

February 29, 2024

Honorable Rhonda Fields, Chair
Senate Committee on Health & Human Services
200 E Colfax
Denver, CO 80203

Dear Chair Fields:

On behalf of the Animal Health Institute (AHI), we respectfully oppose SB 067. AHI is the U.S. trade association for research-based manufacturers of animal health products – the medicines that keep pets and livestock healthy. AHI supports offering research animals for adoption when it is in the best interests of the animals. This legislation, however, does not make adequate provisions for attending veterinarians, those who are best equipped to determine if an animal is suitable for adoption, to make that decision. It also requires broad and unnecessary data reporting that will not help the Colorado Department of Public Health and Environment (the Department) determine if the proposed adoption requirements are actually being followed.

The use of animals in testing a broad range of human and animal products has long been a matter of public debate. For several decades, researchers, non-government organizations, industry and regulators have acknowledged the Principle of the 3 R's as guidance in this area. Specifically, the 3 R's refer to:

- Replacing animal use in an experiment as long as adequate alternatives are available.
- Reducing the use of animal experiments and the number of laboratory animals used, while using only as many animals as are needed to obtain a statistically significant outcome.
- Refining the methods and treatment of the animals during the experiments.

The animal health industry is committed to the 3 R's principle and is working with each of the federal agencies that approves/reviews animal health products to increase the adoption of non-traditional test methods. Progress has been made with the U.S. animal health regulatory agencies, and opportunities exist to enhance this progress. The animal health industry has worked with U.S. Department of Agriculture (USDA) on the adoption of in vitro testing methods to replace outdated animal testing methods to test for potency. The animal health industry has also worked collaboratively with the U.S. Food and Drug Administration (FDA) to reduce the need for research animals. The Environmental Protection Agency (EPA) has stated a commitment to the 3 R's principle.

The animal health industry, however, is unique among industries that use animals for research. In animal health, laboratory animals are used in the research and development process. But, since we are making products for use in animals, those products must also be tested on the target animal. The use of animals is required by the federal regulatory agencies which approve animal health products, including the USDA, FDA, and EPA. While we continue to work on reducing the need for animal testing, some amount will always be required by federal agencies because we are making products to improve the health and welfare of animals.

We support the aim of offering research animals to homes as pets when that is in the best interests of the animal. We understand an amendment is proposed to allow facilities to continue using their existing employee adoption programs, and we support that. However, the bill only allows consideration of "health and safety" in determining if an animal is suitable for adoption. There are circumstances where it would not be in the best interest of the animal or a potential adopter for an animal to be made available for adoption that go beyond the consideration of "health and safety" as SB 067 currently allows.

Under the federal Animal Welfare Act (AWA), the attending veterinarian is a defined 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.” “Use” has been interpreted to include responsibility for the judgement of which animals are suitable for adoption, as this is part of “care”. Such responsibility of the attending veterinarian cannot be restricted to only considering two aspects, health and safety, as it restricts the attending veterinarian’s ability to take the actions they are assigned responsibility for under the AWA.

The bill also includes broad reporting requirements, including the submission of reports concerning health-related research facilities as well as such facilities’ animal adoption programs. We understand that these requirements are still being discussed, and we would support reporting that is consistent with the reporting that is already required under the AWA. The AWA 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. You can access the reports for Colorado facilities [here](#).

Thank you for your consideration of our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mandy Hagan', with a stylized flourish at the end.

Mandy Hagan
Director, State Government Affairs



HUMAN ANIMAL SUPPORT SERVICES

February 28, 2024

Chair Rhonda Fields

Senate Committee on Health & Human Services

Submitted via online portal: <https://www2.leg.state.co.us/>

Re: HASS Letter of Support for SB 24-067

On behalf of the Human Animal Support Services (HASS) project, please accept this letter of support for S.B. 24-067. The HASS project is a national collaborative of municipal shelters and nonprofit rescues whose mission is to keep people and their pets together. HASS facilitates critical engagement of animal welfare organizations, communities, and human services organizations to build a system to better address the modern needs of communities, both for people and the pets they love.

Laboratories across the United States breed and experiment on animals for testing, research, and education. According to the Humane Society of the United States, approximately [80,000 dogs and cats](#) are used in testing and research in U.S. laboratories annually. During these studies, animals are typically given a multitude of chemicals, surgeries, and implants in the name of progress in human research. Unfortunately, most research animals have never touched grass or seen the light of day.

Research institutions rarely allow the public to adopt healthy, post-study animals or transfer them to rescue organizations or local shelters. Usually, once an animal completes their portion of the research, laboratories euthanize them, even if they're otherwise healthy enough to be adopted by loving families. More states are passing legislation that requires laboratories to seek avenues for adoption when possible, saving hundreds of lives each year. Colorado should join the [16 states](#) that have passed legislation that allows dogs and cats used in research to be adopted into loving families.

HASS would like to thank Senator Lewis for their leadership on this critical issue, and we respectfully request that the Committee vote favorably for S.B. 24-067.

Sincerely,

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February 25, 2024

RE: In SUPPORT of SB 67 – Health-Related Research Test Subjects

Dear Chair Fields, Vice Chair Ginal and honorable members of the Senate Committee on Health and Human Services,

On behalf of the supporters of the National Anti-Vivisection Society (NAVS), I am writing to ask for your support of SB 67 – Health-Related Research Test Subjects. This bill, generously championed by Senator Jaquez Lewis, sets reasonable parameters for research facilities that use dogs and cats to adopt out healthy animals once they are no longer being used in the lab. Passage of SB 67 would also increase transparency and accountability of an industry that for too long has operated behind closely guarded doors.

In 2021, 452 cats and 1,366 dogs were used for research purposes in the state of Colorado, according to annual reports submitted to the United State Department of Agriculture (USDA). These numbers put Colorado in 12th place for the number of dogs and cats used in experiments in 2021. Anecdotal evidence indicates that only about 30% of dogs and cats in Colorado that are behaviourally and medically suitable for adoption get released from laboratories. We owe it to these companion animals who are forcefully used in the pursuit of science to get that number to 100% by all means available.

Dogs and cats used in research are destined to spend almost every hour of their lives behind bars in cold, steel cages. Their only release from confinement comes when they are taken out and subjected to experimentation. Dogs are commonly used in cancer and cardiovascular research, studies of the nervous system and musculoskeletal disorders, and in drug, medical device, and medical procedure development. Cats are often used in neurological research and studies on hearing, balance, and spinal cord injury. After being subjected to such invasive experiments, the least we can do is to help these companion animals find loving homes.

The effort to adopt out healthy dogs and cats that are no longer being used in research finds support across party lines and among Americans of all ages and demographics. So far, similar bills have passed in 16 states: California, Connecticut, Delaware, Illinois, Iowa, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, Oregon, Rhode Island, Washington, and Virginia. These state bills address a deficiency in federal law, which regulates the care and use of research animals while they are in the laboratory but does not offer any protection to the animals once the experiments end. Because of this, many healthy dogs and cats are routinely euthanized upon experiment completion. Clearly, SB 67 would afford happier outcomes for hundreds of dogs and cats currently used in research facilities in Colorado.

This legislation also includes an important reporting requirement for animal use laboratories. As is, it is very difficult to find out how animals are used and in what types of research. Any insight that can be gathered from mandated reporting can help advocates and scientists focus their efforts on developing human-relevant, non-animal research and testing methods. It will also help us target those areas where



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using animals has repeatedly failed to produce significant treatments for humans, such as Alzheimer's and stroke research.

Additionally, due to our enhanced understanding of the inner lives of animals and what they experience and understand, public awareness of how animals are treated is at an all time high, so mandatory reporting serves a public interest.

Our goal at NAVS is to end all research using animals. As we work towards victory on that front, we enthusiastically support steps that help ensure a higher quality of life for lab animals. Thank you for all you do to advance greater protection for animals through the legislative process. NAVS is happy to help get this legislation passed.

Sincerely,

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