



*American Association for Laboratory Animal Science (AALAS) Public Comment to United States Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) (Docket No. APHIS – 2014-0098) entitled:*

**“Petition to Develop Specific Ethologically Appropriate Standards for Nonhuman Primates in Research”**

Position Summary Overview

On May 1, 2015, the Federal Register (Vol. 80, No 84, pgs. 24840-24841) contained a notice from the United States Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) (Docket No. APHIS – 2014-0098) entitled, “Petition to Develop Specific Ethologically Appropriate Standards for Nonhuman Primates in Research”. The agency is soliciting comments on the petition and any issues raised by the petition.

The petition was submitted jointly by the New England Anti-Vivisection Society, the North American Primate Sanctuary Alliance, the Laboratory Primate Advocacy Group, and the Animal Legal Defense Fund requesting rulemaking to amend the AWA regulations. Specifically, the petition requests amending §3.81 to require that research facilities construct and maintain an ethologically appropriate environment for nonhuman primates housed at the facilities, that is, an environment that is appropriate with respect to the patterns of behavior exhibited by the nonhuman primates in their natural state. The petition also asks that §3.81 be amended to specify minimum standards that must be met in order for an environment to be considered ethologically appropriate. The petition cites standards recently adopted by the National Institutes of Health (NIH) for chimpanzees used in NIH-funded research as a reference point for the development of such generally applicable minimum standards and as evidence of their feasibility.

We do not support the nature of the proposed regulatory changes. The current Animal Welfare Regulations allow for thorough oversight of all aspects of animal care and use to ensure humane treatment of animals used in research. The attending veterinarian (AV) in particular, has a mandate to provide for both the physical and psychological needs for those animals held within his or her facility. The regulations currently dictate, “each research facility shall assure that the attending veterinarian has appropriate authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use”. The AV is a highly trained and specialized veterinarian with advanced medical knowledge and comprehension of the behavioral needs of those under his or her care. The AV, in consultation with nonhuman primate researchers and behaviorists, should determine the conditions necessary for an ethologically appropriate environment for their institutions' animals. This

facility specific team is intimately familiar with their nonhuman primates and are ethically and morally responsible their care.

Nonhuman primates have distinctive characteristics not only centered on species but also on an individual basis, making it problematic to create comprehensive objective standards for their psychological wellbeing or ethologically appropriate environment. It would be unmanageable to create an all-encompassing regulatory document to capture every potential medical, behavioral, or research situation. The topic is far too complex and situationally dependent to create a defined list of specific standards.

Additions or changes to the current regulations must be thoughtfully and cautiously considered with feedback from highly qualified individuals. The petition requesting clear standards and definitions to promote psychological wellbeing and ethologically appropriate environments for primates used in research is lacking the necessary contribution from subject matter experts who are currently working within the field. Specifically, there is an absence of input from current laboratory science professionals, who specialize in nonhuman primates. This essential background would help elucidate the importance of having a facility specific plan in place guided by the AV of the research site. Without involvement of qualified individuals, the petition is lacking necessary information to make an informed decision.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cindy Buckmaster".

Cindy Buckmaster, PhD  
President, AALAS