committee:

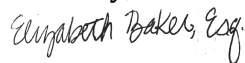
I am writing on behalf of the Physicians Committee for Responsible Medicine, a national nonprofit with nearly one million supporters, including tens of thousands of physicians, scientists, and public health professionals. Our organization supports SB 25-085, which would allow dogs and cats used in experiments a chance at loving homes. Multiple states have passed similar legislation; we hope Colorado will join their ranks.

To the surprise of many, tens of thousands of dogs and cats are used in research and testing across the United States every year. While death is part of some experiments, many dogs and cats used in labs are good candidates for adoption, but instead are killed because there is not an established avenue for adoption.

This bill would provide that option and is in accordance with the views of Colorado voters, who have stated their concern for animals used in labs. Allowing a chance for adoption is truly the least we can do for these dogs and cats.

We hope you will vote in favor of this bill. Thank you for your time and attention.

Sincerely,



Elizabeth Baker, JD
Director of Research Policy
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619-840-8151